

# *CURRICULUM VITAE*

**DAVID FERNANDES MARTIN**

**Anthropos Consulting Services Pty Ltd.**

**ABN No. 18 097 102 657**

**Web address:** <http://www.anthropos.com.au>

**Email:** David.Martin@anthropos.com.au / David.Martin@anu.edu.au

**Address:** 30 Gardiner Street  
Downer, ACT 2602

**Postal address:** PO Box 939  
Dickson, ACT 2602

**Phone:** 61 (2) 6248 5598 (phone and fax)  
61 417 413 315 (Mob)

## **PERSONAL INFORMATION**

**Education:** 1993 PhD (Anthropology), Australian National University  
1984 M.Sc. (First class Hons.) (Social Anthropology), London School of Economics.  
1971 B.Eng. (Chem.) (First class Hons.), University of Queensland.  
1967 Matriculation and School Dux, St Peters Lutheran College, Brisbane

**Memberships:** Fellow and Member of the Executive, Australian Anthropological Society.  
Associate Member, Australian Institute of Aboriginal and Torres Strait Islander Studies, Canberra.  
Visitor, School of Archaeology and Anthropology, Australian National University.

**Languages:** English, Wik Mungkan (west Cape York)

## **BACKGROUND AND EXPERIENCE**

### **CONSULTANCY WORK 1993—2017**

I have worked as an independent anthropological consultant for over two decades, working on such diverse matters as native title, Aboriginal governance, community development, and alcohol issues.

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I have been engaged by the Northern Land Council on a long-term project centred on a proposal by the Northern Territory Government to progressively upgrade the Central Arnhem Road, which runs between near Katherine and Nhulunbuy in Arnhem Land. Two thirds of the road lies within Aboriginal Land Trust lands, and any major upgrades to the road would require the ‘informed consent’ of the relevant Traditional Owners. Developed collaboratively with NLC anthropologist Carol Christopherson and still in its relatively early stages, the innovative project methodology has given substantive content to the ‘informed consent’ provisions of the Aboriginal Land Rights Act. It has facilitated a move from the ‘passive’ acceptance or rejection of a government development proposal to a participatory development model derived through intensive consultations with Traditional Owners and other affected Aboriginal residents of the region.

I have conducted research and published extensively in the area of Indigenous governance, including the governance of entities and arrangements associated with mining agreements and native title claims, such as Prescribed Bodies Corporate and other Indigenous corporate entities and trusts. I have a particular expertise in the area of Prescribed Bodies Corporate (PBCs). As discussed below, between 1999 and 2000 along with barrister Christos Mantziaris I co-authored a book and a plain-English publication on PBCs which resulted from a major consultancy for the National Native Title Tribunal (Mantziaris and Martin 1999, 2000). In 2003/4 I was engaged by ATSIC to provide expert advice to an interdepartmental Technical Working Group on reform of the PBC regime. I have also published an article on PBCs (Martin 2004).

I was a member of both reviews of the *Aboriginal Councils and Associations Act*, the second of which ultimately led to the development of the *Corporations (Aboriginal and Torres Strait Islanders) Act 2006*. I have provided advice in conjunction with lawyers and accountants in the design of governance arrangements and structures for Indigenous organisations such as Prescribed Bodies Corporate, land-holding bodies, representative organisations, commercial enterprises, trust companies, and Community Development Employment Projects organisations. For example, in 2008 I was engaged by the Trustees of the Gumala Foundation in Western Australia to develop a submission to the review of that Foundation, and subsequently by Pilbara Native Title Services to provide an assessment of risk factors in the financial management structures proposed for agreements being negotiated between Aboriginal groups and Rio Tinto in the Pilbara region of Western Australia.

In the native title arena, I have provided high-level policy advice and peer reviews of connection reports for Native Title Representative Bodies as well as for government agencies. More recently, I played a significant role in assisting Pilbara Native Title Services to develop the research methodology for the Pilbara Connection Project, in which connection reports are being prepared for a set of claims over the Pilbara region, and have continued to provide internal peer reviews of the connection reports prior to their submission to the State of Western Australia. I have also in the past undertaken peer reviews of native title connection materials for the Central Queensland Land Council in Mackay.

I have undertaken assessment reviews of connection reports for Western Australia’s Office of Native Title, and given presentations at a professional development workshop for staff of that Office, and at workshops on native title connection reports and ancillary topics organised by the Office. I have also assessed a number of connection reports for the Native Title Office of the South Australian Crown Solicitor’s Office. I was engaged to undertake an

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assessment of connection materials for the Native Title Unit of Victoria's Department of Justice, and for the Australian Capital Territory Government Solicitor.

As well as being engaged by the South Australian Crown Solicitor's Office, I have also provided advice to the then Native Title Representative Body for that State, the Aboriginal Legal Rights Movement, to assist it in developing a strategy to deal with multiple overlapping claims in the west of the State. I have also been engaged by Central Queensland Land Council to peer review a native title connection report, and to provide advice on resolving competing claims in a region within its representative area.

In addition to conducting professional development courses in native title auspiced by Western Australia's Office of Native Title, and South Australia's Crown Solicitor's Office, I have also conducted workshops on native title matters for the Commonwealth Attorney General's Department. I have developed and presented sessions at professional development courses in native title run at the University of Adelaide, the University of Queensland, the Central Land Council in Alice Springs, and by the Aurora Project.

In 2000, as part of a team involving anthropologists and lawyers, I developed a proposed policy framework for consent determinations for the Department of Justice Native Title Unit in Victoria which sought to incorporate both native title and social justice policy principles of the State Government, and set out a range of options for responding to native title claims dependent upon the levels of connection established. I was engaged by the South Australian Attorney General's Department to provide advice in relation to materials submitted for a litigated native title claim in the Lake Eyre Basin, including the particular connection report. Subsequently, I was also engaged by the Department to provide advice in relation to other matters, particularly consent determination criteria as part of the State-wide ILUA process, and also to assist with the finalisation of an ILUA over the Todmorden pastoral lease in the far north of the State. I have undertaken peer reviews of connection reports for the Native Title Office of the Western Australian Department of Premier and Cabinet, and requested to provide presentations at a workshop on connection materials organised by that Office.

I was also engaged by the National Native Title Tribunal to develop a report on the capacity of anthropologists to deliver services in the native title area (Martin 2004). Anthropos was further engaged by the NNTT and ATSIIS to undertake a pilot mentoring project for junior anthropologists working in Native Title Representative Bodies, and to report on that project (Martin 2004).

I have mentored a number of anthropologists, including a number of Native Title Representative Bodies.

I have worked in a number of capacities in the native title and land claim areas. I have conducted field-based research for Carpentaria Land Council with regard to a native title claim in the Gulf region of Queensland. I have had an ongoing role in the Wik Native Title claim in western Cape York. Anthropological site mapping work I undertook for Aurukun Wik people between 1986 and 1994 formed a significant part of the evidence underpinning that claim (Sutton, Martin et al 1990). A major part of my role also involved the preparation of anthropological materials for the claim, and acting as a 'cultural interpreter', assisting the team of lawyers and other specialists in providing the Aboriginal people involved with advice and information on the legal and policy issues of their claim

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in a culturally and linguistically appropriate form. I have also undertaken specialist work in this claim in collaboration with members of the Wik legal team, to develop a constitution for the resultant Prescribed Body Corporate. I was also involved in the process of negotiating a consent agreement over the Aboriginal lands sectors of the claim, and in the 2004 consent determination over extensive pastoral and mining lease areas of the claim.

I have also undertaken consultancies for Aboriginal groups and organisations involving developing land claims under the *Land Rights (Northern Territory) Act 1976* (Devitt and Martin 1997) and under Queensland's *Aboriginal Land Act*. I have been a senior anthropologist in developing the claim for the Mungkan (Wik) groups with traditional affiliations to the Mungkan-Kaanju National Park under the Queensland Act (Martin 1998). I have also provided advice to Aboriginal claimants on the development of a plan of management over a National Park in eastern Cape York.

A major focus of my consultancy work has been in assisting indigenous groups to develop and establish effective organisational structures, community development (such as alcohol related issues), native title, and land rights. For example, I have worked in teams with lawyers and accountants in both remote and rural regions of Australia in designing and establishing organisations for Aboriginal people. In 2002, I was again engaged on a second review of the *Aboriginal Councils and Associations Act* in 2002 as part of a multidisciplinary team. Recommendations of the resultant report (Corrs Chambers Westgarth et al 2002) played a significant role in the repeal of that Act, and the policy framework underlying the subsequent *Corporations (Aboriginal and Torres Strait Islanders) Act*.

Together with a barrister, Christos Mantziaris (then of the Law Program, Research School of Social Sciences at the Australian National University), I was engaged by the National Native Title Tribunal (NNTT) in 1999 to undertake research on legal and anthropological issues of the Prescribed Bodies Corporate regime under the *Native Title Act*. The outcomes of this research have included a 70 page publication through the NNTT written so as to make it accessible to non-technical readers, and a 450pp book published through Federation Press (Mantziaris and Martin 1999, 2000). As well, we conducted a national series of workshops during 1999 and 2000 in all States under the auspices of the NNTT, which reached several hundred practitioners in the native title area.

I was also involved as part of a multi-disciplinary team working through the Australian Institute of Aboriginal and Torres Strait Islander Studies, which examined the issue of developing Regional Agreements springboarding from section 21 of the original *Native Title Act*. I also published the results of consultancy research conducted in 1996, on mechanisms to incorporate the often opposing interests of 'historical' or immigrant Aboriginal peoples and those of 'traditional' peoples of a region, into the structures and operating procedures of Native Title Representative Bodies.

In 2002, I was appointed as an independent expert assisting the review of the Century Mine agreement, negotiated nearly a decade ago between native title groups, the developer, and the Queensland government. I was also involved as a consultant in a second multidisciplinary review of the *Aboriginal Councils and Associations Act* commissioned by the Registrar of Aboriginal Corporations. I was engaged by the Yorta Yorta Nations Aboriginal Corporation to undertake a review of the appropriateness and effectiveness of their organisational structures.

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During 1998 and 1999, I was engaged as the principal consultant in a major long-term project implementing the Century Mine agreement, signed in May 1997 between three Native Title Groups in the Gulf region of Queensland, and Century Zinc Limited (now operated by Oz Minerals). A core aim of the consultancy was to establish a special-purpose organisation, the Gulf Aboriginal Development Company, whose roles are to administer the Agreement on behalf of the Native Title Groups, to play a coordinating and facilitating role in employment, training and business ventures arising from the mine, and to distribute funds provided under the Agreement to eligible Aboriginal corporations. My work drew extensively on my previous CAEPR research into mechanisms to maximise the effectiveness and accountability of Aboriginal organisations, and has involved detailed collaborative work with legal practitioners and accountants in establishing both representative and commercial organisational structures. Part of the project has involved developing interpretive materials for the Native Title groups on such matters as the Agreement, and proposed corporate representative and business structures. Publications relating to this work include Martin 1998 and Martin 1998.

In 1997 I facilitated a strategic planning workshop for the Aboriginal owners of a Cape York pastoral property, which examined the possibilities of joint venture arrangements with large vertically integrated agribusinesses focussed on production for the developing live cattle export industry in Cape York. The resultant report to the owners and to the Balkanu Cape York Development Corporation (Martin 1997) concentrated on organisational, socio-cultural and economic prerequisites for a successful joint venture.

I was engaged in 1996 by the Aboriginal and Torres Strait Islander Commission to provide advice to the Federal Minister on appropriate organisational structures and processes for a Native Title Representative Body to be established in north-western Queensland. In my report to ATSIC on this matter (Martin 1996), I canvassed issues such as how the legislative requirement to be 'broadly representative' should be fulfilled for a body in this region, and in conjunction with legal advisors, proposed specific mechanisms including provisions in its constitution for such a body to develop and maintain accountability to its potential clients across this diverse region.

In 1995 I submitted a major report to the Commonwealth Minister for Aboriginal Affairs with regard to the proposal for a 'breakaway' land council in north-east Arnhem Land (Martin 1995). Amongst other matters, the report examined the processes established under the *Land Rights (Northern Territory) Act 1976* relating to the capacity for the Minister to establish additional Land Councils and to the mining royalty regime, and recommended certain amendments to the Act to allow devolution of powers from the existing bodies to Regional Land Councils, and a re-examination of the accountability provisions relating to royalty associations. I also canvass in my report the complex policy question of the articulation of indigenous political forms with those of the wider society, and appropriate mechanisms for incorporating the former in certain aspects of this legislation.

I have also undertaken major work on alcohol and community development issues in western Cape York. The work I undertook as part of a consultancy team was instrumental in developing legislation for Aurukun which attempts to give that community mechanisms to better control alcohol usage, by incorporating the recognition of customary Law in an innovative legislative framework which was passed by the Queensland Parliament, and has formed the basis for the current Alcohol Management Plan. The actual development of legislation required close collaboration between myself, the other members of the consultancy team, Queensland Departmental officers, and Parliamentary

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draftsmen. This work also involved the development of plain-English explanatory materials on the legislative scheme for Aurukun people. In 2004, I conducted a review of the Napranum Alcohol Management Plan

During August, 1993, I was engaged at Senior Lecturer level in the Department of Anthropology and Sociology at the University of Queensland, to prepare and deliver lectures in a course for second and third year students designed to introduce them to the anthropology of Aboriginal Australia and to its critiques.

FRACTIONAL APPOINTMENT, CENTRE FOR ABORIGINAL ECONOMIC POLICY RESEARCH,  
AUSTRALIAN NATIONAL UNIVERSITY (to June 30, 2006)

I worked on a half-time basis as a Fellow at CAEPR from 1995. From July 2006 to December 2010, I was a Visiting Fellow at the Centre. My research interests with CAEPR were broad, but centred on the theoretical and policy implications of the engagement of Aboriginal social, political and economic systems with those of the dominant society. I have focused on such diverse issues as the impacts of money and welfare payments on Aboriginal communities, and conversely the cultural constructions which Aboriginal people place on money and the ways in which it is used within Aboriginal communities, particular cultural constructions which Aboriginal people place on matters which in the general Australian society are seen to be the province of the economy, as well as on issues associated with native title and land rights, issues associated with designing and managing Aboriginal organisations including legislative reform to facilitate more appropriately structured organisations, alcohol issues, and community and sustainable development issues.

A latter concern in my work at CAEPR concerned issues of sustainable development arising from the engagement of Aboriginal people with major mining developments. This has been through a three-year ARC Linkage project *Indigenous Community Organisations and Miners: Partnering Sustainable Regional Development*, which has Rio Tinto and the Committee for the Economic Development of Australia (CEDA) as Industry Partners and a number of Indigenous representatives and community organisations as project collaborators. My particular interest has been on issues of social sustainability, and I have presented national and international conference papers on this topic, as well as on the governance of mining agreements.

My research and writing as well as my consultancy work have had a significant focus on issues associated with Aboriginal governance. An initial focus was on the matter of accountability, including how it is to be conceptualised and legal and organisational mechanisms to achieve it. I focused on this area in my work with a multi-disciplinary team engaged through the Institute for Aboriginal and Torres Strait Islander Studies, which undertook the first review of the Federal *Aboriginal Councils and Associations Act 1976*, the legislation under which some 3000 Indigenous corporations are established (Martin 1995, Martin and Finlayson 1995). As well as proposing a revised scheme for this Act which would take into account the diversity of Aboriginal organisational structures and needs, my work presaged subsequent work on the issue of accountability. In a discussion paper on this matter, co-authored with Julie Finlayson, it was argued that external accountability, including that to funding bodies such as ATSIC, is linked to internal accountability, that is accountability to the organisation's constituency or clients. Specific

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mechanisms for maximising this are proposed in the light of identified Aboriginal social and political values (Martin and Finlayson 1996). This paper has often been referred to in the work of subsequent researchers and policy analysts. As discussed below, in 2002, I was again engaged on a second review of the *Aboriginal Councils and Associations Act* in 2002 as part of a multidisciplinary team.

More recently, my work on governance has focussed on conceptualising Indigenous organisations in terms of their ‘intercultural’ position, and the practical and policy implications of this position, both in terms of their governance and design. This research interest found major expression in the book on Prescribed Bodies Corporate referred to above, as well as in a number of workshop papers delivered in 2002, in a CAEPR discussion paper (Martin 2003), in a book chapter (Martin 2005), and a publication auspiced by the Australian Academy of the Social Sciences (Martin 2005).

Another significant area in which I have published is that of the impact of welfare on Aboriginal communities and on welfare reform. In 1995, I published an often-quoted discussion paper on Aboriginal concepts relating to cash and business and their implications for Aboriginal engagement with the commercial realm (Martin 1995c). In 2001 and 2002, I published detailed critiques of Noel Pearson’s proposals for welfare reform (Martin 2001a, 2002) which drew from my earlier 1995 work and from my doctoral research in Aurukun, a community in the Cape York region which was Pearson’s focus, and which presaged many of his observations on the impacts of welfare. I also gave a keynote address to the ‘Indigenous welfare economy and the CDEP scheme’ conference held at the ANU from 7-9 November 2000 which was subsequently published as a chapter in a CAEPR monograph (Martin 2001b).

In 2001, CAEPR was commissioned by the Australian Competition and Consumer Commission (ACCC) to undertake research on the implications of the *Trade Practices Act 1974* (Cth) (TPA) for Indigenous communities. One of the outcomes from this project was a Discussion Paper authored by myself and Siobhan McDonnell (Martin and McDonnell 2002), which examined key competition and consumer issues faced by Aboriginal people in remote Aboriginal communities with particular reference to provisions of the TPA. In late 2004, I was engaged by the ACCC to prepare an Expert’s Report for a Federal Court matter involving allegations of unconscionable conduct with respect to consumers in remote communities in the Northern Territory, and presented evidence in a hearing in February 2005.

I have had a long-term interest in the effects of alcohol abuse on Indigenous communities. This was a major theme of my doctoral research in Aurukun. In 1998, I undertook a study into the political economy of alcohol in the Cape York Aboriginal communities, and published a CAEPR discussion paper on this subject which made a number of significant policy recommendations with regard to the supply of alcohol in remote Aboriginal communities (Martin 1998b). This work was taken up by the Fitzgerald Inquiry into justice and alcohol issues on Cape York’s Aboriginal communities, and its policy recommendations for dealing with alcohol abuse through supply-side measures formed an important segment of the Inquiry’s own recommendations into this matter. Further work on indigenous alcohol issues in the Alice Springs area led to a report to the Northern Territory Liquor Commission co-authored with Maggie Brady of the Australian Institute of Aboriginal and Torres Strait Islander Studies, which recommends strategies directed towards developing a responsible culture of serving alcohol as part of an overall process of

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reducing harmful consumption practices (Brady and Martin 1998). In 2004, Maggie Brady and myself were invited to publish an opinion piece on Indigenous alcohol issues in Australia in *The Lancet* (Brady and Martin 2004).

Another major area in my CAEPR research into the interface between Indigenous groups and the general Australian society has concentrated on land rights and native title issues. As discussed in relation to my consultancy work, I have been intimately involved in the Wik native title claim as well as undertaking other native title and land rights-related projects. As a consequence of the expertise I had developed, during 1999, I was engaged through CAEPR by the Aboriginal and Torres Strait Islander Commission (ATSIC) to provide advice on the re-recognition of Native Title Representative Bodies as a member of a multi-disciplinary team including lawyers, accountants and anthropologists. This involved the assessment of NTRBs against the criteria established in the *Native Title Act*, and required a detailed knowledge of the principles of native title and the requirements of the Act, including those related to the mediation of native title claims.

Together with a barrister, Christos Mantziaris (then of the Law Program, Research School of Social Sciences), I was engaged by the National Native Title Tribunal (NNTT) in 1999 to undertake research on legal and anthropological issues of the Prescribed Bodies Corporate regime under the Native Title Act. The outcomes of this research have included a 70 page publication through the NNTT written so as to make it accessible to non-technical readers, and a 450pp book published through Federation Press (Mantziaris and Martin 1999a, 2000). As well, we conducted a national series of workshops during 1999 and 2000 in all States under the auspices of the NNTT, which reached several hundred practitioners in the native title area.

I was also involved as part of a multi-disciplinary team working through the Australian Institute of Aboriginal and Torres Strait Islander Studies, which examined the issue of developing Regional Agreements springboarding from section 21 of the original *Native Title Act*. Taking Cape York as a case study, I examined how and in what contexts regionalism could be facilitated despite an indigenous polity in which localism is the dominant form (Martin 1997b). I also published the results of consultancy research conducted in 1996, on mechanisms to incorporate the often opposing interests of 'historical' or immigrant Aboriginal peoples and those of 'traditional' peoples of a region, into the structures and operating procedures of Native Title Representative Bodies (Martin 1997a). In 1995 I chaired a session at an AIATSIS workshop on native title, and contributed a paper to a further session which has been published in the workshop proceedings (Martin 1995b).

I have researched and published in a number of other areas relating to the interface between Aboriginal and non-Aboriginal societies. For example, I have co-authored a Discussion Paper (Martin and Taylor 1995) which examines conceptual and methodological features of the ABS Remote Area Census Strategy which, given particular features of Aboriginal societies, potentially lead to significant under-enumeration of Aboriginal people. This work has had a significant impact on subsequent ABS remote area enumeration strategies. A revised version of this paper was also published in a journal article (Taylor and Martin 1996). This was followed up through a project involving a number of CAEPR researchers observing the conduct of the 2001 census, in my case in Aurukun, western Cape York (see Martin 2002).



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## QUEENSLAND DIVISION OF ABORIGINAL AND ISLANDER AFFAIRS: 1990, 1991—93

In August 1990, I was appointed by the Minister to special duties for a six month term within the Division, working in the then Land Section to develop policies to incorporate Aboriginal interests in the management of National Parks, and developing policy options for land rights in Queensland. This involved close collaborative work with policy makers, bureaucrats, and legal experts in developing a possible framework for land rights in Queensland. Much of this framework was ultimately incorporated into the Queensland *Aboriginal Land Act 1991*.

In July 1991, I was appointed as a Senior Policy officer in the Land Section, and eventually became manager of the Land Claims Section, charged with responsibility for implementing sections of the Queensland land rights legislation, passed in May 1991. Prior to the establishment of separate Departmental areas responsible for Aboriginal land management issues and more broadly for social impact assessment, I played a significant role in the development of environmental and social impact assessment guidelines regarding the incorporation of indigenous interests for major developments, including the Century Mine.

Additionally, I provided advice at a high level in terms of the development of policy options within the Department on issues of Aboriginal community development and on possible legislative models to allow Aboriginal groups to develop positive programs for the control of alcohol abuse within their communities.

## CONSULTANCY WORK 1986—1990

1990: Involvement in a conference of Cape York researchers organised through the House of Representatives Standing Committee on Aboriginal Affairs, from which recommendations were made for future policy directions relating to self-determination and development as applied to Aboriginal settlements in the region. I also made an individual submission to this Committee on these themes.

1989: Consultancy work for the South Australian Museum, preparing my own anthropological site mapping data for input into its computerised mapping system relating to Aboriginal sites and land-use on western Cape York peninsula. This particular project, while it had important long-term research implications, related directly to Aurukun people's expressed opposition to proposals by Comalco and other companies for mineral exploration over much of the Aurukun Shire. The data from myself and from other researchers in the region (principally Dr Peter Sutton of the South Australian Museum) would allow the Federal Minister of Aboriginal Affairs to order a stay of exploration under Heritage legislation.

1988: Consultancy work in Aurukun, north Queensland, acting as negotiator between traditional Aboriginal landowners and Comalco Pty. Ltd. in its oil and gas exploration work in the Aurukun area.

1988: Consultancy for the Royal Commission into Aboriginal Deaths in Custody in its Aurukun hearings. This involved working as a translator during court proceedings, and preparing comprehensive written submissions to the Commission relating to its investigations into factors underlying the deaths in custody. The report I prepared on underlying factors, was used widely by other researchers as well as by the Commission itself.

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1989: Involvement with other anthropologists in advising the Queensland Department of Health on its HIV prevention programs in remote Aboriginal and Islander communities.

1989: Consultancy work for National Heritage Studies, Canberra, on the implications for Aboriginal interests of further development of the Roxby Downs Borefield B water supply (Martin 1989)

1986, 1987: Consultancy projects for the Australian National University's ANUTECH, involving field investigations and the preparation of reports concerning the proposed Roxby Downs Borefield B development, and concerning a proposed coal mining operation at Weedina Creek north west of Marree (Martin 1986, 1987).

1986: Consultancy work for the University of Queensland's UNIQUEST, in connection with anthropological surveys for Telecom microwave relay tower sites in various areas of Cape York, Queensland (Martin 1986).

1986: Consultancy work for the Aurukun Community Incorporated, negotiating formal agreements between it and the Aboriginal clan groups whose traditional lands were affected by its cattle mustering operations.

#### AURUKUN COMMUNITY 1976—1983

Outstation Co-ordinator for the Aurukun Community. This involved working at an intimate level, mostly in the dominant local language and for extended periods out bush, with clan groups living at homeland centres up to 100 km out from Aurukun.

I was instrumental in having the original somewhat ad hoc system of D.A.A. financial and logistic support for people's aspirations to return to traditional lands there refashioned into a scheme that co-ordinated adequate logistic and infrastructural support for all the various outstation groups, while remaining appropriate in scale and methods of delivery of services to people's own cultural and social mechanisms. This necessarily meant my being sensitive to these mechanisms; for instance, I learned to speak the dominant local language Wik Mungkan fluently. My work involved the administration, provision and co-ordination of logistic and technical support to the groups, help in gaining access to governmental and other services such as health and education, and assistance to the groups in identifying appropriate developmental goals and strategies.

1975: Self-financed extended travel around remote Australia to observe first-hand conditions for Aboriginal groups.

1972—75: Research Officer in water pollution control in the Chemical Engineering Department, University of Queensland.

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## Publications and Reports:

### Books, book chapters and published conference proceedings

- Perry, J., Martin, D, Sinclair, M., Wikmunea, H., Wolmby, S. and Martin, B. 2018. The divergence of traditional Aboriginal and contemporary fire management practices on Wik traditional lands, Cape York Peninsula, Northern Australia, *Ecological Management and Restoration* 19(1):24-31
- Martin, D.F. and Martin, B. 2016. 'Challenging simplistic notions of outstations as manifestations of Aboriginal self-determination: Wik strategic engagement and disengagement over the past four decades', in N. Peterson and F. Myers (eds), *Outstations in the history of self-determination*, ANU Press, Canberra.
- Martin, D.F., D. Trigger and J. Parmenter 2014. 'Mining in Aboriginal Australia: Economic impacts, sustainable livelihoods and cultural difference at Century Mine, northwest Queensland'. In Gilberthorpe, E. & G. Hilson (eds), *Natural Resource Extraction and Indigenous Livelihoods: Development Challenges in an Era of Globalisation*, Ashgate, London.
- Martin, D.F., Burke, P., Palmer, K. and Holcombe, S., 2013 'Overview', in Forensic Social Anthropology, a multi-authored chapter in *Expert Evidence*, edited by I. Freckelton and H. Selby, Thomson Reuters, Sydney.
- Martin, D.F. 2013. The anthropologist as expert witness in a matter involving allegations of unconscionable conduct under the Trade Practices Act 1974 (Cth) in D.F. Martin et al, Forensic Social Anthropology, chapter in *Expert Evidence*, edited by I. Freckelton and H. Selby, Thomson Reuters, Sydney.
- Martin, D.F. and J.D. Finlayson 2012 (2006). 'Regulating difference: Aborigines in the settler state', in *Sociology: Antipodean Perspectives* (2<sup>nd</sup> ed.), Peter Beilharz and Trevor Hogan (eds), Oxford University Press, Melbourne, pp 424-8.
- Martin, D.F. 2012. Alternative Constructions of Indigenous Identities in Australia's Native Title Act', in *The Limits of Change: Mabo and Native Title 20 Years On*, T. Bauman and L. Glick (eds), Australian Institute of Aboriginal and Torres Strait Islander Studies, Canberra, pp353-362.
- Martin, D.F. 2011. 'Policy alchemy and the magical transformation of Aboriginal society', in Y. Musharbash and M. Barber (eds) *Ethnography and the Production of Anthropological Knowledge: Essays in Honour of Nicolas Peterson*, ANU E-Press, Australian National University, Canberra.
- Martin, D.F. 2010. 'The art of Wik politics and the politics of Wik art', in *Before Time Today, Reinventing Tradition in Aurukun Aboriginal Art*, Sally Butler (ed.), University of Queensland Press, St. Lucia, Brisbane, pp 118-131.

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- Martin, D.F. 2009. 'Domesticating violence: Homicide among remote dwelling Australian Aboriginal people', in *Domestic-related homicide: keynote papers from the 2008 international conference on homicide*, AIC Report No. 104, Research and Public Policy Series, Australian Institute of Criminology, Canberra.
- Altman, J.C. and Martin, D.F. (eds) 2009. *Power, Culture, Economy: Indigenous Australians and Mining*, CAEPR Research Monograph No. 30, ANU E Press, Canberra.
- Martin, D.F. 2009. 'The governance of agreements between Aboriginal people and resource developers: Principles for sustainability', in *Power, Culture, Economy: Indigenous Australians and Mining*, CAEPR Research Monograph No. 30, J.C. Altman and D.F. Martin (eds), ANU E Press, Canberra, pp 99-126.
- Martin, D.F. 2005. 'Enhancing and measuring social sustainability by the minerals industry: a case study of Australian Aboriginal People', in *Sustainable Development Indicators in the Minerals Industry*, proceedings of the Aachen International Mining Symposia, RWTH Aachen University, Institute of Mining Engineering, Aachen University, Germany, pp 663-679.
- Martin, D.F. 2005. 'Governance, cultural appropriateness, and accountability', in *Culture, Economy and Governance in Aboriginal Australia*, Sydney University Press, Sydney, pp 189-201.
- Martin, D.F. 2005. 'Rethinking Aboriginal community governance: challenges for sustainable engagement', in *Community and Local Governance in Australia*, P. Smyth, T. Reddel and A. Jones (eds), University of New South Wales Press, Sydney, pp 108-127.
- Martin, D.F. 2004. 'Designing institutions in the native title recognition space', in S. Toussaint (ed.), *Crossing Boundaries: Cultural, Legal and Historical Issues in Native Title*, Melbourne University Press, Melbourne, pp 244-255.
- Martin, D., 2002. Reforming the Welfare System in Remote Aboriginal Communities : an Assessment of Noel Pearson 's Proposals. In T. Eardley & B. Bradbury, eds. *Competing Visions, Refereed proceedings of the 2001 National Social Policy Conference*. pp. 317-325.
- Martin, D.F., F. Morphy, W. Sanders and J. Taylor (eds), 2002. *Making Sense of the Census: Observations of the 2001 Enumeration in Remote Aboriginal Australia*, CAEPR Monograph No. 22, Centre for Aboriginal Economic Policy Research, Australian National University, Canberra.
- Martin, D.F. 2000. 'Native Title', in *The Oxford Companion to Aboriginal Art and Culture*, S. Kleinert and M. Neale (eds), Oxford University Press, Melbourne, pp 659-60.
- Mantziaris, C. and D.F. Martin, 2000. *Native Title Corporations: a legal and anthropological analysis*, Federation Press, Sydney, 450pp.
- Martin, D.F. 2000. The Aboriginal peoples of Cape York Peninsula, Australia, in J. Fitzpatrick (ed), *Endangered Peoples in Oceania: Struggles to Survive and Thrive*, Greenwood Press, New York, pp 1-16.

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Mantziaris, C. and D.F. Martin, 1999. *Guide to the design of native title corporations*, National Native Title Tribunal, Perth, 67pp.

Martin, D.F. 1999. 'The Cape York peoples, north Queensland, Australia', in *The Cambridge Encyclopedia of World Hunter-gatherer Cultures*, eds. R.B. Lee and R. Daly, Cambridge, Cambridge University Press, pp 335-8.

Martin, D.F. 1995. The NATSIS as a regional planning and policy tool, in J.C. Altman and J. Taylor (eds) *The 1994 National Aboriginal and Torres Strait Islander Survey: Findings and Future Prospects*, *CAEPR Research Monograph No. 11*, Centre for Aboriginal Economic Policy Research, the Australian National University, Canberra, 173-182.

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### **Journal articles and other publications**

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#### **Workshop and conference papers and presentations**

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- “Challenging simplistic notions of outstations as manifestations of self-determination: Wik strategic engagement and disengagement over the past four decades”, presented at workshop *Outstations in the history of self-determination*, Australian National University, 16th – 17th December 2013.
- “The ethnographic record and the descent of rights”, presentation at Northern Land Council Anthropology Seminar, Darwin, April 2013.
- “Key relevant features of native title groups”, “Key governance principles”, and “Decision making as a core component of governance”, sessions delivered (with Angus Frith) at *Working with PBCs*, Aurora Project, Perth, 12-14 March 2013.
- “Speaking to policy or about policy? Anthropology’s languages, audiences, and engagements”, presented at conference 60 Years of Anthropology at ANU: Contesting Anthropology's futures, Australian National University, 28th September, 2011.
- “Governance in the native title arena”, Presentation to workshop: *Key Concepts in Native Title*, Centre for Native Title Anthropology, ANU, Canberra, September 2011.
- “Could increased flexibility result from better engagement between policy making, the law, and anthropology?”, *Judicial Education Workshop*, Sydney, 14 April 2011.
- “How can Native Title agreements meet the ‘demographic challenge?’”, Presentation to workshop: *Sustainable Benefits Management in Native Title Settlements*, Attorney General’s Department, Canberra, 8 April 2010
- ‘Planning for development in remote Aboriginal Australia: case study of the Central Arnhem Highway’, Seminar presented to the Department of Families and Housing, Communities and Indigenous Affairs, Canberra, February 5<sup>th</sup> 2010.
- ‘Sustainable futures for Gulf Aboriginal people’, Keynote Address presented at the conference *Gulf Future Visions: Workshop and Small Business Forum*, Gulf Savannah Development Association, Normanton, October 14<sup>th</sup> 2009.
- ‘Hunter-gatherer political systems meet the western nation-state: challenges in the engagement of Aboriginal people with the wider Australian society’, presentation to the conference *Fifth International Conference, "Hierarchy and Power in the History of Civilizations*, June 23-26 2009, Moscow, Russia.
- ‘Applied anthropology in Australia: different careers - different anthropology?’, workshop session presented at the Osaka Museum of Ethnology, Osaka, Japan, June 2009.
- ‘Indigenous decision-making in native title and agreements, session presented at the Aurora Project workshop: *Native Title Research Practices*, University of Queensland, October 28-29, 2009.
- ‘Challenges for researchers in agreement making’, and ‘Roles for researchers in agreement making’, sessions presented at the Aurora Project workshop: *Native Title Research Practices*, Perth, May 6-7, 2009.



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- 'Domesticating violence: Homicide amongst remote-dwelling Australian Aboriginal people', Keynote address presented at the *International Conference on Homicide: Domestic related Homicide*, Surfers Paradise, 3–5 December, 2008.
- 'Developing sustainable agreements with Aboriginal people', workshop organised by the Office and Native Title and presented to staff of Western Australian government departments, Perth, September 10, 2008
- 'Looking back, looking forward: challenges for native title anthropology in an era of agreement making and their aftermath', presentation to the workshop *Tradition, adaptation, the 'tide of history': Issues for anthropology in research for native title claims*, University of Queensland, 23–24 June 2008.
- "Challenges for sustainable governance in the development and implementation of comprehensive mining agreements", address presented at the 15th Annual Native Title Developments Conference, Brisbane, 27<sup>th</sup> – 28<sup>th</sup> October, 2008.
- "Developing sustainable agreements with Aboriginal people", full day workshop delivered to staff of Western Australian Government agencies, Perth, September 10, 2008.
- "Levers for government in developing sustainable change in remote Aboriginal communities", seminar presented to staff of the Commonwealth Attorney Generals Department, July 11, 2008.
- "Challenges to Anthropological Practice: non-Native Title Outcomes and Post-Determination Issues", "Developing Agreements: What has Anthropology to say?", and "Governance Issues and Agreement Implementation", sessions delivered at *Practice Issues in Applied Anthropological Research in Central Australia and the Northern Territory*, Central Land Council and University of Queensland, Alice Springs 14-16 May, 2008. Also delivered as a full day workshop at *Improving Capacity in Native Title Research: Anthropological Issues & Concepts*, University of Queensland, March 26–28, 2008.
- "Indigenous alcohol policy: A conceptual toolbox", workshop delivered to Attorney Generals Department, Canberra, November 27 2007 (with Dr Maggie Brady).
- "The transformation of Aboriginal communities in crisis; what does it entail?", seminar delivered at the Centre for Aboriginal Economic Policy Research, Australian National University, August 2007.
- "Building the capacity of Indigenous governance", presentation to the conference *Measuring and evaluating Indigenous service delivery*, Alice Springs, July 25–26, 2007.
- "Native Title within the context of traditional laws and customs", presentation for the *Negotiating Native Title Forum*, Melbourne, February 26–27, 2007.
- "Why the 'new direction' in Federal Indigenous affairs policy is as likely to fail as the old directions", seminar delivered at the Centre for Aboriginal Economic Policy Research, Australian National University, May 2006.

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- “Establishing a ‘normative system’ in a settled area: Issues for anthropological practice”, Presentation for the WA *Office of Native Title Connection Workshop*, July 27th – 28th, 2006.
- “Preparing a Native Title Connection Report: Anthropological, methodological and presentation issues”, Presentation for the WA *Office of Native Title Connection Workshop*, November 26<sup>th</sup>, 2004.
- “Assessing a Native Title Connection Report”, Presentation for the WA *Office of Native Title Connection Workshop*, November 26<sup>th</sup>, 2004.
- “Indigenous corporate structures and governance: thinking outside the box”, Presentation at the *Indigenous Legal Services in Crisis?* conference, University of New South Wales, June 16-17.
- ‘Enhancing Indigenous social sustainability through agreements with resource developers’, paper presented at the “Inaugural Sustainable Development Conference”, Sofitel Hotel, Melbourne, Minerals Council of Australia, 25-29 October 2004 (with J. Hondros and B. Scambary). Paper available at <[http://www.minerals.org.au/\\_\\_data/assets/pdf\\_file/0018/6039/8B-1MartinDavid.pdf](http://www.minerals.org.au/__data/assets/pdf_file/0018/6039/8B-1MartinDavid.pdf)>.
- ‘Developing strong and effective Aboriginal institutions’, paper delivered at the "Indigenous Governance" conference, organised by Reconciliation Australia, the Aboriginal and Torres Strait Islander Commission, and the National Institute for Governance, Canberra, 3-5 April 2002.
- ‘Developing Indigenous institutions within an intercultural domain’, Paper delivered at the workshop “Custom: The Fate of Non-Western Law and Indigenous Governance in the 21<sup>st</sup> Century”, UNESCO and the Academy of the Social Sciences, University House, Australian National University, Canberra, 1-2 October 2002.
- ‘Designing Aboriginal institutions within a contested intercultural space’, paper delivered at the Annual Conference of the Australian Anthropological Society, Australian National University, October 4-5 2002.
- ‘Competition and consumer issues for Indigenous people in the frontier economy’, paper delivered at a National Workshop *Indigenous Consumers Issues in Remote and Regional Australia*, sponsored by ATSIC, ACCC, Reconciliation Australia, and ASIC, Alice Springs, April 22-23 2002.
- ‘Reforming the welfare system in remote Aboriginal communities: an assessment of Noel Pearson’s proposals’, Paper prepared for the Social Policy Research Council Conference, University of New South Wales, Sydney, July 2001.
- ‘*Designing institutions in the native title recognition space*’, paper presented at the Native Title workshop organised by the Australian Anthropological Society, Perth, September 2000.
- ‘Community development and welfare dependency’, keynote paper presented at ‘Indigenous welfare economy and the CDEP scheme’ conference, ANU, 7-9 November 2000.

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### **Courses:**

‘What if the evidence for connection is not there?’, ‘Developing agreements: what has anthropology to say?’, ‘Governance issues in agreement implementation’, and ‘Agreement benefits’, sessions delivered at the course *Improving Capacity in Native Title Research: Anthropological Issues & Concepts*, University of Queensland, March 26–28, 2008

*Understanding Aboriginal engagement with the native title system*: A course for staff of the Land Assistance Branch and the Native Title Unit, Commonwealth Attorney General’s Department, Canberra, 18<sup>th</sup> November, 2006.

*Working in the ‘recognition space’ of native title*: A course for staff of the Native Title Unit, Attorney General’s Department, Canberra, 5<sup>th</sup> May, 2006.

*Understanding and engaging with Aurukun*: Workshop presented to Comalco staff and senior management, Weipa, December 2005.

*There can be no Wik for the rested: Engaging with Aurukun*. Workshop presented to Comalco staff and management, Weipa, September 2005.

*Working with Aboriginal people and their organisation*: A one-day workshop for Oxfam / Community Aid Abroad staff, Melbourne, April, 2005.

*Working and researching with Aboriginal people*: A course for staff of the Office of Crime Statistics and Research, Adelaide, April, 2004.

*Applying the NTA registration test: Anthropological perspectives*. A workshop with the NNTT Sydney Registry, August 2003.

*Working with Aboriginal People*: A course for staff of the SA Crown Solicitor’s Office, April 2003.

*Native Title – Achieving outcomes: A course for professionals*. A course taught at Adelaide University, February 2003.

*Summer School on Native Title*: A course taught at Adelaide University, February 2001.

### **Reports**

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*Joint Experts' Reports in the matter of the Gingirana Native Title Application (WAD 6002/2003): Volume 1: the Ethnographic data (June 2016) and Volume 2: Opinion Evidence (July 2016)*, Dr Ron Brunton & Dr David Martin

*Review of Warrwa Connection Report*, peer review for Kimberley Land Council, January 2018.

*Preliminary anthropological assessment of the draft Connection Report for the Nyikina & Mangala Native Title Claim (WG 6099/98)*, Report to Office of Native Title, Department of the Premier and Cabinet, Western Australia. Anthropos Consulting Services, Canberra, February 2009.

*Anthropological assessment of the Adnyamathanha Native Title Report*, Report prepared for Native Title Section, Attorney General's Department, South Australia. Anthropos Consulting Services, Canberra, February 2008.

*Preliminary anthropological assessment of the draft Adnyamathanha Native Title Report*, Report prepared for Native Title Section, Attorney General's Department, South Australia. Anthropos Consulting Services, Canberra, September 2007.

*Assessment of response, Kariyarra Native Title Claim (WAG 6169/98)*, Report to Office of Native Title, Department of the Premier and Cabinet, Western Australia. Anthropos Consulting Services, Canberra, August 2007

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- Martin, D.F. 2006. *Assessment of Yankunytjatjara/Antakirinja Native Title connection materials against the State's Consent Determination guidelines*, Report prepared for Native Title Section, Attorney General's Department, South Australia. Anthropos Consulting Services, Canberra, March 2006.
- Assessment of reports relevant to an application for native title by Manbarra people of Palm Island*, Report to Central Queensland Land Council, Anthropos Consulting Services, Canberra, 2006.
- A preliminary anthropological assessment of the Connection Report for the Thudgari Native Title Claim (WC 97/95)*, Report to Office of Native Title, Department of the Premier and Cabinet, Western Australia. Anthropos Consulting Services, Canberra, 2005.
- Anthropological assessment: Connection Materials for the Gunditjmara Native Title Application (VG 6004/98)*, Report to the Native Title Unit, Department of Justice, Victoria. Anthropos Consulting Services, Canberra, 2005.
- Anthropological assessment: Connection report for the Ngaanyatjarra Lands Native Title Claim (WAG W6004/04)*, Report to Office of Native Title, Department of the Premier and Cabinet, Western Australia. Anthropos Consulting Services, Canberra, July 2004.
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- Capacity of Anthropologists in Native Title Practice*, Report to the National Native Title Tribunal, Anthropos Consulting Services, Canberra, 2004.
- Pilot Mentoring Project for Junior NTRB Anthropologists*, Report to the National Native Title Tribunal, Anthropos Consulting Services, Canberra, 2004.
- Third anthropological report to the South Australian Crown Solicitor: Opinion on the authorization of claim SG66 of 1998 (Dieri Mitha)*, Report prepared for Native Title Section, Attorney General's Department, South Australia. Anthropos Consulting Services, Canberra, 2003.
- Martin, D.F. 2002. *Second anthropological report to the South Australian Crown Solicitor: Comments on Report by Dr Deane Fergie regarding Dieri Group Composition in the Dieri Mitha and Ngayana Dieri Karna Native Title Claims*, Report prepared for Native Title Section, Attorney General's Department, South Australia. Anthropos Consulting Services, Canberra.

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- Martin, D.F. 2006. *A comprehensive Shared Responsibility Agreement: "Working towards a sustainable, prosperous and liveable Mapoon"*, Report prepared for the Mapoon Community Council and the Cairns Indigenous Coordination Centre. Anthropos Consulting Services, Canberra.
- Martin, D.F. 2004. *Survey of Restricted Area 315, Aurukun: Brief report on families with customary connections and on decision-making processes*, Report to Cape York Land Council, Anthropos Consulting Services, Canberra.
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Martin, D.F. 1988. Inclusion of underlying social phenomena in the Commission's hearings. Submission to the Royal Commission into Aboriginal Deaths in Custody, November 1988.

Martin, D.F. 1988. Background paper on social and family factors for the Aurukun case. Report to the Royal Commission into Aboriginal Deaths in Custody, November 1988.

### **Doctoral thesis**

Martin, D.F. 1993. 'Autonomy and relatedness: an ethnography of Wik people of Aurukun, western Cape York peninsula', PhD thesis, Australian National University, Canberra.

**Prepared:** March, 2016