

Estimates Committee 2011
Questions Taken On Notice

(14/06/2011 to 23/06/2011)

Date: 14/06/2011

Output:

Sub Output:

Subject: Native Title Cases

From:Mr Gerry Wood to Hon Delia Lawrie
Department of Justice

1-4

Question:

Mr WOOD: Minister, how many native title cases are you working on, how long have they been going for and is there a budget item? I presume you will put a dollar sign to that, not just a yes, for the expense of native title cases?

Answer:

Answered On: 14/06/2011

*Native Title Law
14/6/11*

Department of Justice

ESTIMATES COMMITTEE 2011 – QUESTION ON NOTICE

Portfolio: Justice and Attorney-General
Racing, Gaming and Licensing
Alcohol Strategy

Minister: The Hon. Delia Lawrie

Date: Tuesday, 14 June 2011

Question No: 1.4

Question: How many Native Title cases are SFNT working on, how long have they been going for, is there a budget item and how much for the expense for SFNT of Native Title cases for the Northern Territory?

Response:

How many Native Title cases are SFNT working on:

167 comprised as follows:

Pastoral	111
Northern Towns	20 (over 6 towns)
Offshore	4
Miscellaneous	11 (including one compensation claim)
CLC Region	20

The pastoral figure takes into account the effect of the recent group of 12 determinations. The "miscellaneous" figure includes the "Quall matters" where a strike out has been sought by the Territory and several matters involving competing (intra –indigenous) claims.

There have been 15 determinations of native title in the Territory prior to the 12 determinations delivered on 31 May and 2 June 2011.

How long have they been going for:

The oldest claims were filed in 1998: the most recent in 2011. The majority of claims (the northern pastoral claims) were filed between 2000 and 2002. As a result of a strategic approach to the northern pastoral claims adopted by the Territory, the pastoral interests and the NLC, a greatly expedited rate of determination of these claims is likely in 2011-2012. The 12 determinations handed down by the Federal Court on 31 May 2001 and 2 June 2011 are the first fruits of this approach. The Federal Court anticipates disposing of nearly all of the northern pastoral claims within the next two years.

Is there a budget item and how much for the expense for SFNT of Native Title cases for the Northern Territory?

There is a budget line for the Aboriginal Land Division of the SFNT. The Division deals with native title claims and Aboriginal Land claims (under the *Aboriginal Land Rights (Northern Territory) Act* of the Commonwealth). It also deals with land use agreements on both Aboriginal Land and in relation to native title. Therefore the Division's total budget covers much more than native title cases.

The Aboriginal Land Division of the SFNT's total (personnel and operational) 2010/2011 budget is: \$1.541M.

Included in this figure is an amount of \$94,000 for counsel and (anthropological) consultants in relation to native title cases.