

CHAPTER 1

RESEARCH

HIGHLIGHTS

- The Department of the Environment, Water, Heritage and the Arts, will provide more than \$1m. over three years to enable the Institute to establish a national language research unit.
- The Department of Innovation, Industry, Science and Research provided \$500,000 to continue the Indigenous Visiting Research Fellowship program in 2010–11.
- The Institute’s policy to seek research funding from external sources continues to be successful, providing 55 per cent of total research expenditure, an increase of 9 per cent on the previous year.
- AIATSIS became the national coordinator of Black Words, a website, searchable database and communication forum for Indigenous writers and storytellers.
- The AIATSIS Council approved 27 research grants, valued at \$618,141. A total of 101 applications were received for the 2010 grant round (78 in 2009).
- The inaugural Dr R Marika Scholarship was awarded in May to Victorian artist Ms Vicki Couzens to enable her to attend a major international conference held outside Australia.

OVERVIEW

AIATSIS was created to increase understanding of Indigenous cultures and societies within Australia and internationally. One of the ways it does this is by being a national multidisciplinary research institution specialising in Aboriginal and Torres Strait Islander studies.

Research is undertaken by research fellows as well as staff project officers, research officers, research and administrative assistants. The Institute has numerous research programs and services, as well as partnerships with other research institutions, government agencies and Indigenous regional alliances, communities, organisations and individuals.

Its six areas of research fall under two themes:

Indigenous social and cultural wellbeing

- language, arts and cultural expression
- education, history and cultural transmission
- health and wellbeing.

Indigenous country and governance

- native title and traditional ownership
- land and water
- governance, public policy and development.

Research papers and presentations stemming from this research during 2009-10 are listed in Appendix 1.

BUDGET

As with other programs, funding provided by government for research has remained virtually unchanged for some years. Work to develop external revenue sources continues to be successful, with

some 55 per cent of 2009-10 expenditure sourced externally, an increase from 46 per cent in the previous financial year. Including revenue carried over from previous years, this allowed expenditure to increase by 20 per cent, to \$4,590,464. Of this amount, around 56 per cent was spent on salaries; 16 per cent on grants; 14 per cent on public programs; and the balance on other operational costs.

To find out more about how AIATSIS research expenditure compares with other parts of the Australian Government, economics consulting firm, Macroeconomics, was engaged to investigate the case for increasing funding. Its report found that, since 2003-04, the AIATSIS research budget funded by the government had deteriorated relative to other Australian Government research agencies. Funding per AIATSIS researcher had dropped compared to other government agencies and some other comparable non-government research agencies.

Indigenous visitors fund

In June 2008, the Department of Education, Employment and Workplace Relations and the Department of Families, Housing, Community Services and Indigenous Affairs contributed nearly \$1 million over three years to improve the Institute's ability to engage Indigenous visitors. In the second year of this Indigenous Visiting Research Fellowship program a further four appointments were made bringing the total under the scheme to 13. The initial round of funding has been fully expended.

In June 2010, the Department of Innovation, Industry, Science and Research provided an additional \$500,000

to continue the program in 2010–11. Research fellow and PhD student, Ms Valerie Cooms, is coordinating the program, and is also responsible for the Institute's Indigenous programs. Information on individual projects is outlined below.

RESEARCH ACTIVITIES

Indigenous social and cultural wellbeing

Language arts and cultural expression

Linguist **Dr Kazuko Obata** attended the Endangered Languages Information and Infrastructure workshop held in Salt Lake City, US, in November 2009. The workshop discussed the production of an authoritative catalogue, database and updatable website of information on endangered languages. Australia is the only region in the world where a comprehensive database of Indigenous languages is available.

Dr Obata finalised a three-year agreement on a collaborative framework to further develop AUSTLANG and other online language projects assisted by the Australian National University (ANU). AUSTLANG assembles information about Aboriginal and Torres Strait Islander languages from various sources, and links it to Google Maps to show the language regions.

Researchers completed the Department of the Environment, Water, Heritage and the Arts (DEWHA) project 'Mapping maintenance of Indigenous languages and records'. This project uses coordinate data in AUSTLANG to map projects and analyse the distribution of funding. Discussions started on developing

an Australian Indigenous Languages Resource Database to replace the existing OZBIB database. The database could include any resources available on Australian Indigenous languages.

DEWHA also funded a new project, 'Mobilising Indigenous languages on the Internet' (MILL). This continues the development of community access to the national database of Indigenous languages.

Mr Jason Lee, a linguist and PhD student, continued to manage the Online Community Access Project (OLCAP), in conjunction with community language teams in Lockhart River (Queensland) and around Katherine (Northern Territory). The Max Planck Institute at Nijmegen provides technical support for OLCAP while Deacons lawyers support development of a rights management plan for OLCAP.

The success of AIATSIS language research projects has led to a three-year agreement with DEWHA, which will provide over \$1m. to expand the AIATSIS Language Unit. The Unit will run a national research program and will provide resources on Australia's Aboriginal and Torres Strait Islander languages. It will work with Indigenous language communities, researchers, the Federation of Aboriginal and Torres Strait Islander Languages and regional language centres, registered training organisations, the Australian and state and governments, and the wider Australian public.

Another PhD student and linguist, **Ms Sarah Cutfield** hosted a visit from three Dalabon women, Margaret Katherine, Queenie Brennan and Lily Bennett, in October 2009. During their time at

the Institute, they reviewed Dalabon recordings in the audiovisual collection, in particular the access conditions placed on the recordings. During their week-long stay, the women also visited the Institute's Library and the Family History Unit.

In May and June 2010, Ms Cutfield completed a three-week field trip in the Katherine region of the Northern Territory, as part of her continuing research and collaborative documentation of the Dalabon language. On this trip, she worked with ethnobiologist Glenn Wightmann from the National Parks and Wildlife Service to record Dalabon plant and animal knowledge with Dalabon speakers. Working with Dalabon speakers she started transcribing archival Dalabon recordings from the 1960s, including women's song cycles. The trip culminated in a visit to the Barunga festival in south-east Arnhem Land, where Queenie and Marie Brennan gave Dalabon language lessons to visitors.

Ms Cutfield is also exploring the possibility of developing an online Kriol studies course, similar to Charles Darwin University's online Yolngu Matha course, and is negotiating with the Northern Territory Department of Education to ensure the proper preservation of the language resources produced by formerly bilingual schools.

Inaugural Summer Research Scholars, **Mr James Boffin** from the University of Western Australia and **Mr Henry Fraser** from the University of Queensland worked on transcribing language recordings from the AIATSIS collections.

Mr Boffin focused on Mithaka from South West Queensland and Mr Fraser on Ngarlawangga from Western Australia's Geraldton region. The Queensland Museum used Mr Boffin's dictionary in an exhibition of Mithaka artwork on the theme of plants and animals.

The Dr R Marika Scholarship provides funds for an Australian Indigenous researcher to attend a major international conference held outside Australia. In May **Ms Vicki Couzens** who is an artist and language 'activist' from South West Victoria won the inaugural award to attend the 17th Annual Stabilising Indigenous Languages Symposium in Eugene, Oregon in June 2010. She presented papers on 'ngathook mangnoorroo watanoo...' ('i come from') and 'Language description – a "Both Ways" model' (with Christina Eira).

Mr Gary Lee was appointed as an Indigenous Visiting Research Fellow (IVRF). He is completing a PhD, 'Picture-picture: Larrakia male representations and photographic aesthetics', which is looking at Paul Foelsche's photography of Larrakia men from 1877, as a comparative analysis with his own contemporary photographic portraits of men – Larrakia/Aboriginal and beyond. Mr Lee was a finalist in the 2010 Telstra National Aboriginal Art Award, Darwin, and has shown four solo exhibitions in 2010 which relate to his research.

The final supplementary paper to a report, 'Freedom of religion and belief in the 21st century', dealing with 'Freedom of religion, belief and Indigenous spirituality, practice and cultural rights'

has been delivered to the Australian Human Rights Commission.

Education, history and cultural transmission

Ms Jeanine Leane and **Ms Samantha Faulkner** established a relationship with Black Words which is a website, searchable database and communication forum for Indigenous writers and storytellers. It is part of the AustLit research database and is currently funded through the Australian Research Council's (ARC) Linkage Infrastructure, Equipment and Facilities scheme. In February 2010 AIATSIS became the national coordinator of Black Words, responsible for planning, managing, marketing and promoting the resource. During the year, indexing was completed on areas including poetry, newspapers, biographies and journal publications. An application has been submitted to the ARC to continue this project.

Ms Leane presented a paper at the Representing the People Conference in Reims, France. Discussion at the conference centered on minority groups, ethnicity, historical and literary representations, and legacies of representation.

In May 2010 Ms Leane was appointed to the Board of Management for the Association for the Studies of Australian Literature (ASAL). Her main contribution will be to advise on Indigenous literature. In June she was appointed as a member of the AustLit Advisory Body.

In February Ms Leane and **Mr Jason Lee** wrote a submission on the draft *Indigenous Education Action Plan*

2010–14 to the Ministerial Council for Education, Early Childhood Development and Youth Affairs. Ms Leane also continues to liaise with schools across the ACT about the needs of Indigenous students in the curriculum, and teaching Indigenous perspectives across the curriculum to all students.

She completed a final draft of her PhD thesis, which looks at representations of Aboriginal people in the writings of Katharine Prichard, Patrick White and David Malouf and also examines representations by Aboriginal writers Colin Johnson (alias Mudrooroo) and Sally Morgan. The work encourages a re-reading of Australian literature that considers an Indigenous standpoint. It is intended to be used as an educational resource when completed.

Dr Geoffrey Gray was appointed Adjunct Professor, School of History, Philosophy, Religion and Classics, University of Queensland. He has continued his research on an historical investigation of rations, hunger and starvation on Northern Territory cattle stations, mission stations and government reserves. Dr Gray completed his book, *Abrogating responsibility: Vestey's, anthropology and the future of Aboriginal people*, due for publication in October 2010.

He also worked with Dr Doug Munro from the Victoria University of Wellington to complete drafting of *...your own position is not being overlooked: The politics of choosing a successor to SF Nadel, 1957* which looks at the appointment of JA Barnes as chair of the Australian National University in 1957. Dr Gray and Dr Munro are also collaborating on a

book tentatively named the *Antipodean chairs in anthropology: 1920-1969*, which examines the inter-relationship of individuals, identities and institutions and how they helped to shape the development of social anthropology at the University of Sydney and subsequently Australian social anthropology at the end of the 1950s.

Dr Gray and Dr Munro also completed editing and compiling a book tentatively titled *Scholars at war* which examines the work and role of Australian and New Zealand anthropologists and historians during World War II, especially the Pacific War.

Dr Gray was invited to lecture at the Austrian Academy of Sciences (University of Vienna) and discussed, with Professor Andre Gingrich, a future research project on the anthropologist FGG Rose and his Australian research. So far this has resulted in a draft paper on FGG Rose, the Cold War and the Australian Institute of Aboriginal Studies.

Mr Lyndon Ormond-Parker was appointed as an Indigenous Visiting Research Fellow for three months, as part of his PhD thesis 'Digitisation and Indigenous communities'. Mr Ormond-Parker assisted Mulka Project staff with their research while they were in Canberra; co-convened a session on new technologies at the 2009 AIATSIS conference; and assisted with planning for the AIATSIS symposium on information technology and Indigenous communities.

Mr Lawrence Bamblett was appointed as a research fellow for 12 months. His research will determine whether an Indigenous community can improve literacy among young people by

re-engaging with learning and teaching in culturally appropriate ways. The research will assess the Erarnbie Kidzone literacy project as a way of re-engaging Indigenous communities with mainstream education.

Health and wellbeing

Dr Jill Guthrie presented her PhD findings, 'An exploration of the experiences of families of Indigenous children hospitalised in the ACT', to ACT Health in January 2010.

Through her adjunct position with the National Centre for Epidemiology and Population Health (NCEPH) at the Australian National University, Dr Guthrie is undertaking a collaborative research project on outcomes from the Indigenous Master of Applied Epidemiology (MAE) program. She accompanied MAE students attending the 5th TEPHINET (Training Programs in Epidemiology and Public Health Interventions Network) to Seoul, Korea in November 2009.

Together with colleagues from NCEPH and ACT Health, Dr Guthrie is a co-researcher on a project funded by the National Health and Medical Research Council (NHMRC) to research surveillance for H1N1 influenza 09 and to evaluate the impact of control measures in prisoner populations.

Professor Mick Dodson is a chief investigator, and Dr Guthrie a researcher, for the NHMRC-funded Indigenous Offender Health Research capacity building grant. Mr Ray Lovett and Dr Phyll Dance are working with Dr Guthrie on projects associated with this grant. As part of this work, Dr Guthrie drafted a submission and gave evidence to the House of Representatives Inquiry into the

high level of involvement of Indigenous juveniles and young adults in the criminal justice system. The submission documented Nowanup Farm, a juvenile justice diversionary initiative, as an example of diversionary programs and as a demonstration site for justice re-investment.

A report on the effects of different state/territory legislation on managing petrol sniffing was completed by Ms Gillian Shaw (Bowchung Consulting Pty Ltd). A summary report is available online from the website of project sponsor, the Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA). The main findings are that remote communities have sufficient laws to deal with petrol sniffing, but treatment options are severely limited due to lack of resources.

Indigenous country and governance

Native title and traditional ownership

The Institute's activities in this research area are conducted primarily through the Native Title Research Unit (NTRU). The NTRU is primarily funded through an agreement with the FaHCSIA. In July 2009 the Unit started a new three-year funding agreement with the department to provide a range of native title resources, information and access services, publications, workshops, an annual native title conference and research relating to identified priority areas.

Broader land settlements

This project responds to the Commonwealth Attorney-General's call for the development of innovative

policy options for progressing broader land settlements that complement the Australian Government's *Native Title Act 1993* (NTA) and the work of the Federal Court of Australia.

Ms Krysti Guest's discussion paper relating to three comprehensive agreements – the Yindjibarndi Burrup Agreement; the Miriuwung and Gajerrong Ord Global Agreement; and the Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagalk Peoples Agreement – was published in October 2009. This paper addresses issues raised at a workshop convened by the Unit in May 2006, which sought to assess the usefulness of comprehensive agreements in progressing the native title aspirations of Indigenous peoples and state governments.

One of the major issues in achieving land settlements is the need to develop more flexible approaches to processing native title connection. Research fellow, **Ms Toni Bauman** is involved in a project to develop a more streamlined approach to the processing of 'connection' arising out of the Victorian Native Title Settlement Framework, in partnership with the Victorian Department of Justice, Native Title Services Victoria and Aboriginal Affairs Victoria.

Ms Bauman together with Dr Kingsley Palmer of Appleby Consulting convened a stream at the annual Australian Anthropological Society Conference dealing with connection requirements. Papers presented during this session were published as a research monograph edited by Ms Bauman. At the same conference Ms Bauman also delivered a paper on state and territory processing of connection. She focused on best

practice processing and highlighted the hybrid nature of the state and territory processes and potential breaches of a range of best practice mediation, negotiation and arbitration principles.

Ms Bauman is also looking at the challenges of land settlements and connection processes in the southern states by co-convening a workshop for native title anthropologists in partnership with Dr Gaynor MacDonald from the University of Sydney. This workshop will be held in July 2010 to raise awareness of issues and increase capacity among native title anthropologists.

The Unit is also examining how compensation issues are addressed in broader land settlements.

Prescribed and registered native title bodies corporate

In 2006 the NTRU began a three-year research project on native title corporations known as prescribed bodies corporate (PBCs) or registered native title bodies corporate (RNTBCs). Research focused on identifying aspirations of native title holders, the challenges and opportunities involved in managing native title, structures for governance, and transition to the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (Cth). The second stage of this project started in 2009 and involves consolidating outcomes from partnerships and developing policy recommendations and resources for RNTBCs.

Following a national meeting of RNTBCs held in conjunction with the Native Title Conference in June 2009, the Unit published a report, which identified

priorities including the establishment of a peak body for RNTBCs. The NTRU has compiled a readings and resources list relating to RNTBCs, which has been published on the AIATSIS website.

Previous research by the NTRU identified one of the barriers to effective participation by native title holders in land, resource and water management processes was a misunderstanding of native title and the roles and responsibilities of native title holders and their corporations. To address this, the Unit is working with RNTBCs to develop information and education materials. Research fellows have also addressed the specific priorities of their respective native title corporation collaborators including:

- developing a timeline of native title and governance in the Torres Strait in collaboration with the Torres Strait Regional Authority and Torres Strait RNTBCs to be used as an education resource
- developing business planning tools to complement business planning exercises previously undertaken by Torres Strait RNTBCs (see also *Economic development* below)
- participating in the 5th regional meeting of Torres Strait RNTBCs and producing a meeting report
- providing assistance to the Djabugay Native Title Aboriginal Corporation with Barron Gorge joint management agreement processes and developing effective partnerships
- developing a Karajarri 'story book' about their native title experience, including a timeline and map, to be used as an education resource.



Traditional Owners and senior members of the Nalpinggak, Bilinara-Jutpurra and Winan Aboriginal Land Trusts proudly showing their land title agreements to Jutpurra (Gregory) National Park with (from left) Northern Territory Parks and Wildlife Minister Karl Hampton, the Federal Member for Lingjari Warren Snowden, the Minister for Families, Housing, Community Services and Indigenous Affairs, the Hon. Jenny Macklin, and the Governor-General, Quentin Bryce. Photography by Mahata Strohfeltdt, courtesy of *The Koori Mail*.

NATIONAL STANDARDS FOR JOINTLY MANAGING CONSERVATION AREAS

Managing conservation areas such as national parks and nature reserves, as well as state forests, is an important issue within the native title sector.

In 2008, Native Title Research Fellow, Ms Toni Bauman, started researching what was being achieved through native title agreements that related to conservation areas.

In 2009, after consulting state and territory governments and other native title stakeholders, the Native Title Research Unit published web-based research which details joint management arrangements in all Australian mainland states and territories. The research includes information about native title rights, forms of tenure, governance arrangements, employment provisions and other elements typically included in joint management agreements.

‘This research reveals significant inequalities in what is being achieved by native title holders both across and within jurisdictions,’ Ms Bauman said.

‘People are confused about what joint management means, what it should look like and how it can be assessed. For example evaluating management and evaluating joint management are two very different things.

‘Is joint management successful if all feral animals are eradicated but the process didn’t involve Traditional Owners? I’m interested in identifying the factors that are critical to success particularly in relation to how decisions are made, as well what makes successful partnerships and relationships.

‘I’m also interested in how the processes involved in negotiating joint management agreements impact on the effectiveness and sustainability of joint management arrangements.’

Ms Bauman is working with Dr Chris Haynes from the University of Western Australia to identify best-practice approaches that can feed into the development of national standards for joint management of conservation areas.

Native title policy

The Unit contributes to policy debates, reform and review processes relevant to native title. At the request of FaHCSIA, the Native Title Research Unit is currently conducting research to evaluate the impacts of increased funding provided to native title representative bodies (NTRBs) and service providers in 2009-10. NTRU project officer Ms Christine Regan started this project in January 2010 and has completed a background research report.

The NTRU also prepared submissions to Australian Government inquiries and/or consultation processes relating to Indigenous heritage law reform, proposed amendments to s.47 of the Native Title Act and draft prescribed bodies corporate regulations. The Director of Research Programs and the Native Title Research Unit, **Dr Lisa Strelein** briefed central agencies on native title policy priorities.

Economic development

The NTRU's economic development and business planning project builds on previous native title taxation research and publications. It also expands existing research relationships with RNTBCs to examine the current barriers and opportunities that native title offers for Indigenous economic development.

Dr Strelein collaborated with small business development expert, Mr Dean Rowley from Future Solutions Australia, to produce a business-planning workbook for RNTBCs. This workbook includes advice on charging fees, and is expected to be statutorily approved under proposed new prescribed bodies corporate regulations. Dr Strelein also completed

a consultancy for the Minerals Council of Australia (MCA) and was invited to participate in several forums relating to native title taxation issues including a joint meeting of NTRB chief executive and senior professional officers. Ms Bauman also facilitated a meeting between the MCA and Indigenous leaders, particularly chief executives of NTRBs, concerning responses to the Australian Government's consultation paper on native title, Indigenous economic development and tax.

Mediation and negotiation

Ms Bauman continued working with native title stakeholders to help increase their understanding of the importance of decision-making and dispute management processes in achieving successful and sustainable agreements.

She collaborated with Dr David Martin from Anthropos Consulting to present two training sessions for NTRB researchers examining the roles anthropologists might play in decision-making and dispute management as well as native title agreement-making more generally. Two proposals were submitted to the Attorney-General's Department under the Native Title Anthropologist Grants Program. This program aims at attracting a new generation of junior anthropologists to native title work and at encouraging senior anthropologists to remain within the system.

The report *Solid work you mob are doing: case studies in Indigenous dispute resolution and conflict management in Australia*, which was co-edited by Ms Bauman and Ms Juanita Pope from the Federal Court of Australia, was launched by Chief Justice Black of the Federal Court in September 2009. This report

feeds into ongoing work to establish a nationally coordinated Indigenous alternative dispute resolution service and has involved collaboration with the Attorney-General's Department. Ms Bauman has also been working with the 'Right people for country' project, which is part of the Victorian Native Title Settlement Framework, to develop a panel of Indigenous dispute resolution practitioners as well as appropriate training.

Native title jurisprudence

Dr Strelein continues to review and analyse developments in native title jurisprudence and completed a second edition of her book *Compromised jurisprudence*.

Land tenure

Dr Strelein has started preliminary research relating to the incorporation of native title into state property regimes. In particular, she is examining recommendations for 'tenure resolution' and 'tenure reform' and the limits of native title as property. She is also looking at proposals to develop an Indigenous tenure in Western Australia and the implementation of Indigenous tenures in Queensland. NTRU research assistant Ms Claire Stacey is examining issues raised during the consultations for the proposed native title housing and community infrastructure amendments.

Onus of proof

High Court Chief Justice Robert French has publicly promoted the idea of reversing the onus of proof of connection so that it falls on claim respondents rather than native title applicants. Dr Strelein is co-editing

a collection of papers arising from a workshop on proposed reform of s.223 of the Native Title Act hosted by the University of Melbourne in May 2009. This publication includes a paper by Dr Strelein on communal and group rights. Once published, the NTRU will convene a stakeholder workshop to discuss implications of reversing the burden of proof and the presumption of continuity.

Knowledge management: agreement precedents

The NTRU's knowledge management: agreements precedents project responds to requests from native title representative bodies to develop a legal precedents database to inform the negotiation of native title agreements. In October 2009 Mr Joe Fardin started as a research fellow for this one-year pilot project (see box, p. 13).

Native title collections management

The Native Title Research and Access Officer, **Ms Grace Koch**, works directly with NTRBs to help them manage their native title collections.

In October 2009 Ms Koch presented a report on existing NTRB collection management practices to a FaHCSIA-sponsored meeting of senior professional officers and chief executive officers. Ms Koch was subsequently invited to prepare a report assessing the collection needs for the Yamatji Marlpa Aboriginal Corporation (YMAC) in Western Australia. This report identified seven areas needing attention with recommended actions for each. The Native Title Unit of the Office of the Commonwealth Attorney-General invited Ms Koch to address the Native Title Consultative Forum on the connection between good

collection management and retaining staff in NTRBs.

Land and water

The NTRU's research in this area focuses on water, joint management, ecology and climate change. In August 2009 research fellow Dr Jessica Weir had her book *Murray River country: an ecological dialogue with Traditional Owners* published. The book is based on her research collaboration with the Murray Lower Darling Rivers Indigenous Nations (see box, p. 24). She has been invited to give several presentations on her findings.

The NTRU's work on fresh water and native title rights was thrown into focus through debates around Queensland's wild rivers legislation and a session on wild rivers at the Native Title Conference 2010. The Unit continues to examine water rights and the National Water Initiative. The NTRU also contributed to the Office of Northern Australia's response to the Northern Australia Land and Water Taskforce.

Ms Bauman finalised research material for the web, which details joint management arrangements resulting from native title processes in the states and territories (excluding Tasmania). She is working with Dr Chris Haynes from the University of Western Australia to co-author a national comparative analysis on joint and cooperative management outcomes from native title, advocating greater national uniformity and equity (see box, p. 9).

Dr Weir edited a volume of papers on native title and ecology, which was accepted for publication by ANU E Press. Despite relationships with country forming the basis of native title

applications, the complexity involved in applying for and holding native title dominates native title research and professional practice. This book explains why Indigenous people make native title applications, and considers the mixed capacity of native title to acknowledge and support Indigenous people's relationships with country. Papers examine the importance of country in relation to issues such as: water management, carbon economies, outstations and market environmentalism.

The NTRU provided comments to the National Climate Change Adaptation Research Facility on its *National climate change adaptation research plan: settlements and infrastructure*. Dr Weir is an advisory board member of the Gender, Leadership and Social Sustainability Research Unit at Monash University, dealing with the impact of climate change on Indigenous people in rural Australia.

Within the research program **Dr Graeme Ward** conducted fieldwork at Wadeye in the Northern Territory during June and July to record and assess the Indigenous cultural heritage values of places that are, or are proposed as, the sites for cultural heritage tourism, and to discuss with Traditional Owners drafts of papers relating to sites, tourism, and local history. Dr Ward collected and edited several papers from a rock art conference and sent papers off for publication in the *Rock Art Research* journal, including two written or co-authored by him.

Mr Dave Johnston was appointed as an Indigenous Visiting Research Fellow for twelve months. He is working on two projects:



NTRU Research Fellow Mr. Joe Fardin.
Photography by Matthew O'Rourke, AIASTIS.

A RICH RESOURCE OF PRECEDENTS

Making agreements is central to the native title system, but much of the useful information included in native title agreements is effectively 'locked away' by confidentiality clauses.

The Native Title Research Unit (NTRU) has worked on a 12-month pilot project to develop a database of agreement clauses that may be used to inform future negotiations. This collection of agreement precedents will provide staff of native title representative bodies (NTRBs) and service providers with exclusive access to precedent information.

'The aim of the project is to increase both the efficiency and effectiveness of agreement-making processes for NTRBs,' said NTRU research fellow, Mr Joe Fardin.

Mr Fardin established a working group of five NTRBs to provide strategic guidance on developing the project and to act as the primary information contributors during the pilot phase.

'Given the sensitivities inherent in dealing with agreement-related information, we invested a significant amount of time and effort to develop a legal framework, in consultation with the working group,' he said.

'The framework aims to protect the information gathered over the course of the project, as well as the legal interests of the participants.'

The database will initially contain precedents relating to mining, mineral and petroleum exploration, infrastructure, and cultural heritage agreements.

Mr Fardin worked in-house with participating native title representative bodies and is currently collating and redacting agreement information. The next step is to develop the prototype database to be trialled and tested by members of the working group. The project is funded by the Department of Families, Housing, Community Services and Indigenous Affairs.

- Preparing and editing a book by Australia's Indigenous archaeologists, *Australia our sacred place: perspectives of Indigenous archaeologists*, which will be a reference for student and professional archaeologists.
- A pilot study titled, 'Towards the development of an Indigenous community-based approach to sustainable cultural tourism.'

Mr Johnston and his colleagues are establishing the Australian Indigenous Archaeologists' Association, which will be formally launched later in the year.

Governance, public policy and development

Dr Patrick Sullivan has been promoted to Adjunct Professor at the National Centre for Indigenous Studies at the Australian National University and is co-supervising three ANU post-graduate students. Dr Sullivan is part of the research team which produced the Overburden report on Aboriginal community-controlled health services for the Cooperative Research Centre for Aboriginal Health.

In July 2009 Dr Sullivan presented a paper at the Critical Management Studies conference in Coventry in the United Kingdom on the importance of the Indigenous community service sector. In August he gave the keynote address at the Ethnography and Management Studies Conference at the University of Liverpool also in the UK.

The Emerald Literati Network gave their 2010 Outstanding Paper Award to Dr Sullivan for his paper 'Reciprocal accountability: assessing the accountability environment in Australian aboriginal affairs'.

Ms Valerie Cooms finished a draft of her PhD thesis, 'An examination of the objectives and implementation of both state and the Australian Governments' Indigenous policies in Queensland from 1965 to 1975'.

Dr Cressida Fforde wrote several papers on the repatriation of ancestral remains, including the Institute's response to the International Repatriation Advisory Committee's discussion paper on the International Repatriation Program. The response pointed to the continuing lack of information available to communities about overseas holdings, and the need for the community to control the process.

Grants

A total of 101 applications seeking \$3.217m in funding were submitted for the 2010 research grant round. This compares with the previous year when 78 applications sought \$2.266m in funding. Council awarded 27 grants totalling \$618,141. A list of approved grants is at Appendix 2.

The program is being reviewed, as the current application process is resource and time-intensive. A more simplified process is expected to be introduced in 2010-11.

An additional grant of \$20,000 was awarded to Dr Jonathan Bogais and Mrs Rhonda Dixon-Grovenor to record Mr Charles 'Chicka' Dixon's stories, before he passed away in March 2010 (see p. 41).

Australian Research Council

In July 2009 AIATSIS became eligible as an organisation to apply for funding under all Australian Research Council-administered funding schemes, with the exception of the Centres of Excellence.

Two AIATSIS fellows applied for Future Fellowships, and a third fellow applied for a Discovery Fellowship. Unfortunately, all of these applications were unsuccessful. An application for a Discovery Indigenous Researcher was submitted in May 2010. AIATSIS is a partner in a Linkage Infrastructure, Equipment and Facilities Scheme bid led by the University of Queensland.

AIATSIS is a participant in two new Cooperative Research Centres – the CRC–Remote Economic Participation (which follows on from the Desert Knowledge CRC) and the CRC–Aboriginal and Torres Strait Islander Health (which replaced the Aboriginal Health CRC). The Institute also participates in proposed CRCs on agreements, treaties and negotiated settlements, and heritage futures.

Advisory committees

The quality, independence and ethics of AIATSIS research activities and research grants are monitored by the statutory Research Advisory Committee, the Native Title Research Advisory Committee and the Research Ethics Committee. These committees make recommendations to the AIATSIS Council. Aboriginal and Torres Strait Islander people play a major role as members of these and other committees (see also Publications Advisory Committee, p. 23).

The **Research Advisory Committee** assesses applications made to the Institute for research grants, and makes recommendations to the Council on research matters and applications for membership of the Institute. The committee is made up of three Council members appointed by the Council and eight members of the Institute, elected by

its members in accordance with its rules. The Principal is ex-officio chair.

During 2009–10, the eight elected members of the committee and their areas of expertise were:

- Professor Peter Veth – archaeology
- Dr Mary Laughren – linguistics
- Dr Gaynor Macdonald – social anthropology
- Dr Bronwyn Fredericks – health and biological sciences
- Professor Bob Reece – history
- Professor Lester-Irabinna Rigney – education and cultural transmission
- Dr Maggie Walter – public policy, politics and law
- Ms Christine Watson – arts.

Elected members' appointments expired on 31 May 2010, and elections for new members will be held early in 2010–11. The committee thanked Professor Veth, Dr Macdonald and Ms Watson, who have decided not to stand for re-election. At its June 2010 meeting, Council agreed to extend elected members' terms to three years.

Council representatives on the committee were Mr Bedford, Mr Ober and Mr Williams. A councillor's appointment usually expires at the same time as their Council membership.

The committee met twice in 2009–10. Dr Sarah Holcombe stood in for Dr Macdonald at both meetings. At the committee's April 2010 meeting, Dr Julie Gough stood in for Ms Watson, and Dr Anthea-Jo Taylor stood in for Professor Rigney.

Native Title Research Advisory Committee

This committee provides advice to the Principal on the NTRU's research

program. The Council appoints committee members for two-year terms. The committee met twice in 2009-10.

Members of the Native Title Research Advisory committee at 30 June 2010 were:

Council members

- Professor Michael Dodson
- Mr Michael Williams

Experts in the field of native title

- Dr Kingsley Palmer – consultant anthropologist
- Dr Gaye Sculthorpe – member, National Native Title Tribunal
- Mr Robert Blowes – barrister
- Mr Kevin Smith – CEO, Queensland South Native Title Services

FaHCSIA representative

- Mr Greg Roche – Indigenous Programs Branch, FaHCSIA

Ex-officio members

- Mr Russell Taylor – Principal, AIATSIS
- Dr Luke Taylor – Deputy Principal, AIATSIS

At its May 2010 meeting, committee members reviewed a new draft charter, which was approved by Council at its June meeting.

The **Research Ethics Committee** deals with ethical aspects of Institute-related research whether community-based research proposed by the Institute’s staff and by grantees or external collaborative research projects put forward by AIATSIS staff under the auspices of the Institute. The Council appoints committee members in line with categories established by the National Health and Medical Research Council. The committee met three times during the year.

Committee members in 2009-10 were:

- Ms Christine Grant – Chair
- Pastor Bunja Smith – minister of religion, or Aboriginal elder or equivalent
- Mr Graeme Evans – layperson
- Ms Joyce Graham – layperson
- Ms Vivienne Holmes – lawyer
- Mr Dave Johnston – person with knowledge of, and current experience in, areas of research regularly considered by the committee
- Mr Mark McMillan – person with knowledge of, and current experience in, areas of research regularly considered by the committee
- Dr John Thompson – person with knowledge of, and current experience in, the care, counselling or treatment of people.

Dr John Thompson, retired after the November 2009 meeting. The committee recorded its thanks for his work with that group since 2005. Dr James Ross stood in for Dr Thompson for the May 2010 meeting.

All members’ appointments will expire on 31 August 2010. At its meeting in June 2010, Council adopted a new charter for the committee, including an extension of terms of appointment to three years and a requirement that at least four members are Indigenous.

During the year, the Institute’s *Guidelines for Ethical Research in Indigenous Studies* were reviewed against contemporary international standards. The Principal presented the outcome to the World Intellectual Property Organization’s (WIPO) Intergovernmental Committee Session on Intellectual

Property and Genetic Resources,
Traditional Knowledge and Folklore at
Geneva in May.

RESEARCH DELIVERABLES

Deliverable – Output 1.1	Result
Carrying out innovative and strategic research projects across targeted areas of research focus.	Activities are discussed throughout Chapter 1.
Conducting research of relevance to Indigenous peoples and influencing policy and practice.	All research projects are relevant to Indigenous peoples. Activities are discussed throughout Chapter 1.
Improving and increasing the information base available in Indigenous studies.	This covers the AIATSIS website, publications, conferences and workshops. Details are provided in Chapter 2.
Contributing to the development of Indigenous researchers and maximising the involvement of Indigenous people in the research activities of AIATSIS.	The Indigenous Visitors Research Fellowships (pp. 2–3) are specifically directed at this deliverable. At 30 June, 56 per cent of researchers, and 39 per cent of research staff overall, were Indigenous.
Communicating the results of research in diverse formats for a variety of audiences.	Details are provided in Chapter 2.
Ensuring the quality and independence of the research outputs and products.	AIATSIS is one of the few Australian Government agencies whose independence is endorsed by the government.
Facilitating research by others through a research grants program, visitors program and other public programs.	Activities are discussed throughout Chapter 1.
Providing leadership in the development and maintenance of best and ethical practice in research with Indigenous people.	The AIATSIS ethics guidelines were revised during the year, and a summary presented to WIPO in Geneva. See p. 16 for details.



Former High Court Justice, the Hon. Michael Kirby delivers the 2010 Wentworth Lecture. Photography by Gerald Preiss.

'THE KEY THAT UNLOCKED THE DOOR'

The sometimes nation-shaping role of Australia's High Court, particularly in relation to Indigenous Australians, was explored by one of the nation's leading legal minds in the 2010 Wentworth Lecture.

Eminent former High Court Justice, the Hon. Michael Kirby AC CMG, presented the lecture, *First Australians, law and the High Court* at the National Library of Australia in June.

Mr Kirby was Australia's longest-serving judicial officer, from his appointment as deputy president of the Australian Conciliation and Arbitration Commission in 1975 until his retirement as Justice of the High Court of Australia in February 2009.

He joined the High Court four years after the Mabo case but stressed the importance of that decision in changing the national psyche, calling it 'the key that unlocked the door that barred the way'.

He said the Mabo case was of the greatest importance for the country and for Indigenous people as it had to overcome a long series of previous legal decisions, which had at their heart racial discrimination.

Mr Kirby said that after the High Court's decision, which was based on the universal principles of human rights, the Australian community came to realise:

...what a very important decision the Mabo decision was and how proud we could be that the highest court in the land had corrected the errors of a hundred years ...

Mr Kirby discussed the importance of the High Court in interpreting the native title claims citing his first Indigenous case which ruled in favour of the Wik people (which he supported) and his last, which ruled against the Wurrldjal people (a finding he did not support).

The Wentworth Lecture was established in 1978 by AIATSIS to honour the contribution of the late Hon. WC Wentworth, AO who was Australia's first Australian Minister for Aboriginal Affairs and an advocate for the advancement of Indigenous Australians.

The lecture aims to encourage Australians to gain a better understanding of issues that go to the heart of this country's development as a nation. An audio file of the lecture can be downloaded from the AIATSIS website.