



Media Release

Fri 9 Dec 2005

Native Title Does Exist in Victoria

The first positive determination of native title in Victoria will be made by the Federal Court at a hearing near Dimboola in western Victoria at 11am on Tuesday, 13 December.

A decade after their claim was first lodged under the *Native Title Act*, the Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagalk peoples will be recognised as the native title holders for 269 sq kms in the Wimmera area.

The decision comes after the Federal and High Courts' decision that the Yorta Yorta people did not hold native title, and represents a great victory for the claimants that will be a source of hope for indigenous people throughout settled Australia.

The area encompasses land alongside 153kms of the Wimmera River. The Barengi Gadjin Land Council (BGLC), which is the organisation established by the claimants to represent their interests, will hold native title on behalf of the five groups.

Kaylene Clarke, Deputy Chairperson of the BGLC and a Wotjobaluk traditional owner, said the decision to grant native title in Victoria was a momentous occasion in history. "Our mob have been working towards this day for over 10 years. We will be recognised as native title holders over a part of our country, while associated agreements give us a greater say over the rest of our traditional lands. This is certainly a very exciting occasion in our history, as it now allows us to move forward and make a better future for our people," Kaylene said.

Graham Atkinson, Chairman of Native Title Services Victoria, said Tuesday would be a great day for the traditional owners. "This determination indicates that the *Native Title Act* can, if goodwill exists on the part of Government, provide recognition to traditional owners anywhere in Australia. Traditional law and custom continue to be acknowledged, and connection with country is maintained despite the dispossession that our people have suffered," Mr. Atkinson said.

The Federal Court's judgment was arrived at not by litigation but by the consent of all stakeholders – the State Government, the Commonwealth Government, farmers, recreational users and many other respondents. The determination does not affect private interests in land.

The determination ceremony will commence at 9.45am with a smoking ceremony and dancing, followed by the determination proceedings, conducted by Justice Merkel of the Federal Court, at 11am.

Graham Atkinson (NTSV Chairman) and Peter Kennedy (Wotjobaluk Project Officer) are available for interviews.

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Native Title Services Victoria is an independent company funded by the Commonwealth Government under the *Native Title Act 1993* to represent native title claim groups in Victoria. www.nts.com.au.