

TRANSCRIPT OF A SPEECH DELIVERED BY JUDGE MICHAEL FORDE AT
THE GREAT ABORIGINAL DEBATES
26th October 2005 Nundah

MS McBride: Now what we'll do before I introduce our last speaker Judge Michael Forde. When we are going to do the questions I'll ask the panel members - there's actually a mike there we can unravel it, so we can move it around to the speakers. Right.

Judge Michael Forde was appointed to the District Court of Queensland in 1995. During his 20 years as a barrister Judge Forde represented Indigenous people in relation to both criminal and civil matters. Part of Judge Forde's work now involves travelling to remote indigenous communities in the Gulf of Carpentaria to hold a circuit court to where he confronts alcohol and domestic violence in the 80% of the cases. In 2004 Judge Forde received a special commendation from the Australian Institute of Judicial Administration for his work in assisting Aboriginal and Torres Strait Islanders in the justice system by his contribution to the development of training programs and guidelines for community justice groups. If you'll welcome Judge Michael Forde. Thankyou

JUDGE FORDE: Thankyou Linda, I'd like to acknowledge the traditional owners of the land. For a moment there I thought Linda and I might have gone to school together in grade one at Zillmere, because I went there in 1955 but I did some arithmetic earlier after you spoke and we missed each other by a few years.

Tonight I want to talk in a positive way about what's happening in the communities. In today's Australian Noel Pearson was quoted as saying that "Indigenous policy had traditionally targeted the most obvious sought of disadvantage in the aboriginal community – lack of income".

Lack of income is related to lack of education for indigenous children. When you arrived tonight some of you may have heard the rap music being played as background music. That music is from the young people in Mornington who gave it to me last week. And one of the lyrics in the tune that is sung by them is a refrain about Mornington Island children to be proud and to be strong. That particular attitude is something that is more recent.

Last week both in Mornington and Doomadgee I spoke to children from grade one through to grade ten about achieving their goals and having goals and having dreams. And their first goal should be to try to get to school everyday. I gave books to some of the outstanding students on books on biographies (Kathy Freeman and Steve Renouf). And I spoke about those persons achieving their dreams. Hopefully it is a small step for those children who are achieving and retaining their culture and taking on music as part of their culture and doing it a positive way.

Last December I spoke to a group of leaders from the Community Justice Groups in Brisbane and I spoke about the cost of putting indigenous people in prison. In the gulf circuit in 2003 I took an audit of how much it would cost government if all of the orders I made were put on a costing basis and the potential was two million dollars

after a circuit. I subsequently sent reports to the ombudsman and the relevant ministers to say that if \$500,000 was spent on preventative measures that is on going support to deal with problems with alcohol and drugs, petrol sniffing and alcohol abuse and domestic violence there would be a significant drop in the number of people who are sent to prison and less suffering for their families. I am pleased to say that having gathered the figures since the introduction of the alcohol management program specifically at Mornington Island in 2002 there were 47 serious violent offences in 2003, 74. After the alcohol management program was introduced in November 2003 the number dropped to 21. In 2005 the number is 23. That drop of some 50 very violent offences both domestic situation and otherwise (usually domestic) has consequences in a positive way for the children of those relationships and for the parties that are involved.

In the "Australian" on Saturday there was a photograph of the smiling children at Mornington and one of the ladies up there Jenny Suiter who is doing a lot of good work through the international aid agency Oxfam. They are taking the young children out on programs into the bush to teach them art, teach them about their culture, teach them about health and physical and emotional wellbeing thus the rap song 'be proud and be strong' they support each other. Hopefully that program will continue, I note that it is an international aid agency and not a state agency that is doing the work.

The role of Community Justice Groups in the communities that I visit is important. At the same gathering last December, I said this about the Community Justice Groups, that if the justice groups are to be more effective there must be more professional support for their activities that must be in the form of counsellors, ongoing treatment for those with drug and alcohol problems and counselling for those involved in domestic violence, because 90% of the cases that I deal with and have done in the last four years in the communities are related to alcohol and in the domestics environment. The problems can only be resolved if indigenous people are involved in programs supporting indigenous people which is being done by Jenny Suiter on Mornington Island. This is really a template for the communities to adopt throughout Australia. The problems exist in the Northern Territory, Western Australia and Queensland. Hopefully through that particular project there will be a positive change.

I listened with some interest to the speakers in turn tonight in relation to, for example the deaths in custody. I acted during that inquiry for the family of an indigenous lady who was killed in custody - she was killed by another indigenous lady. The police put them together when they shouldn't have there was bad feeling between them and it was a tragedy for the family because the police didn't on that occasion as the commissioner found do their duty and recognise the problem. What will happen in the future hopefully is there are positive signs this particular photo has the heading "A New Dawn for Islands Lost use" I hope it's a new dawn for the youth of Australia and indigenous communities.

MS McBride: Thankyou Michael. And I guess in saying 'be proud be strong' that would be on national kind of philosophy that we could all pick up on. And I think that just before I open it up for questions another solution is of course more indigenous solicitors, barristers and judges. in last week we had one of our indigenous judges here Zach Sara – was here last week. So that was also a treat for us last week and again this week. So thankyou Michael.