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TWO LAWS TOGETHER: the review of the Northern Territory Aboriginal Sacred Sites Act

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- Aknowledge Larrakia;
- Disclaimer: everything is on the public record; this presentation relates to the experience of the AAPA of the Review.

SLIDE ONE

In July 2016 the Northern Territory Government released the Sacred Sites Processes and Outcomes Review that had been undertaken by Price WaterHouse Coopers Indigenous Consulting (PIC). The report is effectively the first review of the Northern Territory Aboriginal Sacred Sites Act in 25 years. In this seminar, I aim to highlight and discuss some of the key recommendations of the Review, but I also seek to elucidate the circumstances that gave rise to the review and make comment about the exercise of public policy in the Northern Territory in the past four years. In particular the manner in which sacred sites have been politicised through the processes that led to the Review.

The purpose of the Sacred Sites Processes and Outcomes Review (the Review) was to examine the scope and operation of the Act, along with the strategic and day to day operations of the Aboriginal Areas Protection Authority (the Authority)- the body established to administer the Act. The terms of reference for the review were framed around:

- improving protection for sacred sites in the Northern Territory;
- reducing red tape and providing certainty to improve processes for economic development; and,
- exploring ways in which the Aboriginal Areas Protection Authority can be more efficient and balance the need for development.

In response to these terms of reference the Review made 39 recommendations concerning legislative amendments, improving coordination and resourcing for the administration of the Act, and improvements to the structure and operations of the Authority. Broadly speaking the recommendations of the Review if implemented will allow the Authority to augment its functions in certain important areas such as in the introduction of stop work powers, more effective prosecutorial roles, the development of a new database, and through greater communications to name a few..

Overall the Review found that after 27 years of operation of the Northern Territory Aboriginal Sacred Sites Act, the Act has achieved its purpose of providing protection for sacred sites in the Northern Territory whilst allowing development of land to occur. It is noted that in this period there have only been three occasions where the Ministerial review provisions in the Act have been invoked, with the Minister only overriding a decision of the Authority on one occasion.

On release of the report by the Minister for Community Services the Honourable Bess Nungarrayi Price, the Department of Chief Minister announced that work would commence on 9 of the recommendations contained in the report. These are:

- amendments to the Act to include compulsory reporting of sacred site damage
- the introduction of stop work orders to mitigate threat to, or risk of ongoing damage to a sacred site
- introduce the capacity for custodians to provide standing
- increase the remuneration of custodians
- introduce a mechanism for the transfer of authority certificates
- mechanisms for greater synergy with other NTG agencies such as the EPA, Department of Mines, and Department of Lands Planning and Environment
- increase to 6o days the notification period to land owners for the registration of sacred sites
- Create a single fee process for cost recovery with the capacity to waive fees, and
- Urgent resourcing of the redevelopment of the Authority's data base.

The Board of the Authority, who had always supported a review of the Act, welcomed the review and emphasised the importance of protecting sacred sites to the maintenance of Indigenous culture, law, and identity and magnanimously offered that to do so was for the benefit of all Australians. The Northern Land Council dismissed the report overall as a missed opportunity, though cautiously expressed support for some recommendations.

This view of the NLC is undoubtedly informed by information in the public domain about the motivation for the review, and the context of an expansive narrative of Northern Development. Whilst the Review largely validates, with some improvements, the existing framework and administration of the Sacred Sites Act, it fails to generate a vision for where the balance should be between the protection of sacred sites and development in the Northern Territory - noting that dissatisfaction with how balance occurs in relation to sacred site protection and development was a prime motivation for the review. Near the end of the Executive summary of the report the authors make reference to their observation from their consultations that significant misinformation and a general lack of awareness of the Sacred Sites Act and the role and function of the Authority exists. Elsewhere they also note that Trust and transparency are two key elements of the legislation stating that

> "in the context of the NTASSA it is critical that key stakeholders trust that the Act will operate as it is designed to and that the Authority will undertake its work independently. Stakeholders also want to know that the processes themselves are transparent and consistent."

In discussion with the review team, it was reported that generally the Act, the Authority and the key processes of sacred site protection were well regarded by stakeholders, including within the Northern Territory Government. However, they reported that misinformation and mistrust of the Act and the Authority was prevalent particularly in the senior ranks of the Northern Territory Government bureaucracy. From my experience I concur with this view, and assert that a culture of opposition has traditionally existed to Indigenous land administration frameworks that has its foundations in the earliest conflicts over the Aboriginal Land Rights Act, the Sacred sites Act and the Native title act, and persists in parts of the Northern Development agenda, where Indigenous land interests and development agendas are too often silent except for frequent calls for land reform to facilitate development. I assert that the Sacred Sites Processes and Outcomes Review is both a

product of the oppositional agenda that the Northern Territory Government has pursued in relation to Aboriginal Land Rights, and also, I hope, marks a point where that agenda is beginning to change.

The Northern Territory Aboriginal Sacred Sites Act was passed by the Northern Territory Legislative Assembly in 1989. This Act replaced the earlier Aboriginal Sacred Sites (NT) Bill 1978, which in turn had replaced the Aboriginal Lands and Sacred Sites Bill (NT) 1977. The Northern Territory legislature derives its power to legislate for the protection of sacred sites from s73(1) of the Aboriginal Land Rights (NT) Act which extends the power of the Legislative Assembly of the Northern Territory under the Northern Territory (Self Government) Act 1978 to the making of:

SLIDE CHANGE

> Laws providing for the protection of, and the prevention of desecration of, sacred sites in the Northern Territory, including sacred sites in Aboriginal land, and, in particular, laws regulating or authorising the entry of persons on those sites, but so that such laws shall provide for the right of Aboriginals to have access to those sites in accordance with Aboriginal tradition and shall take into account the wishes of Aboriginals relating to the extent to which those sites should be protected.

As the Review notes: 'these words define the limits of the powers of the Northern Territory Legislative Assembly with respect to Aboriginal sacred sites; and it is with respect to these powers, and to the offence provisions of the ALRA that all subsequent Northern Territory laws protecting sacred sites must be read(Review pg 8).

Prior to the existing Act being passedin 1989, a Bill before parliament to amend the earlier Aboriginal Sacred Sites Act proposed to grant the Minister extensive powers over the operations of a proposed new statutory body to protect sacred sites. The Minister would have absolute discretion whether to declare the area or refuse to make the declaration and had the power to veto any site that was nominated for protection under the legislation. This bill was discarded after legal opinion was obtained that the Northern Territory Legislature does not have the constitutional power to remove the protection extended to sacred sites under the ALRA.

Importantly the Northern Territory Aboriginal Sacred Sites Act grants no discretion to the Minister of the day to direct the Authority on matters of protection of sacred sites, and only limited discretion in relation to other functions under the Act. Indeed in the current Act the significant power granted to the Authority is that of protecting sacred sites, with no explicit power to destroy sacred sites. This is in accordance with the provisions of S73(1) of the Aboriginal Land Rights Act.

In 2012 the Country Liberal Party were elected to govern the Northern Territory having resoundingly defeated the ruling Labour Party. Allison Anderson was appointed Minister for Indigenous Advancement, a portfolio that she had held in the previous Labour Government. Allison Anderson adopted a positive approach to the Authority and clearly had a deep understanding of the core values at play in the protection of sacred sites.

At the change of Government the Authority had carriage of two significant matters. The first was a high profile prosecution of OM Manganese for damage and desecration of a sacred site at the Bootu Creek mine. The prosecution had concluded, but the magistrate was yet to hand down her decision. The second project was a raft of proposed changes to the Northern Territory Aboriginal Sacred Sites

Act which were largely focussed on achieving administrative efficiencies in the operation of the Act. These included introducing the capacity to transfer Authority Certificates from one entity to another in instances where commercial contracts change hands; and changes to the cost recovery structures of the Act. Minister Anderson was supportive of the proposed legislation changes.

SLIDE CHANGE - Bootu

In August 2013 magistrate Sue Oliver handed down her decision in the matter of AAPA v OM Manganese. The decision found the company OM Manganese guilty of one count of contravening an Authority certificate causing damage to a sacred site and one count of desecration of a sacred site and levied a combined $150,000 fine. The decision marked the first time that desecration had been proven under any legislative regime in Australia and was reported widely in the international media. Minister Anderson advised me that cabinet reported back to each other on their various media engagements on a weekly basis, and that while others were reporting their engagement with local and regional media outlets she was pleased to say that she had undertaken a number of interviews with the BBC. As the responsible Minister she was very happy with the outcome.

However, the Bootu Creek case highlighted some deficiencies in the Act – namely that the Act and its associated processes could not prevent the damage and desecration of the sacred site at the Bootu Creek mine; that the Aboriginal Areas Protection Authority did not have a stop work or call in power; that the Act does not have direct powers to demand restoration or restitution of sacred sites, and that monies levied for breaches of the offence provisions of the Act are paid to the Northern Territory Government rather than to custodians. Also, many criticised the quantum of the fines levied noting that even though they set new records, they could be considered insignificant and not a deterrent for big business. Abd I note that a number of these factors are addressed by the Review.

In addition, the case raised the profile of the Authority and the Act and prompted immediate response from industry and the Northern Territory Government, who are the Authority's largest client, to engage with the processes of the Act in a more meaningful way. Previously a number of Northern Territory Government agencies had adopted what could be described as a flagrant attitude to the offence provisions of the Act motivated by the historically low level of fines that had been levied by the courts to this point.

Broadly speaking it is my experience at that time that within Northern Territory Government agencies, the attitude towards the protection of sacred sites was considered as an administrative burden with little understanding of the values and rationale enshrined in the legislation and its associated processes. There were notable exceptions to this within some agencies with which the Authority had developed close working relationships, and I single out the Department of Infrastructure who have developed a sophisticated appreciation of the Sacred Sites Act. However, as noted earlier and observed by the Review team the attitude of some senior NTG staff clearly viewed the operation of the Act with distrust and actively promulgated the view that sacred sites appear when development is proposed.

Against the rhetoric of 'fixing Labours debt' the new CLP government set about reviewing the budgets of all agencies through the Renewal Management Board, followed by a mini budget. These processes saw a dramatic reduction in senior level staff across the Northern Territory Government and greatly reduced the budget of the Authority.

In addition a bold development agenda was imagined to promote major infrastructure projects to spur the economy in the wake of the Inpex project and to harness the energy of a national Develop the North agenda .Key amongst this was the brushing off of the Ord Irrigation project extension into the Northern Territory, a project that had been proposed some fifteen years prior by Wesfarmers Marubeni, but had been shelved. In part the new impetus for this project was derived from a substantial federally funded extension of the project in Western Australia up to the Northern Territory Border.

SLIDE CHANGE _ ORD RIVER

A key issue in the earlier proposal to extend the project into the Northern Territory and develop the Keep River Plain, the Knox Plain and Milligan's Lagoon area was that custodians and traditional owners had asserted that the Keep River plain in its entirety is a sacred site and they would not consent to the development occurring at this locale. When Wesfarmers Marubeni announced that they were abandoning the project they cited traditional owner opposition as the reason for their decision. However, there were undoubtedly other factors associated with the economics of such an extensive irrigation scheme that contributed to the decision.

With renewed interest in the Ord the Authority advised the Minister and relevant agencies of the existence of a significant sacred site on the Keep River Plain, but also agreed to revisit the issue via consultation with custodians in accordance with the Sacred Sites Act, and given the amount of time that had elapsed since the earlier proposal. The Authority devised a research project using an independent anthropologist who would advise the Board of the Authority on the existence or otherwise of a sacred site on the Keep River Plain. Issues at play included knowledge held by the Authority that the sacred site was associated with the Walujapi or black headed python narrative that is regarded as being so secret that knowledge of it is restricted to senior men and women who are extremely reluctant to disclose or discuss any details about it. To add some context, the Walujapi story and sacred sites associated with it are of contemporary significance in the ceremonial, social and political lives of custodians. The narrative, or the track, extends from Western Australia to Central Australia, through the Gulf of Carpentaria and on to Queensland. It not only embodies law and custom and ceremonial relationships at the local level, but those on a regional and national level.

A dilemma for the custodians in making decisions about resource projects of such magnitude is balancing the needs of cultural maintenance with opportunities of economic development. As with other remote regions of the Northern Territory the prospects of such economic largesse do not present themselves often. However, the recent extension of irrigated agricultural lands in Western Australia and the establishment of the Mirriwung Gadgerrong Corporation in Kununurra to manage opportunities and benefits for native title holders provided a sense of what might be proposed for the Ord Stage III within the Northern Territory. In addition the Ord III project highlights a further deficiency in the Sacred Sites Act in terms of its capacity to adequately address the complexity of issues at play in the development of a major project such as the Ord III. Notably, the area is covered by a determination of native title necessitating the negotiation of an Indigenous Land Use Agreement to allow the acquisition of tenure. Negotiation to reach such an agreement in this instance is the domain of the Northern Land Council. As noted, there is no capacity in the Sacred Sites Act to allow for the destruction of sacred sites, notwithstanding that custodians regularly allow

works to proceed within the bounds of sacred sites that in their view would not significantly impact the integrity of that place. The only way in which the destruction of sacred sites can be effected and be sanctioned by the Sacred Sites Act is by agreement. Such instances are rare, with agreements typically being negotiated by Land Councils on the instruction of traditional owners.

When the Authority concluded its work it advised the Department of Primary Industries that despite intergenerational change marked by the passing of a number of senior custodians in recent years, and the prospect of economic development opportunities, custodians had reasserted the significance of the Keep River Plain as a sacred site associated with the Walujapi, and were not prepared to allow development at that location. This advice was communicated by the Board of the Authority. In addition the Authority advised that the terms of the Authority Certificate to be issued could be varied legitimately via the negotiation of an Indigenous Land Use Agreement. It was highlighted that significant environmental and economic factors, and indeed the design of the project, could not be presented to custodians in the context of the sacred site discussions, primarily because they did not exist at the time, but that these may have a bearing on the outcome of subsequent ILUA negotiations.

Prior to this there had been significant changes in the Northern Territory Government with Adam Giles assuming the role of Chief Minister, and Allison Anderson leaving the Country Liberal Party to sit on the cross bench. The portfolio of Indigenous advancement was abolished and the Honourable Bess Nunggarayi Price was appointed as Minister for Community Services, Parks and Wildlife, Statehood and Men's and Women's Policy. In the Administrative Orders the Sacred Sites Act and the Authority also came under Minister Price's responsibility.

Initial briefings with the new Minister focussed on the program of legislative change that had been endorsed by the Authority Board. However, the Minister's office was at that time seeking a greater economic development focus in the operation of the Sacred Sites Act. This desire was twofold – to generate economic activity for Indigenous people and to reduce red tape for business in engaging with the Act. For a regulatory body administering the protection of sacred sites both objectives did not sit particularly well. Notwithstanding the reference in the long preamble of the Act to economic development, there is no scope within the current Act for facilitating Indigenous economic development directly. In addition the Authority has for many years engaged in significant organisational review to achieve efficiencies and cost effectiveness in its processes.

Discussion of the legislation occurred frequently with the Ministers office, though the Minister herself was typically absent from these meetings. It was clear that the Ministers adviser had been tasked with making the Aboriginal Areas Protection Authority more accountable with increasing reference to ensuring that the Act was administered with balance and transparency. It was clear that the independence of the Authority sat uncomfortably with the Ministers office; and that the notion of balance ingrained in the Act was considered too closely aligned with Indigenous interests. Increasingly I as the CEO was called to the office to explain and justify the actions of the organisation. On several occasions I was presented with bundles of historic documents produced by the Authority and asked to explain allegations of sacred sites 'appearing' in relation to now proposed developments. The incidence of these occasions increased and ultimately could be characterised as a campaign of harassment and intimidation that included personal threats, directions from the

adviser that were beyond the authority of the Act, negative aspersions against individual Board members, and accusations that the Authority was anti-development.

The Authority's advice in relation to the Ord III project was only partially heard by the 5th floor of Parliament House. The assessment of the Keep River Plain as a sacred site was questioned, with the site being characterised as a dreaming track instead of a sacred site with the implication that the Authority was acting beyond the Act. The notion that the Board of the Authority could stifle a major development initiative of the Government was met with outrage that permeated, permutated, and seeped through NTG agencies. Ken Vowles the shadow minister issued a press release on the 28 November 2013 criticising Government plans to abolish the Aboriginal Areas Protection Authority in favour of a handpicked board, and thereby eradicating any Indigenous referee in determining, enhancing and preserving important Aboriginal cultural sites. I of course cannot comment on the content of any proposals that went to cabinet.

The advice of the Authority, as it had been some decades earlier when similar proposals were afoot, was that any such dramatic changes would almost certainly breach s73(1) of the Aboriginal Land Rights Act, and that the first time the Minister decided to exercise her discretion in relation to a sacred site it would likely be open to a High Court challenge. A clear issue for the Government, and as expressed to me by Mr Gary Barnes the then CEO of the Chief Ministers office, was the extent of power held by the Board and the negative implications implications that this had for northern development. Board members of the Authority are appointed by the Administrator from nominees put forward by Northern Territory Land Councils and recommended by the Minister.

In addition to the proposed changes it was also proposed that a Review of the Act be undertaken at the conclusion of the changes being made. Advice from the Authority was that it would make more sense to hold a review first and then make informed decisions about changes to the Act that are required.

Questions were asked of Minister Price in parliament as to the nature of proposed changes to the sacred sites act. In subsequent media releases she stated that she had no intention to sack the Board of the Authority, but that her predecessor Allison Anderson had instructed a Review into the Sacred Sites Act and the Authority. From that point there was considerable confusion in the public domain about the status of 'the review' which had never commenced, nor been formally constituted. Such was the confusion that the Authority formed the view that a review was being undertaken in secret. This was ultimately not the case, and proposals to amend the legislation as indicated proceeded at pace.

Minister Price attended a Board meeting in August 2014 at which she assured the Board about proposed changes to the legislation but noted she could not discuss these as they were cabinet in confidence. In November 2014 the Chief Minister attended the Board meeting. I myself was not in attendance due to a personal emergency. However at this meeting the Chief Minister conducted himself in a highly combative fashion. He argued that the Board and the Authority were anti-development and cited their decision in relation to the Ord III project as an example. He also raised the issue of sacred sites 'appearing' whenever the Government sought to develop any kind of project, and suggested that some sacred sites were, in effect, not real, being used by the Authority as a mechanism to delay projects, often in opposition to what the Traditional Owners and custodians wanted. In addition he accused custodians of inventing sacred sites to maximise financial benefit in

relation to development. He further suggested to the Board that they were being misled by the staff of the Authority, by people who were not even Indigenous.

Key delays in obtaining legal advice, particularly in relation to the appointment and termination clauses of the Chief Executive Officer delayed progress of the development of new legislation. During this time a registered sacred site was destroyed at the Bullita campground in Judburra National Park. The key features of the sacred site were three mature whitegum trees. Contractors to the Northern Territory Parks Commission had been tasked to clear the area with whippersnippers. Instead they lit the long grass and left, with the resultant fire destroying the sacred site.

SLIDE CHANGE - Bullita

Judburra National Park is a jointly managed Northern Territory National Park. It is Aboriginal Land under the Aboriginal Land Rights Act that is leased back to the NT Parks and Wildlife Commission. The terms of the lease are explicit in their reference to the sacred sites Act. The Authority undertook an investigation into this matter and decided to prosecute the NT Parks and Wildlife Commission for undertaking unauthorised work on a sacred site.

Minister Price was also the Minister for Parks and Wildlife, and several unsuccessful attempts were made to resolve issues surrounding the incident. However, the matter proceeded to court and despite the Authority and the Parks and Wildlife Commission settling on agreed facts the Commission chose to fight the charges on the law. There is no doubt that the Minister was briefed on the strategy, and likely approved it despite having dual responsibility for both agencies Interestingly the argument that the Parks and Wildlife Commission ran was about S42 of the Sacred Sites Act which pertains to proprietary rights. Parks argued that as the land holder they should have the right to undertake any activities that they needed to in order to maintain their proprietary interests, and that given the damage to the sacred site occurred in the course of Parks exercising their proprietary rights there should be no offence to answer. Notably the Sacred Sites Act applies to all tenure types in the Northern Territory with the exception of Pine Gap near Alice Springs. Many sacred sites occur on land that is privately owned, and the argument which cut to the core and pith of the Sacred Sites Act, if successful, would significantly impact on the protection of sacred sites in the Northern Territory.

However, Parks lost the case with the magistrate delivering an ex tempore decision in which he stated the manner in which s42 of the Sacred Sites Act operates. Namely an owner of land may exercise their proprietary rights in relation to a sacred site but only to the extent that those actions do not damage a sacred site. The Magistrate convicted the Northern Territory Government, but did not record a penalty. The Authority came away from this court case with the strong view that the NTG was prepared to sanction legal challenges to the validity of their own legislation.

In mid-July 2015, Minister Price's Chief of Staff and the key protagonist in forcing change to the Sacred Sites Act, was arrested and charged with corruption. Ministerial staff changed, and momentum to change the legislation was lost.

In October 2014 the Council of Australian Governments had announced an Investigation into Indigenous land administration and use, and established a Senior Officers Working Group. The Northern Territory Government established the Aboriginal Land Strategic Policy unit. This group

within the Chief Ministers Department was tasked with reviewing legislation relevant to Aboriginal Land Administration – including the Aboriginal Land Rights Act and the Native Title Act, with a view to improving legislative and administrative systems to support Indigenous land use. Significantly the work of this group identified numerous mechanisms within existing legislative frameworks to achieve collaborative and meaningful outcomes that were aimed at streamlining inter government and inter agency processes for the administration of Aboriginal land. The ALSP recognised the disjuncture between proposals to change the Sacred Sites Act and the broader COAG project. On the advice of this group the proposed changes to the legislation were replaced with a review of the Sacred sites Act instead.

Through the coordination of the ALSP terms of reference were defined and ultimately Price Waterhouse Coopers Indigenous Consulting was awarded the task of reviewing against the terms of reference the Sacred Sites Act and the Aboriginal Areas Protection Authority. At the same time it was agreed that any ongoing work on legislative reform could be paused until the results of the review were known.

The task of the Review was always going to be difficult given the circumstances that gave rise to it. A clear expectation existed in some sectors of the Northern Territory Government that the Review would expose malpractice and artifice in the declaration of sacred sites. On the other hand Land Councils were suspicious that the review would erode the rights of traditional owners to protect and maintain their sacred sites and grant increased access to development.

A key factor in the outcome of the Review, I believe, was the choice of a private consulting firm to undertake the task. In addition to providing an independent view of the efficacy of the key elements of the regime for sacred site protection in the Northern Territory, the consultants necessarily had an interest in maintaining their corporate reputation in the small jurisdiction of the Northern Territory.

There is perhaps a balancing element in this arrangement as evidenced in the final report where the recommendations are a mix of mechanisms that appear aimed at the breadth of stakeholders. Collectively the outcomes of the Review are workable and functional and fair to everybody. In a pragmatic sense the Review report does not recommend fixing things that are not broken, and from the Authority's view there is a certain vindication in the outcomes given the journey of the last four years.

Through the conduct of the Review the Review team developed a sophisticated understanding of the framework of the legislation, the complexities of its processes, and the politics surrounding sacred sites in the Northern Territory. However, certain key elements that gave rise to the review in my view are not significantly addressed. These include the role and appointment of the Board and the inherent tension between Ministerial Authority and the Authority of the Board. Similarly the relationship between the Authority and Land Councils given their respective responsibilities in relation to sacred sites is not explored. This is surprising given the strong views expressed by land councils in the course of the review.

I mentioned earlier that I did not believe the Review presented a vision, and I reiterate whilst the Review is functional in its outcomes it does not make recommendations that innovate the protection of sacred sites in the longer term. The nature of the Act means that it will undoubtedly be interstitial in the engagement of Indigenous interests in development into the future. Sacred sites and

associated cultural knowledge systems will need to be accounted for if Indigenous Territorians are to be meaningfully engaged in any northern development agenda. The largely untapped richness of Indigenous knowledge systems will undoubtedly present significant opportunities for northern development.

SLIDE CHANGE _ TWO LAWS TOGETHER

Questions and ideas about how the role of the Act should develop to meet changing circumstances and challenges on the horizon are vital. For example the changing demography of the Indigenous population of the Northern Territory will present significant challenges for the operation of the Act in the coming decade and beyond. Increases in the Indigenous population in the last decade or so has resulted in the Indigenous population having a younger age structure than the non-Indigenous population. The median age for Indigenous Australians is 21.8 years compared to 37.6 years for the non-Indigenous population. Typically the type of knowledge that the Act and the AAPA deals with is the domain of senior custodians of sacred sites. It is likely that notions of seniority will be change in the coming decade, and that values and the nature of information relating to land and culture will be redefined. It is more than likely that custodians will seek to utilise the repository of information held by the Authority in new and innovative ways.

A critical element in the Sacred Sites Outcomes and Processes Review was the pragamatic guidance by the Aboriginal Land Strategic Policy Unit who incorporated the Review into their work program and capably reshaped what was a potential train wreck with far reaching consequences for Indigenous people in the Northern Territory into a good outcome. As noted, I believe their approach of seeking to do things better, based on evidence and consultation and within existing legislative frameworks may be the beginning of some positive change in the Northern Territory Government to Indigenous land administration in the Northern Territory. Importantly, the method seeks to dispel mythologies and prejudice, and invites collaboration. On this basis the Review might be finished, but the work is just beginning. Finally, I would like to acknowledge past and present members of the Board of the Authority, and also past and present staff members who have dealt with the highly charged politics leading to the review. At times the impact on individuals associated with the Authority has been unreasonable, and it's a testament to all that we have endured – two laws together.