

Mapping UNSW Impact Global Development

Primary SDG	10: REDUCED INEQUALITIES
Broad theme	Indigenous land rights
Research	Examining the impact of government land reforms on Indigenous owners
Impact region	Indigenous Australia
Faculty	Law
School/Institute	Law
Academic	Dr Leon Terrill
Project partners	Community-based organisations with an Indigenous focus
Related SDGs	15: Life on Land
	8: Decent Work and Economic Growth

Elevator pitch

Leon's research on Federal Government reforms to land ownership in remote Indigenous communities has demonstrated its flaws and identified alternatives that better support Indigenous-led development and empowerment. He is now looking to conduct in field research to further validate these findings.

The Challenge: Current land laws for Indigenous people are little understood

More than 20 percent of Australia is owned by Indigenous peoples under native title and statutory land rights schemes. The focus has shifted from land rights claims to the question of how this land can be used to empower Indigenous communities. Who owns and manages the land? What type of economic activity is permitted? What is the best way to enable home ownership for those people who want it?

Over the last decade, Australian governments have introduced a series of reforms targeting Indigenous land ownership and use. These reforms have significant and enduring consequences that are little understood. Research is required to clarify the broader implications for Indigenous land use and ownership across Australia.

UNSW's solution: Research real impact of reforms, then research in-field to validate

In response to government reforms in 2007 and calling on his experience working for the Central Land Council in Alice Springs, Leon penned the book *Beyond Communal and Individual Ownership: Indigenous Land Reform in Australia* in 2015. The book de-politicises the reforms and focuses on the impact on land owners and communities, taking into account legal documents, leases, property structures, anthropological research, comparisons with countries like Canada, and evidence from the UN and World Bank. His conclusion is that government reforms (which are still in operation) lack technicality and are based on goals that are broad, vague and at times contradictory. Leon demonstrates that land use by Indigenous Australians is complex and requires a deeper understanding of tenure and the economic aspirations of land owners.

Leon is now looking to conduct field research to better identify who the reforms reward and who is missing out at the home ownership level. What are the economic issues, and what happens when life events – such as breakups, divorces and job moves – change who is living inside owned property? Leon plans to interview renters, owners and housing-related organisations to provide on the ground evidence. He is currently in the process of obtaining ethics committee approval and community approval for the project. Extra funding would allow him to broaden the range of the research and expand the number of people surveyed.

The Impact: Document impact of reforms, promote better understanding and policy

There is limited research on Indigenous home ownership in remote communities. Leon is looking to fill this gap by evaluating the reforms that promote Indigenous ownership across Australia. His work will create a more nuanced picture of the impact the reforms have had for government officials, community organisations, lawyers and researchers. He will highlight the complexities of Indigenous household structures and encourage policy change that supports effective home ownership and housing programs.

Leon’s research will also give Indigenous communities the best possible information and resources, ensuring they have a greater say in the management of their land. The research will act as a case study for Indigenous communities around Australia, providing a clearer picture of the factors that impact people’s experience of home ownership, and the steps required for home ownership schemes to work effectively.

Researcher

Dr Leon Terrill is a Senior Lecturer at UNSW. He previously worked as a senior lawyer with the Central Land Council for five years, as a coordinator of the University of the South Pacific Community Legal Centre, and as a solicitor with Victoria Legal Aid. Leon primarily researches issues related to Indigenous land ownership. He is the General Editor of the Australian Indigenous Law Review.

Ben Falkenmire 06.03.18