

Selected publications and research activities

Books

Tran, T, Strelein, L, Weir, J, Stacey, C & Dwyer A 2013, *Changes to Country and Culture, Changes to Climate: strengthening institutions for Indigenous resilience and adaptation*, National Climate Change Adaptation Research Facility, Gold Coast.

Strelein, LM, 2010. *Compromised Jurisprudence: Native Title Cases since Mabo*, 2nd edn, Aboriginal Studies Press, Canberra.

Strelein, LM, 2006. *Compromised Jurisprudence: Native Title Cases since Mabo*, Aboriginal Studies Press, Canberra.

Brennan, S, L Behrendt, LM Strelein, and G Williams, 2005. *Treaty*, Federation Press.

Edited Books

Bauman,T, Strelein LM & Weir JK (eds) 2013, *Living with native title: the experiences of registered native title corporations*, AIATSIS Research Publications, Canberra

Strelein LM (ed). 2010. *Dialogue about Land Justice: papers from the native title conference*, AIATSIS, Canberra

Strelein, LM & K Muir (eds). 2000. *Perspectives in Native Title* Aboriginal Studies Press Canberra.

Book chapters

Strelein LM (forthcoming 2017) 'Native title and Aboriginal Rights to land', in John Mugambwa, Eileen Webb and Robyn Honey et al *Real Property in Western Australia* (Thompson Reuters).

Strelein, LM 2015, 'Native title in Australia: colonising and decolonising Indigenous governance', in A Mona (ed.), *Proceedings of the 2014 International Austronesian Forum: Indigenous Good Governance — Its Applications and Prospects*, 1–2 December, Taipei, Taiwan.

Tran, T, LM Strelein, J Weir & C Stacey 2014, 'Indigenous governance and climate change adaptation: two native title case studies from Australia', in JP Palutikof, SL Boulter, J Barnett & D Rissik (eds), *Applied studies in climate adaptation*, Wiley-Blackwell, London.

Strelein, L 2014 'The Right to Resources and the Right to Trade' in Sean Brennan, Megan Davis, Brendan Edgeworth and Leon Terrill (eds), *Native Title From Mabo to Akiba: A Vehicle for Change and Empowerment?*. Federation Press.

Strelein, L 2013 'Native Title Bodies Corporate in the Torres Strait: finding a place in the governance of a region' in Bauman,T, Strelein LM & Weir JK (eds), *Living with native title: the experiences of registered native title corporations*, AIATSIS Research Publications, Canberra

Bauman,T, Strelein LM & Weir JK 2013 'Navigating complexity: living with native title' in Bauman,T, Strelein LM & Weir JK (eds), *Living with native title: the experiences of registered native title corporations*, AIATSIS Research Publications, Canberra

Strelein, LM 2012. 'Native title agreements, taxation and economic development in Australia' in M Langton and J Longbottom, (ed) *Community futures, legal architecture : foundations for Indigenous peoples in the global mining boom*, Routledge.

Strelein, LM and T Bauman 2012. 'Interview with Lisa Strelein: reflections on the 20th anniversary of Mabo' In T Bauman and L Glick (ed) *The limits of change : Mabo and native title 20 years on*, AIATSIS.

Strelein, LM 2012. 'Native title agreements, taxation and economic development in Australia' in M Langton and J Longbottom, (ed) *Community futures, legal architecture : foundations for Indigenous peoples in the global mining boom*, Routledge.

Strelein LM. 2010. 'Introduction: The legacy of Mabo's case' in Strelein, LM (ed.) 2010, *Dialogue About Land Justice*, Aboriginal Studies Press Canberra.

Strelein, LM 2010. 'Symbolism and Function: From native title to Indigenous self-government' (reproduced) in Strelein, LM (ed.) 2010, *Dialogue About Land Justice*, Aboriginal Studies Press Canberra.

Strelein, L. and J. Weir. 2010. 'Conservation and Human Rights in the Context of Native Title in Australia', in *Exploring Issues and Opportunities in Rights Based Approaches to Conservation*, CIFOR, IUCN and CEESP, Bogor, Indonesia.

Strelein L, M Morgan and J Weir. 2006. 'Authority, knowledge and values: Indigenous Nations engagement in the management of natural resources in the Murray-Darling Basin', in M Langton, O Mazel, L Palmer, K Shain and M Tehan (eds) *Settling with Indigenous peoples: Case Studies in agreement making from Australia, Canada and New Zealand*, Federation Press.

Strelein L, 2006. (reproduced) 'Missed Meanings: The language of sovereignty in the Treaty debate', in P Read, G Meyers and B Reece (eds). *What Good Condition: Reflections on an Australian Aboriginal Treaty 1986-2006*, Aboriginal History Monograph 13, ANU EPress, Canberra.

Strelein, L 2005, 'Culture and Commerce, the use of fishing traditions in proving native title', in Taylor et al (eds.) *The Power of Knowledge: The Resonance of Tradition* Aboriginal Studies Press, Canberra

Strelein, LM 2004. Australia's Oceans Policy and Native Title (chapter 10). In P. Kauffman (ed.), *Water and Fishing: Aboriginal Rights in Australia and Canada*. ATSIC, Canberra.101-133.

Strelein, LM 2004. Symbolism and Function: From native title to Indigenous self-government (chapter 11). In M. Langton, M. Tehan, L. Palmer and K. Shain (eds), *Honour Among Nations: Treaties and Agreements with Indigenous People*, Melbourne University Publishing, Melbourne. 189-202.

Refereed Articles

Strelein, L 2014 'Reforming the requirements of proof: The Australian Law Reform Commission's Native Title Inquiry'. 8(10) *Indigenous Law Bulletin* 6-10

Strelein L & Tran T 2013 'Building Indigenous Governance from Native Title: Moving away from 'Fitting in' to Creating a Decolonised Space' 18(1) *Review of Constitutional Studies*, 19-47.

Lauder, G & Strelein, L 2013, 'Native title and commercial fisheries: The Torres Strait sea claim' *Precedent* 13.

Strelein, L. 2009. 'A Captive of Statute', 93 *Reform: Native Title 2009*, pp. 48–52.

Strelein, LM 2006. 'From Mabo to Yorta Yorta: Native Title Law in Australia', *Washington University Journal of Law and Policy* vol. 19 (Spring 2006) special edition entitled 'International and Comparative Perspectives on Indigenous Rights'.

Strelein, L, 2005, 'Native title-holding groups and native title societies: *Sampi v State of Western Australia* [2005],' in *Land, Rights, Laws: Issues of Native Title*, Vol. 3, No. 4, Native Title Research Unit, Australian Institute of Aboriginal and Torres Strait Islander Studies, Canberra.

Strelein, L.2005, 'Authorisation and replacement of applicants: *Bolton v WA*', *Land Rights Laws*, vol. 3(1)

Strelein, LM 2004. 'A Comfortable Existence': The Commercial Use of Marine Resources under Native Title'. 5 *Balayi: Culture Law and Colonialism* 94-123.

Strelein, LM 2003. 'Missed Meanings: The Language of Sovereignty in the Treaty Debate'. *ARENA Journal* No. 20, 2002/2003, 83-96.

Strelein, LM 2001. 'Understanding non-discrimination: International criticisms of Australia's compliance with human rights standards', with Michael Dodson and Jessica Weir, 2 *Balayi Culture, Law and Colonialism* 113-148.

Strelein, LM 2001. 'Conceptualising Native Title', 23 *University of Sydney Law Review* 95-124.

Strelein, LM 2001. 'Australia's nation-building: Renegotiating the relationship between Indigenous peoples and the state', with Michael Dodson, 24(3) *University of New South Wales Law Journal*, Centenary of Federation Special Issue. 826-39.

Strelein, LM 2000. 'The 'Courts of the Conqueror': The Utility of the Courts for the Assertion of Indigenous Self-determination Claims', 5(3) *Australian Indigenous Law Reporter* 1-23.

Strelein, LM 2000. 'Dealing with Unfinished Business: A Treaty for Australia', 11(4) *Public Law Review*, 259-64.

Refereed Multi-media publications

Bauman T et al (forthcoming 2016) Core Cultural Learning: Aboriginal and Torres Strait Slander Australia, Foundation course for commonwealth employees (Captivate on-line learning program).

Strelein, LM, J Andersen, A Terrill, J Weir. 2002. *Native Title Business: A national traveling exhibition*, text for display, catalogue and educational material on native title and Indigenous art, curated by Joan Winter and the Gurang Land Council.

Strelein, LM 2001. 'Native Title' Stream, in *Mabo – The Judicial Revolution* 2 CD Rom package and Internet site (www.MaboNativeTitle.com), directed by T Graham, Tantamount Productions, Film Australia (BAFTA and multiple award winner).

Discussion Papers, commentaries and other articles

Strelein, L, 2011, AIATSIS—An incubator for Indigenous Researchers? Lessons from the Indigenous Visiting Research Fellowship Program. Commissioned discussion paper for the Review of Indigenous Higher Education Access and Outcomes.

Strelein, LM 2011, 'Prescribed Bodies Corporate: charging fees for service', *Native Title Newsletter*, January/February, no. 1, AIATSIS, Canberra, pp. 5–7.

Strelein, LM 2008, *Taxation of Native Title Agreements, Research Monograph 1/2008*, Native Title Research Unit, Australian Institute of Aboriginal and Torres Strait Islander Studies, Canberra.

Strelein, LM 2008. 'Compulsory Acquisition powers: Griffiths v Minister for Lands Planning and Environment [2008] HCA (15 May 2008)', *Native Title Newsletter* May-June, AIATSIS Canberra.

Morgan, M., LM Strelein and J. Weir. 2004. *Indigenous Rights to Water in the Murray Darling Basin: In support of the Indigenous final report to the Living Murray Initiative*, AIATSIS Research Discussion Paper 14. AIATSIS, Canberra(98 pp.).

Strelein, LM 2004. Guide to mediation, determination and facilitation of decision-making under the Native Title Act 1993, Indigenous Facilitation and Mediation Project, June (11 pp)

Strelein, LM 2003. 'Yorta Yorta v Victoria – Comment', 2(21) *Land Rights Laws: Issues of Native Title*. 1-8.

Strelein, LM 2002 *Ward v Western Australia: Summary of Judgment*, 2(17) *Land Rights Laws, Issues of Native Title*. 2002.

Submissions to Parliamentary Committees

Tran, T, McGrath, PF, Kennett, R, Strelein, L, Stacey, C & Bagnara, D 2015, 'Advice to the Expert Indigenous Working Group on the COAG Investigation into Indigenous Land Administration and Use on improving Indigenous land administration frameworks and processes', Native Title Research Unit, AIATSIS, Canberra, 12 June.

Bagnara, D, Strelein, L, Tran, T, Powrie, R and Jokic, Z, 2014, 'AIATSIS Submission to the Australian Law Reform Commission's Review of the Native Title Act 1993', Australian Institute of Aboriginal and Torres Strait Islander Studies, Canberra.

Strelein, L, Tran, T and Duff, N 2013, 'Australian Institute of Aboriginal and Torres Strait Islander Studies, Submission to the Attorney General's Department on Australian Law Reform Commission Review of Native Title Act 1993 Terms of Reference' Australian Institute of Aboriginal and Torres Strait Islander Studies, Canberra.

Strelein, L, Tran, T, McGrath, PF, Powrie, R and Stacey, C 2013, 'Australian Institute of Aboriginal and Torres Strait Islander Studies; Submission to the Department of Families, Community Services and Indigenous Affairs Native Title Organisations Review', Australian Institute of Aboriginal and Torres Strait Islander Studies, Canberra.

Strelein, L, 2013, 'Submission to the Senate Legal and Constitutional Affairs Committee in relation to proposed amendments to the Native Title Act 1993', AIATSIS, Canberra.

Duff, N, Strelein, L, and Dodson, M, 2013, 'Submission to the Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples in relation to the Aboriginal and Torres Strait Islander Recognition Act 2013', AIATSIS, Canberra.

Duff, N, Bauman, T, McGrath, PF and Strelein, L 2012, Submission, 'Proposed amendments to the Native Title Act 1993', Australian Institute of Aboriginal and Torres Strait Islander Studies, December.

Strelein, L, 2013, 'Submission to the Senate Legal and Constitutional Affairs Committee in relation to proposed amendments to the Native Title Act 1993', AIATSIS, Canberra.

Strelein, L 2012, Address to public hearing of the House of Representatives Standing Committee on Climate Change, Environment and the Arts Committee, *Hansard*, Canberra, 20 September.

Strelein, L, 2013, Submission to the Senate Legal and Constitutional Affairs Committee in relation to proposed amendments to the Native Title Act 1993, Australian Institute of Aboriginal and Torres Strait Islander Studies, Canberra, 31 January.

Strelein, L and Lauder, G 2012, Submission to Senate Legal and Constitutional Affairs Committee, 'Submission No 418: Exposure Draft of Human Rights and Anti-Discrimination Bill 2012', 21 December.

Strelein, L and McGrath, PF 2012, Submission, 'Senate Inquiry into the Courts and Tribunals Legislation Amendment (Administration Bill)', Australian Institute of Aboriginal and Torres Strait Islander Studies, Canberra.

Strelein, L and Patterson, M 2013, Submission, 'Oral evidence to the Joint Select Committee on Legal and Constitutional Affairs in relation to the Aboriginal and Torres Strait Islander Recognition Act 2013', *Hansard* Sydney, 30 April.

Strelein, L, Duff, N, McGrath, P and Bauman, T 2012, Submission to Attorney General's Department, 'Comments on Exposure Draft: Proposed amendments to the Native Title Act 1993', 19 October.

AIATSIS 2011, Submission to the Expert Panel on the Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples, AIATSIS, Canberra, October.

Strelein, L, Duff, N, McLeish, C and Bauman, T 2011, Submission to the Inquiry into the Native Title Amendment (Reform) Bill 2011, Senate Standing Committee on Legal and Constitutional Affairs.

Strelein, LM T Bauman and J Fardin. 2010, AIATSIS Submission to the joint Attorney-General and Minister for Families, Housing Community Services and Indigenous Affairs' Discussion Paper, 'Leading practice agreements: Maximising outcomes from native title benefits, July 2010', AIATSIS, Canberra.

Strelein, LM 2010, AIATSIS Submission on the Government's Draft Indigenous Economic Development Strategy, 17 December, AIATSIS, Canberra.

Strelein, LM 2010, AIATSIS Submission to the Senate Legal and Constitutional Affairs Legislation Committee Inquiry into Schedule 4 of the Families, Housing, Community Services and Indigenous Affairs and Other Legislation Amendment (Budget and Other Measures) Bill 2010, 16 December, AIATSIS, Canberra.

Strelein, LM. 2010. Submission to the Department of Families, Housing, Community Services and Indigenous Affairs on the Native Title (Prescribed Bodies Corporate) Amendment Regulations 2010, Consultation Draft

Strelein, LM. 2010. Submission: Attorney General's Department on Proposed Amendments to Enable the Historical Extinguishment of Native Title to be Disregarded to Certain Circumstances

Strelein, LM 2008. Submission to Henry Review of Australia's tax system, 9 October. AIATSIS, Canberra.

Strelein, LM 2008. Submission to the House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs, Inquiry into developing Indigenous enterprises, July, AIATSIS, Canberra (cited in final report).

Strelein, LM 2004. AIATSIS Submission to the Senate Select Committee on the Administration of Indigenous Affairs, (with Stuart Bradfield and Jane Anderson), August.

Strelein, LM 2003. Witness (with AIATSIS Council and Executive), House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs, Reference on Capacity Building in Indigenous Communities, March.

Strelein, LM 2002. Submission, briefing and ongoing advice to Environment Australia on the Environment Protection and Biodiversity Conservation Regulations with regard to Access Permits and Benefit Sharing Arrangements in Commonwealth Areas, January.

Strelein, LM 2001. Invited Submission, Witness to the Joint Parliamentary Committee on Native Title and the Land Fund inquiry in Indigenous land Use Agreements (cited in final report) July.

Strelein, LM 2000. AIATSIS submission, witness to the Joint Parliamentary Committee on Native Title and the Land Fund, Inquiry into the consistency of the NTAA with Australia's obligations under CERD, February (with Jessica Weir and Mick Dodson) (cited in final report).

Reports

Strelein LM, N Duff & T Bauman 2014, final report to the Attorney-General's Department: Commonwealth Native Title Connection Policy Research Project, AIATSIS, Canberra, 147 pp.

Strelein, LM. & Tran, T. 2007. *Native Title Representative Bodies and Prescribed Bodies Corporate: native title in a post determination environment*, *Native Title Research Report 2/2007*, Native Title Research Unit, AIATSIS, Canberra.

Strelein, LM and T Tran. 2007. *Taxation, Trusts and the Distribution of Benefits under Native Title Agreements*, *Native Title Research Report 1/2007*, Native Title Research Unit, AIATSIS, Canberra.

Strelein, LM 2006. *Native title payments, taxation and the distribution of benefits*, Confidential Report to Treasury, Native Title Research Unit, AIATSIS, Canberra.

Bradfield, S., J. Clements, G. Kelly, S. Kinnane, D. Oxenham, L. Strelein and P. Veth 2005. *Indigenous Interests in and connection to sea country in the South West Marine Region*, Report to the National Oceans Office, Department of Environment and Heritage, 2005.

Strelein, LM 2004. *Species management and the proof and exercise of native title: Indigenous Participation in South Australian Kangaroo Industry* Report to the Sustainable systems for management of commercial kangaroo harvest project coordinated by Jocelyn Davies and Dana Thomson. April (31pp)

Strelein, LM and S. Bradfield. 2003. *Noongar Umbrella Agreement: Models and Commentary* in relation to the proposed Comprehensive Regional Agreement between the Department of Indigenous Affairs and the South West Aboriginal Land Council and the Noongar people. Draft. December (53 pp).

Strelein, LM 2003. *Section 86F Settlement Agreements and the impact on court imposed timelines*. Report to the South West Aboriginal Land and Sea Council. August, (3pp.)

Strelein, L., S Bradfield and L Behrendt. 2003. 'On The Road to a Treaty: Report on behalf of the National Treaty Support Group', 14 April

Strelein, LM 2003. *Single Noongar Claim: Socio-political implications*. Report to the South West Aboriginal Land and Sea Council. August, (4 pp.)

Strelein, LM 2003. *Measuring the Outcomes of Native Title*. Report to Native Title and Land Rights Branch, Aboriginal and Torres Strait Islander Services (ATSIS). July (30pp.).

Strelein, LM 2001. *Native title and Sea Country: Commercial Fishing and Fisheries Management*, Report for the Yamatji Land and Sea Council and The Malgana Native Title Working Group, Denham, WA (60pp).

Behrendt, L, LM Strelein. 2000. 'Recognising Aboriginal and Torres Strait Islander Rights', with Michael Dodson and Larissa Behrendt, Final documents, Council for Aboriginal Reconciliation.

Behrendt, L., L.M Strelein. 2000. *Proposed Legislation for Reconciliation*, Discussion paper and draft legislation, with Larissa Council for Aboriginal Reconciliation.