



AIJA INDIGENOUS COURTS CONFERENCE



Photo: Ilana Rose

5-7 AUGUST 2009

Robert Swarten Pavilion, Exhibition Road, Rockhampton

PLEASE NOTE: To access Conference papers, please click highlighted speaker's name in the conference programme below

PROGRAMME

The Conference has several important features, namely:

- To focus on courts with specific procedures for dealing with Indigenous offenders throughout Australia, New Zealand and elsewhere;
- To involve Indigenous Elders, members of Indigenous communities, judicial officers and court administrators who sit on, or are involved in, Indigenous courts;
- To provide an opportunity for an exchange of information, experiences and views about the operation of specialist Indigenous courts;
- To provide a forum for the publication and dissemination of the results of research into the effectiveness of such courts so as to encourage the conduct of such research in the period before the conference;
- To consider issues relevant to Indigenous children and the courts;
- To provide a forum for Aboriginal legal and liaison officers; and
- To place restorative justice and adult conferencing in an Indigenous Courts context.

Dress: Smart casual for all sessions and functions



CENTRAL
QUEENSLAND LAW
ASSOCIATION



DISCLAIMER

This publication has been prepared for the clients and conference participants of the Australasian Institute of Judicial Administration (AIJA) Indigenous Courts Conference. No responsibility for any loss occasioned to any person acting on or refraining from action as a result of material in this publication is accepted by AIJA. The contents of this publication are correct at time of printing; however AIJA reserves the right to make changes as it sees fit. © AIJA 2009

The support of Gibney & Gunson lawyers in funding the attendance of Ms Kirsty Sword Gusmao pursuant to its distinguished speakers program is acknowledged.

WEDNESDAY 5 AUGUST 2009

Registration desk open from 9.00am–4.30pm at Robert Schwarten Pavilion

Reception - To be hosted by the Mayor of Rockhampton, Mr Brad Carter and the Central Queensland Law Association

Venue: The Platform, Archer Park Station & Steam Tram Museum, Denison Street (between Cambridge & Archer Streets backing onto the Northern rail line), Rockhampton

Time: 6.30pm - 8.00pm

Special instructions: Please collect your name badge and satchel from the registration desk before 4.30pm at Robert Schwarten Pavilion before making your way to the Reception. This program is restricted to those who booked to attend.

THURSDAY 6 AUGUST 2009

Registration/help desk opens at 7.30am

9.00am **Welcome and Keynote Addresses**

WELCOME TO COUNTRY **Aunty Nyoka Hatfield**, Darumbal Elder, Rockhampton, Queensland

WELCOME BY AIJA **The Hon Justice Christine Wheeler**, AIJA President

Keynote Speakers: **Mr Nathan Jarro**, Barrister at Law, Brisbane, Queensland
Mr Tim Goodwin, Associate, Federal Court of Australia, Melbourne, Victoria

Convenor: **Magistrate Annette Hennessy**, Rockhampton, Queensland and Convenor of the Indigenous Courts Conference Committee

10.30am **Morning Tea**

11.00am - 11.10am **OFFICIAL OPENING**
Her Excellency Ms Quentin Bryce AC
Governor-General of the Commonwealth of Australia

11.15am - 12.45pm

The Role of Elders and Other Indigenous Representatives

This session is designed to involve Respected Persons from the Indigenous community and to provide them with an opportunity to discuss issues of relevance to them and problems which they have encountered in their work in Indigenous Courts.

Convenors: **Mr Dean Edmund**, Darumbal Elder
Ms Carolyn Willie, Murri Court Coordinator, Rockhampton Magistrates' Court, Queensland
Mr Harold Fatnowna, Field Officer, Aboriginal Legal Service, Queensland

12.45pm **Lunch**

2.00pm - 3.15pm

Rollout of Indigenous Courts to Intermediate and Superior Courts – [PPT Presentation](#)

Convenor: **Professor Greg Reinhardt**, Executive Director, Australasian Institute of Judicial Administration

Speakers: **The Hon Brian Tee MLC**, Parliamentary Secretary for Justice
Ms Rosemary Smith, Project Manager, County Koori Court, Victoria
Magistrate Ann Collins, Magistrates' Court of Victoria
Ms Terri Stewart, Officer, Magistrates' Koori Court, Victoria
Aunty Pam Pederson, Elder, Children's Court of Victoria

Judge David Parsons, County Court of Victoria
Uncle Lloyd Hood, Elder, County Koori Court, Victoria
Auntie Margaret Oats, Elder, County Koori Court, Victoria
Ms Carly Shrever, Manager, Projects, Judicial College of Victoria

3.15pm **Afternoon Tea**

3.45pm - 5.00pm

Indigenous Children and the Courts

This session is designed to look at issues concerning the care and protection of Indigenous children in various jurisdictions but particularly in Childrens' Courts and in the Family Court of Australia

Convenor: **The Hon Justice Michelle May**, Family Court of Australia

Speakers: **Ms Elizabeth Fraser**, Commissioner for Children & Young People and Child Guardian, Queensland

Mr Stephen Ralph, Psychologist, Northern Territory

Mr Bradley Delaney, Senior Aboriginal Programs Officer, Circle Sentencing and Care Circles programs, New South Wales

5.00pm **Close**

7.00pm for 7.30pm **Conference Dinner**

Convenor and Master of Ceremonies:

Professor Boni Robertson, Indigenous Policy, Griffith University, Queensland

Speaker: **Ms Kirsty Sword Gusmao**, Goodwill Ambassador for Education and Chairwoman of the Alola Foundation, Timor-Leste

FRIDAY 7 AUGUST 2009

8.00am Registration/help desk

9.00am **OPENING**

9.00am - 10.30am

Evaluation and Monitoring of Indigenous Courts

This session is designed to look at research conducted to date in relation to the monitoring of Indigenous Courts and work which might be done in the future

Chair: **The Hon Justice Peter Gray**, Federal Court of Australia

Speakers: **Ms Jacqueline Fitzgerald**, Deputy Director, New South Wales Bureau of Crime Statistics and Research

Professor Kathy Daly, School of Criminology and Criminal Justice, Griffith University, Queensland

Ms Alison Vivian, Senior Researcher, Jumbunna Indigenous House of Learning, University of Technology, Sydney

Mr Bradley Mitchell, Regional Coordinator for Aboriginal Services, Geraldton, Western Australia

Ms Jayne Marshall, A/Evaluation Manager, Office of Crime Statistics and Research, Attorney-General's Department Government of South Australia

Ms Liz West, Program Manager, Aboriginal Programs Unit, Crime Prevention and Community Programs Division, Attorney-General's Department, New South Wales

Ms Jacqueline Joudo Larsen, Research Analyst, Australian Institute of Criminology, Canberra, Australian Capital Territory

10.30am **Morning Tea**

11.00am - 12.30pm

Community Justice Officers and Indigenous Liaison Officers

This session is designed to involve Community Justice Officers and Indigenous Liaison Officers from the Indigenous community and to provide them with an opportunity to discuss issues of relevance to them and problems which they have encountered in their work in Indigenous Courts

Convenors: **Ms Fiona Craigie**, Murri Court (Courts Innovation Program), Brisbane, Queensland
Mr Bradley Mitchell, Regional Coordinator for Aboriginal Services, Geraldton, Western Australia

12.30pm **Lunch**

1.30pm - 2.45pm

Family Violence and Indigenous Courts: Towards best practice

The Panel will raise for discussion the potential benefits, challenges and dilemmas involved in dealing with domestic and family violence matters in Indigenous court processes. Treatment programs and counselling for perpetrators of domestic and family violence whose matters have been dealt with by Indigenous courts seem to have had some positive results; but without adequate research and evaluation to assess their effectiveness what role should they play in justice responses to domestic and family violence?

Convenor: **Magistrate Annette Hennessy**, Rockhampton, Queensland

Panel: **Ms Heather Nancarrow**, Director, Queensland Centre for Domestic and Family Violence Research, CQ University, Mackay

Dr Elena Marchetti, Senior Lecturer and Australian Research Fellow, Griffith Law School, Griffith University Queensland

Magistrate Bevan Manthey, Cleveland, Queensland

2.45pm **Afternoon Tea**

3.15pm - 4.00pm

An Overseas Perspective

This session is designed to enable contributions to be made by other countries in relation to Indigenous Courts including, the United States of America, Canada, Papua New Guinea and New Zealand

Convenor: **Professor Greg Reinhardt**

Presenters: **The Hon Justice Catherine Davani**, Supreme and National Court of Papua New Guinea

Mr Jimmy Rupa, Chief Interpreter, Supreme and National Court of Papua New Guinea

His Honour Judge Heemi Taumaunu, Gisborne High/District Court, New Zealand

The Hon Justice Joseph W Bovard, Ontario Court of Justice, Canada

4.00pm - 4.30pm

Wrap-up: **Magistrate Jacqui Payne**, Brisbane, Queensland