

**RIGHTS OF INDIGENOUS AUSTRALIANS**

**Indigenous Sentencing in Queensland Magistrates Court - MURRI COURT**

***Introduction***

Many assumptions are made in relation to basic rights of citizens. Some rights are more prominently appreciated than others. In relation to coming before the criminal justice system on charges, an offender should be able to understand the proceedings, have the opportunity to be heard, and be afforded the legal rights enshrined in our legal system. Above all, justice must not only be done but be seen to be done. It has often been said that indigenous offenders can feel alienated by the criminal justice system, the “white man’s law”, struggle to understand the process and its consequences for them, and be left with the feeling that justice was nowhere in sight. Whether this perception is correct or not, it is real. Rights are useless to people if they are theoretical only.

Over the years, many in the criminal justice system have struggled with these issues and attempted to address them through initiatives such as the provision of indigenous legal services, manned where possible by indigenous lawyers and support staff, Court Liaison officers and indigenous staff in related departments and prisons. There has for some time been an imperative to address these issues in a more fundamental fashion, in the system itself. Indigenous sentencing courts and procedures are an attempt to address this dilemma.

Murri Court is an Indigenous justice initiative specifically related to sentencing. In broad terms, “*Indigenous justice can be seen as a way to rebuild Indigenous communities and to redress the destruction of Indigenous peoples’ culture and social organisation brought about by colonialism and state violence*”.<sup>1</sup>

The forcible removal of people from their community by any means, including incarceration, inevitably impacts on the fabric of that community. A principal object of Murri Court is to divert Indigenous offenders from imprisonment where possible by imposing other appropriate penalties, and by that means reducing the over-representation of Indigenous offenders in prisons. This is achieved when appropriate by rehabilitating offenders in the community through community based orders. A further aim of Murri Court is to make the Court process less alienating for indigenous offenders and the indigenous community as a whole.

An important aspect of Murri Court from indigenous point of view is the involvement in a real sense of indigenous people – having indigenous people involved at the court – giving them an opportunity to have their say in the process. Acknowledgment by the Court of the authority and position of the Elders is an important aspect of the process. Benefits of the process at an early stage include a general reduction in recidivism in quantity and seriousness, attempts to reunite offenders with their community and a greater sense of the position of Elders and Respected Persons in the community.

### ***Why was Murri Court Considered Necessary?***

Indigenous Sentencing initiatives have burgeoned in Australia since 1999, primarily led by Magistrates, responding to the ever-increasing situation of over-representation of indigenous offenders in the prison system. The initiatives followed on the recommendations made in the Royal Commission into Aboriginal Deaths in Custody findings. The Royal Commission investigated the circumstances surrounding the deaths of 99 Indigenous people who died whilst in the custody of Police, in Prison or juvenile Detention Centres over a nine year period in the 1980s. Recommendations were made by the Commissioner addressing the need to reduce imprisonment rates for indigenous people.

The Aboriginal and Torres Strait Islander Social Justice Commissioner commented on the recommendations in his *Social Justice Report 2001* by saying “the key principle which underpinned the recommendations of the Commissioner ... was that imprisonment should be a measure of last resort, with the use of alternatives to custody and diversionary mechanisms where appropriate.”<sup>2</sup> It was further noted that “while some genuine efforts...have been made in the decade since the Royal Commission and continue to be made today, the sense of urgency and commitment to addressing Indigenous over-representation in criminal justice processes has slowly dissipated.”<sup>3</sup>

In 2001, Aboriginal and Torres Strait Islander people constituted 3.2% of the Queensland population, but they made up 23.1% of the prison population and 8.4% of people in the community corrections system.<sup>4</sup> More than fifteen years on from the Report and Recommendations of the Royal Commission into Aboriginal Deaths in Custody, the over-representation of Indigenous people as sentenced prisoners has not declined. Indeed, the reverse has occurred. An analysis by the Australian Bureau of Statistics in 2004 showed that in 1992, 14% of all male prisoners, and 18% of all female prisoners were Indigenous. By 2002, the proportions were 20% and 25%, respectively. The increases are traced to the growth of Indigenous populations in NSW (from 9% to 17%) and Queensland (from 18% to 25%).<sup>5</sup>

Whilst those statistics are shocking, they are not just numbers and have a real impact in the indigenous community. It has been noted that “*The high rate of incarceration of Aboriginal and Torres Strait Islander people, the levels of alcohol consumption and related violence are a source of distress and dislocation to people both on communities and in urban and regional settings.*”<sup>6</sup>

Murri Court is one attempt by Queensland Magistrates to include and respect some aspects of Indigenous customary ways and values in the existing criminal justice system. Many benefits have been achieved in Murri Court in a short time. Most invaluable are the benefits gained from the co-operation between cultures and the mutual respect the participants now hold for each other. The process encourages a degree of Indigenous community ownership of crime and justice, and an opportunity to address offending behaviour in a more constructive manner than was previously possible. The understanding and co-operation that has developed between the Indigenous and non-Indigenous participants has been a form of reconciliation in action.

The path to a true reduction in the rate of recidivism for indigenous offenders living in an urban setting may well lie in the ability of the indigenous community to reconnect the offender with traditional indigenous values and communal responsibilities. The participants of the Murri Court process have been witness to the fact that Indigenous ways have legitimacy in a modern legal setting and that the dignity and wisdom of Indigenous participants can benefit the whole community.

Having been implemented at the coal face, so to speak, Indigenous sentencing courts are gradually gaining acceptance in the indigenous and wider community, the legal profession and at government level. The indigenous community have been awaiting inclusion in the criminal justice system for many many years, for their chance to play an essential role in healing their own people and strengthening the community. Practical acceptance of the procedures in the community as a whole is considered important for the long term future of such initiatives.

Chief Justice Bayda of the Saskatchewan Court of Appeal (Canada) acknowledged in 1995 that circle sentencing had become “part of the fabric of our system of criminal justice and ...a recognised and accepted procedure” a decade after the introduction of the process in Canada.<sup>7</sup>

Murri Court endeavours to provide a process for the indigenous community to be integrally and practically involved in the criminal justice system. The process places offenders into the supportive but demanding arms of the indigenous community with an emphasis on rehabilitation and healing for the community. It is essential to bring offenders to the point of taking responsibility for their actions from which they can attend to their own rehabilitation and redress their wrongs to the community. The most important people in effectively achieving this end have been historically locked out of the process used to deal with indigenous offenders.

### ***How was Murri Court Implemented?***

Murri Court commenced in the Queensland Magistrates Court in Brisbane on 21<sup>st</sup> August 2002 under the leadership of the then Chief Magistrate, Diane Fingleton, and the Deputy Chief Magistrate, Brian Hine. The court process was devised following investigation of other Indigenous court initiatives around the country, particularly the Nunga Court in South Australia. The Murri Court concept has been applied in centres other than Brisbane, including Rockhampton (June 2003), Mt Isa and Townsville for Youth and Adults, and Caboolture, and other centres since, and has been adapted to fit each local community and its needs. Where specific facts are stated in this paper, reference is made to the Rockhampton model of Murri Court.

The legislative framework giving effect to the Murri Court comes from an amendment to the Penalties and Sentences Act 1992 section 9 (2), which provides (in part) that a Court must have regard to submissions made by a Community Justice Group. This section was added by amendment in 2000. A year later, the Queensland Aboriginal and Torres Strait Islander Justice Agreement 2001 stated this principle: “*Aboriginal and Torres Strait Islander peoples need to be involved at all stages in the development and delivery of justice related programs and services in order to achieve*

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*a sustainable long-term reduction in the numbers of Aboriginal and Torres Strait Islander peoples coming into contact with the Queensland criminal justice system.”<sup>8</sup>*

There have been two approaches to the development of these practices. Some States have implemented legislatively based pilot projects which are fully funded with support personnel and dedicated Court time. The other approach has been a Magistrate-driven implementation of processes, initially unfunded and with time and resources eked out of the general Court resources and relying fairly heavily on volunteer time being provided by the indigenous community. Consequently, during the development of these processes, Magistrates have had to focus on the sustainability of these processes from financial, human resource and Court time aspects.

Certainly the second approach is initially less costly but perhaps less likely to be sustainable long term. In some States, such as Queensland, the government has conducted an initial evaluation of the process which led to a stabilisation and extension of the process through the provision of some funding which includes support staff in the Court. A more formal three year evaluation will follow.

In Rockhampton, Murri Court was established following extensive negotiations which were conducted with indigenous community members, with the particular assistance of the then Community Development Officer from Department of Corrections. Representatives of indigenous community organisations were invited to participate in the formation of a Community Justice Group and the Fitzroy Basin Elders Committee were prepared to become involved. A detailed training program was developed and delivered to the Justice Group and Elders, educating them on all aspects of the criminal justice system and existing court process. Discussions were held with myself as Magistrate in relation to the system which would be adopted for the Murri Court matters coming before the Court and scheduling arrangements. There was significant involvement of the Indigenous participants on the look, feel and procedure of the process as far as it was able to be altered given the fact that we were working within the strictures of the existing sentencing process and current resources.

The Murri Court would not have been possible without the significant voluntary contribution and commitment of such contribution over an extended period of time of the Indigenous participants in the process and to a lesser extent, the good grace of the employers of some of the community justice group members.

The utilisation of the knowledge and resources of the indigenous community in the Court process is critical to the success of these processes. The ethos of many of these practices has moved away from the idea of the Court having all of the knowledge to an inclusion and reliance on the knowledge and wisdom of the indigenous community. This will always be important and integral to the process but care must be taken to appropriately resource and manage the assets of the indigenous community to ensure that they are sustainable into the future.

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***Unique Rules and Processes of the Court***

Eligibility for referral to Murri Court arises from an offender of Aboriginal, Torres Strait Islander or Australian South Sea Islander descent indicating a plea of guilty to offences which fall within the jurisdiction of the Queensland Magistrates Court. The offender may elect to be referred to the sittings or consent to the Magistrate's referral. Murri Court is held at a designated time separate from the main list, in order to allow the Court to dedicate more time than is traditionally available in the eternally busy Magistrates Court list.

One of the major triggers for referral to Murri Court is the possibility of the offender being sentenced to a term of imprisonment or the circumstance of their struggling to cope with conditions, such as alcoholism or substance abuse, which could be addressed through intervention and treatment, with the aim of reducing future offending. This requires significant effort and dedication by offenders, and it is essential that they are prepared to submit to the process.

In Rockhampton, a Murri Court is held once a month, one afternoon for Adults. Murri Youth are now dealt with each Monday afternoon during Children's Court. Murri Court sits in a regular Courtroom with the Magistrate (robed at the request of the Elders) accompanied by an Elder. Written reports are requested from the Community Corrections Office and Community Justice Group, following referral. There are separate Community Justice Groups for Adults and Youth in Rockhampton.

The Community Justice Group members are drawn from the local community (usually by way of nomination or invitation) and have undergone an extensive training program, which was designed by the then Co-ordinator of the Adult Group, Carolyn Willie. The Fitzroy Basin Elders Committee, a volunteer organisation of Elders of the Aboriginal, Torres Strait Islander and Australian South Sea Islander communities, are involved in many community projects and initiatives. The Community Corrections Office, a branch of the Department of Corrections, contributes to the operation of the Court significantly, not only in the preparation of presentence reports but more significantly in the supervision of community based orders.

The positive interaction between the Community Justice Group and Community Corrections, coupled with the dedication in time by both organisations to Murri Court, is integral to the success of the process and a credit to the Departments and organisations involved.

Reports received by the Court address an offender's background, personal situation, and attitude to offending; the impact of the offending on the community; and the availability of programs and their appropriateness for use in sentencing orders. When an offender is from another community, the Justice Group liaises with the Justice Group from that offender's community in relation to the report. The Elders or Community Justice Group may decline to assist an offender for reasons such as conflict of interest, threatening behaviour of offender, among others.

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On the Court day, the Elders and Community Justice Group meet with the offender and their family (if appropriate). The Elders speak frankly about the offending behaviour and an offender's personal circumstances. The ethos of the interactions between the Elders, Community Justice Group and offender is to strongly condemn the offending behaviour and to inform the offender of its effect, whilst encouraging the offender to take up the support of the Indigenous community organisations in order to rehabilitate themselves and make redress to the community for their behaviour.

A representative of the Elders organisation sits on the Bench with the Magistrate. The Elder addresses the offender in a public setting, emphasising the community's concerns and the offender's responsibilities for reparation and rehabilitation. This is a powerful part of the proceeding, and there are usually 4-6 other Elders who observe the process, sitting in the well of the Court. There is a discernible atmosphere of seriousness when the Elders are present. Other interested persons and members of the public sit in the public gallery.

After consideration of all of the material presented and submissions made, the sentencing decision is taken by the Magistrate alone, and this is made quite clear to the offender and his/her family to protect the Elders from any potential backlash.

Orders, particularly Probation Orders and Intensive Correction Orders, include conditions such as required meetings with members of the Community Justice Group or Elders; attendance at counselling or programs to address domestic and family violence, alcohol, or drug abuse; attendance at Indigenous Men's Groups or other support groups; and Community Corrections courses or programs, among others. The extent of compliance required represents significant punishment and deterrence whilst offering rehabilitation opportunities.

The victim has a voice and the insight and acceptance of responsibility of the offender is sought in the process in order to frame effective orders. Openness and conversation are encouraged in all participants in order to ensure that the message people are imparting and not just their words are heard.

***The Importance of Communication***

Communication is an integral component of the ethos of Murri Court: it is culturally sensitive, more dense and detailed, and it flows in all directions. Everyone takes a part. No one person or group has all of the wisdom or knowledge, and each depends on the other for a just outcome. Murri Court focuses on open communication flowing in all directions to improve the information which is provided to the Court but also accepting and receiving the wisdom and experience of the Elders and the contextual information from the community through the Community Justice Group.

The Elders and Community Justice Group are primarily the providers of holistic information on indigenous offenders and the impact of the offending on the community for the assistance of the sentencing Magistrate.

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Community based orders imposed in Murri Court are intensively focused toward the end result of rehabilitation of the offender under the watchful eye, and with the support, of indigenous community leaders and through the use of indigenous service providers. The orders attempt to provide offenders the opportunity to rectify the underlying causes leading them to offending.

And so, when an Elder of an Indigenous community can say to a defendant, “I know you and you know me”,<sup>9</sup> a connection with the defendant is re-forged or reinforced and general trust held in the Elder, by virtue of their respected position in the community, becomes personal. The connection also invokes thoughts of those people that the Elder and defendant have in common and indirectly brings their views to the issue at hand - the wayward behaviour of the defendant. Often, when addressing offenders, the Elders speak of the “old people” (ancestors) and what they would have done or seen done to an offender in the “old days”. This always strikes a chord with offenders – even the toughest.

Offenders are effectively told by members of their community, “we will walk beside you”, “we will face this journey [to rehabilitation] with you” which lets the offender know that they are worthy of the support of their Elders, that their families are considered important to preserve and that they have a responsibility to those around them to behave in a certain way. The combination of the pressure of knowing that the community is paying attention to on-going behaviour and the encompassing support for rehabilitative and growing efforts on the defendant’s part cannot be underestimated in their potency.

***Not customary law***

The Court, as with many other indigenous sentencing practices, does not incorporate customary laws as such, however it does acknowledge one of the basic tenets of traditional indigenous community values, that is, the authority of and respect for the Elders of the community. In moderating the procedures of Courts in the sentencing process, an aim is to honour some important tenets of Indigenous custom. The process requires significant commitment for offenders to change their behaviour.

Whilst some customary actions such as banishments from the community (or other areas and places), apologies, and reparation may be taken into account, it is the involvement of the Elders which gives the process such strength and vitality. Their wisdom and knowledge are a constant inspiration. The pride of the Elders in their efforts to assist the community via the Court and the support of Indigenous community organisations is palpable.

The acknowledgment in a public forum of the Elders’ authority and wisdom and their role as moral guardians of the indigenous community by the Court honours traditional respect for the role of the Elders. The Elders mean business, and they make it quite clear to an offender that he/she must honour their responsibilities for the community support to be available.

### ***A New Approach or Special Treatment?***

Given the serious problem that Murri Court sought to address, the continuation of the role those issues play in the dysfunction of some indigenous families and communities, the costs to the community at large and the apparent practical difficulties of the criminal justice system to address those issues, it was quite clear that a new approach was needed.

One aim of Murri Court is to improve offenders' understandings of the proceedings and their obligations under any resulting orders. A better understanding of what happened in Court, including the conditions of the orders, helps offenders to complete orders with a more positive attitude (when they feel they have been dealt with fairly) and with a greater chance of success (when they know what they are required to do); and this leads to a decrease in breaches of orders and the likelihood of terms of imprisonment on re-sentencing. The co-operation of the indigenous community organisations with the criminal justice system through the Magistrates Court represents a holistic, practical, and positive approach to a historically difficult problem.

The general consensus from offenders is that the process is not a soft option. They often feel confronted by the intensiveness of the process, the public nature of the disapproval of the community expressed by the Elders and others, and the extent of rehabilitation efforts expected under the community based orders. Compliance with supervision from the various organisations (Elders, Community Justice Group and Community Corrections), and participation in counselling and perpetrator programs requires continuing commitment. Certainly offenders are disabused of any notion they may have held coming into the process that it was an easier option than regular court.

In that context it can be seen that the process is not special treatment but a more appropriate method of addressing the real issues of these offenders. It could be argued that indigenous people are less likely or skilled at accessing such assistance in the community than some other sections of the community. In this process, the Court brings the offenders and the programs needed together in a punishment/rehabilitative setting when the reality is that the offender may never otherwise participate in such programs and therefore never address the issues underlying their offending. Of course, Murri Court only provides them the opportunity of taking advantage of that process, the rest is up to them.

### ***What are the results?***

Murri Court sits comfortably and in a sustainable fashion, albeit in limited locations around Queensland, within the existing criminal justice system. Preliminary informal evaluative information regarding outcomes of the approach indicates that recidivism is being reduced or moderated, particularly in relation to the severity of offending. The involvement of the indigenous community - the Elders, Community Justice Group members and community organisations and service providers - has engendered an inclusive atmosphere of mutual respect and confidence in the justice process. The presentation of prescient cultural information to the Court and the re-integration of the

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offender into the community through personal and significant interaction with respected persons have proved to be important factors in the process. The indigenous community is heavily involved in the supervision and rehabilitation of offenders in a culturally appropriate fashion following the sentencing process.

There are broad advantages of the indigenous community engaging in the criminal justice system.

*Legal Integrity*

The system operates under the Penalties and Sentences Act and general sentencing principles are followed. Consequently, legal integrity is maintained. In particular, while the focus is to attempt to divert appropriate offenders from prison through the receipt of fulsome cultural information and tailored community based orders, offenders who, by all legal imperatives should go to prison actually do. In those cases, it is hoped that the contact the offender has with the Elders and Community Justice Group may still have a beneficial effect on the offender and follow up from them during and after the prison term is sometimes possible.

On initial indications (an unofficial review of information in Rockhampton), Community Based orders are thought to be more effective in reducing recidivism for indictable and violent offending. Probation orders diverted 71.8% of offenders on those orders from major re-offending, Intensive Correction Orders (terms of imprisonment served in the community under supervision and with an element of community service) diverted 100% and Imprisonment diverted only 41.6%. The highest rate of re-offending for indictable and violent offending was seen in those offenders sentenced to imprisonment. A formal evaluation is taking place over three years (2007-2010) will show State-wide trends in results in due course.

In order to assess the viability of indigenous sentencing practices on a financial basis, the issue of the cost of supervising offenders in community compared to prison should be considered. The average daily indigenous prisoner population in Queensland is 1,285 representing 24 % of the total prison population, with an imprisonment rate of 1647.2 per 100,000 adults (compared with 177.2 for all prisoners). The cost of incarceration per prisoner per day is \$133.50 for Open Security and \$147.60 for Secure Custody. Community Supervision by comparison is much less costly. The average daily indigenous community supervision population in Queensland is 1,946 representing 17% of the total supervision population. The Indigenous population supervision rate is 2,494.5 per 100,000 (compared with 384 total supervision population). The cost of community supervision per offender per day is \$8.00.<sup>10</sup>

Over the period that Murri Court has operated in Rockhampton, Probation Orders have been considered important, in large part because offenders respond to the opportunity for effective rehabilitation. In recent times, the offender base has increasingly been drawn from a high offending group. As a consequence, re-offending rates have fluctuated over time, but the results continue to be encouraging.

*Benefits for Sentencing Magistrate*

Through working within the frame of reference of the people using the Court and establishing the social context of the offending, the Court process can become more meaningful and understandable to the participants and can potentially avoid unintentional miscarriages of justice. For example, an offender recently appeared before the Rockhampton Murri Court on a range of serious driving offences committed over a short period of time, with a Dangerous Operation charge being the most serious. From the facts alleged by Police, the most serious view would have been taken of the offending and a term of imprisonment was likely. However, the information unearthed through the reports the Court received as part of the Murri Court process revealed that due to nine deaths in his close family in a short period of time led the offender to desperate measures culminating in the Dangerous Operation which was really a suicide attempt where he sped and drove into a tree. He had, since being charged, used the contacts he forged in the indigenous community as part of the healing process, to commence significantly to rehabilitate himself including gaining employment. A substantially weighted Intensive Correction Order ( a community based order for imprisonment) was imposed.

*Community Building Benefits*

There have been beneficial spin-offs from the collaboration of organisations in the local community. There is substantial support for the Murri Court process from many indigenous community service providers and their involvement is integral to the operation of the Court's orders.

A number of community organisations have dovetailed programs or developed new programs or services in response to the needs identified by the Murri Court process and its participants. The cross-referrals between services have also increased. The combination and more efficient use of community services continues to create stronger community organisations and promotes a more integrated approach to the resolution of community and individual problems. The benefit of the increase in feelings of "community" amongst organisations and their participants cannot be underestimated.

The Elders and members of the Community Justice Group report a feeling of inclusion in the criminal justice system and an improvement in the nature of the interactions with and attitudes of staff in the Court House and associated organisations. This shows that real reconciliation can flow from creating an atmosphere which brings all people together from which they can appreciate points of similarity through working with a common purpose.

Further, one time offenders are becoming useful members of the community. One man who appeared before the Court for a disqualified driving matter where he was facing a mandatory term of imprisonment under the legislation due to his traffic history had a wife and young family of three sons. He had a significant problem with alcohol. He was placed on an Intensive Correction Order, a term of imprisonment to be serviced in the community with community service and supervision components. He successfully completed the ICO. He has been working with the Elders and other

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community organisations as a volunteer in the meantime. He is “off the grog” and his family is flourishing.

A woman who appeared before the Court at a time when she was in a very violent relationship and coped with her situation by drinking (and consequently getting into trouble) has since left the relationship and built a new life. The support offered to her through Murri Court may well have assisted her in this regard. She has gone on to become an office bearer of a Committee related to her daughter’s schooling. The pride with which she reports this fact and her obvious delight in participating in the community in this way is testament to the turn around she has achieved in her life and the positive impact she can have on her children as a result.

It is through these means that Murri Court is meeting the needs of Indigenous Australians.

***Challenges for the Future***

The Indigenous Sentencing initiatives which have been forged in the Magistrates and Local Courts around the country need to be expanded in order to ensure that there is equity in access to the law delivered in this manner to all indigenous people who wish to participate in such processes. There are many areas where there is substantial need in the indigenous community regarding the criminal justice system – need in understanding the court process in situations where there are few interpretation services and English is not the primary language of the people accessing the Court and need for the availability of programs and treatment options in the community to facilitate culturally appropriate non-custodial orders to name only two issues.

Significant funding input will be required as evidenced in Victoria’s approach to Koori Courts to ensure sustainability of the process, particularly regarding the reliance on goodwill and limited funding opportunities of indigenous community organisations on long term basis.

***Conclusion***

Whilst the current processes vary around the country and represent a coal face approach to fulfilling a need, the efforts have nonetheless been a significant move forward to delivering indigenous criminal justice outcomes to the community as a whole. The interest, enthusiasm and dedication that the availability of such a process has generated in the indigenous community is becoming a groundswell in Queensland and communities around the state who do not have access to Murri Court currently are commencing to work in collaboration with the Court with a view to developing the process in their community. A great sign for the future.

### **Acknowledgements**

This paper expresses my personal thoughts which are not to be taken as anything more than my observations drawn from my own experience and from extensive reading and yarning on the issues. I acknowledge and appreciate the wisdom and sharing of the members of the Fitzroy Basin Elders Committee and the members of the Community Justice Groups and indigenous community organisations in Rockhampton who have given the court process and me so much over the last 6 years.

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7. *R v. Morin* (1995) 4 CNLR 37 at 86, 69, cited in L MacNamara, “Indigenous Community Participation in the Sentencing of Criminal Offenders: Circle Sentencing”, *Indigenous Law Bulletin*, 2000, 29.
8. See reference 2 – page 2
9. The legal concept of Conflict of Interest needs to be taken into account in relation to Elders and Community Members being involved in the criminal justice process. In the event that personal connection would lead to bias, participants are encouraged to identify that issue and stand down in favour of a colleague.
10. Department of Community Corrections, Rockhampton