



Yamatji Marlpa ABORIGINAL CORPORATION

High Court awards win to Banjima People

MEDIA RELEASE: 29 July 2016

The Banjima people are once again celebrating after the High Court found against the State's application for Special Leave - a requirement that takes place before a matter goes to the full High Court.

The State appealed on the following grounds:

- 1. That the existence of previous exploration leases prevented Banjima from using s47B of the Native Title Act to exert the right to exclusive possession over areas of unallocated crown land.*
- 2. That the Banjima traditional law and custom of spiritual protection of sites to exert the right of exclusive possession should not extend to non-Aboriginal people*

Simon Hawkins, CEO of Yamatji Marlpa Aboriginal Corporation, says this is a strong example of the litigious nature of the State when it comes to protecting the rights of Aboriginal groups in Western Australia.

"This decision from the High Court goes to show how hostile the State is towards Native Title holders. It further illustrates the State obsession with restricting the rights of Traditional Owners who to this day, practice their law, culture and customs on-Country.

"This decision will set a precedent for other Traditional Owner groups who are slapped with appeal notices by the State," he says.

The High Court found that there were insufficient prospects for success in both arguments and the Application should be dismissed with costs awarded to the Banjima.

About Yamatji Marlpa Aboriginal Corporation

Yamatji Marlpa Aboriginal Corporation (YMAC) is the native title representative body for native title claims in the Pilbara, Murchison and Gascoyne areas of Western Australia. The organisation has a

representative area of almost one million square kilometres and represents over 20 native title claims, all with their own language, culture and traditions.

YMAC is a not-for-profit organisation, run by an Aboriginal Board and provides a range of services to its members including claim and future-act representation, heritage protection services, community and economic development and natural resource management.

For interviews please contact:

Leanne Alberghini | Director of Corporate Communications

P 08 9268 7000 | M 0439 978 060 | lalberghini@ymac.org.au