

First: how readily might the old CDEP be rekindled to replace the current CDP?

The chair asked in particular about the historically very successful Bawinanga Aboriginal Corporation. The former question is examined in the edited book *Better than Welfare? Work and Livelihoods for Indigenous Australians After CDEP*: <https://press-files.anu.edu.au/downloads/press/n2019/pdf/book.pdf>

There is a chapter in that book that focuses specifically on BAC: <https://press-files.anu.edu.au/downloads/press/n2019/pdf/ch07.pdf>

My view is that rekindling the old CDEP will be challenging and will take new institutional strengthening as many CDEP organisations (there were 265) have withered or disappeared.

Second: the issue of appropriate funding of Prescribed Bodies Corporate was raised and the prospects of a future fund for these crucially important organisations.

This issue has been addressed in an excellent recent publication (https://openresearch-repository.anu.edu.au/bitstream/1885/242830/1/CAEPR_CR_7_Woods_et_al_2021_Towards_a_perpetual_funding_model.pdf) that Francis Markham co-authored; I think the paper was referenced a fair bit in the second PJC on Northern Australia report chaired by Warren Entsch about the destruction of habitation shelters at Juukan Gorge

Third: the chair asked if there has been any analysis done of the difference between provisions in the Aboriginal Land Rights (NT) Act 1976 and the Native Title Act 1993 in relation to property rights, leverage and economic empowerment.

A paper that comes to mind is by economist Siobhan McKenna written in 1995:

https://openresearch-repository.anu.edu.au/bitstream/1885/145510/1/1995_DP79.pdf.

Many researchers have addressed this question.

My efforts (to 2014 only) that might provide some guidance on this issue are summarised on pps 86-102 of an annotated bibliography of much of my research (to 2014 only):

https://caepr.cass.anu.edu.au/sites/default/files/docs/CAEPR_Working_Paper_96_0.pdf.

The ALRC also made many recommendations about strengthening the NTA to be more ALRA like:

<https://www.alrc.gov.au/publication/connection-to-country-review-of-the-native-title-act-1993-cth-alrc-report-126/>.

This is an issue that arose on numerous occasions during the Juukan Gorge inquiry and more recently in the current Inquiry by the Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs into the applicability of UNDRIP to Australian domestic law.