

The Aurora Project: Throwing Light on a Dark Past of Injustice

The sun was riding high in the sky, the sea breezes of early December were wafting seductively, promising the fruits of summer and the chance to abandon the books till the following year. But despite surviving another gruelling round of exams my summer had not yet begun. I had a decision to make, whether or not to accept a position as an intern with NTSCORP, a native title service provider based in Redfern. The question was lurking in the back of my mind: why would an overworked law student such as myself choose to spend five weeks of their well earned vacation completing an internship in native title through the Aurora Project?

Of course, I took the internship, and immediately understood why the Aurora Project is not only such a great opportunity for the interns themselves, but also why the program is such a valuable resource for the people and organisations it supports.

As I arrived at the Redfern office, feeling like a small boy on the first day of big school, I had no idea what to expect. Having spent my early working life as an actor, then turning my hand to photography, the office environment had always been somewhat alien to me. But I reminded myself that I had started this degree because I wanted to make a real contribution to the community, and this was an area of the law that I felt could be an effective new mechanism for enabling greater self-determination for Aboriginal and Torres Strait Islander People. And so I prepared myself to offer any help I could, even if it meant doing the most menial of tasks.

The Aurora Project was established to address difficulties with recruitment and retention of native title lawyers, and the need for an improvement in the support structures for Native Title Representative Bodies (NTRBs) and their staff. There has been in the past a high turnover of NTRB lawyers, which continues today, whereby excessive workloads, stress, duplication of work, and a lack of professional development opportunities cited amongst other reasons for the poor retention of lawyers and graduates to the native title sector.

The difficulties faced by NTRB lawyers may appear on their face to discourage involvement in the native title sector. But these purported shortcomings could be seen as native title's strength. A young native title lawyer could foreseeably have carriage of a matter or claim that could have real and lasting significance for a claimant group or other stakeholder. While the level of responsibility placed on the shoulders of such lawyers is high, bringing its attendant stresses, the satisfaction from gaining a successful outcome can be all the more fulfilling. It would be difficult to imagine a second year solicitor at a large firm being given the equivalent amount of responsibility for an account or a matter.

As I was introduced to the staff on that first summer day my apprehensions began to disappear. There was genuine warmth in their welcome that made me feel as though I was already a valued member of a team. Added to that quite a number of the legal and policy staff members at NTSCORP had at one time been an Aurora intern, I discovered later. Here was a young, dynamic and committed group of people from a wide variety of backgrounds who were passionate about native title.

From the outset the tasks that were given to me to complete were extremely challenging. The team of solicitors genuinely required the interns to help share the burden of their workload, rather than merely thinking of activities that would keep us occupied for the five weeks leading up to Christmas. But while the work offered challenges the solicitors were always understanding and supportive, and were willing to help guide us through the straits and narrows often thrown up in native title matters. These matters are almost always extremely complex, requiring the balancing of legitimate but sometimes incompatible interests of stakeholders or interested parties. The interaction between a variety of state and federal legislative instruments, together with a large body of case law also imposes another level of complexity.

Amongst the tasks given to me during my internship was to instruct counsel acting for NTSCORP in directions hearings for several claimant and non-claimant matters; to research the effect of provisions that had never been litigated, and for which the usual research methods yielded almost nothing; to prepare governance and record keeping materials for an Aboriginal Corporation; and to help address issues arising from a national park lease under the *National Parks and Wildlife Act 1974* (NSW). I was also asked to attend mediation conferences convened by the National Native Title Tribunal where all stakeholders were present. These meetings highlighted the benefits of a collaborative approach when negotiating the settlement of native title claims between government, various claimant groups and others whose interests may be affected. For the more intrepid Aurora intern there could even be an opportunity to go on country to meet claimant group members, conduct interviews, gather evidence and help prepare affidavits.

By giving the interns opportunities such as these the Aurora Project is invaluable for any law student who may want to explore this area of work, while making an active and positive contribution to the community. I can't speak for everyone, but for me this beats spending the long summer days stuck by the photocopier in an anonymous air-conditioned office block in the city, pondering the most challenging decision of the summer clerk's day: "what's for lunch?"

For more information about the Aurora Native Title Internship Program, visit www.auroraproject.com.au.

Applications for the winter 2010 round of anthropology, legal and other social science internships will be accepted online between the 8th March 2010 and the 1st April 2010.

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**“The lie was *terra nullius* — the convenient fiction that Australia had been a land of no one. The truth was native title.”
Paul Keating, Prime Minister 1991 – 1996.**