

YINDJIBARNDI NATIVE TITLE CLAIM

759. Hon MICHAEL MISCHIN to the Leader of the House representing the Attorney General:

I refer to the Attorney General's answer of 31 October 2017 to my question regarding the Yindjibarndi native title claim.

- (1) When did the government decide not to appeal the decision?
- (2) Was that decision made by the Attorney General or by cabinet?
- (3) From whom did the government seek and receive legal advice as to the merits of an appeal, and when did it seek and receive that advice?
- (4) Was the decision not to appeal consistent with advice that there were no reasonable prospects of success, or was the decision based on other considerations; and, if so, what were they?

Hon SUE ELLERY replied:

I thank the honourable member for some notice of the question.

- (1) The decision was taken on or about 11 October 2017.
- (2) A number of ministers were involved in the decision.
- (3) Legal advice was sought from the State Solicitor's Office in conjunction with the Solicitor-General.
- (4) This answer is subject to legal professional privilege.