Vice Chancellor’s welcome to the Honourable John Mansfield’s lecture

Time: 5:00pm – 9:00pm
Date: Thursday 17 August, 2017
Place: Allan Scott Auditorium
• Ngangkirna, Miyurna! Naa marni Ngai nari David

• Ngai yarta-nungku yaku, ngai kunturrkinthi taakanthi ngaiytyu wardli

• Ngai pudlunthi naa-itya, ngai wangkanthi warra Kaurna meyurna, miipudlunthi ngaiytyu kuinyuntapinthi.

• What I just said, for those of you who lack the Kaurna language, is that my name is David and while I am not originally from this country, I am proud to call it my home and I do so in the language of the Kaurna people as a mark of my respect.

• Good evening.

• Before his retirement last year the Honourable John Mansfield was the Honourable Justice Mansfield, a Federal Court judge who sat on the court’s South Australian registry.
• He has had a distinguished legal career in Native Title and Competition Law,

• a career where he demonstrated his strong sense of service and commitment both to the law and to the wider community.

• John was appointed to the Federal Court shortly after the Native Title Act came into place and his judicial work on Native Title claims is considered an important addition to this area of law.

• In 2011 he broke new ground by settling 12 major native title claims covering more than 30,000 square kilometres across the Victoria River District in the Northern Territory near the Western Australian border.

• That, I would like to point out, is a land mass almost half the size of the nation in which I was born,
• so it is kind of breathtaking when you consider that John’s Court granted the determinations by consent, without the need for a long and expensive court trial.

• this land is amongst the most productive cattle growing country in the nation

• and the Territory government and station owners accepted the claimant groups held rights there.

• The decision helped clear claims backlogs and accelerate decisions on native title rights claims in the Territory, and led to John becoming the Aboriginal Land Commissioner for the Northern Territory.
• In this inaugural lecture to mark the UniSA Law School’s 10th birthday, the Honourable John Mansfield will talk about the effectiveness of the Native Title Act 1993 to date, including the assessment of compensation for Indigenous land rights taken away, and the challenges and options for future effective recognition of Indigenous land rights.

• His influence in this area comes from a deep understanding of how Aboriginal law and customs operate,

• of how language of the Aboriginal peoples communicates ideas that inform the subtleties and importance of concepts of connection of people and communities to the land.
• At the ceremonial sitting of the full court held to farewell John Mansfield, the Chief Justice, the Honourable James Allsop AO spoke of John’s understanding of the deep importance to this nation of the careful and sympathetic application of the legislation.

• His use of the word ‘sympathetic’, he added, was meant to illustrate how John, because of the person he is, knew the importance of the recognition of incalculable injustices in the past requiring Australians as a whole to recognise their debt to the Aboriginal peoples of this country and to recognise their place as an integral part of the soul of the nation.

• John tells a great story about communication in the latest issue of UniSA Business Magazine
• It’s a story of hearing Native Title claims ‘on country’ where the Federal Court learned the need for effective communication with the claimants so as to properly understand their evidence and to give it the weight that it merits,

• because proof of the current connection between the past and the present is largely a matter of evidence from the claimants themselves so it’s vital to listen to the speaker, to understand where the speaker is coming from, literally, culturally and intellectually.

• John Mansfield is, as his colleagues and friends attested at his retirement celebration, a man of gentle strength made effective by a wonderful sense of humour and a great warmth of personality.
• He is also something of a Renaissance man, very connected to the Art Gallery of South Australia for whom, as Chairman of its Foundation, John oversaw the acquisition of over 1000 works of art valued at around $40 million, including his own gift of two Aboriginal works.

• And although he took his law degree from Adelaide University he has been a stalwart of UniSA’s Business School.

• He provided excellent advice during the initial establishment stage of the Law School 10 years ago, and is now Chair of its Advisory Board.

• As his colleagues on the Bench noted, this is a man who has made a huge contribution to South Australia, to the law, to justice and to Aboriginal communities, especially those in South Australia and the Northern Territory.
• And they say he did all of this without ever seeking personal credit for anything.

• Yesterday he told a charming story when he addressed the graduating classes of our Schools of Commerce, Marketing and Law.

• He spoke of his own end-of-year award made to him in Year 2 of Primary School in 1956.

• In a raft of awards given to his classmates for best runners, best yard monitor, best chalkboard clearer, John was awarded best triangle player in the school band.

• Except there was no school band. There was no triangle, and everybody at the school knew it.

• From humble beginnings great achievements grow.
• Yesterday we at UniSA expressed our gratitude for his involvement with the Business School in the best way we know how:

• we conferred on the Honourable John Mansfield, AM, QC another set of initials,

• We awarded him a DUniv, an honorary doctorate of the university, given to people of eminence who have made a distinguished contribution to public service, or a field of academic endeavour or artistic pursuit.

• Ladies and gentlemen, please give a warm welcome to the Honourable John Mansfield AM, QC, DUniv,

• who, we think, would have made a wonderful triangle player if the school had ever bothered to have a band.