



Aboriginal Way

www.nativetitlesa.org

Issue 67, Winter 2017

A publication of South Australian Native Title Services



Above: NAIDOC SA March 2017. More photos page 4.

Time for a First Nations Voice and Makarrata?

Aboriginal and Torres Strait Islander people from around Australia have called for constitutional change to create a First Nations Voice and the establishment of a Makarrata Commission for truth telling and treaty making.

The *Uluru Statement from the Heart* was the result of the Uluru First Nations Convention, which was the culmination of a series of First Nations Regional Dialogues held across the country.

It was organised by the Referendum Council as a new step in the constitutional reform process. Members of the Referendum Council involved in the process included Noel Pearson, Pat Anderson and Professor Meagan Davis.

The statement attempts to reconcile many different Indigenous people's views on the shape of constitutional reform.

Dr June Oscar, Aboriginal and Torres Strait Islander Social Justice

Commissioner attended the Uluru Convention and she says that a constitutionally enshrined body giving Indigenous people a voice is crucial.

"The Mabo decision entrenched the recognition of the rights of Aboriginal and Torres Strait Islander peoples in Australian law and created a policy environment for agreement making. It is only logical that we advance our rights to be constitutionally accepted so

that we have a voice which will be heard forever," Dr Oscar said during her 2017 Mabo Lecture.

Thomas Mayor is Secretary of the NT branch of the Maritime Union and was elected to the Uluru Convention representing his region. He is on the Working Group chosen to carry forward the proposals from the Convention.

Continued on page 2

Inside:	Celebrating the landmark 1967 Referendum	3
	25 years since Mabo decision	6
	Sorry Day 20 years after the Bringing Them Home report	12
	Jack Buckskin on why our languages matter	14

Constitutional reform push now for a permanent First Nations Voice and Makarrata

Continued from page 1

He says the Uluru representatives were deliberately seeking a permanent voice to the Australian parliament.

“The discussion about the voice is that it needs to be in the constitution because, like ATSIC was abolished, this wasn’t a call for the reforming of ATSIC, but ordinary legislation can be scratched out, just by the decision of the government of the day.

“It’s important that voice is something that’s in the constitution, that gives a voice that cannot be removed,” he said

The Working Group’s website **1voiceuluru.org** says that it is likely that that voice would be an elected First Nations national representative body, and that it would be empowered to give Aboriginal and Torres Strait Islander people a voice in laws that affect them.

The second key part of the Uluru Statement was to call for a Makarrata Commission. Makarrata is a Yolgnu word meaning ‘a coming together after a struggle’.

According to **1voiceuluru.org**, the Makarrata Commission would have two roles: supervising a process of agreement-making, and overseeing a process of truth-telling.

Mr Mayor says that the Makarrata Commission would play an important role in moving forward, including considering issues of Treaty.

“The Makarrata Commission would be somewhat of an umpire, with a frame work about Treaty making that makes sure that the negotiations are fair, and representative and also be an umpire that would assist our people to find the best possible results,” he told *Aboriginal Way*.



Above: Dr June Oscar and Uncle Ossie Cruse at the Uluru Convention.

During the Uluru Convention, a small group of delegates and their supporters walked out of talks, saying that it was a flawed process.

Victorian delegate, Lydia Thorpe, told NITV that agreement among delegates was no longer possible.

“We as sovereign First Nations people reject constitutional recognition. We do not recognise occupying power or their sovereignty, because it serves to disempower, and takes away our voice,” she said.

The Uluru Statement from the Heart was formulated in the days following the protest by those delegates.

According to Dr Oscar the Convention was designed carefully to take all views into account.

“I think most people felt like they had some real good opportunities for

involvement, participation and making informed decisions. Because they were presented with options and insights and perspectives on a very legal and complex issue.

“There were debates, there were challenges. There were people hearing each other out. And there was a large group of people who came from communities where they thought that this process wasn’t the process that would deliver what they wanted.

“So many however of the participants saw this process as the delivering the vehicle to be able to have the conversation – with the government, with the Australian people, on this very important issue of constitutional reform for our voice post the 67 referendum,” said Dr Oscar.

Mr Mayor said that the Uluru Convention was a challenging but important process.

“Importantly getting a couple of hundred people into one Convention to talk specifically about what we want in regards to constitutional change was a really unique opportunity for our generation and I thought that it had to be grabbed with both hands,” he said.

The Referendum Council provided their final report on the consultations to the Prime Minister and Opposition Leader on 30 June 2017.

The Prime Minister and Opposition Leader released the Referendum Council’s report on 17 July 2017. In line with the Uluru Statement from the Heart, the Referendum Council recommended only one change to the Constitution be proposed – that a First Nations Voice to Federal Parliament be created. For further information visit www.referendumcouncil.org.au

Uluru Statement from the Heart

We, gathered at the 2017 National Constitutional Convention, coming from all points of the southern sky, make this statement from the heart:

Our Aboriginal and Torres Strait Islander tribes were the first sovereign Nations of the Australian continent and its adjacent islands, and possessed it under our own laws and customs. This our ancestors did, according to the reckoning of our culture, from the Creation, according to the common law from ‘time immemorial’, and according to science more than 60,000 years ago.

This sovereignty is a spiritual notion: the ancestral tie between the land, or ‘mother nature’, and the Aboriginal

and Torres Strait Islander peoples who were born therefrom, remain attached thereto, and must one day return thither to be united with our ancestors. This link is the basis of the ownership of the soil, or better, of sovereignty. It has never been ceded or extinguished, and co-exists with the sovereignty of the Crown.

How could it be otherwise? That peoples possessed a land for 60 millennia and this sacred link disappears from world history in merely the last two hundred years?

With substantive constitutional change and structural reform, we believe this ancient sovereignty can shine through as a fuller expression of Australia’s nationhood.

Proportionally, we are the most incarcerated people on the planet.

We are not an innately criminal people. Our children are alienated from their families at unprecedented rates. This cannot be because we have no love for them. And our youth languish in detention in obscene numbers. They should be our hope for the future.

These dimensions of our crisis tell plainly the structural nature of our problem. This is the torment of our powerlessness.

We seek constitutional reforms to empower our people and take a rightful place in our own country. When we have power over our destiny our children will flourish. They will walk in two worlds and their culture will be a gift to their country.

We call for the establishment of a First Nations Voice enshrined in the Constitution.

Makarrata is the culmination of our agenda: the coming together after a struggle. It captures our aspirations for a fair and truthful relationship with the people of Australia and a better future for our children based on justice and self-determination.

We seek a Makarrata Commission to supervise a process of agreement-making between governments and First Nations and truth-telling about our history.

In 1967 we were counted, in 2017 we seek to be heard. We leave base camp and start our trek across this vast country. We invite you to walk with us in a movement of the Australian people for a better future.

Celebrating the landmark 1967 Referendum

On May 27, Australia celebrated 50 years since the successful 1967 Referendum, which acknowledged Indigenous people as citizens of the nation for the first time and allowed the Federal Government to make laws specifically for Indigenous people.

At a dinner hosted by the department of State Development, His Excellency the Honourable Hieu Van Le AC, Governor of South Australia and The Honourable Kyam Maher, Minister for Aboriginal Affairs reflected on the significance of the vote in '67.

Minister Maher said that the referendum marked the beginning of a shift in the nation's thinking.

"Increasingly people began to understand that Aboriginal people ought to matter, ought to be counted," he said.

"The referendum count wasn't just a symbolic gesture, but the symbolism of it alone was nevertheless very powerful.

"It was the beginning of something which is ongoing today. The beginning of the not so radical notion that Aboriginal people are just like all people, they want to be visible not invisible and they matter," he said.

Minister Maher said that the referendum paved the way for a great deal of change in South Australia and Australia more broadly. However, that change was sometimes frustratingly slow to occur.

"Throughout history rights for many people have rarely be won without a fight. Just about every right that Aboriginal people have gained in this nation have been won not granted. The referendum's resounding yes came about because of tireless advocacy by Aboriginal activists, including many South Australians," he said.

Governor Hieu Van Le also remembered and celebrated the work of local activists for the referendum campaign.

"Many passionate and courageous Aboriginal people from South Australia or with strong connections to South Australia were active in the lead up to the 1967 referendum.

Dr Jackie Huggins is the co-chair of the National Congress of Australia's First Peoples. As a child, Jackie helped her mother hand out how to vote cards in Brisbane for the '67 referendum,

"As a young child I saw the struggles and I saw the campaign unfold, which I still clearly remember," she told *Aboriginal Way*.

While politics was 'fairly incomprehensible' to her as a child, she knew that her mother believed in the importance of the changes to the constitution.

"My mother would always say 'we will be free people, we will be free come the referendum'," she said.

"I didn't quite know what she meant until years and years later, in a sense we were free, we weren't constrained by the flora and fauna act, we were now counted as humans in the census," she said.

The second major change to the Constitution in '67 was to give the Federal government power to make laws specifically for Aboriginal people. Dr Huggins believes this has had mixed benefits.

"With the right of the Commonwealth to override the states, one would think this would be a good idea, but it hasn't turned out to be, for example in the Hindmarsh Island issue and the Racial Discrimination Act, the Commonwealth has acted to the detriment of Aboriginal and Torres Strait Islander people I think," she said.

Overall, Dr Huggins believes that while there have been positive changes, there is still a long way to go.

"Much has changed, but much has gone at a very glacial pace. And in some areas its gone backwards. We just need to look at Close the Gap, where we've seen such bad outcomes. The high rates of suicide, incarceration, Aboriginal women are the fastest growing population in our country.

"There's been good and there's been bad but still overwhelmingly bad when 3% of the population, have such bad problems and we cannot get this fixed.

"Stakeholders and governments need to listen a lot more closely to Aboriginal and Torres Strait Islander people," she said.

At the 1967 Referendum Dinner in Adelaide, Governor Hieu Van Le also acknowledged that there is still a great deal of work to be done in Aboriginal advancement.

"Since 1967 we have seen a large range of positive changes in the status of rights recognition of Australian Aboriginal people but we also know that there is still a great deal of work to be done.

"The task of achieving all remaining to be done cannot rest on Aboriginal people's shoulders alone, it must be a project of the whole Australian community and society. That is true reconciliation," he said.



From top: The Governor at the 1967 Referendum Dinner; Mr Kyam Maher, Minister for Aboriginal Affairs; Dr Jackie Huggins at Reconciliation SA Breakfast.

"The newly formed Aboriginal Women's Council for example, was extremely influential at this time. Led by Gladys Elphick, the Council played an extremely important role lobbying for Aboriginal rights," he said.

Minister Maher spoke about the feeling that was around following the resounding Yes vote at the 1967 referendum.

"Reflections of those who were there at the time recall feelings of joy, as well as a euphoric atmosphere in communities.

"It also realised the difficulty that change would not come immediately. This was just the beginning of further struggle. Many Aboriginal people faced the same discrimination, the same racism, the same inequality in education, health and employment.

"Although there was a feeling of optimism that the referendum would deliver equality in the eyes of the broader Australian community, it has taken time. And while that change didn't come quickly, the moment of the referendum gave us an unambiguous result.

"We are right to celebrate how far we have come since the 67 referendum and we are right to celebrate the hard work of so many including those who are no longer with us."

SA NAIDOC Awards celebrate local achievements

South Australia has celebrated outstanding contributions by Aboriginal people in our community at the SA NAIDOC Awards, held at the Adelaide Town Hall on 3 July 2017.

From an Auntie and author who has spent her long life sharing her story of being stolen from her family, to a young athlete who played at an elite level from the age of just 16, the awards remind us of the diversity and contributions of South Australian Aboriginal people.

Doris Kartinyeri is a Ngarrindjeri woman who was stolen from her family at just one month old. She spent the

first fourteen years of her life at the Colebrook Home. She has been a strong advocate for the Stolen Generation and sharing her own personal journey.

She is the author of the book *Kick the Tin*, which is widely used in schools and universities. Doris Kartinyeri won the Lifetime Achievement Award for 2017.

Roxanne Dodd is a league soccer player who scored 19 goals last year. She has represented at state and national level and first represented at league level at the age of 16, showing maturity and strength beyond her years. She's continuing to develop in her sport and

as a role model for young Aboriginal women and was awarded the NAIDOC SA Sportswoman of the Year Award.

The Sportsman of the Year Award was presented to Anthony Wilson, who has played football in the SANFL for Port Adelaide and Norwood, and who spent one year playing in the AFL. Presenting his award, NAIDOC SA Chair Charlene Lamont said that Anthony showed strength and resilience when he was racially vilified and that he is young person who demonstrates a never-give-up attitude.

After receiving his award, Mr Wilson said that he recognised the importance of sports people contributing to their community.

"I guess being a sports person you're always looked up to and you see the likes of Eddie Betts and Adam Goodes and all those people who stand up and do a lot for their community.

"I'm pretty lucky to be pretty close with Eddie and have learnt a lot from him, not only about footy but as a community person as well, he's always giving back," he said.

Mr Wilson also works as a Program Manager with AIME, mentoring young people.

It's really inspiring to see kids get out of their comfort zone and jump head first into something they don't know what they are getting into, that's what we're all about, getting kids out there and confident in their identity," he said.

Female Elder of the Year Award was presented to Heather Agius. She has worked tirelessly over the years advocating for her community. She volunteers in a number of roles, including with ALRM and Corrections visiting and supporting Aboriginal prisoners.

After her award was presented, Mrs Agius said that she does the work with Aboriginal youth because she loves it.

"I work in Prisons part time, talking to the lads. And I just love what I am doing, I'm helping in some way with the young lads who get into trouble.

"I'm just able to sleep at night. I'm able to see what's happening across the country

as far as imprisonment of Aboriginal people, and trying to help in some small way and trying to get the boys to change their lives," she said.

Making change is not always easy Mrs Agius explained.

"I have had men come up to me and say they want to change, there's still a lot of hindrances out there, not being able to get jobs, being disqualified from driver's licence, because they don't have any trades. So it's really hard, we are behind the eight ball as far as moving forward with that, so trying to fix those things is a necessity," Mrs Agius said.

Male Elder of the Year went to a face that is familiar to many due to his work in acting and on advertising campaigns, including the Yidaki and the Quit campaign – Stephen Gadlabarti Goldsmith.

Mr Goldsmith was recognised for his kind and open sharing of his cultural knowledge and his work in reviving the Kurna language.

Scholar of the Year was presented to Professor James Ward, a researcher and academic who is well known around the country for his strong stance in closing the gap and improving Aboriginal health outcomes.

Artist of the Year is James Tylor, who practices in experimental photographic practices. He uses a hybrid of analogue and digital photographic techniques to create contemporary art works that are generating interest across the country.

Zancott Recruitment was recognised as 2017 NAIDOC Business of the Year.

The inaugural NAIDOC SA Caring for Country award was presented to a regional Landcare facilitator from the APY lands pastoral program – Walter Tjami.

Young person of the Year was awarded to Kyren Dixon, a polite and respectful young man who has played football for Port Adelaide and completed a degree.

The 2017 NAIDOC person of the Year is Paul Vandenberg, Director of Aboriginal Programs at Port Adelaide Football Club.



Top to bottom: All recipients of 2017 SA NAIDOC Awards; Heather Agius, Anthony Wilson and Winnie Warrior; All recipients of 2017 Premier's NAIDOC Awards, pictured with the Premier and Minister for Aboriginal Affairs.

Mr Frank Wanganeen was the recipient of the 2017 Premier's NAIDOC Award.

He was recognised for his outstanding contribution to Kurna language revival and reconciliation through cultural education.

Student Tayla Karpany was recipient of the inaugural Dr Alice Rigney Prize.

Other finalists were: Judith Lovegrove, Irene McKenzie, Chelsea Lieberwirth and Karen Glover.



This page, from top left, clockwise: Tyrell Sinclair, Rhian Miller, Selina Miller, Anthony Wilson, Echo Soldier Wolf, AIME; NAIDOC SA Chair Ms Scharlene Lamont addresses crowd after NAIDOC March; NAIDOC family fun day; NAIDOC comes to the Mall; Students from Challa Gardens & Gilles Street Primary School, artists Jacob Logos and Taylor Power Smith, Ivan Copley and Lord Mayor Martin Haese at a new artwork unveiled at Reconciliation Plaza at Tarntanyangga/Victoria Square; (left to right) Simone Ulalka Tur, Natalie Harkin, Ivan-Tiwu Copley, Taylor Power-Smith, Katrina Ngaitiyala Power; Family at the SA NAIDOC March; Jeremy Bilney, Joan Bilney, Tilly Coulthard at NAIDOC March; 2017 SA NAIDOC March; 2017 SA NAIDOC March.

Celebrating 25 years since the Mabo decision

On 3 June 2017, Australians commemorated 25 years since the Mabo High Court decision, which recognised that Indigenous people occupied the country before the British arrived.

The historic legal victory overturned the concept of terra nullius and paved the way for the Native Title Act, which recognises the rights of Aboriginal and Torres Strait Islander people over their country.

On Mer, or Murray Island, the place that was the subject of the Mabo case, one hundred guests flew in to commemorate and celebrate the anniversary.

NITV news reported that Islander leaders came together to celebrate the anniversary and to discuss a way forward for Indigenous sovereignty. They called for a Public Holiday on Mabo Day each year to mark its significance.

A major ceremony featured the eight clans of Murray Island and the Federal Minister for Aboriginal Affairs lay a wreath and unveiled a renovated tombstone for Eddie "Koiki" Mabo.

In Townsville, where Eddie Mabo lived for much of his life, celebrations took place with a *Community in Unity* event in the suburb of Rasmussen.

The celebration featured traditional Islander dance and games, as well as food and cultural, art and information stalls.

In central Townsville, the Mabo family, led by Gail Mabo, hosted a public event at Jezzine Barracks on 3 June. With a blue sky and the backdrop of Townsville's striking hills, Shane Howard (Goanna), John Butler, Rochelle Pitt + Big T, Neil Murray and Deline Briscoe as well as traditional cultural dancers entertained a large crowd.

On the eve of June 3, the Mabo family hosted a Mabo formal dinner, which featured traditional Islander dancing and food as well as a performance by Neil Murray.

The night featured addresses by Linda Burney MP, Australia's first woman Federal member of Parliament, and Journalist Jeff McMullin, a long-time supporter of Indigenous advancement.

Linda Burney told the audience that the Mabo decision was a momentous one for Australia.

"It was not just a blip in 1992 of one High Court decision. What this decision did, it changed the face of this country. It changed the face of land tenure in Australia," she said.

This page, left to right from top left: Milliana Davey and Rebecca Kaddy at Unity in Community event; Traditional Islander weaving demonstration at Community in Unity event; Uncle Gabez Tapan and Aicey Day; Emily Day and Lahana Zaro at Unity in Community; Families celebrate at Community in Unity. Opposite page, left to right from top left: Community in Unity celebration of Mabo Day; Gail Mabo at Mabo Day Celebrations in Townsville; Families at the Community in Unity event; Bonita Mabo speaks to NITV's Karla Grant; Families at the Mabo Day Celebrations in Townsville; Tony Mola, Tayiesha Tapim-Savage, Vicky Tapim at Community in Unity; Traditional Islander dancing at Mabo Day Celebrations; Mabo Day Celebrations at Jezzine Barracks in Townsville: Linda Burney MP addresses Mabo Dinner; Traditional Islander dancer, Mabo Dinner.

She recalled the moment when she heard the decision of the high court on the radio, and realised what it meant.

"Most significantly, most astoundingly, the legal doctrine of terra nullius, the way in which the British took our country, that then is dead. Terra Nullius is a legal fiction."

In his speech, Jeff McMullin explored what this country might look like if Eddie's vision was fulfilled. He said that the hope that Mabo represents remains important.

"So often we've had milestones, hope and lots of rhetoric, but in my view that raising of hope, the trust, is so quickly followed by political treachery," he said.

"We need to go back to the hope that Eddie Mabo instilled in others who went with him on the journey. To build a hopeful vision that would include everyone and overcome division and move us to true greatness. Surely the next foundation stone in the building of a great society would be recognition of the most ancient sovereignty that has existed here for time immemorial," Mr McMullin told the audience at the Mabo Dinner.

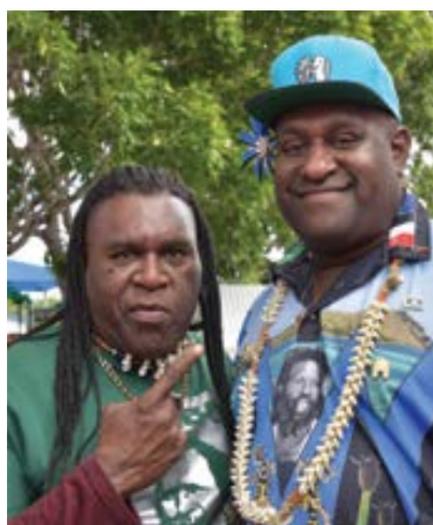
The Welcome to Country at that event was presented by Professor Gracelyn Smallwood, who later told Aboriginal Way that she recalled the days when she first met Eddie Koiki Mabo.

"I was a student at James Cook University when Uncle Koiki Mabo was the gardener. I used to see him regularly watering the plants, I heard that he was growing some local traditional foods there. But then I would watch him go to the library. I believe Uncle Koiki spent more time in the library than I did.

"Uncle Koiki Mabo was like an uncle to me. Uncle Koiki and his wife, Aunty Bonita, they lived in such low socio economic conditions, but they welcomed everyone to their home, they always had stew and rice for them," she said.

At James Cook University, Eddie Mabo became a friend of historian Henry Reynolds, who was known for his groundbreaking work on the violence and conflict involved in the colonisation of Australia and who encouraged Eddie Mabo to take his claim to court.

"Professor Henry Reynolds and Dr Noel Lewis were very pro talking about sovereignty and native title. I was privileged to be a student of theirs," Professor Smallwood said.





Why families matter

A new national campaign that aims to eliminate the over-representation of Aboriginal and Torres Strait Islander children in out of home care by 2040 was launched in the Rundle Mall during Reconciliation Week.

This year marks the 20th anniversary of the ground-breaking Bringing Them Home report. In 1997 Australia was shocked to learn that 20% of children living in the child protection system were Aboriginal or Torres Strait Islander. Now, 20 years on, the number has increased and they are 35% of all children in the system.

The Secretariat of National Aboriginal and Islander Child Care (SNAICC) says that this is a national crisis that needs urgent attention and have launched the Family Matters campaign with the support of 150 strategic alliance groups nationally.

Leata Clarke, Chairperson of the Family Matters campaign in South Australia, told Lisa Burns from SA Council of Social Services that the reasons for the removal of children are complex.

“Poverty is a big factor with children being taken away from family, also we do have that intergenerational trauma that has a big impact on families they haven’t been able to have the knowledge and understanding in regards to the raising

of children, but also there is also the Aboriginal child rearing practices which needs to be recognised in the system we work in,” Ms Clarke said.

It is a core principle of the Family Matters campaign that Aboriginal and Torres Strait Islander people and organisations participate in and have control over decisions that affect their children.

“It’s critically important to work with families and bring them to the table as a part of the decision making. We do have the solutions,” Ms Clarke said.

The national campaign is also focussed on protecting Aboriginal and Torres Strait Islander children’s right to live in culture.

“Sometimes children do need a place with non-Aboriginal carers or in residential care. What we try to encourage is to keep a cultural plan, so they have opportunities to connect with family and keep their culture going and have that sense of belonging and connectedness,” Ms Clarke said.

“That’s why it’s critical that when children do go with non-Aboriginal carers, which are very loving and supportive, we want to ensure they have an opportunity to learn songs, to learn dance, to learn language, so they can keep that going.”



Photos: Dusty Feet Mob, Kalaya Children’s Choir and Yellaka perform at the launch of the Family Matters campaign in Rundle Mall.

There can be real impacts on the child if this does not happen Ms Clarke explained.

“If they are not being cared for and maintaining that culture they are confused and not understanding why their skin might be different and why they might talk different. And when they do go back to family when they become 18 they don’t quite fit in there either, so they’ve got to walk in two worlds and that can sometimes be very confusing and confronting for children.”

That cultural and personal connection needs to be with the child’s own nation and language group, she said.

“Because as you know Australia is made up of a number of nations and even in South Australia there’s quite a range of different language groups and nations. There is a big diversity within the Aboriginal culture as well. So it’s identifying which clan group they do come from and keeping that strong,” Ms Clarke said.

While the long term goal of the campaign is to eliminate the over-representation of Aboriginal and Torres Strait Islander

children in care, the campaign has established several other targets along the way.

They include ensuring that Aboriginal and Torres Strait Islander children enjoy equal access to early intervention and prevention services and equal rates of reunification with their families. The campaign also wants to see the elimination of the over-representation of Aboriginal and Torres Strait Islander children in notification of child abuse or neglect and being subject to a removal order.

The campaign is currently in its first phase – raising awareness and collecting support. Leata Clark says that contributions from across the community are needed to make the necessary changes.

“We are in the first phase now, to capture people’s awareness and to build that base to create change. We need a people movement to do that,” she said.

If you would like to know more about the Family Matters campaign, head to www.familymatters.org.au

Treaty consultations continue in SA

South Australian Aboriginal people are overwhelmingly in support of state-based Treaty, with the majority wanting Treaty to be made between multiple Aboriginal nations and the Government, rather than one Treaty across the entire population.

That's the findings of the first phase of South Australian Treaty discussions with Aboriginal people.

Dr Roger Thomas was appointed Treaty Commissioner by the Premier in February 2017 and his office has since commenced a consultation process with Aboriginal people.

In the first phase of the consultation, the Commission put two initial questions to Aboriginal South Australians.

The first question is: *Do you want a treaty?* The second question is: *Should there be a single Treaty for all Aboriginal South Australians, or multiple Treaties with different groups?*

The response to the first question has been overwhelming, Commissioner Thomas told *Radio Adelaide*.

"The response was overwhelmingly strong – in the 85–90% range saying 'Yes, we do want a treaty'."

The second question had a less overwhelming response, but it is still clear that more people want local Treaties, Commissioner Thomas explained.

"Whilst there were stronger views leaning towards local treaty, nevertheless there was still relatively a strong view that indicated some saw it better to have one Treaty for all South Australia."

Commissioner Thomas spoke to *Radio Adelaide* the week of the Uluru Convention. Asked if talks about constitutional reform and treaty at a federal level have an impact on the discussions currently underway in South Australia, Commissioner Thomas said that those talks operated in a separate sphere.

"Clearly the SA Government is limited by the limited powers of the South Australian constitution and the Federal Government has the powers of the Federal Constitution," he said.

"So that doesn't get in the road of what we're doing here in the state level. That agenda is going ahead because that's to do with the Federal Constitution."

The consultation is now in its second phase, which involves the Treaty Commissioner's office meeting with groups of Aboriginal people across the state to discuss more detailed questions about a possible framework for Treaty.

At those meetings, the Treaty Commissioner will be offering some more detailed questions for discussion said Mr Thomas.

"Which is 'what do you see are the important benefits which might come from a treaty – for you, for your community, for your nation, for



your group. What do you see as the governance? Who should sign a Treaty? How do you see that working? Who do you see as being the members of your group to be in that Treaty? What are the criteria that you believe should be put for all Aboriginal parties to get to the table to be able to negotiate a Treaty if ever that happens'."

This second phase involves the Commissioner travelling across the state and meeting with groups in person.

All native title holder groups were invited to send a representative to a second Treaty meeting in Port Augusta on 27 June.

At that meeting, Commissioner Thomas told the group that over five hundred conversations about Treaty in South Australia had taken place. Those were held face-to-face at over 45 meetings. The commission had received over two hundred written submissions from individuals and groups and had seen over 2,000 visits to the website.

At the meeting with native title groups, Commissioner Thomas canvassed the issue of eligibility to represent the Aboriginal parties to any Treaty.

This issue is central because of a commitment to principles of self-determination, to ensure that any representative group had authority to speak for the people it represents and to negotiate a Treaty for people it represents.

The question of which Aboriginal people might be included as parties to any Treaty was discussed. Issues such as place of birth, length of residence in South Australia and connection to South Australian Aboriginal nations were considered.

Further discussion took place on the relationship between this state-based Treaty and any federal Treaty, given recent developments in constitutional reform and Makarrata. Commissioner Thomas stated that a state-based Treaty can only strengthen the position of South Australian Aboriginal people in a federal discussion.

Commissioner Thomas told *Radio Adelaide* that the consultation had been a complex one but he was determined to hear from many Aboriginal South Australians as possible.

"The challenging part of it is that South Australia is a relatively big state and so is the Aboriginal community. Its widespread, it's diverse, and it's got many layers of different Aboriginal heritage and culture across it. My job in terms of facilitating that conversation is challenging because the ultimate objective is to as much as possible to get to as many groups, as many individuals, as many groups as I possibly can within the timeframe."

Commissioner Thomas acknowledged the difficulty of the original timeframe for his report when he spoke to Aboriginal Way shortly after his appointment. That timeframe has now been amended by the Minister for Aboriginal Affairs he said.

The final report of the Commission for Treaty on Aboriginal people's thoughts on Treaty will be with the Minister by 21 July 2017.

The next step towards Treaty in South Australia is for enabling legislation to be passed in Parliament and the wider community to be involved in a conversation.

Reconciliation celebrated in the West

At the annual Reconciliation in the West event, held at Tauondi Aboriginal College in May, Reconciliation SA Board member Ivan-Tiwu Copley told the crowd that true reconciliation is about Aboriginal and non-Aboriginal Australians coming together to build understanding and relationships.

He presented this flag design created by an 11 year old, Milla Lokhorst, who did the drawing for Reconciliation week at her school. The design shows the Australian and Aboriginal flags together, with black and white hands reaching in partnership and the words "We can reflect" and "We can say sorry".

Mr Copley noted that acknowledging and reflecting on the past is a central part of the Reconciliation process and that Milla's design demonstrated this concept beautifully.



Native title groups meet in Townsville

Over 880 delegates met in Townsville, on the traditional lands of the Gurambilbarra Wulgurukaba people, from 5-7 June for the 2017 National Native Title Conference.

The annual conference explores the challenges and opportunities of native title in the broader context of Aboriginal and Torres Strait Islander aspirations for their lands, waters and communities.

Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS), one of the convenors of the conference, reported that the event included 75 presentations and 150 speakers, with over half of those delegates being Aboriginal and or Torres Strait Islander people.

The first day, designed for Prescribed Bodies Corporate and native title representative bodies only, made time for dialogue and knowledge sharing, and to cater for various areas of interest in the native title sector, including of strategic importance and coordination.

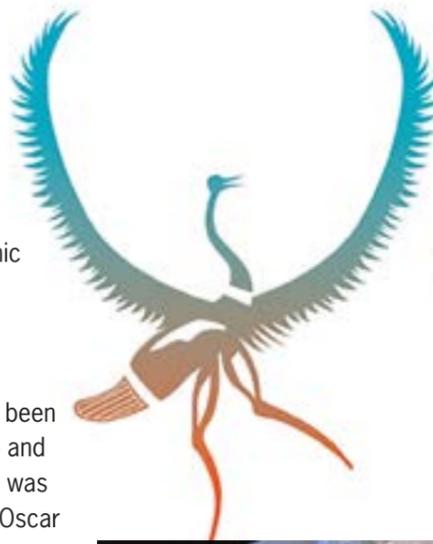
Public session sessions on later days included keynote speeches, dialogue forums, Indigenous Talking Circles, topical and technical workshops and papers presented by native title holders, claimants and practitioners. Talk focussed on issues including PBC

governance and developing economic and commercial opportunities, new advances in cultural heritage and ethical research partnerships.

The annual Mabo lecture, which has been held in memory of Eddie Koiki Mabo and the High Court decision since 2001, was presented by Dr June Oscar AO. Dr Oscar is a proud Bunuba woman from the town of Fitzroy Crossing in WA and is now the Aboriginal and Torres Strait Islander Social Justice Commissioner with the Australian Human Rights Commission.

The conference's focus on youth was significantly developed this year, including a strong key note address by Murrawah Johnson and a more extensive youth forum.

The conference was fortunate to hear from leaders at the Referendum Council regional dialogue process. Dr Meagan Davis, Pat Anderson and Noel Pearson presented a comprehensive report on the 12 Regional Dialogues and Uluru Convention. They shared the perspectives of Aboriginal and Torres Strait Islander people as expressed at those meetings and read the Uluru Statement from the Heart. They explained the political process going forward for further discussions on constitutional reform.



OUR LAND IS
OUR BIRTH RIGHT
MABO25 & Beyond
National Native Title Conference 2017



SA Native Title Services Legal Officer Michelle Cioffi, told the story of the De Rose Hill people, who have had a hard-fought journey to native title, from registration of their claim in 1994, to a consent determination in 2005 and the consequent landmark compensation claim almost ten years later.

Since that time, the Corporation has looked to self-determination, exploring business opportunities to ensure the corporation's longevity, as well as ways to preserve country and culture for the enjoyment of present and future generations. Ms Cioffi spoke about how SA Native Title Services has worked alongside De Rose in these goals.



This page, left to right from top left: Dr June Oscar delivers the 2017 Mabo Address; Traditional dancers welcome delegates to the Native Title Conference; Dodie Eggmottesse from 4KIG 107.1FM; Michelle Cioffi, SA Native Title Services presents at the Native Title Conference; Murrawah Johnson; Outgoing Chair AIATSIS Mick Dodson. Opposite page, top: Traditional dancers welcome delegates to the Native Title Conference.



Recent changes in Commonwealth support for PBCs

Prescribed Bodies Corporate (PBCs) need to become self-sufficient land managers and that has required changes to the way that they receive support, according to the Department of Prime Minister and Cabinet.

Mr Greg Roche, Special Adviser, Housing Land and Culture in the Department of the Prime Minister & Cabinet (PM&C) addressed the National Native Title Conference in Canberra with an update on Commonwealth support for PBCs.

As native title claims across Australia are determined, there is a growing number of PBCs across the country established to manage the associated native title rights.

Mr Roche reported that there are 169 PBCs across Australia currently, with that number increasing. He said that half of those have no income or assets, three quarters no employees, the majority have no office.

Mr Roche said that this resourcing shortfall meant that many PBCs don't have the capacity to use their native title rights should they wish to.

"They find it hard to access resources that are needed to build their capacity and plan for their long term operation," he said.

He said that the government's objective is to build the long term capacity of PBCs to become self-sufficient land

managers. This will ensure they are well-placed to take advantage of commercial opportunities that can support wealth creation and ultimately economic independence.

Mr Roche also told the Native Title Conference that PBCs deal with a high number of disputes.

"ORIC tells us that PBCs are almost three times more likely to be subject of a complaint than all other Indigenous corporations combined," he said.

"Those disputes often go back to the imperfect process that led to the determination. We have a systemic problem that needs to be addressed. Those disputes usually related to who is and who is not a native title holder. Those relate back to the rush, the pressure that everybody is on to reach determination," he said.

In November 2016, the Department of the Prime Minister and Cabinet consulted native title stakeholders on the support needs for PBCs. From the responses, the Government identified priority areas for support and a pathway for PBCs to move to self-sufficiency.

Mr Roche told the conference that those priorities are to improve PBCs' access to information, training and expertise, to minimise disputation and facilitating the resolution of disputes,

greater engagement with PBCs and moving to a regional emphasis for the delivery of PBC support.

Mr Roche pointed out that Native Title Representative Bodies ('Rep Bodies'), like SA Native Title Services, remain crucial partners in providing information and training to PBCs. He also said that more broadly Rep Bodies would continue to work with PBCs.

"Self-sufficiency does not mean self-reliance," he said.

"PBCs can continue to receive services from a range of providers, including Rep Bodies on an ongoing basis, but we see PBCs as being in control of the level of services and how they are provided."

The Government is proposing a transition model for PBCs to move to self-sufficiency. The model recognises capacities within PBCs in a range of areas, for example rule book management, negotiation, dispute resolution, and aims to provide support to match the level of capacity.

This plan for PBC funding sees organisations move from 'Incubation', where PBCs rely on external support, and need assistance for operations, to Transition and onto Self Sufficiency, where PBCs are in the driving seat, but may still choose to use service providers.

Funding for PBCs now comes from three

sources, Mr Roche explained to the Conference. They are the Indigenous Advancement Strategy – Community Led Grants, PBC capacity building funding and the Indigenous Entrepreneurs Fund. Each funding source had different criteria and priorities. Mr Roche emphasised to the audience at the conference that there was not a cap to the amount of funding PBCs could receive each year, as long as they met relevant criteria.

SA Native Title Services (SANTS) has provided feedback to the Federal Government on the developments in PBC funding.

SANTS CEO Keith Thomas said that the proposed change in policy by PM&C represents significant challenges for PBCs.

"SANTS will work with PBCs to look at what their development needs are and how SANTS can best assist those PBCs to implement their development plans.

"SANTS will monitor progress and continue to provide ongoing support and advice to PBCs," he said.

As the Native Title Service Provider for South Australia, SANTS continues to support PBCs in all aspects of their operations, including applying to the Federal Government for support.

PBC National Representation

The National Native Title Council (NNTC) is looking to broaden its role and change its structure so that Traditional Owner Corporations (TOCs) and Prescribed Bodies Corporate (PBCs) can be included in the national voice for native title issues.

The NNTC is the peak body for Native Title Service providers. Since its inception in 2007, it has become a strong representative for native title concerns among governments and industry on issues of national significance and reform.

Glen Kelly, Chief Executive Officer of the NNTC presented information about the new structure, how organisations can become members and the benefits membership can provide at the National Native Title Conference in Townsville.

He explained that the NNTC has created a new member class called Local Native Title Organisations for PBCs and TOCs.

Service Providers will now be in a separate member class called Regional Native Title Organisations.

The structure of the Board of the NNTC has also changed, there will be four Directors from each member class selected at the AGM.

However, Mr Kelly explained that the Council remains the agenda setting, policy and strategy decision making body of the NNTC. The Council itself is made up of one delegate from each member organisation, with other people from member organisations allowed to contribute to open discussions.

Some of those present at the presentation expressed concern that



there had not been further consultation on the new structure. Others said that they had hoped for a new structure that included state based representation.

Expressions of interest for membership of the NNTC for PBCs and TOCs are now open – application forms were handed out at the conference and are available on request from the NNTC.

Visit website for further information at www.nntc.com.au

Sorry Day 20 years after the Bringing Them Home report

South Australians gathered at Victoria Square on Friday 28 May to mark National Sorry Day, an event which marks the release of the Bringing Them Home Report on the Stolen Generations in 1997.

The event featured speeches by representatives from the Adelaide City Council and South Australian government, who acknowledged the trauma and journey to healing of the Stolen Generations.

Community groups hosted stalls with information, food and activities for the many school children who attended to learn about this part of Australia's history.

In Canberra, the Healing Foundation marked the day with the launch of a new report Bringing them Home 20 Years On. The report was presented to the Prime Minister and Opposition Leader in Parliament House.

The report found that Australia's aging Stolen Generations are still struggling with the impacts of unresolved trauma, and need a new policy approach to assist them and their families to heal.

Healing Foundation Board Chair Steve Larkin said the failure to implement the

recommendations of the original Bringing Them Home report has made matters worse for all Indigenous Australians.

"Our Stolen Generations haven't been able to heal because Australia has failed to address their needs in a co-ordinated, holistic way," he said.

"As a result, their grief, loss and anger is being passed onto their kids and grandkids," said Professor Larkin.

The Healing Foundation called for several actions by Governments:

- Federally coordinated financial reparations similar to the Commonwealth Redress Scheme provided to survivors of child sexual abuse;
- A full analysis of the Stolen Generations changing needs as they age;
- A national study on intergenerational trauma, its impacts, and the best way to address those;
- Ensuring all professionals who work with the Stolen Generations and their descendants are trained in recognising and addressing Indigenous trauma.



Left to right from top left: Carolyanha Johnson & Nathan Rigney, Quitline Cancer SA; Mandy Brown, Stolen Generations Survivor addresses Sorry Day event; Art project at Nunkawarrin Yunti; Lynette Croker, Sorry Day Committee Member; Brad Hart & Kesha Roesch from Nunkawarrin Yunti at Sorry Day; Badge making at Sorry Day; Eddie Peters performs for Sorry Day.

60 years since Palm Island Strike



Above: Dulcie Isaro (left) and supporter at the National Native Title Conference.

In a year of anniversaries, the anniversary of one significant protest that was hidden for many years was commemorated in North Queensland recently.

Palm Island is located on the Great Barrier Reef about 60 km north of Townsville. In 1957 all residents went on strike against the autocratic management of the settlement. The strike was only resolved when seven defiant men and their families were removed from the Island and sent to live elsewhere permanently.

Dulcie Isaro was a 15-year-old living on the Island when the strike took place. Her father, Willy Thaiday, was one of the seven men who remained defiant against the authorities to the end.

She says that the strike happened because of the terrible living conditions on the Island.

“Well the living conditions for one, the pay, they got tobacco for wages, the girls were in dormitories, they used to place the young girls in dormitories, if they were punished they had to wear sack bag dresses and sweep the main street as punishment for running away from the dormitory.

“If they were punished, they were given beans to crack in the hot sun. There were so many different things they punished us and nobody in Australia knew that was going on, I suppose apart from the Government officers I think, nobody else knew that was going on,” she said.

“Back in the 50s, from the time they arrived there to the 50s, it was very bad. We were forced to do a lot of things, like

tourists did come to Palm Island, and we had to dance for them to welcome them and present a friendly Island, to welcome people and carry them to shore if the tide was right out, they’d carry the tourists on the boats into the shore,” she said.

“They had to do that because otherwise they’d go to jail. Jail was the main place people would go as soon as they said no to anything. The jail was the answer to everything. The Superintendent was the judge, jury, all in one. We had no rights at all,” she said.

Mrs Isaro said that the fear that the residents felt on standing up for their rights at the strike was very real and was created by their long-term treatment on the island.

“Well after being treated like slaves, you all know what slaves are like, what they can and cannot do, the fear that they have. We were exactly the same way when our men got up,” Mrs Isaro told *Aboriginal Way*.

“I mean slaves are not treated too good you know, and we were born into that protection life. Born into slavery, our education limit was four, grade four. And the work was already planned for us, we’d have to be house maids for anybody that wanted people to work for them. That was our limit in that life,” Mrs Isaro said.

Sixty years later she still recalls the day of the Palm Island strike.

“I remember the day, I followed a lady by the name of Rose Conlgu, I followed her around and wherever the men went, I was there,” she told *Aboriginal Way*.

“I tell you, the fear that I felt. I was sick in the stomach, shaking like a leaf.

Because I’m thinking what’s going to happen?” she said.

While the whole population of the Island went on strike initially, many people decided to back down because of fear.

“The whole island went on strike, then after a while the superintendent sent for the police and between twenty and forty policemen came over to check it out. It was a non-violent strike.

“But they came over and the people, having lived under those conditions of fear, started to get afraid when they saw the policemen and many backed off. And they came and said to the main leaders – look we’re going to leave you because we’ve got to think of our families. So one of them said ‘that’s fine brothers if you want to leave the strike, go to the other side of the island,’” said Mrs Isaro.

The majority of Island residents went to the other side of the island, leaving the strike, but a small group remained.

“Alby Gaia said ‘which way brothers, what are we doing to do?’ because they had no supporters now and my father said ‘We go for broke!’ and they all shouted ‘Go for broke!’”

The strike was only resolved when the remaining seven strikers and their families were taken away from the Island with Mrs Issaro’s family taken inland to central Queensland.

“We were sent to Woorabinda, a settlement in the valley of the Great Dividing Range, beautiful little spot, but totally different from Palm Island,” she said.

Mrs Isaro has always been determined that the history of Palm Island be remembered, by residents and the broader community.

“Well at the time they hushed it up and just wanted to silence the men, so it went like a hidden and forgotten history, even the people on Palms sort of forgot there was a strike and their faith mainly was in the government that was giving them referendum, they believed, that was ten years after the strike, they seemed to have forgotten about the strike

“So when I went back after 40 years and I asked them about that they didn’t know anything about it. I called it forgotten history and from that time 40 years, then 50 years, now 60 years, I’ve fought for those people to know this was their history and to be proud of it,” she said.

“They might have been hush hushed, you know. They were not like the people that struck in Canberra, they had the media, the world media on them. Our fathers had zero. Absolutely no contact, no support. But that didn’t stop them. They had the courage, they were so, so mighty for doing it. They knew they’d be hushed up, but they went ahead anyway.” Mrs Isaro said.

Each year on 9 June, the Palm Island community remember their history and celebrate the bravery of the strikers.

“We’re going back to Palm Island to celebrate for three days what happened on Palms, the strike, a beautiful celebration, dancers and all kinds of stuff to celebrate,” said Mrs Isaro.

Jack Buckskin on why our languages matter

Speaking language is an important way to reconnect with elders past and present, find pride in your culture and teach your children their heritage says Kurna language teacher Jack Buckskin.

He addressed the Reconciliation in the North Morning Tea during Reconciliation Week and afterwards spoke to Aboriginal Way about learning and teaching Kurna, the traditional language of the Adelaide Plains.

When he was growing up, Mr Buckskin was not even aware of the language he was speaking.

"I knew Aboriginal English, but I didn't realise what languages I was speaking. Not until I got involved with learning Kurna specifically that I realised that the words I knew weren't Kurna so I went to research where the words I knew as a kid fit into the picture. Then I started realising that within one sentence I knew five different Aboriginal languages.

"That made me want to go and learn more Kurna because I was like learn one language fluently, the rest are a bonus, but then eventually I can move in to learning them as well and try to learn as many different Aboriginal languages as I can," he said.

Mr Buckskin's interest in learning Kurna grew from his involvement in traditional dancing.

"A lot of the traditional songs are sung in language and the Elders, uncles that got me involved and cousins, didn't really know too much language.

"The whole idea was to go and learn language and then incorporate it into the dances and I guess reinvigorating those cultural dances. So the goal at first was to learn enough so we could incorporate it into dance, and then it just started growing," he said.

Mr Buckskin learnt the core parts the language from Karna language expert and University of Adelaide professor Rob Amery.

"I learnt from Rob Amery from Adelaide Uni, he's our main teacher of language, so I'd go to class once a week and he'd teach us all of the patterns," he said.

But it was his own keen interest and life experience that really taught him to speak Kurna.

"I guess you could say it was the linguist who got me on the right track and then it was just self-taught at home.



Above: Jack Buckskin addressing the Reconciliation in the North Morning Tea during Reconciliation Week.

"Some people would go to a class and think okay that's where I do my learning. But that's where I saw it as the opportunity to ask questions, but at home is where I did my own learning

"I really wanted to learn. It was a passion, that I wanted to learn as much as I could as quickly as I could, so I spent as much time on it as I could," Mr Buckskin said.

Mr Buckskin says that learning the language taught him about Kurna culture in new ways.

"The language can tell you things that we take for granted. Sometimes we get told the meanings and we think that's the truth, but language itself can tell you a little bit more.

"There's multiple layers to everything in our culture, like spirituality, there's layers within our communities, within our environments so it's about understanding those layers and breaking it all down," he said.

"For example, there's language written all over country. You know the Salisbury area the area is known as murlayaki which is the dry valley, and if you look from where we are and you go down the hill it's the dry valley, it goes down and back up as you go out.

"Now up in Tea Tree Gully is known as wirra which is the forest country, and if you look around there's trees everywhere, and this country goes all the way out to Gawler and then crosses the border into the Ngadjuri people's land, so it talks about relationship, just by the one name talks about relationships with other Aboriginal groups as well," he said.

Mr Buckskin is now a well-known Kurna language teacher himself. He moved from teaching Kurna directly to teaching language teachers at Tauondi College in Port Adelaide.

"Well I spent five years teaching a lot of non-Aboriginal teachers and I probably had two Aboriginal students in that time, so I've stopped teaching to adults, now training the next generation of language teachers," he said.

The place of Kurna language teaching is slowly becoming established, Mr Buckskin says.

"Slowly now we've got accreditations, certificates in place, career development. When I started the linguist said you'll never get a job in it, now we have career pathways for kids.

"So now we're just getting the word out that that's what they want to do, teach about language and culture, that's possible.

"That's a massive empowering tool for an Aboriginal youth," Mr Buckskin said.

He is also teaching Kurna to his own children, the hardest students he's had so far.

"The way to create first language speakers is to speak it to them from birth. So I spoke to my daughter from a young age so she is hearing it, understanding it, and then as she's started getting older she's understanding it but she still responds in English.

"I guess that's a bit of a challenge because in our household mum speaks English and everyone else speaks English, and the only person that speaks in language is me.

"So it's been a challenge, but now I've got two more boys, and because we used more language with them, she's using more language too because it's a communication tool between me and all of the kids, and sometimes my partner too now," he said.

Native Title Act amended to enable existing ILUAs

Federal Parliament has passed amendments to the Native Title Act that were proposed by the Government and ultimately supported by the Opposition.

The amendments were proposed in response to the Federal Court decision of *McGlade*. That decision required each

and every member of the applicant group to execute Indigenous Land Use Agreements. That would be regardless of individual applicants being deceased or refusing to execute for any reason.

Native title service providers, including SA Native Title Services, representative bodies and land councils around Australia

unanimously supported the amendments, in order to ensure the many Indigenous Land Use Agreements (ILUAs) threatened by the *McGlade* judgment remain valid.

The National Native Title Council welcomed the passage of the amendments, with Chief Executive Glen Kelly telling *The Australian* that

the amendments ensured that no individual had the "right of veto over community decisions".

CEO of SA Native Title Services Keith Thomas said that the amendments returned certainty to a number of agreements in South Australia and were welcomed.

Update on Native Title claims in South Australia

SA Native Title Services (SANTS) continues to work with native title holders and claimants, their representatives and other stakeholders to resolve native title claims currently before the Courts. There are currently twenty three native title applications being dealt with in South Australia.

One longstanding native title claim now has a trial date set while three others appear to be headed for determinations in September or October this year.

The Kurna People's Native Title Claim, which covers an area from the tip of the Fleurieu Peninsula and north to Redhill, is scheduled for trial commencing in April 2018.

The Ngarrindjeri and Others Native Title Claim, which covers an area around the River Murray, Lakes and Coorong region, is now working towards a consent determination in September 2017.

The Dieri No.3 Claim, which covers the area along the Eastern coast of Lake Eyre, is in case management, with a determination expected in September 2017.

Work continues on overlapping claims by the *Adnyamathanha Peoples* (Area C & F), *Wilyakali No.2* and *Ngadjuri Nation*, located in the Flinders region, near the NSW border. Applicants are hopeful of a determination in October 2017.

Two new claims are currently being considered and prepared in South Australia and look to cross into other states.

Community members have authorised a claim for an area in the *South East*.

SANTS has been assisting the *Yandruwandha Yawarrawarrka* people, who hold native title rights over an area in the North East corner of South Australia, with the preparation of a further claim in Queensland and NSW.

Some current claims have reached important stages in their processing, with matters before the Court impacting on their progress.

Strike out applications have been filed in the *Far West Coast Sea* claim, with the hearings taking place in the Federal Court on 3 July.

An appeal to the decision in the *Lake Torrens* case is waiting on judgement from the Full Federal Court.



Work continues on the *Wirangu No.2* claim over an area on the west coast of the Eyre Peninsula. The State of South Australia is currently assessing the Native Title Report provided by the Applicant.

The *Narungga Nation's* claim is over the area covering the Yorke Peninsula. The Native Title Report for this claim is now completed and has been provided to the State Government for assessment.

The *Nauo No.2* claim has been amended and is undergoing the registration test, with work on a Native Title Report underway.

The *Tjayiwara Unmuru* people's compensation claim is in the far north of South Australia on the border with the Northern Territory. The matter remains in mediation with fruitful discussions underway to resolve the matter.

Some active claims have been adjourned until the next callover, the hearing when the courts assess and prioritise all native title claims before them.

That includes the *Malyankapa Peoples* claim, which is for the area on the border with New South Wales from the boundary of the *Wilyakali* claim up to the Queensland border.

The *Ngadjuri No.2* and *Wilyakali* matters are also both adjourned until the next callover. *Walka Wani Oodnadatta* and *Arabana No.2* are recent claims that are expected to progress by the next callover.

Kokatha No.3, *Nukunu* and *Barngarla (Port Augusta overlap area)* have also been adjourned to next callover. The *Nukunu* matter is also progressing along well and the applicants are hopeful of a consent determination in the future.

For full details of all Native Title Applications and Determinations, including access to detailed maps – head to the Native Title Tribunal website – www.ntt.gov.au and search the Registers and Applications



Vale Yami Lester OAM

Indigenous activist Yami Lester has passed away in Alice Springs at the age of 75. Yami was blinded by nuclear testing in outback Australia and spent decades as a nuclear and land rights campaigner.

His family have released the following statement:

Yami Lester OAM
24 August 1941 to 21 July 2017

It is with great sadness that the family of Yami Lester announce the passing of Yami Lester (Poppa Yami), Yankunytjatjara leader and Elder, Land Rights and anti-nuclear campaigner on 21 July 2017, age 75.

Yami was born in the early 1940s at Walkinytjanu Creek (Wal-kin-jahnu) an outstation on Granite Downs Station in the far north of South Australia.

When the atomic bomb went off at Emu Field (the first test on the mainland), Yami was about ten years of age and through life would re-tell with clarity and sadness of his family being blanketed in the toxic fallout and the sickness and death that followed.

As a stockman and skilled horseman, Yami spent his early years working on pastoral properties across South Australia until losing his eyesight as a teenager and later becoming completely blind – the consequence of dust from the nuclear bomb.

Yami was a staunch land rights campaigner active in the handback of Anangu Pitjantjatjara (APY Lands) in far north South Australia to traditional owners as inalienable freehold title, as well as the monumental return of Uluru and Kata Tjuta to traditional owners in 1985.

He was a member of the Aboriginal Advancement League, was drawn to social work assisting families in need with health and education during work with the United Mission and was instrumental, together with the late Reverend Jim Downing, in the establishment of the Institute for Aboriginal Development in Alice Springs and the Pitjantjatjara Land Council.

As a professional interpreter and cultural broker he worked in the law courts making sure the voice of Anangu was understood.

Yami made it his life's work to campaign locally, nationally and internationally for the clean-up of Maralinga following the Nuclear Atomic Bomb testing by the British in the 1950s and 60s, for a Royal Commission and for compensation for destruction and contamination of country and the dispossession of Anangu. It was hard work rewarded with the extensive remediation of country as well as financial compensation for Maralinga Tjarutja peoples.

For several decades, supported by his children, he continued a relentless campaign against nuclear weapons as well as plans for a nuclear waste dump in South Australia. Earlier this year he welcomed the decision by the Australian Government to offer a Gold Card for health care for those affected by radiation fallout at Maralinga but reminded us it was too little too late.

Yami was a staunch land rights campaigner active in the handback of Anangu Pitjantjatjara (APY Lands) in far north South Australia to traditional owners as inalienable freehold title, as well as the monumental return of Uluru and Kata Tjuta to traditional owners in 1985.

He retired to his traditional lands at Walatina Station near Marla in the State's far north, which will be his final resting place.

Yami's story is depicted in the National Portrait Gallery. In 1981 he received an OAM for his service in the field of Aboriginal Welfare and has a published autobiography. His warmth, kindness, generosity and resolve inspired so many Aboriginal and non-Aboriginal people and as Tjamu (grandfather) and Katja (Great grandfather) he will be forever remembered by his loved ones, his extended family, community and by so many.

Yami leaves an incredible legacy of better global understanding of the devastation of nuclear bombs and for the ongoing battle for recognition of the consequence of them on the rights and interests of Anangu.

Memories of the man and his contribution will remain forever in the hearts of so many people, especially Bronya, Lucy and his children Leroy, Rosemary and Karina who have followed in his footsteps as interpreters and protectors of country and his twelve grandchildren (Lionel, Lachlan, Tahlia, Kieran, Kiah Robbie, Carlin, Leesha, Jessica, Joshua, William and Larissa and two great grandchildren (Lucy-May and Levi). Rest in Peace Dad and poppa.

Yami passed away peacefully in Alice Springs.

Meet the SA Native Title Services Board

SA Native Title Services (SANTS) is a public company limited by guarantee and governed by a Board of Directors which oversees the strategic direction of the company. The majority of Board positions on the SANTS Board are designated for Aboriginal people. Our Board members bring a range of skills and experiences to their role directing the organisation.



April Lawrie – Chairperson

April heralds from the Mirning and Kokatha people of the

far west coast, with many family and relatives living in Ceduna.

For many years, April was involved in supporting her Mirning people with pursuing land rights for the Nullarbor region, where the Mirning now co-manage the Nullarbor parks. April has also been involved in native title processes and governance on the state's Far West Coast. After gaining confirmation of their native title rights in 2013, the Far West Coast Aboriginal Corporation is now a Regional Authority for South Australia.

April studied Social Work and has originally worked in Aboriginal foster care and later in a range of South Australian government agencies on Aboriginal issues across urban, rural and remote communities. Her current role is as Director of Aboriginal Education in the Department for Education and Child Development. She has devoted her time and skills over the last 25 years to Aboriginal issues across government and at the community level, in particular contributing to the formation of Aboriginal policy at the state and national level.

April has been on the Board of Directors for the Bullinda 'Lawrie' family homeland, the Far West Coast Aboriginal Corporation, Far West Coast Investment Pty Ltd, Far West Mining and Civil Company. She also served as an inaugural delegate to the National Congress of Australia's First People, and on a national peak body council for PBCs.



Damien Coulthard – Deputy Chair

Damien is from Adnyamathanha country. He

grew up in Quorn and Nepabunna South Australia being very connected to his heritage and culture. His passion for teaching and ability to lead started at a very early age when he first began playing sport.

This also led him to become a High School Teacher, now in his seventh year at Le Fevre High School in Semaphore. He is the coordinator for the South Australian Aboriginal Sports Training Academy (SAASTA) as well as Sports Coordinator for his school. The SAASTA

academy focuses on academic learning, achievement and acceleration through sports, which he takes great pride in. He is a valued part of his School and very well respected by the staff, students and local community.

As a leader in his community Damien takes on many positions and roles to empower youth and his peers, one of which includes being Captain of his football team, Port Districts. His love for health and wellbeing also inspired him to take on a part time role as a personal trainer at Pushing Performance.

Damien's role for local native food business Warndu incorporates direct relationship building with communities and wild harvesters. This is a hugely important role for the company as it is its core goal to build long term relationships with communities around Australia.



Paul Case – Treasurer

Paul is a Chartered Accountant with over 20

years' commercial experience and is a Registered Company Auditor. Since joining MLCS Corporate in 1995 as Director of the company Paul's expertise has developed with a major focus on business planning, strategic planning and development strategies to create wealth for his clients.

His industry experience covers the retail, tourism and mining sectors and in particular he has developed a niche offering to Native Title Claimants in exploring commercial opportunities associated with agreements.



John Briggs – Secretary

John is a proud Aboriginal man who identifies with the Yorta

Yorta People from Cummrugunja (our home), which is part of the Barmah Forest on the Victoria, New South Wales border on the Murray River. John has devoted a large portion of his working life sharing his experiences and working with Aboriginal people in his local community and across the states and territories of Australia.

John is the General Manager of Intract (Indigenous Contracting services). In collaboration with the Aboriginal Foundation of South Australia and McMahon Services, Intract was established to provide contracting and training services to the civil construction and mining industries. As General Manager, this involves being active in establishing the operations of Intract, which include networking within the civil construction and mining industries, employing and training suitable staff including Aboriginal employees, undertaking projects and business development.

Other experiences include: Director of Active Bobcats, Rio Tinto Supervisor/Trainer for ATAL (Aboriginal Training & Liaison), Jackeroo, Mechanic, Hotel management, retail, telecom lineman, station overseer, plant operator and demolition. These positions have been held in farming, hotel, automotive, telecommunication, mining and civil construction industries.



Lavene Ngatokorua – Director

Lavene is Youth and Children's Coordinator at

Davenport Community and CEO of that community. She is a Wangkangurru, Adnyamathanha, Kuyani, Luritja woman from Davenport; an Aboriginal community located 300km north of Adelaide.

The Davenport community was known as Davenport Reserve before it formed its own Aboriginal community council in 1973. Lavene took on the demanding voluntary role of CEO after the community lost Government funding in 2014.

Lavene has been involved in native title as a community member and observer, attending meetings and native title hearings for the Adnyamathanha people. She continues to contribute to the native title process for her people and all native title groups of SA through her involvement on the SANTS Board.

Lavene believes we need to learn from our Elders and think of new ways to build Aboriginal Nations. This means to provide people with better options to learn and take on business opportunities; to listen to people about their needs and aspirations. Lavene feels strongly about engagement and capacity development for all Aboriginal communities in South Australia and assisting PBCs (native title corporate bodies) with their future endeavours.



Allan Hunter – Director

Allan was admitted as a solicitor in South Australia in

1971. Until 1998 he practised in private practice in SA principally in litigation and

Clinton Pryor welcomed

After seven months of walking to seek justice for First Nations people, campaigner Clinton Pryor was greeted by a large crowd of supporters and a police escort as he arrived in Adelaide and walked through Victoria Square.

Clinton Pryor is a Noongar, Yamatji, East Kimberley and Pilbara man walking from Perth to Parliament seeking audience with the Prime Minister and encouraging the community to stand up for justice.

On Monday 24 April, Mr Pryor's Adelaide supporters came together to celebrate his arrival and walk alongside him on Kurna Country, from Gepps Cross through to Tarndanyangga.

Mr Pryor says the idea for his walk came about after he spent 16 months in Heirisson Island protesting the forced closure of Indigenous communities.

"I realised how the system is failing our people and the injustices towards us, not just ourselves, but towards everyone else, made me realise the steps to do something and stand up for something," he said.

Mr Pryor became a protester for forcibly closed communities and the homeless after experiencing homelessness himself following his father's death.

"My brother died when I was 11 years old, then when dad died it shattered me, so I went to lose myself for two years," he said.

Noonie Raymond has been travelling with Clinton since he left Perth after getting to know one another on Heirisson Island



"I got involved with the First Nations people in 2012 and Clinton came to Heirisson Island later, and I got to know him well down there. He always had that drive in him," he said.

Mr Raymond says the highlight of the journey was when Clinton asked him to come, and it's been a buzz all the way through.

"When walking through the land you get an understanding of how the people travelled through there. The culture lives out there. We've been in the ancient lands and we've travelled on songlines, so it's all there still," he says.

Mr Pryor has been following songlines and visiting communities on his journey to Adelaide, the first major city on his walk to Canberra.

"Getting back to the city we got bit nervous because we haven't been in the city for a while, but once we got here the nervousness went away.

"It's amazing to see all these people walking behind me and joining us here on this march," Mr Pryor said.

specialised in professional indemnity and then health law principally defending doctors and dentists. In 1998 he retired from Wallmans Solicitors, and joined United Medical Protection, now Avant, working in various management roles including Head of Claims, Deputy CEO and Acting CEO.

Since August 2007 he has worked as an independent consultant principally to Professional Indemnity Insurers, and Legal and Medical Practices. He was chairman of SAPMEA from June 2008 until June 2014, a founding director of SANTS and interim chair until November 2009, chair of the SA Law Claims Committee and in June 2017 appointed as a supplementary member of SACAT. Allan retired from private legal practice on 30 June 2017.



Craig Allen – Director

Craig is a Yandruwandha Yawarrawarrka man with

a background in Psychology and Criminology. He has worked extensively

throughout the country supporting Aboriginal and Torres Strait Islander individuals, families and communities.

Craig works within the philosophy of “Cultural Way First” which is reflected in his policy writing, consultation and advice surrounding strategic direction and reorientation of service for Aboriginal people. As Deputy Director (Poche) with Flinders University, Craig has been working collaboratively with Aboriginal and Non-Aboriginal people and the faculty of medicine, creating a comprehensive, culturally safe and secure Aboriginal health curricula in order to create greater understanding and promote attitudinal shifts in health service professionals.

In addition to Craig’s work commitments with the university, Craig also finds time to give back to community and contributes his time, energy and expertise on a number of Aboriginal community-controlled boards.

Craig intimately understands the spiritual and cultural connections Aboriginal people have with their respective custodial lands.

On a personal level, he believes it imperative that custodians have their native title rights and interests recognised and he actively supports communities so they may engage in other opportunities and become more self-determinate.



Troy McNamara – Director

Troy has spent most of his life on the Eyre Peninsula, mainly

in Whyalla, but in his younger years in Port Lincoln. Troy is a Barngarla man and he also has connection to the Narungga people on the Yorke Peninsula.

Troy’s connection to country is very strong and he often visits the Gawler Ranges where he has strong family ties.

Troy also gave evidence to the Federal Court in 2014, and in January 2015 Justice Mansfield ruled that the Barngarla people were the only Native Title holders for that area, and Barngarla had satisfied the requirements of the Native Title Act.

Troy currently works as Aboriginal Engagement Officer for WALGA Mining and Services which is 100% Aboriginal Owned. Troy has also been fortunate to work with two other Aboriginal owned Mining companies – Ngarda Civil and Mining (WA) and Rusca Bros (NT).

Troy’s work experience is very broad, having worked as a builder’s labourer in his teens, to working for the SA Ambulance Service for three years in his early 20s.

Troy has also advocated on behalf of Aboriginal prisoners and their families through his employment as an Aboriginal Liaison Officer at Yatala Labour Prison and also with the Aboriginal Prisoners and Offenders Services (APOSS).

Troy has been a member of numerous Boards over the past 20 years including as a Director on the Aboriginal Legal Rights Board.

For further information about our Board and staff visit our website at: www.nativetitlesa.org

in Adelaide on his walk for justice

Mr Pryor says his arrival in Adelaide will make the remainder of the journey easier in terms of travelling and obtaining food and fuel, which was a struggle as he walked through the Western desert.

“No one does a walk through that Western desert through summer, it’s too dangerous, not much water out there.

“I felt like I was dehydrated and I felt like I was going to die, that’s when I realised I had to get up and push through because the communities are not far out there to get fresh water and that.

“Once we got over the hill, a community of people saw us and they came running over with water and food and I felt relief that I’d finally made it past the hardest bit of the journey, the 16-day walk,” he said.

While Mr Pryor has made it through the toughest physical part of his journey, he says his arrival in Adelaide is just a test run, and the next leg of his journey to

Melbourne and Sydney will be a different kind of challenge.

“It will be harder in a way of talking to a lot of people, working with a lot of people, getting headaches, media interviews, organising stuff with communities down that way and with council groups and everything else, it will be more intense in that way,” he said.

Mr Pryor says the welcome he has received from people in remote communities on his journey and the stories they shared with him opened his eyes to a different world.

“Hearing of injustices where you had deaths in custody, removal of children, people were raped and on top of that we hear about the massacres that only took place back when our Elders were just young. They used to have to watch their dad or mother be shot off a cliff and you have society telling people to get over it.



“It is a hard thing to move on, and this is what is really going on is there’s so much bad that has happened and so much injustice is happening and everywhere is failing. People are struggling these days and something has to be done to lift the people’s spirit up again.”

Mr Pryor says he hopes those inspired by his journey will also start to stand up for what they believe in.

“Get up and stand up, stand up for what you believe in. Stop talking about it over social media and complaining, start doing it and start believing.

“One thing I learnt about myself is how wise I have become with the knowledge I have collected. It made me become a stronger leader to keep going,” he said.

Mr Pryor says it’s up to the people to take a stand against the injustices towards them.

“There’s so much failing on the system right now from the Government itself towards to the Australian people, that it’s

affecting all of us in a way that is making life hard.

“Everyone’s stressing out, life should be easier and peaceful and relaxing. Life should be easier for all the people of Australia,” he said.

Mr Raymond says while the journey has been the best of his life, he looks forward to the end because it can only be the beginning of many changes the country needs.

“Who knows what’s going to happen when we get there. Our plans have changed from what we started off with and Clinton’s got a fair bit of knowledge in his head now.

“Every day you learn and it’s been an incredible learning experience for Clinton and myself. It’s been a pleasure; I’ve literally loved it and I have no regrets whatsoever,” he said.

Clinton Pryor’s walk for justice can be followed via his website www.clintonwalkforjustice.org



Our column **in review** features reviews and stories on Aboriginal writers, artists and musicians. We welcome your feedback and suggestions. So if you know of a new work about to be published or an artist or musician please contact us on (08) 8110 2800.

People of the Red Sunset shining a light

An innovative media organisation that partners with young people from remote communities is behind a contagious new song and music video that is enjoying success and being viewed globally.

Desert Pea Media's (DPM) recent collaboration with Bourke High School, a music video called 'People of the Red Sunset' received 300,000 views in just two weeks, was added to spot rotation on Triple J and was picked up by MTV.

Created in only 5 days, 'People of the Red Sunset' by the B-town Warriors is an ensemble hip-hop act from Bourke, NSW. The success of the project has led Desert Pea Media to confirm funding for another four projects in Bourke this year.

DPM is a charity organisation which works with individuals and communities in regional and remote areas around

Australia, and uses the process of contemporary storytelling to engage participants and support them in creating important dialogue.

They have had nearly 2 million views on their YouTube channel, mostly from young Indigenous people. Creative Director Toby Finlayson says music is a great way to teach young Indigenous people about their heritage.

"The more cultural content we can include in the productions, the more young people are learning about their culture, their identity, and their foundation.

"Our key objective is to create work that makes Indigenous people proud and makes them feel connected to their country, and to their communities, and builds a bit of positivity," he said.

Another project entitled 'Our Country, Our Way' by The Mob, which was in partnership with a legal service in Broken Hill, made the Triple J hottest 100.

"We are really proud of the outcome and the community is really stoked, apparently the local radio gets 30 requests every day of that song, so they community is really proud of it," Mr Finlayson said.

Mr Finlayson says the work of Desert Pea Media is important to create conversation, as there's a real need for change in Australia.

"There's a really horrific social and cultural history with our Indigenous population and the effects of that have been experienced today, every day.

"The highest suicide rate in the world is in young Indigenous people, there's ridiculous rates of incarceration and chronic disease, and it's really difficult," he said.



Mr Finlayson says creating a conversation about these issues and what can be done in response to the cultural and social devastation of Indigenous Australia is essential.

"Using art as a tool to kind of host that conversation in a way that's non-confrontational and a bit easier, we can really make some progress," he said.

Mr Finlayson says to successfully create community and cultural development, DPM focuses on discussing how a particular community can bridge the gap between what is real and what is ideal in their environment.

"We ask them to think about the bridge, so how do we get from the real to the ideal, how we get from where we are to where we want to be. So all of the content, everything that is written, everything that goes into the songs and the films, comes from the words of the participants following that narrative."

Mr Finlayson says DPM is comprised of a team of artists who range in their



experiences and skills. While many were already established producers, song writers and artists, some are former participants of earlier projects.

"Some of our artists actually have come from project participants, so they've started off as kids in schools who have participated in our song writing projects and they've been mentored over the years to start facilitating projects, so it's kind of a bit of an inter-generational skill base," said Mr Finlayson.

Mr Finlayson says with the success of recent projects, Desert Pea Media are the busiest they have ever been, with many projects due for production and release in the coming months.

in
review



Photos courtesy of Toby Finlayson.

SANTS Services

Who we are and what we do

SANTS is recognised and funded as the Native Title Service Provider for South Australia by the Commonwealth Government under s203FE(1) of the *Native Title Act 1993* (Cth).

SANTS provides legal representation and guidance, anthropological research and community liaison to support native title applications, negotiations and determinations.

SANTS performs all of the functions of a representative body in native title throughout South Australia.

Those functions as set out in Section 203B of the *Native Title Act* are:

- Facilitation and assistance;
- Certification;
- Dispute resolution;
- Notification;
- Agreement making;
- Internal review; and
- Other functions.

SANTS provides a wide range of services to South Australia's Aboriginal Nations who hold or may hold native title.

SANTS is committed to working with Aboriginal Nations to realise their

aspirations, which are often broader than the recognition of native title.

Native title determinations now have been made over more than half of South Australia. There are currently fifteen PBCs established in SA to manage native title rights and interests.

SANTS works with many of these native title groups to enhance their position to manage their native title outcomes, comply with legislative responsibilities and develop and grow to achieve their aspirations.

Our activity in this area includes:

- developing and strengthening governance practices including through provision of legal advice, development of corporate policies and delivery of education and training initiatives;
- facilitating community-based planning to develop strategic and operational plans;
- developing and enhancing stakeholder relationships;
- implementing agreements and identifying, managing and enjoying native title benefits;

- accessing business development services and advice;
- identifying and delivering community development projects including to protect cultural heritage and country;
- engaging in policy and legislative reform and implementation.

Recently, SANTS delivered its first corporate governance training program to PBCs and also delivered two financial management training sessions in partnership with PwC's Indigenous Consulting (PIC).

In our work in community development, our focus is currently on protecting cultural heritage and caring for country. These collaborative caring for country projects are important for the ongoing exercise and protection of native title rights and interests.

SANTS welcomes Aboriginal Nations and native title groups who would like to work more with us.

SANTS receives funding from the Commonwealth and South Australian Government to perform its functions and to provide other services.



SOUTH AUSTRALIAN NATIVE TITLE SERVICES

Level 4
345 King William Street
ADELAIDE SA 5000

Editor
Keith Thomas

Communications Officers
Lucy Kingston
Kaliah Alice

Contributor
Shanisse Edson

Designer
Alison Fort

Advertising Enquiries
(08) 8110 2800

Circulation
10,000

If you have any stories of interest to our readers, please address any correspondence to:

editor@nativetitlesa.org

Aboriginal Way
South Australian
Native Title Services
Level 4
345 King William Street
ADELAIDE SA 5000

Ph: 8110 2800
Fax: 8110 2811
FREECALL: 1800 010 360

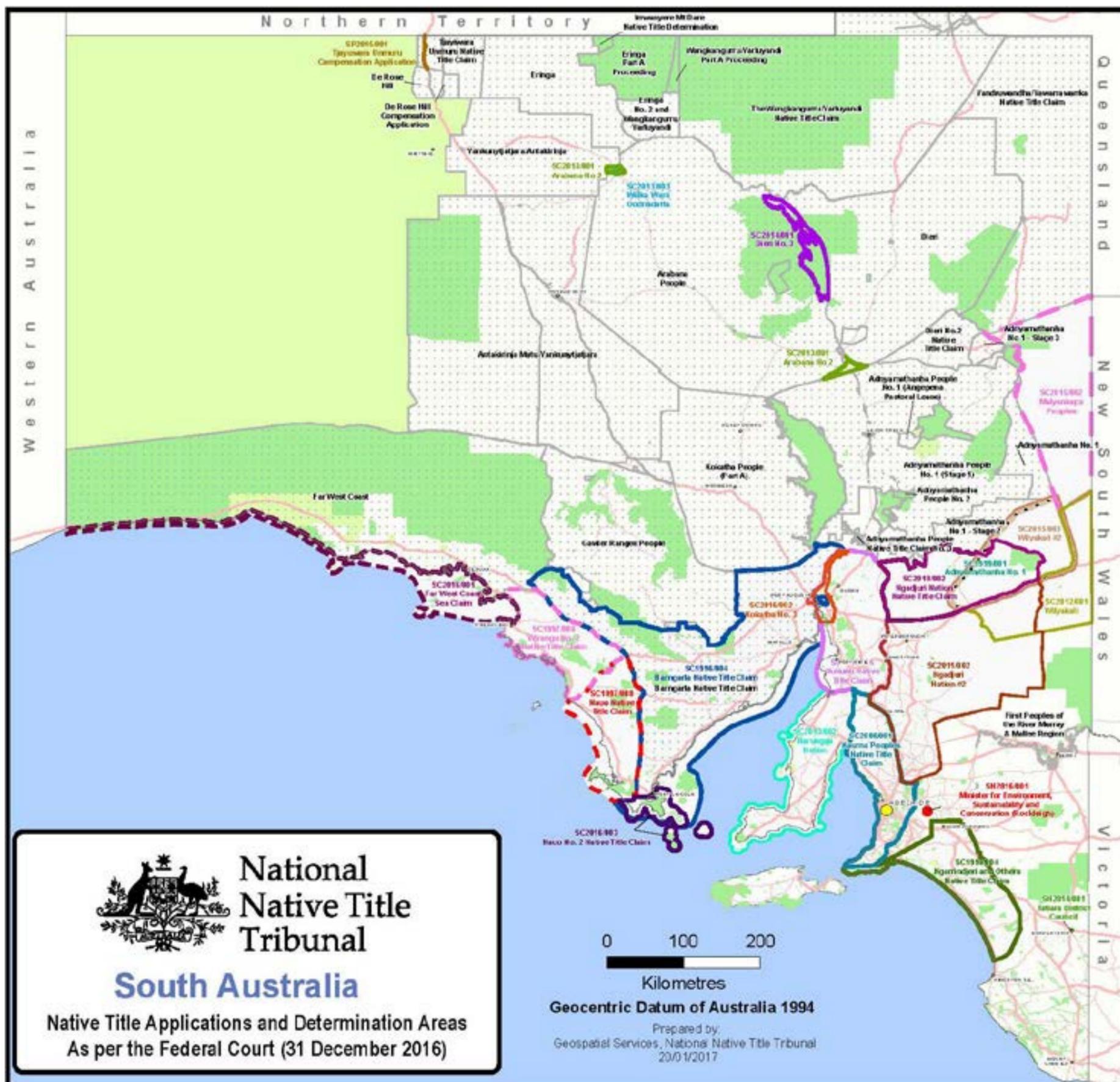
The Editor has the final decision on all stories and advertising that appear in this publication.

www.nativetitlesa.org



Clockwise from top left: Keith Thomas and Karina Lester; Field Project at Gawler Ranges National Park; Fencing at Thurlga; Sturt Desert Pea, APY Lands.

Native Title Areas in South Australia



Get Aboriginal Way

ISSUE 67

Individuals or organisations can request free copies of this publication. Complete the form below and mail to 4/345 King William Street, Adelaide 5000 or email details to editor@nativetitlesa.org

Name: _____

Address: _____

Postcode: _____

Phone: _____

Email: _____

No. of copies: _____



www.nativetitlesa.org



Radio program Aboriginal Message...

...airs each week on Wednesday at 3.30pm on 101.5FM in Adelaide.

If you have an interesting story or event that you would like to share on radio, please contact Lucy Kingston on (08) 8110 2800 or email aboriginalmessage@nativetitlesa.org

Listen online at <http://radioadelaide.org.au/tags/aboriginal-message/>