

De Rose v State of South Australia (2005) 145 FCR 290

<http://lawcasesummaries.com/knowledge-base/de-rose-v-state-of-south-australia-2005-145-fcr-290/>

Facts

- A group of Indigenous people bring a claim for an area where several pastoral leases are held over it
- No one from the Indigenous group had actually lived there since 1978.

Held

- The question is not “has every member of the group retained a connection” but “has the group (as a whole) retained a connection?”
- You should consider spiritual connections not just physical occupations
- If someone makes advances to a property under a pastoral lease, native title is extinguished

Law case summary from www.lawcasesummaries.com