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**ATTORNEY-GENERAL**  
THE HON ROBERT McCLELLAND MP

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## NEWS RELEASE

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### GOVERNMENT IMPROVEMENTS TO NATIVE TITLE SYSTEM

Attorney-General Robert McClelland today announced that the Rudd Government has approved changes to the Federal Court to improve the operation of the native title system.

Under the changes, the Federal Court of Australia will assume a central role in managing all claims. The new approach is aimed at encouraging more negotiated settlements of native title claims.

"The Court has significant alternative dispute resolution experience and has achieved strong negotiated results in past native title matters by taking a strong and active role in the mediation process," Mr McClelland said.

"This change will give the Court control over all native title claims brought before it from start to end. Having one body control the direction of each case means that the opportunities for resolution can be more readily identified."

The change will contribute to the Government's vision for a native title system that is more flexible and one that produces broad benefits to Indigenous people and certainty to stakeholders.

"Negotiated agreements are the key to achieving practical outcomes in native title. This requires attitudinal change by all participants and a broader consideration of what parties can achieve through native title claims. The Federal Court can complement this by having an enhanced role in native title matters."

Under the new system, the Court will determine which claims should be referred for mediation, when mediation should occur and which body, whether the Court or the National Native Title Tribunal, should mediate.

"The Tribunal will be able to focus on the many services it provides that facilitate mediation and boost the ability of claimants and other parties to prepare to effectively engage with each other. The Tribunal will also retain its other existing functions, such as future act arbitration," Mr McClelland said.

Legislation will be introduced to Parliament next year to implement the changes.

**Media Contact: Adam Sims 0419 480 224**

Parliament House, Canberra ACT 2600 • Telephone (02) 6277 7300 • Fax (02) 6273 4102  
[www.attorneygeneral.gov.au](http://www.attorneygeneral.gov.au)