

NEW BOOK RELEASE BY THE FEDERATION PRESS

William Isdale, *Compensation for Native Title* (The Federation Press, 2022)

The Federation Press is proud to announce the publication of the winner of The Holt Prize 2021. *Compensation for Native Title* by William Isdale is an original and significant contribution to our understanding of compensation for the extinguishment of Native Title rights.

Although statutory entitlements to compensation have been available in the *Native Title Act 1993* (Cth) since its commencement, it was not until 2016 that the first judicial determination of compensation was made. In 2019 the High Court of Australia gave its first consideration to the topic, in *Northern Territory v Griffiths* [2019] HCA 7 (the “*Timber Creek*” decision).

Compensation for Native Title surveys the current state of the law and explores future directions. It provides the first extended analysis of this emerging body of law. Apart from considering compensation under the *Native Title Act* and how it should properly be assessed, it explores the availability of common law remedies for native title holders, and considers the implications of the Commonwealth Constitution’s guarantee of “just terms” for certain acquisitions of property.

Isdale recognises the tension between the desirability of applying existing legal principles and doctrines and recognising the uniqueness of native title. Further, he provides a framework for thinking about how to approach – and resolve – that tension.

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About The Federation Press The Federation Press is a proudly independent Australian publisher of high quality books with ideas. Publishing a mix of excellent scholarly monographs and titles for the legal practitioner and student market, we are located in Sydney, and edit and produce all of our books in Australia.

About William Isdale William Isdale is a Senior Legal Officer at the Australian Law Reform Commission, and an Adjunct Fellow of the University of Queensland's School of Law. Previously he worked as a solicitor in private practice. His PhD on native title compensation was completed at the University of Queensland in 2021 and was supervised by Adjunct Professor Jonathan Fulcher and the Hon Justice Andrew Greenwood.

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