



NATIVE TITLE AND YOU

Registrar plays a vital role

National Native Title Tribunal registrar Chris Doepel was awarded a Public Service Medal (PSM) in this year's Australia Day Honours List. Mr Doepel heads the corporate management of the Tribunal and performs important statutory functions crucial to the registration of native title claims, determinations and Indigenous land use agreements (ILUAs). Here he talks about some of the major changes he has seen in the native title environment since starting the job eight years ago.

WHEN I started work at the National Native Title Tribunal, the Mabo decision had been handed down just six years earlier. The Native Title Act had undergone a raft of amendments and it was my job to see they were put into practice.

In 2006 native title is still a very young area of the law, but there has been a major shift in the way the laws are perceived by the Australian community and the attitudes of people directly involved in the negotiations.

Indigenous people,

pastoralists, miners, fishers and other people with a role in native title have all become so much better at using the system and understanding the various rights and interests of the people with whom they are negotiating.

There is a much greater willingness on the part of all parties to sit down, talk and work towards an agreement. Goodwill inevitably produces results and that is why we have seen an increasing trend for strong agreements, particularly in the past few years.

There are now more than 230 ILUAs on the Tribunal's register, and each year we are seeing more determinations that native title exists. About 85 per cent of those have been achieved with the consent of all parties.

They include the Ngaanyatjarra Lands determination, which recognised the native title holders held exclusive possession over most of their Central Desert claim. In the case of the four consent determinations achieved in the Wimmera region of Victoria, the traditional owners have non-exclusive rights over a much smaller proportion of the land

claimed but they have recognition in an area of Australia where it was thought native title had been 'washed away'.

There were perceptions in the past that native title cost too much and took too long to get results. Indeed, Attorney-General Philip Ruddock is currently reviewing the processes of the Tribunal and the Federal Court to see where greater efficiencies can be achieved.

There is always room for improvement in any organisation and the Tribunal looks forward to seeing the results of the review and making necessary changes.

Native title has brought benefits to Indigenous people. It has provided a system in Australian law to recognise the traditional laws and customs of Australia's Aboriginal and Torres Strait Islander people and opened up opportunities for social and economic development which did not exist before.

As we all get more accustomed to using the system, I am confident we will see native title issues resolved more effectively, efficiently and to the satisfaction and benefit of everyone involved.



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