



Speech by

Hon. Liddy Clark

MEMBER FOR CLAYFIELD

Hansard Wednesday, 20 October 2004

MINISTERIAL STATEMENT

Wik Native Title Determination

Hon. E.A. CLARK (Clayfield—ALP) (Minister for Aboriginal and Torres Strait Islander Policy) (10.21 a.m.): Last week I, along with the member for Cook, witnessed a historic event at Aurukun. A Federal Court decision recognised native title over 1.227 million hectares of the Wik and Wik-Way people's traditional lands in western Cape York. Together with the first native title determination in 2000, the Wik and Wik-Way people have now been recognised as the native title holders of more than 1.75 million hectares of land.

This has been no simple matter. The Wik and Wik-Way people have pursued their application for the formal recognition of their native title over land in the Western Cape York area since 1994. They made history in 1996, when the High Court ruled that the grant of a pastoral lease did not necessarily extinguish native title. In October 2000, a native title determination was made over more than half a million hectares. Last week's determination was another significant milestone for the Wik and Wik-Way people, and I was proud to represent my colleagues the Premier and the Minister for Natural Resources on this historic day.

This latest native title determination marks an era of harmony between the native title holders and the pastoralists who hold leases for areas included in the determination. About 675,000 hectares of the land is covered by pastoral leases. Through the signing of three indigenous land use agreements between pastoralists and claimants, and another between the claimants and the Cook Shire Council, all parties have found a way to respect the rights and interests of each other.

The Wik and Wik-Way people will be able to hold ceremonies, hunt and gather and protect the areas that are important to them. The pastoralists will lose none of the entitlements of their lease arrangements. This is a very important determination. It clearly shows it is possible to reach an accord. The genuine and heartfelt words of both pastoralists and claimants on this wonderful day showed the spirit of cooperation which made this determination possible. There was a true feeling of celebration. There was a sense of a rich history fully recognised, and there was an anticipation of a future where the traditional and more recent caretakers of the land could coexist.

Aurukun's children were part of the court proceedings which recognised this native title determination. Gladys Tybingoompa, the Wik woman whose famous dance celebrated the 1996 High Court decision, said she was proud and privileged to be part of a day which would allow her grandchildren and those of her fellow Wik and Wik-Way people the native title to this land. Gladys's knees were no longer up to the dance, but there was no doubt her heart was in it. As Gladys said, it has been a struggle, but all parties need to be congratulated for the spirit in which this determination has been reached.