



NEW SOUTH WALES
BAR ASSOCIATION

David and Goliath

A talk on the Yindjibarndi Aboriginal Corporation v
Andrew Forrest's Fortescue Metals Group

Presented by:

Vance Hughston SC and
Tina Jowett

Chaired by:

Stephen Lloyd SC

NSW Bar Association
Common Room

5.15 pm

Wednesday 22 November
2017

1 HOUR SEMINAR
1 CPD POINT IN THE
SUBSTANTIVE LAW STRAND

From 2001 to July 2017 the Yindjibarndi People sought to have recognised, over their lands in the Pilbara in Western Australia (WA), their native title rights of occupation, use and enjoyment against the whole world. Vance Hughston SC and Tina Jowett, of the New South Wales Bar, represented the Yindjibarndi. Their presentation will describe the bitterly fought battle between the Yindjibarndi on the one hand and the State of WA and Andrew Forrest's Fortescue Metals Group (FMG) on the other. FMG strenuously opposed the claim. Their talk will provide some of the background of how the Yindjibarndi successfully navigated through the many interlocutory applications and other proceedings, funded by FMG, to have their exclusive possession native title rights recognised in *Warrie v State of Western Australia* [2017] FCA 803. The presentation will examine FMG's compensation liability and how the courts may ultimately approach the task of calculating "just terms" compensation for the affect of the grant of mining tenements on native title rights of exclusive possession.

THIS SEMINAR IS OPEN TO MEMBERS OF THE NSW
BAR ASSOCIATION

REGISTRATION IS NOT REQUIRED

For more information, please contact Tiffany McDonald
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 Continuing Professional Development