



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



**THE SENATE**

**COMMITTEES**

**Native Title and the Aboriginal and Torres  
Strait Islander Land Fund Committee**

**Report**

**SPEECH**

**Thursday, 4 December 2003**

BY AUTHORITY OF THE SENATE

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## SPEECH

**Date** Thursday, 4 December 2003  
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**Questioner**  
**Speaker** McLucas, Sen Jan

**Source** Senate  
**Proof** No  
**Responder**  
**Question No.**

**Senator McLUCAS** (Queensland) (10.14 am)—I want to make some very brief comments about this report. I concur with Senator Johnston that it is useful for the whole question of native title that the Parliamentary Joint Committee on Native Title and the Aboriginal and Torres Strait Islander Land Fund has been able to bring down a unanimous report on the inquiry into the effectiveness of the Native Title Tribunal. This inquiry has taken a long time. It began in August 2001. We subsequently had an election, and the new committee which was established after the election took the same terms of reference after it reconvened. So it is a long-awaited report. I know that the Native Title Tribunal, in particular, has been waiting for this report for quite some time.

The terms of reference were difficult to define. It is hard to establish a measure of effectiveness for something like the Native Title Tribunal. However, I concur with Senator Johnston that the committee have done a very good job in defining effectiveness. You will find in chapter 2 of the report the analysis of how we did that; I think that was quite well done. I want to bring the Senate's attention to two recommendations of the report. Recommendation 3 is:

The Committee recommends, that at the completion of the terms of the current members of the Tribunal, the Government gives consideration to the appointment of an increased number of indigenous members in accordance with the provisions of the Act.

I commend that recommendation to the government. The tribunal does not have enough Indigenous members at the moment. I think it would be very useful for all of those involved in native title if there were more Indigenous members of the tribunal. Recommendation 6 is:

The Committee recommends that a further inquiry be conducted into the work demands and funding needs of native title representative bodies.

This issue of the underresourcing of the native title representative bodies was brought to the attention of the committee on many occasions during our inquiry into Indigenous land use agreements and then during the inquiry into the effectiveness of the tribunal. The underresourcing of representative bodies causes the bottleneck in dealing with the whole matter of native title in that you have representative bodies who simply do not have the funds to progress matters in a timely way. I commend those two recommendations, out of all of them, to the Senate and particularly to the government.

I also join Senator Johnston in thanking the committee secretariat—particularly Maureen Weeks, Anne O'Connell and Rosalind McMahon—for their work. Our committee does a lot of work that is different from that of regular committees of the Senate. We travel to quite isolated places. We go on small planes from time to time, which some of us like and some of us do not. The secretariat did a great job. I also thank Hansard and Broadcasting, who also do an amazing job in doing their work in sometimes quite remote places. I commend the report to the Senate.

Question agreed to.