

Youth Justice Reform Select Committee inquiry into youth justice reform in Queensland

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Title: Addressing Challenges and Aspirations: Transforming the Role of Murri Magistrates in Indigenous Justice Reform

Introduction:

In the current situation, when young individuals are apprehended by the police, they are entered into the justice system. However, the outcomes of this process seem to miss the mark. For instance, when they are placed in a detention centre, it feels more like a reward than a consequence. Particularly within our community, these facilities offer amenities such as three-square meals a day, a comfortable bed, and unrestricted access to leisure activities like gaming on Xbox, which can surpass their home environments. This stark contrast often leads to a perception that breaking the law results in an upgrade in lifestyle rather than facing the consequences. Consequently, the lack of genuine repercussions fails to instil a sense of accountability for their actions.

Failure:

Currently, children often mimic what they observe at home, including normalized domestic violence, which perpetuates harmful beliefs. It's imperative to communicate to our youth that such behaviour is unacceptable. Unfortunately, many in our community view Murri court solely as a means to avoid imprisonment rather than a genuine path to rehabilitation. Additionally, the efficacy of mandated programs like anger management courses is questionable, often treated as a mere formality with minimal impact on behaviour. This approach must evolve beyond checkbox compliance to foster meaningful change.

Solution:

The justice system must involve families, particularly parents, in the process. A crucial initial step is to enlist positive Elder role models to mentor the children within a structured learning system, mandating the acquisition of both cultural heritage and language learning. This initiative would significantly contribute to enhancing our community's well-being because the children will become proud of who they are and where they come from.

Failure:

For instance, when a group of children vandalizes a building by breaking windows and splattering paint, they rely on the assumption that someone else will restore it magically. However, this lack of accountability perpetuates a cycle of irresponsible behaviour. The absence of consequences fails to instil an understanding of cause and effect, allowing these actions to continue unchecked.

Solution:

However, if these children are compelled to clean up the mess they made, involving their families in the process, it establishes an early understanding of cause and effect. This proactive approach emphasizes accountability and responsibility from a young age, laying the groundwork for positive

behavioural patterns and community involvement. By involving families and teaching children the consequences of their actions, we can break the cycle of vandalism and foster a sense of responsibility within our community.

Murri Court Reform:

"I feel constrained as a Murri magistrate because my actions are limited to working within the boundaries of government regulations. It's frustrating because I can only address surface-level issues, which often feel inadequate. We aspire to have comprehensive authority to enact meaningful change and make a real difference in our community."

"Currently, the Murri Court faces an unexpected challenge where proceedings cannot proceed without the presence of a white magistrate. Our goal is to ensure that the entire court is administered and managed by First Nations People. For example, all Murri Magistrates should possess extensive qualifications and also serve as Justices of the Peace (JP). They would be supported by an Aboriginal assistant who resides in the community. Additionally, there should be a Police Liaison Officer (PLO) who is Indigenous, representing the police force, along with representatives from the Aboriginal Legal Service. This arrangement would actively involve and represent local Murri community members throughout the court proceedings."

"We require the authority to take action. For instance, there are currently no laws addressing chroming, yet it's evident that much of the damage and illegal activity is carried out by youths under its influence. Presently, individuals can engage in chroming in front of law enforcement with no repercussions, unlike alcohol-related offenses. This gap in legislation allows youths to circumvent the law initially, contributing to ongoing issues."

"I recently read an enlightening article by the Chief Justice of the Northern Territory, where he candidly shared his exhaustion and shame when confronted with Aboriginal individuals in Alice Springs who struggle with English and legal comprehension, often without representation. Consequently, they may unknowingly accept imprisonment without grasping the full implications. Sadly, this scenario also unfolds here, where children not only lack English proficiency needed for court but may also harbor unrecognized disabilities, surfaced only after incarceration. This highlights the pressing need for Murri Magistrates to wield full autonomy, ensuring genuine justice. Perpetrators must not only be held accountable but also participate in mandatory education encompassing both English proficiency and our cultural heritage."

Summary:

In conclusion, the challenges faced by Murri Magistrates underscore the urgent need for Indigenous-led justice reform. These challenges include the limited efficacy of current programs, the necessity for greater autonomy within the Murri Court system, and the imperative for legislative reform to address systemic issues such as inadequate representation and the absence of laws addressing specific offenses. By involving families, enlisting positive role models, and implementing mandatory education, we can break the cycle of crime and foster a sense of responsibility within our community, ultimately striving for genuine justice and equitable representation for Indigenous peoples.