

Address to the Community Justice Group Forum 22 June 2007 Cairns Colonial Club

Introduction

1. I wish to thank you for your invitation to address you this morning. I particularly thank the traditional landowners who are our hosts.
2. For some years now I have been visiting the communities in Doomadgee and Mornington Island, and I am familiar with the problems the justice groups face in the more remote areas. When the justice groups were set up originally, they received no training. In February, 2003 I gave the first seminar in Mt. Isa to help the members of the justice groups understand their role in the justice system and also to learn from them more about the communities which I visited.
3. This Forum is a continuation of that initial training, and is a recognition by government of the important role to be played by the justice groups.

Importance of justice groups

4.. Before 2002 judges did not visit those communities. Persons who had committed offences were brought to Mt Isa for their trial or sentencing. When I visited Mornington or

Doomadgee, and met the justice groups, it emphasised to me the importance of the justice groups in the justice system. It meant that members of the communities could be part of the sentencing process, that judges would be better informed. Also, it gave the members of the justice groups some significance and importance in their own communities by way of counselling people, being involved sometimes in community service orders and probation and being able to provide information which defence counsel would not know about. The justice groups would make their submissions in court and a better appreciation of the personal details of persons appearing would be gained.

Problems

5. Unfortunately, the justice groups are often given too many tasks and not enough training. It is very difficult to live in a community and try to get proper training to enable members of the justice groups to do their job properly. Learning to counsel someone on alcohol abuse is very difficult when that person is a chronic alcoholic or is not interested in help. Drug abuse and petrol sniffing are related problems. They require special training and ongoing supervision which the justice group may not have the experience, back up or resources to provide. It is a very draining experience. People get burnt out.

6. The justice groups have been burdened with too many jobs to do, in my view. There is a need to send members of justice groups away for proper training at either TAFE colleges or courses where counselling techniques involving alcoholic and drug issues can be taught. How many of you have learnt those skills? There are other areas which are more sensitive such as child abuse and the need for carers who can deal with children who have been abused and who need help - help which may not be readily available in the remote communities.
7. Sometimes a member of the justice group will say – enough is enough. I am not qualified to continue in the job. It is too much. In that situation, there should be counselling available for that person who may need to be supported and perhaps taught how to deal with stress. A course in mediation may help. There is a need in every community to build up these human resources so that the work is not just being done by a handful of willing workers. The same people being given more jobs to do.

Domestic violence

8. I know that domestic violence is a problem in society, not just in the communities. There is a need to have permanent counsellors in each community who can deal with problems in the family. Anger management courses could be run in the communities by indigenous people if

they are properly trained. When one sees a person up on their third or fourth assault occasioning bodily harm or even worse grievous bodily harm, the question arises: what help was available after the first sign of violence? The parties get back together but the violence continues. They might care for each other but there are triggers which set off the violence such as excessive alcohol, unwillingness to work around the home, jealousy or just loss of patience. If the symptoms could be treated, there would be less violence. Remember, it is the children who will suffer in the long term. They will miss days from school or believe that violence is an ordinary part of their lives.

Conclusion

9. I hope that this Forum is another step forward. I hope that next year I am told by the justice group that there is no need to come up to Mornington or Doomadgee as there is no work for me. I hope that there will be adequate resources provided to allow the community justice groups to be properly equipped to handle the problems which arise in their communities.

Judge Michael Forde

22 June 2007