HIGHER DEGREE RESEARCH RETREAT 2016
PROGRAM AND ABSTRACTS

19 — 21 October 2016
Canberry and Springbank Rooms
Level 1, JG Crawford School
The Australian National University

National Centre for Indigenous Studies
ACKNOWLEDGEMENT OF COUNTRY

We acknowledge and celebrate the First Australians on whose traditional lands we meet and we pay our respects to their elders, past and present.

Organising committee:

Convenor Dr Siobhan McDonnell, Research Assistant Diana Anderssen, Costanza Maffi, Tamai Heaton, Edward Chalmers

With special thanks to:

- The Centre for Aboriginal Economic Policy Research for covering the cost of a keynote speaker
- Deputy Vice-Chancellor (Research), Professor Margaret Harding, for covering the cost of a keynote speaker
- Tjabal Indigenous Higher Education Centre for hosting the barbecue dinner.
NCIS HIGHER DEGREE RESEARCH RETREAT
2016 PROGRAM AND ABSTRACTS

Overview
Welcome to the 2016 Higher Degree by Research (HDR) Research Retreat hosted by the National Centre for Indigenous Studies (NCIS). A key aim of the HDR Research Retreat is to provide an opportunity to specifically support Indigenous research and researchers. Importantly, this retreat also aims to provide a relaxed environment of collegiality in which to discuss intellectual concepts and foster professional development and research practice.

The HDR Research Retreat has a focus on the importance and relevance of research to the broader concerns and issues of Indigenous peoples. NCIS is very pleased to have you join with our HDR scholars, staff, adjuncts and guest speakers in a program of presentations, discussions and workshops. We trust that you will find the retreat enjoyable, inspirational and intellectually stimulating.

General timetable

Wednesday 19 October
> 8.30 am – 9.00 am: Registration. Tea and coffee.
> 9.00 am – 4.35 pm: Guest speakers and HDR Scholar presentations.

Thursday 20 October
> 8.30 am – 9.00 am: Tea and coffee.
> 9.00 am – 5.00 pm: Guest speakers and HDR Scholar presentations.
> 6.00 pm onwards: Barbecue Dinner.

Friday 21 October
> 8.30 am – 9.00 am: Tea and coffee.
> 9.00 am – 4.00 pm: Guest speakers and HDR Scholar presentations.

Venue
The 2016 HDR Research Retreat will be held in the Canberry and Springbank Rooms on Level 1 of the J G Crawford Building, located on the ANU campus at 132 Lennox Crossing:

If you need transport to/from the venue or if you have any questions, please contact the Research Retreat Convenor, Siobhan McDonnell at: Siobhan.McDonnell@anu.edu.au.
<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>8.30 – 9.00 am</td>
<td>Registration. Tea &amp; coffee</td>
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<tr>
<td>9.00 – 9.15 am</td>
<td><strong>Welcome address:</strong> Professor Mick Dodson AM (Director, NCIS)</td>
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<tr>
<td>9.15 – 10.00 am</td>
<td><strong>Keynote address:</strong> Distinguished Professor Aileen Moreton-Robinson</td>
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<tr>
<td>Chair: Prof Mick</td>
<td>Welcome: Facing the Future: Highlights and Challenges in Indigenous</td>
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<tr>
<td>Dodson</td>
<td>Studies Research at ANU</td>
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<tr>
<td>Chair: Prof Mick</td>
<td>Questions from the floor</td>
</tr>
<tr>
<td>10.00 – 10.30 am</td>
<td>Morning tea</td>
</tr>
<tr>
<td>10.30 – 12.10 pm</td>
<td><strong>Theme 1:</strong> Education and Expectations</td>
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<tr>
<td>Chair: Dr Bill</td>
<td><strong>Ben Wilson</strong> (NCIS, ANU) — Creativity, Caring, and Collaboration:</td>
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<tr>
<td>Fogarty</td>
<td>A Thematic Analysis of Teachers’ Perceptions of High Expectations</td>
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<td>10.30 – 10.50 am</td>
<td><strong>Ganesh Koramannil</strong> (School of Indigenous Knowledges and Public</td>
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<td>Policy, Charles Darwin University) — Investigating English Language</td>
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<td>Proficiency of English as Additional Language or Dialect Indigenous</td>
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<td>Students in First Year Undergraduate Studies in a Regional University.</td>
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<tr>
<td>10.50 – 11.10 am</td>
<td><strong>Talia Avrahamzon</strong> (CAEPR, ANU) — The Ethnic-Racial Socialisation</td>
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<td>of Australian Children about Indigenous Peoples, Histories, Cultures</td>
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<td>and Reconciliation</td>
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<td>11.10 – 11.30 am</td>
<td>Discussant: Dr Jerry Schwab</td>
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<td>11.30 – 11.50 am</td>
<td>Questions from the floor</td>
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<tr>
<td>12.10 – 1.10 pm</td>
<td>Lunch</td>
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<tr>
<td>1.10 – 2.30 pm</td>
<td><strong>Theme 2:</strong> Treaty Rights</td>
</tr>
<tr>
<td>Chair: Dr Bill</td>
<td><strong>Sarah Down</strong> (NCIS, ANU) — Unpacking the Complexities of Rights</td>
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<tr>
<td>Fogarty</td>
<td>Recognition over Mineral resources for Indigenous Peoples</td>
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<tr>
<td>1.10 – 1.30 pm</td>
<td><strong>Annie Te One</strong> (NCIS, ANU) — Māori Representation and Partnership</td>
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<td>in Local Government</td>
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<td>1.30 – 1.50 pm</td>
<td>Discussant: Professor Frank Brennan</td>
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<td>1.50 – 2.10 pm</td>
<td>Questions from the floor</td>
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<tr>
<td>2.10 – 2.30 pm</td>
<td>Afternoon tea</td>
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<tr>
<td>3.00 – 3.15 pm</td>
<td><strong>Vice-Chancellor’s address</strong></td>
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<tr>
<td>Chair: Prof Mick</td>
<td><strong>Professor Brian Schmidt</strong></td>
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<tr>
<td>Dodson</td>
<td>Vice-Chancellor’s address</td>
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<tr>
<td>Time</td>
<td>Theme 3:</td>
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<tr>
<td>3.15 – 3.35 pm</td>
<td><strong>Speaking up, Indigenous Methodologies</strong></td>
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<td>Chair: Dr Asmi Wood</td>
<td>3.15 – 3.35 pm</td>
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<td>3.35 – 3.55 pm</td>
<td><strong>Janet Turpie-Johnstone</strong> (NCIS, ANU) — <em>My ‘Place’ in My Research</em></td>
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<tr>
<td>3.55 – 4.15 pm</td>
<td>Discussant: <strong>Distinguished Professor Aileen Moreton-Robinson</strong></td>
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<td>4.15 – 4.35 pm</td>
<td>Questions from the floor</td>
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<td>4.35 pm</td>
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### Thursday 20 October

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<thead>
<tr>
<th>Time</th>
<th>Activity</th>
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<tbody>
<tr>
<td>8.30 – 9.00 am (0:30)</td>
<td>Tea &amp; coffee</td>
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<td>9.00 – 9.45 am (0:45)</td>
<td><strong>Keynote address:</strong> Dr Lawrence Bamblett</td>
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<td>Chair: Prof Mick Dodson</td>
<td>9.00 – 9.30 am</td>
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<td>9.30 – 9.45 am</td>
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<td>9.45 – 11.00 am (1:15)</td>
<td><strong>Theme 4:</strong> Health, Resilience and Wellbeing</td>
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<tr>
<td>Chair: Prof Mick Dodson</td>
<td>9.45 – 10.05 am</td>
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<td>11.00 – 11.20 am (0:20)</td>
<td><strong>Morning tea</strong></td>
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<td>11.20 – 1.00 pm (1:40)</td>
<td><strong>Theme 5:</strong> Rereading the Past</td>
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<tr>
<td>Chair: Prof Mick Dodson</td>
<td>11.20 – 11.40 am</td>
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<td>11.40 –12.00 pm</td>
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<td>1.00 – 1.45 pm (0:45)</td>
<td><strong>Lunch</strong></td>
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<td>1.45 – 1.55 pm</td>
<td><strong>Presentation of the Watervale Award by Deputy Vice-Chancellor (Research), Professor Margaret Harding</strong></td>
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<td>Time</td>
<td>Theme</td>
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</tbody>
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| 1.55 – 3.10 pm (1:15) | **Theme 6: Collaborative Engagement** | **Chair:** Dr Diane Smith  
1.55 – 2.15 pm **Sophia Close** (NCIS, ANU) — *Researching Peacefully with Indigenous Peoples: Ethnographic Peace Research*  
2.15 – 2.35 pm **Grant Paulson** (World Vision Australia) — *Aboriginal and Torres Strait Islander Spirituality in Shaping Social Innovation and Societal Change*  
2.35 – 2.55 pm **Discussant:** Dr Janet Hunt  
2.55 – 3.10 pm **Questions from the floor** |
| 3.10 – 3.25 pm (0:15) | **Afternoon tea** | |
| 3.25 – 5.00 pm (1.35) | **Theme 7: Traditional Knowledge and the Environment** | **Chair:** Dr Diane Smith  
3.25 – 3.45 pm **Conrad Bilney** (La Trobe) — *DNA Barcoding and Traditional Knowledge: Viability and Sustainability of Edible Insect Larvae for Food Security*  
3.45 – 4.05 pm **Roger Davis** (Institute for Governance and Policy Analysis, University of Canberra) — *Transmitting across the ‘Divide’ in Indigenous Environmental Governance*  
4.05 – 4.25 pm **Kaely Woods** (CAEPR, ANU) — *The Complete Value of Aboriginal Cultural Activity*  
4.25 – 4.45 pm **Discussant:** Dr Sean Kerins  
4.45 – 5.00 pm **Questions from the floor** |
| 5.00 pm | **CLOSE** | |
| 6.00 pm onwards | **Barbecue dinner at Tjabal Centre** | (The Centre is located on the lower level of Melville Hall (Building 12). The main entrance *where the outside barbecue will be held* is accessible via Chifley Meadow, which is directly outside the Chifley Library.)  
**Welcome** Mrs Anne Martin & Professor Mick Dodson  
**Guest speaker** Senator Patrick Dodson — *‘A View from the Hill’* |
<table>
<thead>
<tr>
<th>Time</th>
<th>Session</th>
<th>Details</th>
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<tbody>
<tr>
<td>8.30–9.00 am</td>
<td>Tea &amp; coffee</td>
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</tbody>
</table>
| 9.00–10.40 am | Theme 8: Cultural Assumptions and Legal Systems | Chair: Dr Siobhan McDonnell  
9.00–9.20 am Diana Anderssen (NCIS, ANU) — *Traditional Laws and Customs: A Western Construct?*  
9.20–9.40 am Riccardo Mazzola (Visitor, RegNet, ANU, University of Milan) — *Incommensurable Immateriality: Intellectual Property Law and Yolngu Intangible Resources*  
9.40–10.00 am Richard Maning (NCIS, ANU) — *Competing Discourses in the Court Case of Eatock v Bolt*  
10.00–10.20 am Discussant: Dr Asmi Wood  
10.20–10.40 am Questions from the floor |
| 10.40–11.00 am | Morning tea                    |                                                                        |
| 11.00–11.45 am| Keynote address: Mr Justin Mohamed | Chair: Prof Mick Dodson  
11.00–11.30 am Reconciliation and Research Pathways  
11.30–11.45 am Questions from the floor |
| 11.45–1.10 pm | Theme 9: Cultural Engagement and Collections | Chair: Dr Siobhan McDonnell  
11.45–12.15 pm Magali McDuffie (NCIS, ANU) – *Development and Nyikina Women’s Agency: The Importance of ‘Booroo’ (Country) in a Global Space*  
12.15–12.35 pm Johanna Parker (NCIS, ANU) — *Gentlemen Scientists: What Can be Learnt by Examining the Motivations and Methodologies Employed by Australian and British Amateur Collectors to Accumulate Australian Indigenous Human Remains in the Late 19th and Early 20th Centuries?*  
12.35–12.55 pm Discussant: Associate Professor Michael Pickering  
12.55–1.15 pm Questions from the floor |
<p>| 1.15–2.00 pm  | Lunch                          |                                                                        |</p>
<table>
<thead>
<tr>
<th>Time</th>
<th>Theme 10:</th>
<th>Details</th>
</tr>
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<tbody>
<tr>
<td>2.00 – 3.20 pm</td>
<td><strong>Minorities, Land and Democracy</strong></td>
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<tr>
<td>Chair: Dr Pamela McGrath</td>
<td>2.00 – 2.20 pm</td>
<td><strong>Ed Wensing</strong> (NCIS, ANU) — The Commonwealth’s Indigenous Land Tenure Reform Agenda: Whose Aspirations, and for What Outcomes?</td>
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<td>2.20 – 2.40 pm</td>
<td><strong>Harry Hobbs</strong> (Faculty of Law, University of New South Wales) — Hearing Aboriginal and Torres Strait Islander Peoples in the Processes of Settler State Government: Rehabilitating Democratic Theory</td>
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<td>2.40 – 3.00 pm</td>
<td>Discussant <strong>Professor Patrick Sullivan</strong></td>
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<td>3.00 – 3.20 pm</td>
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<td>Afternoon tea</td>
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<tr>
<td>3.40 – 4.00 pm (0:20)</td>
<td><strong>Closing reflections:</strong></td>
<td><strong>Professor Mick Dodson AM</strong> (Director, NCIS)</td>
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<td>Closing Reflections, Moving Forward in Indigenous Studies Research at ANU</td>
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<td>4.00 pm</td>
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KEYNOTE SPEAKERS

Professor Mick Dodson AM
Director, NCIS
The Australian National University

Facing the Future: Highlights and Challenges in Indigenous Studies Research

Biography: Professor Mick Dodson is a member of the Yawuru peoples – the traditional owners of land and waters in the Broome area of the southern Kimberley region of Western Australia. He is Director of the National Centre for Indigenous Studies and Professor of Law at the ANU College of Law. Mick Dodson was Australia’s first Aboriginal and Torres Strait Islander Social Justice Commissioner with the Human Rights Commission. Mick Dodson has been a prominent advocate on land rights and other issues affecting Aboriginal and Torres Strait Islander peoples, as well as a vigorous advocate of the rights and interests of Indigenous peoples around the world. In 2009, Mick Dodson was named Australian of the Year by the National Australia Day Council. From September 2011 to February 2012 inclusive, Professor Dodson was at Harvard University where he was the Malcolm Fraser & Gough Whitlam Harvard Chair in Australian Studies and a Visiting Professor, Harvard Project on American Indian Economic Development.

Distinguished Professor Aileen Moreton-Robinson
Dean, Indigenous Research and Engagement, Queensland University of Technology

Towards a Critical Indigenous Studies: Some Preliminary Ideas

Biography: Dr Aileen Moreton-Robinson is a Goenpul woman of the Quandamooka people (Moreton Bay). She is Distinguished Professor and Dean of Indigenous Research and Engagement at the Queensland University of Technology, Australia. Professor Moreton-Robinson is also Director of the Australian Research Council’s National Indigenous Research and Knowledges Network (NIRAKN).

Dr Lawrence Bamblett
Vice Chancellor’s Scholar in Indigenous History, Australian Centre for Environmental History, The Australian National University

Winanguy: Thinking about Aboriginal Studies Research

Topic: The research we do today will become the ideas of our time. Our research projects contribute to a broader discourse about race that brings about and shapes our interactions with each other, with cultural forms, and with social and political arrangements in society. Laurie Bamblett considers how research about Aborigines leads key professionals working with his community to know with certainty the correct responses to their perceptions of Aboriginal Disadvantage. He explains how this research-based certainty too often contributes to negative outcomes for Wiradjuri children. Laurie will explain how he uses the Wiradjuri concept of winanguy to embrace a less certain, externally reflective and reflexive approach to his research. He will describe how consideration of his imagined audience’s experiences and actions beyond the scope of particular research projects produce positive outcomes for his community. He argues that sustained reflection about the perspectives and experiences of the audience makes for more meaningful research.

Mr Justin Mohamed  
Chief Executive Officer, Reconciliation Australia

Reconciliation and Research Pathways

Biography: Justin Mohamed is the Chief Executive Officer of Reconciliation Australia and a proud Aboriginal man of the Gooreng Gooreng nation near Bundaberg in Queensland. Justin has dedicated the past 25 years to working towards building a stronger and healthier nation for Aboriginal and Torres Strait Islander peoples.

At Reconciliation Australia, Justin leads the organisation in its vision to create a more just, equitable and reconciled Australia through key programs and initiatives, including Reconciliation Action Plans, Narragunnawali Reconciliation in Schools and Early Learning, and National Reconciliation Week.

Prior to his role at Reconciliation Australia, Justin chaired the National Aboriginal Community Controlled Health Organisation (NACCHO), The Victorian Aboriginal Community Controlled Health Organisation, and was Co-Chair of the National Health Leadership Forum.

Justin has also held positions on multiple community, state and national working groups, committees and boards. He continues to be a director of the Greater Western Sydney Giants Foundation, Chairperson of Gambina, Co-Chair of Cricket Australia’s National Aboriginal and Torres Strait Islander Cricket Advisory Committee (NATSICAC), and is on the Boards of both Vision 2020 and Supply Nation.

Senator Patrick Dodson  
Senator for Western Australia,  
Shadow Assistant Minister for Indigenous Affairs and Aboriginal and Torres Strait Islanders

A View from the Hill

Biography: Patrick Dodson is a Yawuru man from Broome in Western Australia. He has dedicated his life work to being an advocate for constructive relationships between Indigenous and non-Indigenous peoples based on mutual respect, understanding and dialogue. He is a recipient of the Sydney International Peace prize.

Patrick has extensive experience in Aboriginal Affairs, previously as Director of the Central and Kimberley Land Councils and as a Commissioner in the Royal Commission into Aboriginal Deaths in Custody. He also served as inaugural Chair of the Council for Aboriginal Reconciliation and as Co-Chair of the Expert Panel for Constitutional Recognition of Indigenous Australians.

Prior to his endorsement by the Australian Labor Party as a Western Australian Senator in March 2016, Patrick was a member of the ANU Council, Adjunct Professor at the University of Notre Dame (Broome) and Co-Chair of the National Referendum Council.
**Professor Brian Schmidt**  
*Vice-Chancellor, The Australian National University*

**Biography:** Professor Brian P. Schmidt is the 12th Vice-Chancellor of The Australian National University (ANU). Winner of the 2011 Nobel Prize in Physics, Professor Schmidt was an astrophysicist at the ANU Mount Stromlo Observatory and Research School of Astronomy and Astrophysics before becoming Vice-Chancellor.

Professor Schmidt received undergraduate degrees in Astronomy and Physics from the University of Arizona in 1989, and completed his Astronomy Master's degree (1992) and PhD (1993) from Harvard University. Under his leadership, in 1998, the High-Z Supernova Search team made the startling discovery that the expansion rate of the Universe is accelerating. Fellow of the Australian Academy of Science, The United States Academy of Science, and the Royal Society, he was made a Companion of the Order of Australia in 2013.

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**Professor Margaret Harding**  
*Deputy Vice-Chancellor (Research) The Australian National University*

**Biography:** Professor Margaret Harding was appointed Deputy Vice-Chancellor (Research) at The Australian National University in June 2012. She is responsible for the development and implementation of strategies, policies and systems to maintain and enhance achievements and overall research performance of the University. She is a Director on the Boards of ANU Enterprise, Australian Scientific Instruments, National Computational Infrastructure and an alternate Director on the Board of ANU Connect Ventures.

Professor Harding held the positions of Pro Vice-Chancellor (Research) at the University of New South Wales (UNSW) from 2008-2012, and inaugural Dean of Graduate Research at UNSW from 2005-2009. She has been a director on the Boards of the UNSW Foundation, Neuroscience Research Australia, an alternate Director on the Board of Bionic Vision Australia, and was a member of the 2011 NSW State Government Review of Health and Medical Research Panel and of the ARC Advisory Council from 2011-2012.

Professor Harding holds PhD (1987) and DSc (2002) degrees from the University of Sydney. She held postdoctoral positions at the Université Louis Pasteur in Strasbourg, France and the University of Cambridge, before returning to Australia and an academic position at the University of Sydney. Professor Harding’s current research interests are in biological and medicinal chemistry with a particular focus on antifreeze proteins and molecular recognition of DNA.
Theme 1: Education and Expectations

Ben Wilson
Research Officer, National Centre for Indigenous Studies, The Australian National University

Creativity, Caring and Collaboration: A Thematic Analysis of Teachers’ Perceptions of High Expectations

Presentation: While it is a matter of general agreement that teachers’ expectations of their students have a large effect on both their academic outcomes and their personal well-being, there is still a degree of ambiguity about what high expectations really are, and how educators create high expectations in their schools and classrooms. The subjective, contentious nature of high expectations complicates investigation into these issues — what shows overwhelming success by one metric may fail miserably by another. It is clear, however, that an understanding needs to be reached in order to better engage students, particularly those from different cultures. One professional learning program that concentrates on theories of high expectations is the Stronger Smarter Leadership Program (SSLP). My research investigated perceptions of high expectations among alumni of the SSLP utilising elements of Indigenous Standpoint Theory and Indigenous research principles. By engaging in community yarning processes, I managed to develop a clearer picture of how informed teachers understand high expectations, construct them, communicate them, and implement them. Through the research, I found that teachers often use elements of competing educational paradigms to construct their understandings of high expectations, and engage in three distinct conversational discourses when discussing them — discourses of power, connectedness, and defensiveness.

I conclude that the debate around high expectations as relationally based versus high expectations as performance based is not constructive, and that there is a pressing need to accept both as imperative to the future development of education in Australia.

Biography: Benny Wilson is a Yuggera man from Brisbane who is at the beginning of his career as a researcher. In his previous life, he was a senior English teacher in both private and public institutions around Brisbane and facilitated the Stronger Smarter Leadership Program and the Stronger Smarter Workplaces Program. He is also a consultant, running cultural proficiency and training programs.

Ben has a lifelong passion for education and social justice. His research to this point has mainly concerned constructions of Indigeneity in educational institutions. He is particularly interested in how particular voices are privileged and marginalised, and sees his life’s work as helping to bring about a more equitable, fair, and just world society.

Ganesh Koramannil
PhD Candidate, School of Indigenous Knowledges and Public Policy, Charles Darwin University

Investigating the English Language Proficiency (ELP) of English as Additional Language or Dialect (EALD) Indigenous Students in their First Year Undergraduate Studies in a Regional University

Presentation: Despite targeted initiatives in Higher Education, including widening participation agenda (WPA), parity for Indigenous students in participation and success with non-indigenous counterparts remains a distant dream. English language proficiency (ELP) has implications for participation and success of students in higher education. The Higher Education Standard Framework (2011) and TEQSA Terms of Reference (2013) endorse this. Therefore, the context of English as Additional Language or Dialect (EALD) for Aboriginal and Torres Strait Islander students warrants research investment.

Today there are no specific English language pathways or entry level English language assessments in higher education for EALD Indigenous students, unlike their international counterparts. This could be an issue of equity in higher education for these students and the prevalence of this situation could amount to setting them up for failure. The invisibility of this student cohort obscures the clarity about the role of ELP in the experiences of EALD Indigenous students in higher education. It is also unknown if the ELP they bring with them to the university is sufficient to enable them to negotiate their studies.

This research investigates the role of ELP of EALD
Indigenous students at a regional university. With input from EALD Indigenous students, academics, support staff, and tutors, this research hopes to develop an English Language Proficiency Framework for EALD Indigenous students.

Biography: Ganesh Koramannil is currently enrolled as a PhD candidate with the School of Indigenous Knowledges and Public Policy (SIKPP) at Charles Darwin University where he currently teaches. He has worked in the areas of ESL, TESOL, Linguistics, Literacy and English Literature for 20 years in India, and Australia. Over the last seven years, he has worked mostly in the Northern Territory including the remote communities of Maningrida and Ramingining.

Ganesh has teaching experience in Higher Education, Vocational, ELICOS and High School sectors. His professional experience and expertise include academic program management and coordination, establishment and management of academic units and innovative programs and community engagement.

His research has had the perspective of an inquirer from an ESL background. His Masters’ thesis on the social perspectives of English education in India during the British Raj was awarded a High Distinction. His background as an ESL student, ESL educator, Cambridge ESOL Examiner, and his teaching practices in Higher Education extensively influence his research interests.

Talia Avrahamzon
PhD Scholar, Centre for Social Research and Methods and CAEPR, The Australian National University

The Ethnic-Racial Socialisation of Australian Children about Indigenous Peoples, Histories, Cultures and Reconciliation

Presentation: Ethnic-racial socialisation is a complex process that involves both explicit and implicit messages about the meaning and significance of race and ethnicity, racial and ethnic group membership and identity, racial and ethnic stratification, and intergroup and intragroup interactions (Priest et al 2014; p2). Talia’s research aims to explore how Australian primary school children aged 8-10 years are socialised about Aboriginal and Torres Strait Islander histories, cultures, and peoples, and reconciliation. The study is a school-based ethnography in two Australian primary schools that are actively promoting 'reconciliation' and has a particular focus on understanding how a child’s ethnic and migration story influences their socialisation. Qualitative methods are used to gain an understanding of what messages socialisation agents (including parents/guardians, teachers, the school, curriculum and education policies) are delivering to children and how children are interpreting the messages. The study is multi-disciplinary, drawing mainly from development and social psychology, anthropology, education, sociology and peace and conflict studies with a particular focus on colour-blindness, whiteness, respect for diversity, intercultural understanding and anti-racism. The broad aim is that findings will contribute to the limited evidence in Australia and internationally regarding ethnic-racial socialisation processes among children from both stigmatised and non-stigmatised backgrounds, in particular towards Indigenous peoples and cultures.

Biography: Talia’s research interests include intercultural understanding, prejudice, racism, reconciliation, Indigenous Studies, children’s agency and participation. She is a mum of three young children who provide insight on these topics daily. Prior to starting her PhD, Talia worked in the Australian Public Service for over ten years, primarily in roles that focused on children, family and Indigenous policy, program development and implementation. Talia has a BA in Social & Cultural Anthropology (Syd) and MSocDev (International) UNSW. She is undertaking this research as a Sir Roland Wilson PhD Scholar.

Theme 2: Treaty Rights

Sarah Down
PhD Scholar, National Centre for Indigenous Studies, The Australian National University

Unpacking the Complexities of Rights Recognition over Mineral Resources for Indigenous Peoples

Presentation: This talk will offer a discussion and some insights into the challenges of rights recognition over mineral resources for Indigenous peoples in New Zealand. By focussing on reports released by the Waitangi Tribunal, my analysis illustrates that ownership of land, ownership of minerals, control over access, and the right to manage and regulate are complex and overlapping interests, all of which are underpinned by ever-changing power dynamics and historical contexts. For example, while ‘ownership’ of minerals is often assumed to offer the highest kind of right for Indigenous peoples, the reality is that it really depends on the form of ownership rights held, and what issues or aspirations a particular Indigenous peoples have in relation to minerals. That is to say, when mineral ownership is discussed it is often compartmentalised from issues of ‘management’ or ‘decision-making’ in ways that confuse what practical rights are actually at stake. My analysis argues that there is a need to problematise and scrutinise carefully what is meant when discussing rights in this
area. I conclude that there are no easy answers to the question of how a Māori interest in minerals could be recognised and incorporated in the context of a colonial property regime. This discussion however, will illustrate some of the tensions in this endeavour, and highlight some of the potential issues arising out of current frames of reference for this debate.

Biography: Sarah Down is from Aotearoa/ New Zealand and is Pakeha (a New Zealander of European descent). She holds a Bachelor of Laws (First Class Honours) and a Bachelor of Arts (Political Science) from the University of Canterbury. Since graduating from her degrees in 2011, Sarah has worked as a Research Assistant in the Ngāi Tahu Research Centre at the University of Canterbury. She has also worked for the Ōtautahi (Christchurch) National Urban Māori Authority (NUMA), Te Rūnanga o Ngā Maata Waka, and Ngā Hau e Whā National Marae.

Sarah’s research interests include critical theory, indigenous and human rights law and youth justice.

Annie Te One
PhD Scholar, National Centre for Indigenous Studies, The Australian National University

Maori Representation and Partnership in Local Government

Presentation: This presentation will look at Māori representation and partnership in local government. Since 1840, when a number of Māori rangatira (chiefs), signed Te Tiriti o Waitangi (The Treaty of Waitangi), Māori have maintained that they have rights to tino rangatiratanga (self-determination), in the governance of Aotearoa New Zealand. For Māori, this includes the right to representation within British informed local government, as well as the right for iwi to partner with local government while still maintaining their mana (authority) over areas of ancestral land and resources.

This presentation will discuss two cases where this right to representation and partnership as confirmed by Te Tiriti o Waitangi has been challenged despite a number of changes to national legislation that appears to support Māori aspirations. These cases are firstly in New Plymouth where a single Māori seat was proposed, and secondly in Auckland where protections for Māori sites of significance were included in the draft Long Term Plan. In both cases, the provisions for Māori have caused significant local and national debate which has resulted in the reversal of both decisions. I argue that local governments have failed to uphold their position as Treaty partners, which means that Māori are continually deprived of our rights to representation and partnership in local government.

Biography: Annie is from Taranaki Whanui, who are a number of iwi (tribes) that affiliate to the Taranaki region. Her main iwi is Te Atiawa, and she descends from those who moved to Wellington in the early 1800s. She has a BA (Hons) in Te Reo Māori (Maori language) and International Relations/Political Science from Victoria University of Wellington. Prior to starting her PhD Annie worked as a Research Assistant in Te Kawa a Maui (Maori Studies Department) at Victoria University of Wellington, and an intern at UNICEF producing a bilingual book of children’s rights. She has been a tutor in Indigenous Studies at the ANU, co-coordinator of the postgraduate Indigenous Studies writing and discussion group, and organiser of reconciliation events at the ANU. Her research looks at Maori political participation in a local environment, including both British informed local government, and mana whenua (authority over land), that is exercised by her own iwi. She argues that understandings of Maori political participation need to consider both power relations with state institutions, but also Maori politics that is independent of the state.

Theme 3: Speaking Up, Indigenous Methodologies

Sophia Pearce
PhD Candidate, Anthropology — School of Social Inquiry, La Trobe University (Mildura Campus)

Indigenous Australians Culture and Heritage: Barkandji Ways of Knowing

Presentation: The current literature by scholars such as Moreton Robinson, Lester-Irabinna Rigney, Grenier and Nakata has promoted Indigenous Australians’ perspectives in western research and highlighted the importance of Indigenous peoples’ views in terms of research and developing localised methodologies. This project seeks to benefit Barkandji communities in respect of their cultural ways of knowing by adding another dimension to the literary landscape. The recent works of Pickering and Turnbull (2015) discuss the issue of Aboriginal cultural material and ownership of Aboriginal materials, including ancestral human remains from a museum perspective and a series of articles relating to repatriation of Aboriginal cultural materials.

In order to understand the processes of Aboriginal engagement, I am proposing to explore a more thorough literature search on Government responses to the call for Aboriginal ownership and management of their own cultural material.
**Biography:** Sophia Pearce is a Barkandji woman from western NSW, and a sociologist with a Master of Social Policy and Planning. She has worked in the human services industry for 22 years, and has experience working in local Aboriginal communities as an Aboriginal Community Engagement and Development worker. During the past five years, she has been involved in a collaborative research partnership with RMIT and UTS Interpretive Wonderings — Mildura, Victoria, *Enduring Wonderings Redfern Exhibition*. As an Indigenous researcher, Sophia is interested in exploring storying and yarning as a methodology for working with the local Barkandji people, to highlight the issue of Indigenous culture and heritage management under the National Parks and Wildlife Act (1974), and administered by policy managed by the Office for Environment and Heritage NSW. She is in the first 5 months of her candidature.

**Janet Turpie-Johnstone**  
PhD Scholar, National Centre for Indigenous Studies,  
The Australian National University

**My ‘Place’ in my Research**

**Presentation:** In this research I am exploring the “Bunjil” myths of the south-east coast of Australia. The objective is to learn something about the nature of Aboriginal ontology presented mythically, in order to consider its implications for how we see ourselves and the environment we inhabit. In examining my ‘place’ in this research, my familial story is one of generations of displaced ancestors with a remarkable mix of ethnicities. This diasporan heritage is a sensitive motivator for this work. Surprisingly my familial story is at the foundation of questions I bring to this work. The question “Do displaced people displace people?” is a question that helps me frame my examination of humanity’s relationship within the lived environment. The ongoing and constant movement of people around and through multiple home lands and the vast numbers of mixed ethnicities as a result of these ongoing movements, is a challenge this work is using to compare to generations of Ancestral Aboriginal people who were at home for long periods of time on one continent. Added to these two issues, the ever increasing human population raises serious issues about our ability to relate to the land and waters in ways that can be shared for the common good of all life on the Earth.

**Biography:** Janet works at ACU as part of the Aboriginal Higher Education Unit. She is on the Board of local Aboriginal Organizations. Each organization is a fore runner in the wider community. Mullum Mullum Indigenous Gathering Place is the first Indigenous community Neighbourhood House. Along with Boorndawan Wiliam Aboriginal Healing Service has been established as part of the ongoing Aboriginal and non-gendered response to violence within both communities and families. Janet has been on International and National Indigenous councils and part of large networks engaged in policy and funding development. She is looking forward to a time without work, when she and the dog can sit by a campfire and contemplate the Universe.

**Theme 4: Health, Resilience and Wellbeing**

**Corinne Walsh**  
PhD Scholar, National Centre for Indigenous Studies,  
The Australian National University

‘Falling on Deaf Ears?’ Listening to Indigenous Voices regarding Ear Disease (Otis Media) and Hearing Loss

**Presentation:** Middle-ear disease (‘otitis media’) and consequent hearing loss is one of the most significant health issues facing Indigenous people. As many as 95% of Indigenous Australians in some regions have ‘sick ears’, prompting WHO to pronounce it a public health crisis requiring urgent attention.

While mainstream biomedicine has made some headway in alleviating infections and improving peoples’ hearing, rates of ear/hearing problems among Indigenous Australians continue to escalate. Research on Indigenous otitis media has focused primarily on identification and treatment, and very little on prevention. My PhD starts from the premise that ear and hearing issues ought to be addressed at their source, and — to do this — close consideration must be given to local circumstances, beliefs, explanations and experiences of the condition.

Using an in-depth, ethnographic approach, I will analyse a range of perspectives and experiences surrounding otitis media and hearing impairment — from high-level policy to lived accounts of Indigenous people themselves. Extensive fieldwork in the community of Yarrabah is planned, and the methods used will be largely qualitative and locally-determined. The ultimate aim is to grasp how current approaches to ear and hearing problems may better resonate with Indigenous epistemologies and conditions, so that more effective (early) intervention and prevention initiatives can be designed.

**Biography:** Corinne is currently a PhD Scholar at the National Centre for Indigenous Studies (NCIS) at The Australian National University, where she has also just completed 3.5 years working as a Research Officer. Corinne has a BA in Anthropology and Sociology from...
Macquarie University, and has worked in a number of policy, project and research roles at the Federal Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) as well as at NSW Health. Corinne has recently completed a Master of Applied Anthropology and Participatory Development (MAAPD) at ANU. Corinne is passionate about health and wellbeing - specifically, in understanding the pressing issue of ear and hearing problems amongst Indigenous people.

**Jacqui Lavis**  
PhD Scholar, John Curtin School of Medical Research,  
The Australian National University

**Barriers to Recognition of Traditional Healing in Cape York and Far North Queensland — the Case of Bio-Medical Practice**

**Presentation:** The study sites in North Queensland sustain and recognise cultural knowledge and spirituality under unique and challenging circumstances. The current status and potential reach of traditional healing and therapeutic situations where cultural knowledge and practices can be applied is being explored. Traditional healers play an essential role in the diagnosis and treatment of spirit-based illnesses whereas biomedicine is concerned with identifying and treating clinical symptoms. Healing is a highly interpersonal experience that reflects the spiritual and emotional needs of each patient (Hollenburg 2006).

Zubrick et al. (2010) identify that for Aboriginal and Torres Strait Islander people, connection to land, ritual, spirituality, ancestry, family and community are protective factors reinforcing identity and resilience. Younger indigenous generations now reinvent and create their own interpretations of tradition and cultural knowledge through craft, art, fashion, dance, film and theatre using contemporary media to exchange and share ideas. The experiences and expectations of new generations of healers (or even if they exist) is largely unknown however, and younger key informants to this study are expressing ambivalent opinions.

The topic for discussion is the potential role of research to restore and facilitate reinterpretation of cultural knowledge and how communities and institutions respond.

**Biography:** Jacqui Lavis is a public health researcher from North Queensland Australia and PhD candidate in the John Curtin School of Medical Research at the Australian National University, Canberra. She is co-director of Wuunta, a micro-consulting business specialising in program design for indigenous community controlled health services. Her fellow director/cultural mentor Bernie Singleton is one of Cape York’s most influential health policy advocates and traditional owner of the *Umpila* and *Yirrganydji* clan groups.

Jacqui’s PhD examines the institutional, political and social barriers to the recognition of traditional indigenous healing within mainstream biomedicine including how the potential value and functionality of traditional knowledge is influenced by power relationships and protection of vested interests.

**Theme 5: Rereading the Past**

**Katherine Aigner**  
PhD Scholar, National Centre for Indigenous Studies,  
The Australian National University

**Lorraine Mafi-Williams, Nunarng Cultural Sanctuary and the Ngarakwal People of Northern New South Wales**

**Presentation:** An examination of northern NSW at the time of contact reveals the different perspectives of history over the same area of land. Early colonists approached the region to exploit its resources and collided with traditionally managed estates with their own intricate and sophisticated laws. British settlement patterns show explorers and government surveyors, then tree loggers, then new settlers moving up the rivers and along the coast from the penal colonies of Port Macquarie and Brisbane in a pincer movement to claim land. For some time there were reports of peaceful co-existence where escaped convicts, for example, travelled with local clans, learning their language and absorbed into local culture but as the numbers of colonists expanded in waves of new settlements, the pressure on local Aboriginal peoples and their traditional hunting and fishing estates grew, creating conflicts and dispossession. Two hundred years later, from the different standpoints of colonisation or enduring connections to country, what does this history tell us, whose history is it and why is that important today?

**Biography:** Katherine has worked with Indigenous Elders and cultural knowledge holders in Australia and overseas as a historian and filmmaker documenting cultural and environmental heritage and protection. She was invited to document the late Bundjalung, Daingatti activist and filmmaker, Lorraine Mafi-Williams and her thesis comes from that research. More recently she has worked with the Vatican Ethnological Museum on re-connecting their Indigenous collections with source
communities, including in Australia and America. After five years of research, the recently-published The Americas (2015) catalogue profiles groups from Alaska in the north to Tierra del Fuego on the southernmost tip of the Americas. She is currently researching the Vatican's Oceanic collections.

Tonia Chalk
PhD Scholar, School of Journalism, Australian and Indigenous studies, Monash Indigenous Centre, Monash University

No Marks of Violence on the Body: Socio-historical Constructions of Race and Gender in Coronial Investigations into Aboriginal Female Deaths in Queensland from 1880 – 1945

Presentation: During the late 19th century and early 20th century, suspicious Aboriginal deaths in Queensland underwent coronial investigation based on the Inquests of Death Act of 1866. This process involved documenting the details of the deceased in a Certificate of Particulars, recording the testimonies of those who witnessed the deceased prior to and after death, attaching a medical officer’s report, and presenting the chief investigator’s findings. The focus of my doctoral research is an examination of 17 inquest of death files of Aboriginal females resulting from rape, venereal disease, suicide by poisoning, self-immolation, “accidental” deaths, and shootings.

For the purpose of today’s paper, I will be discussing three of these inquest files, which focus on Aboriginal females who committed suicide by poisoning themselves. One of these files involves the death of my great-great-great-great grandmother, Emily Dunn. Two inquests involved death by strychnine poisoning, and the other involved poisoning by taking the insecticide, ‘Street’s White Ant Cure’. Through documenting the cause of their death in the inquest file, the archive acts as a disinterested colonial text that is supposedly complete, closed, and unable to be contested. This paper argues that while attempting to bury the deceased in a singular, enclosed narrative, the decision to commit suicide combined with the statements made by the witnesses or inquest actors, enable the dead to be re-imagined through a continuing dialogic performance. Through re-imagining the archive as a multi-narrative of social identities and voices, the dead continue to live beyond death.

Biography: Tonia Chalk (BA (Creative), BA (Hons), B.Ed.) is a matrilineal Budjari woman from Southwest Queensland. She is a PhD candidate in the School of Journalism, Australian and Indigenous studies at Monash University, within the Monash Indigenous Centre. Her PhD examines how socio-historical constructions of race and gender impacted coronial investigations into Aboriginal female deaths in Queensland from 1880 – 1945. Tonia is a Lecturer in the School of Linguistics, Adult, and Specialist Education at the University of Southern Queensland, Toowoomba. She is currently preparing for her PhD Confirmation in early 2017.

Annemarie McLaren
PhD Scholar, The Australian National University

When the Strangers Came to Stay: Re-Imagining Cross-Cultural Negotiation, 1788 to 1834

Presentation: The history of cross-cultural relations in Sydney and its immediate environs have been revised in recent decades with energy and colour. Yet, while we now know far more about the sorts of cultural negotiations taking place between Aboriginal people and the colonists in the early years, much of the research has remained focused on the initial years of settlement. This project focuses on the second phase of cross-cultural negotiation in early New South Wales. How did Aboriginal–Colonial relations shift after Europeans were no longer strangers and visitors but became a permanent presence radically changing the social, environmental and economic landscape? What was the continuing role that exchanges of objects such as blankets, brass plates and clothing had in the colonist’s interactions with Aboriginal people? What can we make of the rise of Indigenous guides and cultural brokers, of Indigenous involvement with the governor’s annual feast and his school for Aboriginal children? In turn, how did Indigenous responses and understandings impact the decisions made by settlers and the governing authorities in cross-cultural relations? In tracing the movement and interactions of people and material cultures in Sydney’s hinterland in the first fifty years and striving to join the dots, the early accounts, newspapers, letters, court-records and images suggest colonial lives and, in particular, cross-cultural negotiation, of greater dynamism, unpredictability and dialogue than usually imagined.

Biography: Annemarie McLaren is a doctoral candidate in history at the Australian National University. Her research considers the ongoing cultural negotiations between Aboriginal people and Europeans in early colonial New South Wales. Annemarie has been selected as one of eight participants in a three year international and interdisciplinary post-graduate training scheme of the Consortium of Humanities Centres and
Institutes funded by the Andrew W. Mellon Foundation.

**Theme 6: Collaborative Engagement**

**Sophia Close**  
Honorary Research Fellow, National Centre for Indigenous Studies, The Australian National University

**Researching Peacefully with Indigenous Peoples: Ethnographic Peace Research**

**Presentation:** In this paper I will discuss the research methodologies I used for my recently completed PhD. As a peacebuilding practitioner and academic my colleagues and I are regularly challenged as to how to best undertake research into the impact of complex peacebuilding interventions and/or in communities experiencing violence and conflict. I assert that ethnographic methods are an important approach to researching peace peacefully, particularly with peoples who identify as Indigenous. The use of ethnographic methods enable researchers to take practical steps to engage linguistically and conceptually with Indigenous knowledge systems and peacebuilding practices, and to better value, understand and prioritise Indigenous knowledge.

Between 2008 and 2013 I developed an ethnography based on extensive observation, interviews and primary conversations with over ninety Indigenous and non-Indigenous practitioners in Timor-Leste and other locations. In this paper I highlight the value of using ethnographic methods to analyse and evaluate the scope and effectiveness of post-1999 peacebuilding and development interventions in Timor-Leste. Drawing on my field research, I provide examples of how ethnographic methods can better give voice to Indigenous East-Timorese perspectives.

**Biography:** Sophia’s main research interest is how Indigenous peoples practically achieve self-determination and conflict transformation. Her recently completed PhD (Ukun Rasik A’an: Indigenous self-determination, peacebuilding and development in Timor-Leste) focused on how Indigenous knowledge systems and practice provide alternatives to current development and peace-building practices in communities in Timor-Leste.

**Grant Paulson**  
Faith & Development Advisor, World Vision Australia

**Aboriginal and Torres Strait Islander Spirituality in Shaping Social Innovation and Societal Change**

**Presentation:** Aboriginal and Torres Strait Islander spirituality has been the focus of academic study for some time. Ascertaining the place of this ancient spirituality in shaping social innovation and societal change is an area of inquiry yet to be fully explored. I would like to investigate how Aboriginal spirituality can better inform and shape processes and programs for community development and positive social change in Aboriginal communities. I believe that spirituality is an untapped community asset that has the potential to lead to more effective and sustainable change because it accesses deeper areas of Aboriginal identity.

**Biography:** Grant Paulson is a Birri-Gubba, Bundjalung and Ni-Vanuatu man living in Queensland. A husband and father to four, he holds the role of Faith & Development Advisor at World Vision Australia. Grant was previously Group Manager at Reconciliation Australia where he advised leading organisations on implementing effective Reconciliation Action Plans in the workplace. He was a participant in Social Leadership Australia’s Headland initiative, the Lost Conversation project and has worked with the Foundation for Young Australians. Grant also sits on Oxfam Australia’s Aboriginal and Torres Strait Islander advisory committee.

**Theme 7: Traditional Knowledge and the Environment**

**Conrad Bilney**  
PhD Scholar, La Trobe University

**DNA Barcoding and Traditional Knowledge: Viability and Sustainability of Edible Insect Larvae for Food Security**

**Presentation:** In Australia, some First Nations People (FNP) still prefer bush tucker that includes larvae, honey ants, scale insects, lerps and Bogong moths, but only the ‘witchetty grub’ (*Endoxyla leucomochla*) has been taxonomically identified as edible. After carrying out research into what insects FNP ate, we documented at least 20-30 that are still not recognised. My research located, collected and DNA barcoded as many of those documented larvae as possible, with the cooperation of the Traditional Owners (TOs) in a number of communities.

After documentation, each specimen was DNA barcoded in order to map the taxonomic identification. This DNA information was then used to match the codes with those of adult moth specimens, which had been DNA barcoded earlier. My work is about matching the DNA of adult Lepidoptera and Cossidae specimens held at the Australian National Insect Collection in Canberra to those that were collected. Results to date have
taxonomically identified 29 larvae and twenty-two host-plants across the collection sites in NT, WA, Vic and SA. There was wide-spread species diversity with both host-plant and insect larvae, with many species located in different collection locations.

**Biography:** I am from the Kokotha people of the South Australian region of the Nullabor Plain. My grand-parents on both sides came from the desert region leaving strong cultural links today. My relatives span across the west coast of SA in places such as Oak Valley, Maralinga, Ceduna, Port Lincoln and Whyalla. Language has always been a problem, not having another person speak my language is making my own use very difficult. However, I still retain much of that language, and used it a lot whilst composing my thesis. The research demonstrated how language misinterpretation affected parts of my program, finding out that ‘wichetty’ is a stick used for pulling out grubs from host-plants, that ‘maku’ is widely spread throughout large parts of Australia, but not all, that ‘katati’ was used to describe an unused casing, but really meant that the larvae was ‘sleeping’ amongst many other examples. My cultural identity was used effectively to give a truer and accurate portrayal of how language can be used to great effect.

**Roger B Davis**

PhD Research Fellow, Centre for Deliberative Democracy and Global Governance, Institute for Governance and Policy Analysis, University of Canberra

**Transmitting Across the 'Divide' in Indigenous Environmental Governance**

**Presentation:** This paper argues that deliberative democracy, in particular the concept of ‘transmission’ between indigenous peoples and the state, can add to our understanding of indigenous environmental governance. In particular it examines how indigenous deliberative forums act as transmitters of indigenous claims and values to the state. Transmission examines how values and claims move through the deliberative system. Understanding this movement of ideas helps to improve the impact, or consequentiality, of deliberative forums. It is suggested that Australian indigenous environmental governance consists of a wide range of deliberative encounters between indigenous minority societies and the State which are often unrecognised as deliberative encounters in a divided society. Transmission occurs when indigenous claims go from indigenous empowered space to government – non indigenous empowered space. Using the literature, opportunities and barriers to this transmission in the field of indigenous environmental governance are explored, providing insights into the apparent ‘failure’ of indigenous environmental governance as a failure in transmission.

**Biography:** Roger Davis is a part-time PhD Research Fellow (third year) at the Centre for Deliberative Democracy and Global Governance at the University of Canberra and is supervised by Prof John Dryzek, Dr Lain Dare and Dr Nicole Curato. Roger is a lawyer and environmental planner who has worked with Indigenous people in engagement, policy co-design, corporate governance, environmental planning and digital storytelling for twenty years. His applied research project: Transmitting across the Divide in Indigenous Environmental Governance focuses on the barriers and opportunities in transmission of indigenous claims to the state in a divided society and seeks to develop new approaches to a more deliberative indigenous environmental governance.

**Kaely Woods**

PhD candidate, CAEPR and Northern Research Futures Collaborative Research Network Scholar,
The Australian National University and Charles Darwin University

**The Complete Value of Aboriginal Cultural Activity**

**Presentation:** My research seeks to demonstrate that Aboriginal people, particularly those living remotely, value cultural activity over and above any market value it might generate through cultural tourism and art. This value is derived from the creation of cultural capital and continuation of cultural practice, which strengthens identity, connection and well-being.

Reflecting Aboriginal viewpoints, I use qualitative and quantitative data and choice modelling of trade-offs between aspects of culture and income to reveal the complete value of cultural activity.

Current policy often seeks to change behaviours towards the norms and values of the dominant society. My research methodology could be adapted to provide a way of ensuring Aboriginal values are taken into account by governments, NGOs and private companies when they develop policies and programs that affect Aboriginal people.

**Biography:** Kaely Woods is a PhD candidate at CAEPR at ANU and CDU as a Northern Research Futures Collaborative Research Network Scholar. She is currently in her fourth year, having completed fieldwork in 2015, and hoping to complete early-mid 2017. After a long career as a senior bureaucrat in Indigenous affairs, Kaely is pursuing research into the role and value of Indigenous culture in economic development, particularly in remote Australia. Her other research interests include
Indigenous control, governance, and participation in enterprises and services across cultural and other industries.

**Theme 8: Cultural Assumptions and Legal Systems**

**Diana Anderssen**  
PhD Scholar, National Centre for Indigenous Studies,  
The Australian National University  

*Presentation:* Although the High Court in *Mabo* ostensibly rejected the civilised/primitive dualism in theories used to justify the application of the terra nullius doctrine to Australia, a similar dualism is now being used in the very definition of traditional laws and customs themselves.

This presentation will examine the way ‘traditional laws and customs’ (as the source of native title) have been interpreted by Australian courts. It is argued that Australian courts have constructed an interpretation of traditional laws and customs using western, rather than indigenous, legal philosophies. These philosophies not only juxtapose ‘civilised’ legal systems against ‘primitive’ customary law, but use western perceptions of indigenous Australian law-ways to constitute the ‘primitive’. Western theories of law have cast indigenous Australian law-ways as archaic remnants of the origins of western law, constructed as other to the civilised western. By deconstructing this binary, it becomes apparent that the construct of western law depends upon an othering and a denial of indigenous Australian law, contained within the very concept of law itself.

**Biography:** Diana Anderssen is a PhD Scholar in the National Centre for Indigenous Studies, ANU. Diana holds a Bachelor of Arts (ANU), a Bachelor of Laws (UQ) and a Master of Laws (QUT). She is a Solicitor of the Supreme Court of Queensland and has experience in legal practice. Diana worked for a number of years as a Lecturer in Law at James Cook University. Diana’s research interests include Native Title Law, Indigenous Legal Issues, Jurisprudence and Contemporary legal theory, Feminist Legal Theory, and Legal Education.

**Riccardo Mazzola**  
PhD Scholar, University of Milan, Visiting PhD Scholar,  
RegNet, The Australian National University  

*Presentation:* The primary purpose of the research is to explore deeply the general claim over the fundamental difference between intellectual property law and indigenous conception of intangibles. The work seeks particularly to demonstrate the power of ethnographically grounded investigations to overtake the abstractions that have dominated debates over incommensurability within legal scholarship. It focuses predominantly on Yolngu people of North-East Arnhem Land. The first segment of the research will explore a “static” dimension of the incommensurability between intellectual property law and Yolngu normative structures. This issue will be presented as the contrast of two fundamentally distinct ontological and epistemological systems. A thesis will be argued that the superimposition of the global intellectual property regime over Yolngu system unavoidably provokes the separation of Yolngu intangible resources (object of the protection) from the broader cosmological and normative environment necessary for their production. The second and final part of the research will not deal with hermetically separated settings, but rather with the relational dimension of negotiation between cultures. The purpose of the third and last chapter is indeed to engage in a critical reflection on the way that legal incommensurability and cultural difference are constituted in judicial claims and discussions over the unauthorized use of Yolngu intangibles.

**Biography:** Riccardo Mazzola was born in Milan in 1989. He was educated in Law and graduated in Legal Philosophy (2013) with a dissertation on Elizabeth Anscombe and Neil MacCormick’s social ontologies. In Milan, Riccardo has worked as a lawyer in the Intellectual Property field. He is currently a PhD Student in Legal Philosophy and Sociology and Teaching Assistant in Legal Philosophy and Anthropology of Law at the University of Milan. Before coming to Australia, he has previously been a Visiting PhD Student at the University of Geneva (2015) and the University of Cambridge (2016).

**Richard Maning**  
PhD Scholar, National Centre for Indigenous Studies,  
The Australian National University  

*Presentation:* This presentation is on competing courtroom discourses in relation to Aboriginal identity, as reflected in the Federal Court case of *Eatock v Bolt* [2011] FCA 1103, decided on 28 September 2011. The case deals with a complaint by the late Ms Eatock against Mr Andrew Bolt for racial vilification. In the case Ms Eatock alleged that Bolt had contravened section 18C
of the Commonwealth Racial Discrimination Act 1975 which makes it unlawful for a person to offend, insult, humiliate or intimidate a person or a group of persons because of their race, colour or national or ethnic origin. The presentation will identify and discuss the competing court discourses (and underlying ideologies) embedded in the case.

Biography: Richard retired as a public sector lawyer in 2011, having worked up to that time as a legal counsel with the Commonwealth Civil Aviation Safety Authority (CASA) for about ten years. He was admitted to practise law in Tasmania in 1988, and subsequently practised as a private sector lawyer – both in Sabah (Malaysia) and Tasmania (1989-1995). He then came to work in Canberra, first with the then Commonwealth Health Insurance Commission (now Medicare Australia) (1995-97), then with the ACT Treasury (1997-99), and subsequently with ACT Government Solicitor’s Office (1999-2001), before moving to CASA.

Before commencing his legal studies at the University of Tasmania in 1984 (graduating with an LLB in 1987), and following graduation from his first set of tertiary qualifications (BA in 1968 and BA (Hons) in 1969, from the University of Tasmania), Richard worked in senior positions in the Sabah State Ministry of Finance (1970-1975), ending up as the permanent head of the Ministry (1976-1978), and then as the founding CEO of the Sabah Development Bank (for 5.5 years: 1978-1983). Richard also has a postgraduate Diploma in Economic Development from the University of Oxford (1974), and had a one-year stint of teaching undergraduate economics at the University of Papua New Guinea (1975-76). He graduated with an ANU Master of Anthropology degree in 2012.

Theme 9: Cultural Engagement and Collections

Magali McDuffie
PhD Scholar, National Centre for Indigenous Studies,
The Australian National University

Development and Nyikina Women’s Agency: The Importance of ‘Booroo’ (Country) in a Global Space

Presentation: Nine years of collaboration between three Yimardoo warra Marninil Nyikina sisters from the Lower Fitzroy River and French-Australian filmmaker and PhD Scholar, Magali McDuffie, have revealed the Nyikina women’s determination to speak and re-affirm their Nyikina worldview into existence. They envisage all spatio-temporal interactions (social, political, cultural, educational) as being based in Booroo (Country), as a basis for ‘being-in-the-world’ (Heidegger, 1962).

In this presentation, which uses excerpts from filmed interviews, Magali will examine how the sisters have conceived of development through time by referring to Lucy Marshall’s Seaman Enquiry submission in 1983. Thirty three years later, the Bidan Community still represents this vision, embodying the family’s aspirations for future development on Nyikina Country, through a culture-conservation economy, self-sufficiency, sustainability and supporting others, particularly young Aboriginal generations, to overcome the social issues resulting from colonising institutional processes.

The aspirations of the three sisters will be examined in terms of development based on living and acting in an inter-cultural space (Merlan, 1998). Multiple and collaborative cultural actions, or life projects (Blaser, Feit & McRae, 2004), are bringing two laws, two inter-related worlds, into one connected, non-hierarchical, respectful space. Through extending the spatio-temporal reach of Booroo in such life projects, films have brought the three sisters into the international arena, connecting with like-minded people to argue for every individual’s right to live a life they deem worth living, and promoting development as freedom (Sen, 1999).

Biography: As a professional filmmaker, Magali McDuffie has worked for more than twelve years with and for Aboriginal communities across Australia, and has also been engaged in a wide range of local and state government projects both as a filmmaker and consultant. Her ongoing collaboration with Nyikina women in the Kimberley over the past nine years has led her to her PhD studies in which she privileges the voices of Nyikina women, and looks at how these have influenced cultural actions, economic and self-determination initiatives, through filmed interviews and narratives, using film as an advocacy tool. Their collaborative work has led to the presentation of their films nationally and internationally.

Through a Foucauldian deconstruction of the historical, anthropological, political and development discourses that have underpinned Nyikina women’s lived experiences, coupled with a strongly Indigenist methodology, Magali seeks to empower the women in their constantly evolving social and political roles. Magali examines their agency in an increasingly neo-colonial context, and the importance of ‘Booroo’ (Country), in a global context, by looking at how the women’s local aspirations relate to recent international discourses on Environmental Humanities.
Johanna Parker
PhD Scholar, National Centre for Indigenous Studies, The Australian National University

_Gentlemen Scientists: What can be Learnt by Examining the Motivations and Methodologies Employed by Australian and British Amateur Collectors to Accumulate Australian Indigenous Human Remains in the Late 19th and Early 20th Centuries?_

**Presentation:** The projected focus of my research is British and Australian collectors of Australian Indigenous human remains in the late 19th and early 20th centuries, the time when ‘soft tissue human remains from Australia were beginning to arrive in Britain’. I am predominantly interested in ‘Gentlemen Scientists’ — defined for the purposes of this study as self-funded amateur collectors not directly associated with a university or museum at the time of active targeted collecting, and individuals amassing their collections due to extensive correspondence and networks rather than directly engaging in their own fieldwork. My paper presentation proposes to discuss early research into the methods and motivations employed by a sample of collectors of Australian Indigenous human remains in Australian and England. I will discuss three collectors, Frederic William Lucas, Colin MacKenzie and Joseph Barnard Davis. I am not in a position to draw any conclusions as it is early stages but I am starting to draw parallels between the collectors and notice similar scenarios with collectors in other countries including Germany.

**Biography:** Johanna Parker is currently the Acting Director of the Cultural Property Section in the Department of Communications and the Arts. Johanna is responsible for the _Protection of Moveable Cultural Heritage Act 1986_ and managing the relationship between the National Library of Australia and the National Film and Sound Archive and the Department. Prior to this, Johanna was the Acting Director of the Museums and Repatriation Section. Johanna has been with the Arts since 2009 where she has predominantly worked in the Indigenous intellectual property area and across the Indigenous Arts, Culture and Languages programs. She has performed the role of Departmental Liaison Officer in the Office of the Parliamentary Secretary for Arts, the Hon Michael Danby MP. Prior to the Ministry for the Arts, Johanna was a senior curator of social history at Old Parliament House, the National Archives of Australia and the National Museum of Australia. Johanna holds a Master of Arts in Public History and a Master of Arts in Museum Studies with Distinction, from the University of Leicester, UK (International Student Scholarship recipient). Johanna’s area of interest is collecting practices and she became interested in her topic after managing the International and Domestic Repatriation Program where she noticed a lack of information about amateur collectors, their networks and motivations.

**Theme 10: Minorities, Land and Democracy**

Ed Wensing
PhD Scholar, National Centre for Indigenous Studies, The Australian National University

_The Commonwealth’s Indigenous Land Tenure Reform Agenda: Whose Aspirations, and for What Outcomes?_

**Presentation:** This presentation will examine the Commonwealth’s Indigenous land tenure reform agenda, in particular the confluence of several Commonwealth initiatives over the past two years. Over the past decade, Aboriginal and Torres Strait Islander peoples have developed or been involved in the development of seven sets of principles for Indigenous land reforms. My analysis of these documents highlights the frustration of Aboriginal and Torres Strait Islander peoples with the nature and direction of the Commonwealth’s Indigenous land tenure reform agenda. Many Aboriginal and Torres Strait Islander people are strongly opposed to any diminution of their estate and they want genuine recognition of their inherent customary rights and interests to their traditional lands and waters.

I conclude that what is required is an implicit recognition of the prior and continuing ownership of all land and waters in Australia by Aboriginal and Torres Strait Islander peoples under their traditional laws and customs to embed the genuine consideration of their rights, interests, knowledges, values, needs and aspirations in all conventional land tenure and contemporary land use planning systems. I also postulate that it is time to ‘puncture some legal orthodoxies’ (McHugh 2011:68, 328-339) relating to property, especially in relation to inalienability and extinguishment, and that all land use planning systems must also undergo fundamental change that acknowledges and respects the parity of two distinctly different but co-existing land ownership and governance approaches.

**Biography:** Ed Wensing FPIA FHEA is an experienced urban and regional planner and policy analyst. Ed holds a Bachelor of Arts (Geography) with Honours (Political Science) from the ANU and technical qualifications from the Canberra Institute of Technology (cartography and land surveying and engineering). Over the last 19 years he has worked extensively with Aboriginal and Torres...
Strait Islander people and communities and local governments around Australia, principally on native title, land tenure, urban and regional and planning, natural and cultural resource management and heritage protection matters. Ed is currently a PhD Scholar at the National Centre for Indigenous Studies at the ANU, an Adjunct Associate professor at James Cook University and a Visiting Fellow at the Australian Institute of Aboriginal and Torres Strait Islander Studies. His primary research interest is in land justice for Indigenous Australians.

Harry Hobbs
PhD Candidate and Lionel Murphy Postgraduate Scholar, Faculty of Law, University of New South Wales

**Hearing Aboriginal and Torres Strait Islander Peoples in the Processes of Settler State Government: Rehabilitating Democratic Theory**

**Presentation:** The basic democratic problem facing Aboriginal and Torres Strait Islander peoples appears to be a demographic one: they are, in Noel Pearson’s summation, the 3 percent mouse standing beside the 97 per cent elephant. Is the capacity of Indigenous Australians to shape law and policy that affects them, doomed by their position as an extreme minority? Australia’s commitment to formal equality ensures that all citizens receive an equal share of the political resources — we all have a vote. But for Indigenous Australians, what good is one vote? This question strikes at the heart of common assumptions about democracy and democratic theory. It also suggests that the fundamental challenge facing Indigenous Australians is not demography, but theory. Is Australian democracy capable of reckoning with Indigenous aspirations?

In this paper, I explore the contours of democratic theory, examining what it has to say about numerical minorities seeking to have their interests heard in the processes of government. I then assess this against the aspirations and demands of Indigenous peoples, before asking whether democratic theory has the conceptual tools to ground specific legal and political institutions and processes that provide Indigenous peoples with the capacity to have their interests heard as Indigenous peoples.

**Biography:** Harry Hobbs is a PhD Candidate at UNSW Faculty of Law, where he is also a Lionel Murphy Postgraduate Scholar. He has a LLM in International Law from NYU and a BA/LLB (Hons 1) from the ANU. Before starting his PhD, Harry was a Principal Research Officer in the Parliamentary Joint Committee on Human Rights. He has also worked as a Human Rights Legal and Policy Adviser at the ACT Human Rights Commission and as the Legal Research Officer at the High Court of Australia.