



Aboriginal & Torres Strait Islander Corporation ABN: 30855652386

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Townsville Community Justice Group response to the *'Townsville's Voice: Local Solutions to Address Youth Crime'* report.

Indigenous Youth Murri Court

- 1.0 The Townsville Community Justice Group (TCJG) in consultation with the Aboriginal and Torres Strait Island community and broader community of Townsville, want to see the introduction of an Indigenous Youth Murri Court (IYMC) in the Townsville district for a two-year trial in line with recommendation 15 of the *'Townsville's Voice: Local Solutions to Address Youth Crime'* report to address the high incidence of Indigenous youth crime.
 - 1.1 The TCJG argue that this court would be most effective as it is the meeting of traditional LORE and Qld LAW, with a panel of two Indigenous Justices of the Peace hearing the matters supported by two Indigenous Elders and including the Police Prosecution, the young offender's legal representative and the young offender's parent / family.
 - 1.2 The current processes of the existing adult and youth Murri Courts is sufficient to support and manage the proposed IYMC including all forms, reports, evaluation process etc.
 - 1.3 The TCJG believe that the proposed IYMC would best suit entry level youth offenders who are attending court for minor offences, summary offences, and youth offenders that both the police and/or youth lawyer believe will benefit from the IYMC program.
 - 1.4 This model of IYMC would also strengthen the *'Townsville's Voice: Local Solutions to Address Youth Crime'* recommendations 3- Support parents, 8- Support school attendance, and 13- Strengthen mentor programs of the report.
 - 1.5 The IYMC model supports the outcomes of the 'Working together and changing the story' Youth Justice Strategy 2019–2023.
 - 1.6 The aim of the IYMC is to make suitable orders for the young offender to attend and engage in appropriate programs including Youth Justice Restorative Justice program, school-based programs etc, and to encourage parents to attend relevant parenting programs with progress reports given to the court to track the young offenders progress. This will be done in an effective culturally sensitive model.
 - 1.7 Should the young offender decide not to engage with the programs, they would be returned to the higher court.
 - 1.8 The offender would be sentenced by the IYMC on successful completion of the ordered programs.

2.0 Community Support.

- 2.1 The TCJG has presented the IYMC model to community groups and agencies and received enthusiastic support as part of the broader solution to youth crime in Townsville.
- 2.2 The proposed IYMC model has in principle support from the Aboriginal & Torres Strait Island Legal Service, Nth Qld Legal Aid, Townsville Police Prosecutions, Magistrates Court Senior Registrar, Townsville Youth Justice and most importantly, the broader Indigenous and non-Indigenous community.

3.0 Impediments.

- 3.1 TCJG currently have Justices of the Peace (Qualified) but would require upgrading to Justice of the Peace (Magistrates Court). This would only be a short upgrade program taking one or two days to complete, with current Townsville DJAG CIP staff qualified to run the short program.
- 3.2 The proposed IYMC and JP upgrade can only take place in specially zoned Indigenous remote communities. However, we feel that either the Palm Island Remote Zone as a close neighbour of Townsville, could be extended temporarily for the two-year trial and evaluation period or an exemption of the necessary boundary for the period of a two-year trial.
- 3.3 The current Justices of the Peace and Commissioners for Declarations Act 1991 does not allow two JPs to hear youth matters. However, this could be exempted for the period of the trial.
- 3.4 A twice a month vacancy has been found in the QCAT Courtroom 6 Level D of the Townsville courthouse which would be suitable for the IYMC.

In summary, the TCJG and the Townsville community view the establishment of an IYMC as a matter of urgency and an integral part of the wholistic answer to the youth crime problem in Townsville. We need a court system that brings together Indigenous Lore and Queensland Law, and encourages Indigenous self-determination and accountability. The training required is minor, the costs are negligible, we have the personnel including court Elders and Justices of the Peace available and we have sourced a vacant courtroom. This is only a matter of political will.

We are ready to go!

Yours faithfully



Karl McKenzie
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The Worst Injustice is Token Justice