

*Macquarie graduate Nariman Sahukar recently undertook an ‘Aurora Project’ internship with Yamatji Marlpa Aboriginal Corporation, a Native Title Representative Body (NTRB\*) in Western Australia.*

*Nari assisted with a variety of native title claims and negotiations over the 15 weeks of his practical legal training placement, meeting many hard-working lawyers and welcoming clients, from Perth to the Pilbara and back again.*

## **Monday**

We’d flown up in the wee hours of the morning to a windswept Karratha (pop. 12,500). Lugging laptops and portable printers, I climbed into our Pilbara-red hire car with the legal officer and our in-house counsel. The airport was girt by sea and salt lakes – crusty white accretions on the roadside, like snow on the Martian plains.

After six weeks in Perth, I had two preconceptions of the office up here. First, many things that most law firms take for granted – computers, phones, and an office brimming with staff – just aren’t par for the course in remote Australia. The second impression came from an email to the Perth office a few weeks before. It began:

Some of you may be aware that there is a snake in the Karratha office and measures have been taken to catch it. In the meantime ... if you call and can’t get through, you now know why.

Snakes or no snakes, we arrived and set to work preparing for an Aboriginal claim group meeting in two days time. Much of the day was spent building up a picture of genealogies with the staff anthropologist, to ensure all the right people were included in the claim group.

I thought about how one real benefit of working as a native title lawyer is the chance to develop a variety of skills (and work with others who have them) – whether it be advocacy, history, anthropology, environmental and resources law, commercial nous, communication or negotiation. Life as a native title lawyer also involves a fair bit of travel, with all the accompanying advantages and strains. So in between afternoon errands, I spent a few moments gazing at the rusty rocks and scrubby hills.

At sunset we drove out to a cove on the Burrup Peninsula, where ferrous boulders meet the placid sea, and eons of shells crunch underfoot. Court decisions had quashed the local Aboriginal peoples’ claim over the Burrup, although just before the Federal Court found native title had not been proven, a settlement was successfully negotiated with the state government. The process was not without compromise (it rarely is) – as evidenced by the gleaming industrial silos that lay on the way to the secluded cove.

## **Tuesday**

Heading to a nearby town the next morning, we met with several of our client community members at their local headquarters. Our chief aim today was for the elders to fill in the gaps of our genealogical detective work, and for us to answer any questions they had about the process of their claim before tomorrow’s meeting.

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\* *NTRBs are Commonwealth-funded legal centres recognised under the Native Title Act 1993. They advise Indigenous claimants on progressing their native title claims, and negotiate with governments, pastoralists, mining companies and others on claimants’ behalf.*

It was great for me to meet our clients in person – to see them poring over their family trees and imparting what else they could. It was also interesting to hear the range of concerns they expressed – confusion over why certain things had to happen the way they were; frustration over simmering local politics; and the rallying of group support to make sure tomorrow’s meeting went smoothly.

We listened and advised over fish and chips and cups of tea, and spent the evening preparing background documents for the next day’s events.

### **Wednesday**

Kiddies were laughing and galloping around the community hall when we arrived to set up this morning – as part of a local community breakfast initiative. The organisers promptly realised that we had a booking and we all worked to sweep up, arrange tables, chairs, projectors, laptops and PA systems.

As a trickle of claim group members began to flow in, I took attendance and assisted with travel allowance for those who’d journeyed from afar – some hundreds of kilometres in dusty cars. There was a mix of old and younger members, sitting in small groups, embracing and chatting with each other as more of their community arrived.

By mid-morning we were ready to open the meeting. Our in-house counsel’s experience was evident as she explained today’s significance, gave some background to how things had moved so far, and stepped the claim group through some thorny and complex native title issues.

Members had a chance to air their questions and concerns amongst their kin, and talk through options amongst themselves. Another lawyer who worked with the group pitched in here and there while I diligently recorded the meeting minutes. Within a couple of hours the claim group had decided on the next steps for their claim. Formal resolutions were voted on and passed, and we set about finalising a range of supporting documents.

Our weeks of preparation had seemed to pay off! In fact, the speed and harmony of the meeting were a credit to the claim group and the lawyers involved.

To reward our (mainly our in-house counsel’s) hard work, we headed out for a spot of sightseeing. Amongst the archaeological specimens and pictures of Afghan camel trains at the local museum, there were some sobering reminders of the not too distant past. One black-and-white photo showed captured Aboriginal men chained together in irons and destined for slave labour – a profitable business then known as “blackbirding”. As Europeans arrived in the Pilbara only from the 1860s, this was shockingly recent history.

Just before the evening flight back to Perth, our legal officer and I headed out to the Burrup again to view some of the local rock art; picking our path through a creek bed dotted with wattle trees and white gums. Great slabs of rock and boulders glowed red around us. Scanning the cliff faces, my sharp-eyed colleague found what we were looking for – right where they were carved, perhaps hundreds of years ago. A lithe human figure seemed to be dancing with ceremonial objects; elsewhere, the pock-marked body of an animal or a mythical being; and further along the creek bed, a whole crowd of other figures, both human and animal, watched us from the rocks.

I spent the dying minutes of sunlight clambering up red boulders, clanging like heavy metal as they shifted. Kangaroos in rusty coats bounded out from nowhere, fleeing across the craggy landscape.

It was at once a familiar and alien atmosphere – strange animal cries, obstacle-strewn terrain, bleached bones and eerie silences that pressed at the ears. Even in the winter sun, I was sweating by the time I stood atop one of the magnificent red hills. My aerial view took in the yellows, greens and reds of the land, mixed with distant signs of occupation – the road to the cove and the industrial domes of the factory plants. In the distance, squinting into the sun, I could even make out the sparkling sea.

It was important and lucky for me to see all this, even if I wasn't being guided by local people on this occasion. Actually *being there* drove home how such strong attachments to the land have developed over the course of generations, particularly for the people who relied so much on what their land brought forth for them.

The sense of isolation here was welcome, but intense. It was a world away from the corporate structures, computer screens, documents, airports and meetings that, ironically enough, are needed to further our clients' interests and keep the legal processes of recognition moving.

Of course, taking in the view didn't forge the path to indigenous empowerment and heritage protection amidst the billion dollar industries that now dot, line and quarry the Pilbara. It didn't point the way to resolving internal divisions amongst claim groups, whose fluid boundaries have never before needed total precision (and where a few kilometres can mean foregoing new means to economic opportunity). Nor is it simple to address the pervasive differences of power, experience and ideology between the various parties to native title claims.

At the heart of it though, getting out 'on country' reinforced the whole reason NTRBs exist: to support Aboriginal claimants in the recognition of their land, culture and history. My experiences in Perth and the Pilbara instilled in me a greater understanding and respect for that culture, and an admiration for those who work to protect it. I also felt a renewed pride in the abundant beauty of this country – a fragile wealth that we, all comers to the land, should justly share.

***For more information on how you can spend a rewarding six weeks or more as an Aurora Project intern during university holidays or after you graduate (including practical legal training placements), visit [www.auroraproject.com.au](http://www.auroraproject.com.au) or call (02) 9385 9049.***