

OVERVIEW REPORT

ON THE

NATIONAL ABORIGINAL CULTURAL AWARENESS
PROGRAM

1993-2000

CONDUCTED BY

THE AUSTRALIAN INSTITUTE OF JUDICIAL
ADMINISTRATION

Prepared by
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John Williams-Mozley
30 August 1999

EXECUTIVE SUMMARY

This report is the result of an examination of files and course materials held by the Australian Institute of Judicial Administration (AIJA) with respect to its conceptualisation, development and implementation of a national program of Aboriginal cross cultural awareness in response to Recommendation 96 of the Final Report of the Royal Commission into Aboriginal Deaths in Custody.

The fundamental purpose of the report is to provide a consolidated record of the national program through a review of the processes and manner in which each State and Territory pursued the conduct of cross cultural awareness programs within their respective jurisdictions. As such, the report's intent or purpose does not extend to an evaluation of either the national program or individual State or Territory programs.

The report commences with a brief *Introduction* to the nature and significance of the Royal Commission into Aboriginal Deaths in Custody. Next, an *Overview* comprising a chronology of events from early 1992, when the AIJA Council unanimously agreed to assist in the implementation of Recommendation 96, to the conduct of a Seminal Meeting in Melbourne to develop the foundation for a national program and finally, to the current position regarding the conduct of Aboriginal cross cultural awareness in each State and Territory.

Subsequent to the *Overview*, the report provides a *Synopsis* of all programs that have been conducted under the auspices of the National Aboriginal Cultural Awareness Program. In doing so, the following matters are addressed:

- an outline of the program delivered;
- a list of facilitators and presenters; and
- the composition of the respective State or Territory AIJA Aboriginal Cultural Awareness Sub-Committee; and

In *Conclusion*, the report offers suggestions about "best practice" in terms of the development and delivery of Aboriginal cross cultural awareness programs for judicial officers.

It is hoped that this report will be viewed as an invaluable reference to those who have participated in the past and also for those who wish to participate in the future.

Two Way Learning: Process & Protocols for the Implementation of Aboriginal Cultural Awareness Programs

Introduction

In October 1987, a Royal Commission into Aboriginal Deaths in Custody was established jointly by the Commonwealth, the States and the Northern Territory to inquire into the deaths of 99 Aboriginal and Torres Strait Islander people who had died in custody between 1 January 1980 and 31 May 1989. The Commission was tasked to examine not only the deaths and the related actions taken by authorities, but also any relevant social, cultural and legal underlying issues relating to deaths in custody of Indigenous people in this country. As a result of this particular approach, the Commission's Final Report constitutes the most comprehensive official account ever compiled of the disparity of Indigenous peoples' situation in comparison to the broader Australian society (ATSIC, 1997).

At its conclusion in April 1991, the Commission delivered a set of 339 Recommendations to government which traversed the jurisdictional systems as well as related societal and historical factors. Sets of recommendations address areas including:

- post death investigations
- statistical and research information on indigenous deaths in custody
- diversion from police custody
- imprisonment as a last resort
- custodial health and safety
- prison custody
- relations with police and the criminal justice system; and
- young indigenous persons and the juvenile justice system

Specific to the judiciary was Recommendation 96 which states:

“That judicial officers and persons who work in the court service and in the probation and parole services whose duties bring them into contact with Aboriginal people be encouraged to participate in an appropriate training and development programme, designed to explain contemporary Aboriginal society, customs and traditions. Such programmes should emphasise the historical and social factors which contribute to the disadvantaged position of many Aboriginal people today and the nature of relations between Aboriginal and non-Aboriginal communities today. The Commission further recommends that such persons should wherever possible, participate in discussion with members of the Aboriginal community in an informal way in order to improve cross-cultural understanding” (Overview Report, 1991).

Subsequently, all States and Territories joined with the Commonwealth in a commitment to formulate a national response for the adoption and implementation of all recommendations and the monitoring of such. As the principal provider of legal policy advice and law enforcement related services, Commonwealth Attorney-General's Department was designated to take lead agency responsibility in the coordination of a national response to

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Recommendation 96. The Department, in turn, approached the AIJA to assist it in the development of an appropriate response to the recommendation.

What follows is a brief account of the Australian Institute of Judicial Administration's activities in respect of the development and implementation of a national response to Recommendation 96.

Overview of the AIJA Aboriginal Cultural Awareness Program

In early 1992, the former Secretary of the Commonwealth Attorney-General's Department, Stephen Skehill, approached the AIJA to discuss how the Institute could assist in the development of a program of Aboriginal cross cultural awareness for the Australian judiciary. At the time, the Department indicated \$50,000 would be made available for this purpose each year for the next five years. Notwithstanding preliminary concerns about the small amount of funding for such a significant undertaking, the AIJA Council agreed unanimously that the Institute should try to assist the Department in developing an appropriate response to Recommendation 96. In this regard, Paul Seaman, a Member of Council at the relevant time, stated:

“it seems to me that the reason for doing so is quite simple. The Royal Commission conducted the most in-depth consideration of the position of Aboriginal people in relation to the justice system which has ever been undertaken. In the light of its report and having regard to the history of our treatment of the Aboriginal people across the last two centuries and their present grossly disproportionate numbers in Australian prisons, the court system cannot ignore the one recommendation which is specifically directed to it” (Seaman, 1993).

Following further detailed discussions between representatives of the Department and the AIJA in early April 1992, a formal agreement was entered into whereby AIJA was to be provided \$50,000 to convene a seminal meeting with appropriate representatives of the Australian judiciary, magistracy and court administrators and nominees of the Aboriginal and Torres Strait Islander Commission. The meeting's specific purpose was to develop a plan of action to deliver cultural awareness programs. Notwithstanding the commitment to assist in the conduct of a seminal meeting, the AIJA expressed reservations about future involvement with Attorney-General's Department until it was provided with evidence that adequate funding would be available for such a complex and diverse undertaking.

During these preliminary negotiations, the Institute's Cultural Awareness Committee was formed with Paul Seaman, (then) Justice of the Western Australian Supreme Court accepting the role of Chairperson. Membership of the Committee included: Professor Peter Sallmann, Executive Director of the AIJA (whose place was later taken by the AIJA's current Deputy Executive Director, Anne Wallace); Justice Sally Brown; Mr Don Doig, the Western Australian Under Secretary for Law; Justice Cathy Branson; and John Williams-Mozley of the Commonwealth Attorney-General's Department.

As part of the discussion on the formation of a National Committee, it was agreed that membership also include two nominees from the Aboriginal and Torres Strait Islander Commission. Following consultations with ATSIC, Alf Bamblett, Commissioner for Legal Aid and Social Justice, and Brett Hill from the same area of ATSIC's Central Office were

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made available to assist the National Committee in advancing plans for the conduct of a seminal meeting.

In subsequent discussions, Commissioner Bamblett and the Chairperson of the National Committee proposed that the cost of judicial officers attending the seminal meeting should be borne by their respective courts. Similarly, ATSIC would be approached to meet the travel costs associated with all Aboriginal and Torres Strait Islander participants' attendance. Further, it was agreed that any savings arising from this arrangement were to be used that financial year to fund a pilot cultural awareness program in Western Australia.

Over the next few months, the National Committee conducted extensive consultations in each jurisdiction to finalise arrangements for the seminal meeting. In doing so, the Committee was mindful of the fact that:

“...as we had no experience of an event of this sort we were careful not to impose any rigid method of proceeding. Hence the program was of an open nature which invited Aboriginal participation and there was no set agenda, but with an eye to efficient progress it was decided that the following fairly direct points should be considered as the meeting progressed:

1. What are the problems for Aboriginal people with Judges and magistrates?
2. What should the message be to the latter?
3. How should it be delivered?
4. Aboriginal presenters
5. Special educators
6. How to put things together regionally
7. Pilot program in WA” (Seaman, 1993).

Having settled on the fundamental framework for the seminal meeting, the National Committee's consultations focused on questions about venue, duration of the seminal meeting, when it would be held and who would be invited to participate. In the end there was unanimous agreement that the seminal meeting would consist of a two day program to be held on the 29th and 30th of November 1992 at the Australian Graduate School of Management, Melbourne. A list of invited judicial officers and ATSIC representatives who attended the seminal meeting follows.

South Australia

Cathy Branson QC, Adelaide
Gary Hiskey, Circuit Magistrate in Pitjantjarra Lands
Sandra Saunders, Director Aboriginal Legal Rights Movement
Alec Wilson, Field Officer, ALRM

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New South Wales

Jim Wood, Justice of the Supreme Court of NSW
David Thompson, Field Officer, Redfern Aboriginal Legal Service

Western Australia

Don Doig, Under Secretary WA Department of Crown Law
David Malcolm, Chief Justice of Western Australia
Paul Seaman, Judge of the Supreme Court of Western Australia
Sue Gordon, Perth Children's Court
Karen Jose, Field Officer, Port Hedland Aboriginal Legal Service
Kevin Kitchener, Solicitor, Port Hedland Aboriginal Legal Service

Queensland

Graeme Neate, Chairperson Land Tribunal
Pattie Lee, Director Mt Isa Aboriginal Legal Service
Andrew Ramsay, Administrator, Mackay & District Aboriginal Legal Service
George Villaflor, Administrator, Tharpuntoo Legal Service, Cairns

Torres Strait Island Community Representative

Phillip Mills

ATSIC Representatives

Alf Bamblett, Commissioner, Legal Aid and Social Justice
Brett Hill, Legal Aid and Social Justice
Yvette Roe Legal Aid and Social Justice

Commonwealth Attorney-General's Department

Peter May, Senior Government Counsel Courts & Tribunals Branch
John Williams-Mozley, Director, Projects Section, Courts & Tribunals Branch
Rosemary Hunt, Research Assistant, Courts & Tribunals Branch

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On their arrival in Melbourne on Friday 28th November, participants were invited to attend an informal dinner at the Graduate School of Management. The specific intent of including a pre-program dinner was to provide an opportunity for judicial officers and Aboriginal and Torres Strait Islander participants to converse with each other in a causal and unstructured environment.

On the morning of **DAY ONE** of the meeting, Paul Seaman and Alf Bamblett approached Wanda Braybook and Anne Bambrook to act as workshop facilitators for participants to develop a response to the question:

“What are the problems for Aboriginal and Torres Strait Islander people with judges and magistrates?”

In doing so, the facilitators established separate workshop groups for judicial officers and Aboriginal and Torres Strait Islander participants. Both groups were then asked to examine the following issues:

- Compile a list of things which **MUST** be in any cross-cultural awareness program for the judiciary.
- Identify how the training should be delivered, by whom and to which personnel in the judiciary.

At the completion of their deliberations, the two groups reported their respective responses to the meeting. Both groups’ responses were integrated into a single presentation that was then developed into the following framework for the delivery of Aboriginal cultural awareness programs:

2. People for whom programs should be prepared

- Supreme Court Judges
- Family Court Judges
- Magistrates
- Children’s Court
- Justices of the Peace
- Court Officers - associates
clerks of court
court orderlies
counter clerks

3. Contents of the programs

(A) General Observations

- The content of each course should reflect local circumstances. Although many topics would be relevant nationally, the same material would not be appropriate for all parts of Australia.

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- The content should be prepared so that it is seen to be relevant to the work of the courts - either the judges and magistrates or court officers.
- The content may need to be modified depending on the audience. Some material which is of practical benefit to magistrates may not be relevant to Supreme Court Judges.

(B) Main Topics

Who are Aboriginal people/Torres Strait Islanders?

How do they think of themselves?

Where do they live?

Aboriginal and Torres Strait Islander social structure.

What are the local kinship/social structures?

How do they operate and affect people in the relevant region?

How are social structures relevant to matters concerning the courts (including court procedures, substantive legal issues, restraining orders, compensation, custody orders, sentencing)?

The need for, role of, and qualifications of interpreters.

Court

The implications of practice and procedures as followed or orders made;

Aboriginal and Torres Strait Islander perspectives on court procedures and orders and how these could be modified, or different procedures followed. Orders made in ways which would be more appropriate or practical for Aboriginal and Torres Strait Islanders;

There should be a creative use of compliance with orders in remote communities;

The need for, role of, and qualifications of interpreters.

The use which could be made of elders as advisers/assessors to assist a court;

How understanding of Aboriginal and Torres Strait Islander language, traditions, practices and social relationships can influence conduct of proceedings before a court;

How court systems can be de-mystified;

Recognition of implication of Aboriginal health problems (such as diabetes, deafness, alcoholism) in proceedings and sentencing; and

Recognition of Aboriginal notions of time, mobility and place in conduct of court proceedings.

Problems faced by Aboriginal people and Torres Strait Islanders were:

Race
Class

Gender
Others

4. Preparation, presentation and implementation of programs

- There needs to be a commitment by the leaders of courts and court administration to have program/s which they themselves attend, and a commitment to implement changes which are appropriate responses to the programs.
- Courses should be prepared and presented by Aboriginal people and Torres Strait Islanders in consultation with judicial officers or court administrators or a body such as the AIJA.
- Course content and presentation should be regionally oriented, and preparation should be at appropriate venue/s, which will, whenever possible, be on Aboriginal lands.
- Program/s should involve direct contact between participants and Aboriginal/Torres Strait Islanders, including visits to communities, remand centres, gaols, and meeting with Aboriginal and Torres Strait Islander law makers.
- Program/s should be structured so that participants come to recognise their own cultural values, perceptions, and assumptions when recognising those of others.
- Participants should be shown how to recognise their own background environment when cultural issues arise, and need to consider the best ways of resolving any cultural dissidence.

5. Evaluation

The question arose as to who would be evaluating the program. It was agreed that there were numerous interested parties involved and evaluation would need to involve all relevant parties including:

- AIJA;
- Aboriginal and Torres Strait Islander Commission (ATSIC);
- Commonwealth Attorney-General's Department;
- Relevant local Aboriginal Legal Services and community organisations.
- Academic institutions & others - such as Curtin University, NAALS, IAD, AIATSIIS, AECG's

On **DAY TWO** of the seminal meeting, participants discussed the practicalities of getting started. Judicial officers and Aboriginal and Torres Strait Islander participants were divided into State and Territory based workshop groups and asked to develop responses to the following question:

“If you were to start working tomorrow on the implementation of a cross-cultural program in your state, what would you need to ensure in terms of:

SUPPORT

Who would you have to talk to?

Who would you need behind the program?

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- Who would be likely to object or set up barriers?
- FUNDING** Which organisations and/or agencies are likely prospects?
How would you attract funding?
Who would you need to talk to?
- PLANNING** How would you coordinate/address regional diversity?
What time frames are feasible for the development and delivery of a program in your state/territory?

PROGRAMME DEVELOPMENT/DELIVERY

Who could assist and/or be involved in adapting the WA pilot for your state/territory or in developing your own program if required?

What Aboriginal and Torres Strait Islander networks and resources can you link into for delivery of training?

MONITORING AND EVALUATION

Who are the relevant groups in your state/territory?

Who would be appropriate to act in a monitoring role?

Who will be responsible for evaluating outcomes?"(Seaman, 1993).

At the conclusion of the seminal meeting workshop presentations, notes of discussions and meeting decisions were transcribed to a written report by Paul Seaman and the AIJA Secretariat for information of Council and the participants who attended. The report was subsequently drafted into a conference paper and presented by Paul Seaman at the Thirteenth AIJA Annual Conference with the title "Working with Aboriginals and Torres Strait Islanders" (Seaman, 1993)

There is no doubt that the seminal meeting achieved some significant outcomes. First and foremost, it represented the first national forum in which judicial officers and Aboriginal and Torres Strait Islander people gathered together to discuss and pursue a common purpose. In addition, it provided the AIJA with the means and opportunity to establish points of contact in Aboriginal and Torres Strait Islander communities in most States and Territories. Of particular significance, however, was the promulgation of a preferred model for the conduct of Aboriginal cultural awareness programs developed and delivered under the auspices of the AIJA National Aboriginal Cultural Awareness Program. In this regard, the fundamental elements of the national program were emphasised at the seminal meeting as being:

"To offer courses in aboriginal (sic) cultural awareness to judicial officers in all Australian states and territories with the following objectives:

To establish a local Steering Committee in each state and territory comprising representatives from Aboriginal groups and judicial system representatives;

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Each local Committee to design program/s to be offered to judicial officers in that state or territory, subject to the approval of the AIJA National Committee, and within the limits of available funding;

Use of Aboriginal facilitators and presenters in both the design and implementation of the program to be encouraged as far as possible; and

To seek assistance of chief judicial officers in encouraging participation in the program.

Without being too specific, the seminal meeting agreed that a desired outcome for regional programs was “that as many judicial officers as possible participate in the cultural awareness program that will be offered in each state and territory.” A further recommendation of the meeting was that an in-built evaluation component be incorporated into each program offered. (Memo, 4.4.95).

Notwithstanding a previous comment that the National Committee had no ‘set agenda’ for the seminal meeting, it becomes apparent that Committee members were concerned, at the very least, that its structure, format and conduct proceed on the basis of equity and equality between judicial and Indigenous participants. The understanding that such philosophy would underpin future regional cross cultural awareness programs was captured succinctly by Paul Seaman who stated that:

“in the development of any judicial education project nothing should be done which offends the independence of any judicial officer. Equally nothing should be done which fails to appreciate the independence of view of Aboriginals and Torres Strait Islanders” (Seaman, 1993).

As a result of savings from the cost of participants’ travel being met from other sources, the overall cost of conducting the seminal meeting was relatively low. As agreed previously, the National Committee intended that any savings would be used to develop and deliver a regional program in Western Australia. Following the seminal meeting, Paul Seaman continued earlier negotiations begun with The Hon Justice Malcolm David, Chief Justice of Western Australia, for a pilot program in that State.

The first Aboriginal cultural awareness program specifically delivered to the Judges of an Australian Court was to the Judges of the Supreme Court of Western Australia. The program was held in May 1993 and in September the following year, a second program was conducted for Judges of the District Court of Western Australia.

In some respects, the National Committee’s continuing concern about the amount of funding over the five-year period (\$250,000 in total) was lessened when ATSIC approved the Institute’s application for grant funds in July 1993 in the amount of \$100,000. The specific purpose for which ATSIC approved AIJA’s expenditure of the grant funds was to:

“design and implement a training program in Aboriginal cultural Awareness to be offered to judicial officers in all Australian jurisdictions” with the objective “to promote the improvement of administration of justice throughout Australia, and to increase understanding of Aboriginal Culture.”

Upon negotiating a continuation of the agreement with Attorney-General’s Department in April the same year, the AIJA was assured of a further one-off commitment of \$20,000 for

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the ensuing financial year. Finally, the (then) Director General of the New South Wales Department of Courts Administration, Gary Byron, secured an amount of \$75,000 from the New South Wales Government to be administered jointly by the New South Wales Judicial Commission and the AIJA for Aboriginal cultural awareness programs in that State. Thus, with a total of \$425,000 over the next five years, the AIJA's original estimate of a minimum \$350,00 to permit its continuing involvement in the implementation of a national response to Recommendation 96, was met.

Subsequent to the conduct of the Seminal Meeting and the delivery of the WA Supreme and District Courts programs, the National Aboriginal Cultural Awareness Committee made the following observations in respect of the Institute's experience thus far:

- an invitation to become a member of a sub-committee should be in writing which details the sub-committee's terms of reference.
- Aboriginal and Torres Strait Islander people expressed the view that in order to present cultural programs to judicial people it is necessary for them to understand what may be described as the "judicial culture".
- it is important that tenderers spend time interviewing some members of the Court concerned before the program is finalised.
- every effort should be made to hold workshops in congenial surroundings on what may be called "Aboriginal ground".
- although not all the Sub-Committee may need to be fully involved in approving the detail of a program, certainly a small working group will need to do so and report back to the Sub-Committee.
- there should always be a detailed program in which the facilitators, presenters and speakers are identified, with a short note on each of them. In turn, they should receive a list of the judicial participants.
- the National Cultural Awareness Committee would not accept a tender and commit the Institute until a Sub-Committee puts a program before it in detailed form.
- the significance of proper introductions between Aboriginal and Torres Strait Islanders and judicial officers should not be overlooked, nor should the benefits which flow from their informal discussions on the usual social opportunities which arise at a workshop.
- the cross cultural training which is offered needs to be interesting, well presented and relevant to both judicial and Aboriginal and Torres Strait Islander participants.
- whatever form the programs take, they must be real, not token events.

The preceding section has provided a brief overview of the people, ideas, philosophies, and negotiations that took place over time to develop the framework for implementation of a national program of Aboriginal cultural awareness for the judiciary. What follows is a Synopsis of each program conducted between 1992 and 1998, beginning with the pilot program for Judges of the Supreme Court of Western Australia.

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Synopsis of Programs conducted between 1992 and 2000

The following section is devoted to a restatement of each State and Territory Aboriginal cross cultural awareness program that has been conducted under the auspices of the national program between 1992 and 2000. Each program is presented in the same format which consists of the following information:

- a reproduction of the Program Agenda;
- a list of facilitators and presenters, and
- a list of the members of the AIJA Aboriginal Cross-Cultural Awareness Sub-Committee (or similar title).

For ease of reference, the Synopsis brings together all programs conducted by a particular State or Territory within one discrete section in chronological order according to the date of delivery of the particular program. It commences with programs delivered in Western Australia, followed by the programs of Queensland, the Northern Territory, South Australia, Tasmania, New South Wales and finally, Victoria.

At the time of writing this Report, the Australian Capital Territory was still in the process of negotiating the development and delivery of a program of Aboriginal cross-cultural awareness for that location. (Subsequently, the ACT held its first program on 17 February 2001.)

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WESTERN AUSTRALIA

Western Australia

Members of the AIJA Cross-Cultural Awareness Program _____	16
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Members of the AIJA Aboriginal Cross-Cultural Awareness Sub-Committee

1992-1994

The Hon Mr Justice Seaman – Chairperson Supreme Court of Western Australia	
Ms Leah Bell Wubin WA	His Honour Judge Keall District Court of Western Australia
Ms Sue Booth Assistant Commissioner Aboriginal Affairs Planning Authority	Mr Darryl Kickett Curtin University of Technology
Ms Kate George Nedlands WA	The Hon Mr Justice McCall Chief Judge of the Family Law Court
Mr David Grant Director General, Ministry of Justice	Mr Robert Riley Director - Aboriginal Legal Commission
Mr P Heaney SM Magistrate	Ms Maria Scully Centre for Aboriginal Studies, Curtin University
His Honour Judge Heenan Chief Judge of the District Court	Mr C Zempilas Chief Magistrate

1998-2000

The Hon. Justice Neville Owen - Chairperson, Supreme Court of WA	
Her Hon. Judge Mary Ann Yeats District Court	Mr Paul Heaney SM, Magistrates Court
Richard Foster Director Court Services, Ministry of Justice	Camis Smith Ministry of Justice
Ms Julie Hones, Aboriginal Liaison Officer Supreme Court	

Seminar for Supreme Court Judges, Western Australia May 1993

1. Program Agenda

<p>ABORIGINAL CULTURAL AWARENESS PROGRAM FOR THE SUPREME COURT OF WESTERN AUSTRALIA 28 and 29 May 1993, at the Observation City Hotel, The Esplanade, Scarborough “Ways of Working” workshop presented by Aboriginal Community Research and Development Unit, Centre For Aboriginal Studies, Curtin University Facilitated by Darryl Kickett</p>	
DAY ONE	
9am	START Introduction, Welcome
9.30	ISSUES What are your problems, issues and concerns in dealing with Aboriginal people in society Barriers to cultural awareness, ways of learning
10.15	Aboriginal World View - Darryl Kickett Customary Law - Marshall Smith 1905 Act - video DISCUSSION
11.00	MORNING TEA
11.15	Past legislation and contemporary implications Statistics - Roderic Broadhurst
11.45	DISCUSSION
12.30	Summarise morning
1.00	LUNCH
2.15	IDENTITY Avoiding stereotypes How can this program assist the task of judges?
2.30	Guest Speakers - Marshall Smith, Linda Dorendorff, Graham Dixon, Wally and Leisha Eatts, Owen Hansen, Dean Collard
4.00	AFTERNOON TEA
4.15	REVIEW AND ISSUES FOR DAY TWO
4.45	CLOSE

Seminar for Supreme Court Judges, Western Australia May 1993

1. Program Agenda (continued)

DAY TWO

9.00	START Day Two will be focused on the identified issues and panel members' areas of interest. Facilitated by: Darryl Kickett PANEL MEMBERS - Jacqui Oakley - Patricia Dudgeon - Rhonda Johnson - Brett Hill - Marshall Smith
11.15	MORNING TEA Continuation of panel discussion
1.00	LUNCH
2.15	WORKING TOGETHER
4.00	Where to from here?
4.30	SUMMARY
4.45	CLOSE

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2. List of Presenters and facilitators

Darryl Kickett	Marshall Smith
Owen Hansen	Linda Dorendorff
Dean Collard	Graham Dixon
Jacqui Oakley	Wally Eatts
Patricia Dudgeon	Leisha Eatts
Rhonda Johnson	Brett Hill

Program for District Court Judges, Western Australia September 1993

1. Program Agenda

<p>ABORIGINAL CULTURAL AWARENESS PROGRAM FOR THE DISTRICT COURT OF WESTERN AUSTRALIA 17,18 September 1993 “Ways of Working” workshop presented by The Aboriginal Community Research and Development Unit, Centre For Aboriginal Studies, Curtin University Facilitated by Darryl Kickett and Debra Bennell</p>	
DAY ONE	
8.30	START Introduction, Welcome
9.00	ISSUES What are your problems, issues and concerns in dealing with Aboriginal people in society Barriers to cultural awareness, ways of learning
9.45	Aboriginal World View Darryl Kickett Customary Law Gregory Tucker 1905 Act - video Past Legislation and Contemporary Implications
	DISCUSSION
11.00	MORNING TEA
11.15	Panel Discussion `Identity and Diversity` Speakers Gregory Tucker Pam Thorley Debra Bennell
11.45	`Round Table Discussion`
12.15	Summarise morning
12.30	LUNCH
1.15	Communicating `How do we communicate with Aboriginal people?` Royal Commission into Aboriginal Deaths in Custody Terms of Reference
3.00	Afternoon tea

Western Australia

Program for District Court Judges, Western Australia September 1993

1. Program Agenda (continued)

3.30	Discussion
4.15	REVIEW AND ISSUES DAY TWO
4.45	CLOSE

DAY TWO

8.30	START Review Day One
8.45	How do we work together? National and international perspectives
9.00	Guest speaker - Richard Bartlett
11.15	MORNING TEA Planning session - 'Where to from here'?
12.30	Summary and Close

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2. List of Presenters and facilitators

Darryl Kickett Debra Bennell Richard Bartlett Pam Thorley Gregory Tucker
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Program for Magistrates, Western Australia - December 1994

1. Program Agenda

ABORIGINAL CULTURE: LAW AND CHANGE Seminar for Magistrates 9 - 10 December 1994, Function Centre, Murdoch University	
PROGRAMME	
Friday, 9 December	
<hr/>	
9.00 - 9.30	WELCOME AND OPENING REMARKS Marshall Smith Paul Heaney, S.M. The Honourable Mr Paul Seaman Colleen Hayward
9.30 - 11.00	INTRODUCTIONS Mudrooroo - Introductions and identity, an Aboriginal perspective Toog Morrow - Story of Artwork Magistrates and Speakers - introductions
11.00 - 11.30	MORNING TEA
11.30 - 12.30	HISTORICAL OVERVIEW Chair - Marshall Smith Video - 1905 Act Lived Effects of 1905 Act Presenters: Marshall Smith - Identity (Aboriginal definitions of Aboriginality) - Diversity of groups Harry Taylor - Protectionism (social engineering): Aboriginal/police relations as result of: - removal of children, - breaking down of family units (social fracturing) - denial of education Glenyse Ward - Personal and community experiences of 1905 Act
12.30 - 1.00	OPEN FORUM - DISCUSSION Chair - Colleen Hayward Comments, questions, concerns arising from video and speakers' presentations.
1.00 - 2.00	LUNCH Performance by Mudrooroo - "Me"
2.00 - 2.45	FAMILY RELATIONSHIPS Chair - Colleen Hayward

Program for Magistrates, Western Australia - December 1994

1. Program Agenda (continued)

	<p>Presenters: John Brinkman - Disempowerment of men - Effects on parenting of institutionalisation - Attitudes to women - Police and Judicial interventions Bea Ballangarry - Roles of immediate and extended family - Caregivers - Sexual relations - Levels of violence in families</p>
2.45 - 3.15	<p>DOMESTIC VIOLENCE Case Study Chair - Catherine Pirie A short case study related to domestic violence to be presented Discussion to identify issues.</p>
3.15 - 3.45	<p>AFTERNOON TEA</p>
3.45 - 4.45	<p>Small Group Discussions - What is your attitude to domestic violence? - What are the limitations of what magistrates can do in cases of domestic violence? - What would you like to be able to do? - What can happen in court to help families live better?</p>
	<p>FACILITATORS: Catherine Pirie Marshall Smith Kevin Dolman Marie Andrews Maud Walsh Denis Reynolds</p>
4.45 - 5.15	<p>Report back of small group discussions Colleen Hayward</p>
5.15 - 5.30	<p>SUMMARY OF DAY ONE Colleen Hayward</p>
5.30 - 6.30	<p>REFRESHMENTS Performance by Bea Ballangarry and Glenyse Ward</p>
	<p style="text-align: center;">Saturday, 10 December</p> <hr/>
8.45	<p>WELCOME TO DAY TWO Chair - Marshall Smith EDUCATION, IMPRISONMENT AND SOCIAL EFFECTS Chair - Sue Gordon</p>

Program for Magistrates, Western Australia - December 1994

1. Program Agenda (continued)

9.00 - 9.15	VIDEO - Where The Children Play produced by Richard Franklin (Excerpts) Aboriginal Youth explain family, police drugs
9.15 - 10.00	Presenters: Graham Dixon <ul style="list-style-type: none">- Relationship with education (taking account of parents experiences)- Effects of imprisonment, social and economic deprivation on families Two Community - based offenders <ul style="list-style-type: none">- How children are effected by parent's imprisonment- Status of having record in Aboriginal communities- Role of peer pressure for young offenders- Motivations of young offenders - are these different for Aboriginal people?- Effective deterrents, e.g. for car stealing Maud Walsh <ul style="list-style-type: none">- time for change
10.00 - 10.30	OPEN FORUM - DISCUSSION What Magistrates can do
10.30 - 11.00	MORNING TEA
11.00 - 11.30	CONTEMPORARY ISSUE "WILUNA" Presenters: Eileen Harris John Brinkman
11.30 - 12.30	SMALL GROUP DISCUSSIONS WITH CASE STUDY <ul style="list-style-type: none">- What can magistrates do to deal with these situations?- What options are available in such cases?- What consideration should be given to customary rights? FACILITATORS: Marie Andrews Liz Hayden Vic Hunter Karen Jose Peter Malone Marshall Smith
12.30 - 1.30	LUNCH Performance by Graham Dixon and Toog Morrow
1.30 - 2.30	ABORIGINAL CUSTOMARY LAW AND AUSTRALIAN LEGAL SYSTEM Chair - Vic Hunter Presenters: Marshall Smith

Program for Magistrates, Western Australia - December 1994

1. Program Agenda (continued)

	- Relevance of Aboriginal customary law to matters concerning the court;
	Karen Jose
	- What is the Communities Act?
	- How does it effect communities?
	- What education have communities been given in relation to it?
	- Who does it benefit?
	- Native title - what ramifications will it have for magistrates?
2.30 - 3.30	POSITIVE INITIATIVES
	Chair - Denise Groves
	Catherine Pirie
	- Reconciliation
	Community groups and individuals to explain their initiatives
	All speakers to contribute
3.30 - 3.40	(Move from Function Centre to grassed area under tree)
3.40 - 4.15	EVALUATION AND WIND UP
	Marshal Smith
	Colleen Hayward
4.15 - 4.30	REFRESHMENTS AND PERFORMANCES

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2. List of Aboriginal Presenters/Guest Speakers

Marie Andrews, Victoria
Bea Ballangarry, Coolbellup WA
John Brinkman, Department of Local Government, Perth
Graham Dixon, Westfield WA
Denise Groves, Edith Cowan University, WA
Eileen Harris, Ngangganawili Health Service, Wiluna
Liz Hayden, Aboriginal Legal Service, Perth
Colleen Hayward, Teachers Union, Perth
Vic Hunter, Broome
Karen Jose, Aboriginal Legal Service, Port Hedland
Toog Morrow, Manning, WA
Mudrooro, School of Humanities, Murdoch University
Catherine Pirie, Aboriginal Legal Service, Albany
Harry Prior, Department of Community Development, Gosnells, WA
Maud Walsh, Law society, Swanbourne WA
Glenyse Ward, Broome
Jodie Ward, Broome

Program for WA Judiciary and Magistracy, June 1998

1. Program Agenda

Programme

Introductions

Were made by Judge Healey

A Traditional Welcome

Was given by Noongar Elders, Everett Kickett and Leisha Eatts

Setting the Scene

Facilitated by Kim Collard and Dawn Besserab included Introductions. Outline of the programme and Issues

Issues as identified by the participants.

Questions:

Why are Aboriginal people over represented in the court system?

Why do so many Aboriginal people commit suicide in custody?

Why do so many Aboriginal people engage in alcohol and substance abuse?

What role should the courts take in testing the 'truth' of culture claims without being disrespectful, especially in relation to such matters as culturally acceptable behaviour – e.g. domestic violence?

What are the cultural issues which relate to the beliefs of witnesses and the accused which need to be understood in sentencing and judging?

What are the cultural difficulties associated with guardianship and administrators for elder Aboriginal people?

What problems to Aboriginal people have in the legal system?

What authority and control do elders have over juveniles?

What is the operation of community based orders in remote communities?

What are the specific places and people available to house bailed people?

Are we doing enough to explain the court system to Aboriginal people?

How does diversity create conflict between groups, particularly with cross cultural marriages?

Topics:

- Greater understanding of Aboriginal issues
- Understanding more about identity and diversity
- Gain more confidence in being able to speak about Aboriginal issues without fear of being misunderstood

Program for WA Judiciary and Magistracy, June 1998

1. Program Agenda (continued)

- General queries for information on: History, Culture, Communication, Family Groupings, Funerals, Law Business.

These issues formed a focus for the discussion for the day.

Activity

Crocodile Creek

An activity to assist participants examine their own values when interacting with Aboriginal people provided an opportunity for the participants to start connecting with the issues and each other.

Past and Present

with guest speaker Sandra Hill

Sandra joined the facilitators in showing the video **1905 Aborigines Act**, which was then followed by a presentation of Sandra's own story illustrating her family's contact with these policies.

Segments from the video's **Coolbaroo Club** and **Bringing Them Home** were shown to illustrate the policies of Assimilation, Self-Determination and Reconciliation.

Aboriginal Cultural Life and Diversity

With a Panel composed of

Justin Howard

Marshall Smith

Colleen Hayward

Betty Riley

Joan Winch

who discussed issues of family relationships and community allegiances and responsibilities. Each locality has its own way of doing things, and different people who are responsible for information giving, and assisting with family members. This specific information can be gained through contacting local leaders who will have links with the various agencies at the local level. A list of regional contacts was provided in the hand-outs.

Improving Communication

facilitated by **Kim Collard & Dawn Besserab**

Participants were asked to form small discussion groups with an Aboriginal facilitator, to identify the barriers they experienced to good communication, and to propose some of the strategies they had found worked.

Feedback from the groups:

Group 1.

Barriers:

- The accused is often overawed, intimidated and angry
- There are often different jurisdictions – the higher the court the more difficult the communication

Program for WA Judiciary and Magistracy, June 1998

2. Program Agenda (continued)

- Difficult to get the full information because we don't allow anyone to tell their own story in their own way
- Stories are filtered through lawyers and then interpreted
- Language
- Presentation, eye contact, difference between police witnesses and Aboriginal witnesses
- The jury not having any training

Suggested solutions:

- Keep an open mind
- Remain neutral but remain aware of the need to balance objectivity with the need to do justice, and therefore there is the need to lean towards the person

Group 2.

Barriers and solutions

- Plea taking presents difficulties, because of lack of understanding of 'plea'. - There needs to be different way of asking what was alleged, and 'is that true?'
- Are there different ways of taking oaths? – A suggestion was 'on my mother's [or some other person who is alive] death' or 'on my mother's grave'
- The taking of evidence from females concerning sex offenders should not be done in mixed company – *Video taped evidence might help.*
- Young witnesses viewing evidence presents difficulties in understanding – *There was no suggested solution.*

Group 3.

Barriers and possible solutions.

- Some Aboriginal people don't understand the court process: an education process is needed. For example, Kalgoorlie women are tending to use restraining orders more, possibly due to improved education programmes
- To overcome the lack of understanding, time is needed for consultation
- There is an increase in women offenders – no suggested solutions to the gender issues this presents
- Distance may be overcome by video conferencing
- Bail breaches could be dealt with by local police stations as remote centres via phone
- Difficult to overcome kinship problems in assault cases. The role of the police is important, but differs between urban and country

Program for WA Judiciary and Magistracy, June 1998

1. Program Agenda (continued)

Court Specific Communication

An address by the Hon. Paul Seaman Q.C. urged workers in this area to allow themselves to be moved by the issues and their work with Aboriginal people, thus mirroring the narrative presented by Sandra Hill earlier in the day. It is important to realise that judges are part of a system which is regarded by Aboriginal people as part of government which has been oppressive. Pointers for working with Aboriginal people:

- Don't assume Aboriginal people know the procedures and protocols.
- Ensure your staff are respectful.
- Insist on adjournments if there is any doubt about a person's understanding.
- Insist on interpreters.

Material in the Institute of Judicial Administration Report to Judicial Officers 1996 provides further information and suggestions.

Justin Howard and Marshall Smith continued with discussion about local programmes and strategies used in the Kimberley and Pilbara.

Summary

In closing the facilitators referred to the issues and questions nominated at the beginning of the day. Of the items listed the following were not addressed, and bear some follow up later, possibly in future sessions:

- Is the court system relevant to Aboriginal people?
- Guardianship
- Further explanations of the court system
- Diversity within marriage which could cause difficulties.

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2. List of Presenters and facilitators

Kim Collard
Dawn Besserab
Sandra Hill
Leisha Eatts
Betty Riley
Colleen Hayward
Everett Kickett
Marshall Smith
Joan Winch
Justin Howard

QUEENSLAND

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Members of Queensland AIJA Aboriginal and Torres Strait Islander Cultural Awareness Committee:

The Honourable Justice J H Bryne (Chair)
The Honourable Justice M P Moynihan SJA
The Honourable Justice G N Williams
Chief Judge Patrick Shanahan, District Court of Queensland
The Honourable Justice B J Warnick
His Honour Judge P D Robin QC
Mr P L Mitchell SSM
Mr A I Pascoe SM
Mr Ron Finney, Aboriginal and Torres Strait Islanders Corporation
Ms C Buchanan Chairperson, Aboriginal Justice Advisory Committee
Mr B Mills, Office of Torres Strait Islander Affairs
The Honourable Justice S M Kiefel, Federal Court of Australia

Attendances by invitation:

Mr M J Williams, Director Aboriginal and Torres Strait Islander Studies Unit,
University of Queensland
Ms P E R Tripcony, Deputy Director Aboriginal and Torres Strait Islander Studies Unit,
University of Queensland

Program for Supreme Court Judges, Queensland - April 1995

1. Program Agenda

**ABORIGINAL AND TORRES STRAIT ISLAND CULTURAL ISSUES: SIMILARITIES,
DIVERSITY AND DIVERGENCE**

A Seminar for the Supreme Court of Queensland and the Federal Court of Australia
12 - 13 April 1995, Brisbane

The Plantation Room, The Chancellor on the Park

PROGRAMME

Wednesday, 12 April 1995

9.00 - 9.10	Welcome and Opening Remarks The Honourable J M Macrossan, AC. Chief Justice of Queensland
9.10 - 9.30	Introductions and overview of seminar programme Michael Williams, Director, Aboriginal and Torres Strait Islander Studies Unit, The University of Queensland. This session encompasses introduction of all participants, facilitators and presenters, an outline of topics, related issues, and seminar process.
9.30 - 10.45 am	Health issues - introduction by Michael Williams. <u>Presenter:</u> Gracelyn Smallwood, Corporation for Aboriginal and Torres Strait Islander Mental Health, Townsville. Particular reference will be made to health issues which have implications within the context of the justice process, for example, the incidence of otitis media, alcohol/drug dependency, and other factors affecting the life expectancy of Aboriginal people and Torres Strait Island people.
10.45 - 11.15 am	Morning Tea
11.15 - 1.00 pm	Social structures - introduced by Penny Tripcony <u>Principal Presenter:</u> Michael Williams; with a panel comprising Bob Anderson, Liz Bond, McRose Elu, Banjo Patterson and Penny Tripcony. The session will provide an outline of Aboriginal and Torres Strait Islander social structures incorporating kinship and family issues, protocols, differences and similarities of traditional-oriented and urban communities, islands and mainland groups, women, children and elders.
1.00 - 2.00 pm	Lunch
2.00 - 2.45 pm	Communication - introduction by Penny Tripcony <u>Principal Presenter:</u> Michael Williams, Director, Aboriginal and Torres Strait Islander Studies Unit, The University of Queensland. Various forms of Aboriginal English, although not formally recognised by systems, are in daily use throughout Queensland.

Program for Supreme Court Judges, Queensland - April 1995

1. Program Agenda (continued)

	<p>A background and outline of these forms of English, as well as opportunities to gain some understanding of Torres Strait Island Creole usage, and the need for interpreters, will be provided in this session.</p>
2.45 - 3.00 pm	<p>Afternoon tea</p>
3.00 - 3.45 pm	<p>Identity - introduction by Penny Tripcony.</p> <p>a) Aboriginality Cheryl Buchanan Chair, Aboriginal Justice Advisory Committee.</p> <p>b) Torres Strait Island Identity Francis Tapim, Magani Malu Kes Resource and Information Centre, Townsville.</p> <p>An overview of contemporary writings about Aboriginality from both Indigenous and non-Indigenous perspectives; perceptions and feelings concerning factors that constitute Aboriginal identity and Torres Strait Islander identity.</p>
3.45 - 4.30 pm	<p>Violence - introduced by Penny Tripcony. <u>Presenter:</u> Cheryl Buchanan, Chair, Aboriginal Justice Advisory Committee. This session will offer information relating to community attitudes to violence, family violence and racism.</p>
4.30 - 5.00 pm	<p>Brief summary of Day 1; outline of issues and process for Day 2 Michael Williams.</p>
Day 2:	<p>Thursday, 13 April 1995.</p>
9.00 - 9.15 am	<p>Overview of Day 1 - Penny Tripcony</p>
9.15 - 10.30 am	<p>Land, seas, and waterways - introduction by Michael Williams. <u>Principal Presenter:</u> Noel Pearson Chairman, Cape York Land Council Traditional and contemporary issues concerning lands, seas and waterways; including their importance to identity, social structures, beliefs and behaviours of Aboriginal people and Torres Strait Island people.</p>
10.00 - 10.30 am	<p>Morning tea</p>
10.30 - 12.00 noon	<p>Customary law - introduction by Michael Williams. <u>Presenters:</u> Noel Pearson, Chairman, Cape York Land Council Banjo Patterson, Kowanyama Community Elder Francis Tapim, Magani Malu Kes Resource and Information Centre,</p>

Queensland

Program for Supreme Court Judges, Queensland - April 1995

1. Program Agenda (continued)

.	Townsville. Cheryl Buchanan, Chair, Aboriginal Justice Advisory Committee An outline of traditional and contemporary customary law issues will be presented, together with examples of situations where an awareness of cultural practices may have avoided misunderstanding and spared local resources.
12.00 - 1.00 pm	Lunch
1.00 - 1.45 pm	Implications of issues for the Justice system (an overview of implications discussed within previous sessions); identification of small groups and topics for discussion - Michael Williams.
1.45 - 3.15 pm	Small group discussions on identified issues and the ways in which these may be addressed.
3.15 - 3.45 pm	Afternoon tea
3.45 - 4.30 pm	Plenary session wherein group leaders present points from workshop discussions - chaired by Penny Tripcony.
4.30 - 5.00 pm	Summary and close - Michael Williams. Participants will be advised about distribution of papers, seminar proceedings and/or annotated bibliography, as well as any further action.

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Program for Magistrates, Northern Queensland - July 1995

1. Program Agenda

ABORIGINAL AND TORRES STRAIT ISLAND CULTURAL ISSUES: SIMILARITIES, DIVERSITY AND DIVERGENCE A Seminar for the Magistrates Courts of Northern Queensland 13 - 14 July 1995, Townsville	
<hr/>	
<u>PROGRAMME</u>	
<u>Thursday, 13 July 1995</u>	
9.00 - 9.15 am	Welcome and Opening Remarks Mr S J Deer, Chief Stipendiary Magistrate

Program for Magistrates, Northern Queensland - July 1995

1. Program Agenda (continued)

9.15 - 9.30 am	<p>Introductions and overview of seminar programme</p> <p>Michael Williams, Director, Aboriginal and Torres Strait Islander Studies Unit, The University of Queensland.</p> <p>This session encompasses introduction of all participants, facilitators and presenters, an outline of topics, related issues, and seminar process.</p>
9.30 - 10.30 am	<p>Identity, social structures and communication (including relationship to land and sea) - introduction by Penny Tripcony.</p> <p><u>Presenters:</u> Cheryl Buchanan Chair, Aboriginal Justice Advisory Committee (Queensland) Francis Tapim, Administrator Magani Malu Kes Resource and Information Centre. Michael Williams.</p> <p>Integral to Indigenous group identity are connections to land, sea and overall environment. This session will provide an overview of this relationship and other factors incorporated in the construction of contemporary Aboriginal identity and Torres Island identity within the structures of their importance of appropriate societies. In addition, the importance of appropriate communication, in terms of language variations and protocols, will be outlined.</p>
10.30 - 11.00 am	<p>Morning tea</p>
11.00 - 12.00 noon	<p>Small discussion groups</p>
12.00 - 12.30 pm	<p>Plenary session - all participants</p>
12.30 - 1.30 pm	<p>Lunch</p>
1.30 - 2.30 pm	<p>Customary law - introduction by Michael Williams.</p> <p><u>Presenters:</u> <u>Aboriginal Law:</u> Cheryl Buchanan Aboriginal Justice Advisory Committee</p> <p><u>Torres Strait Law:</u> Francis Tapim, Magani Malu Kes Resource and Information Centre.</p> <p>Customary law is closely linked to topics discussed in the previous session. Both traditional and contemporary customary law issues will be presented, together with examples of situations where awareness of cultural practices may have avoided misunderstanding and spared local resources.</p>
2.30 - 3.30 pm	<p>Small group discussion groups</p>
3.30 - 4.00 pm	<p>Afternoon tea</p>
4.00 - 5.00 pm	<p>Plenary session - all participants</p>

Program for Magistrates, Northern Queensland - July 1995

1. Program Agenda (continued)

5.00 - 5.15 pm	Overview of day's proceedings and outline for day 2 – Penny Tripcony
7.30 pm	Conference dinner for all participants, presenters and facilitators
<u>Friday, 14 July 1995</u>	
8.30 - 9.30 am	Violence - introduced by Penny Tripcony. Presenter: Cheryl Buchanan Chair Aboriginal Justice Advisory Committee. This session will offer information relating to community attitude to violence, family violence and racism.
9.30 - 10.30 am	Small discussion groups
10.30 - 11.00 am	Morning tea
11.00 - 12.00 pm	Plenary session - all participants
12.00 - 1.00 pm	Health issues - introduced by Michael Williams. Presenter: Associate Professor Gracelyn Smallwood, Kumbari/Ngurpai Oag, University of Southern Queensland Toowoomba Particular reference will be made to health issues which have implications within the context of justice processes, for example, the incidence of otitis media, alcohol/drug dependency, and other factors affecting the life expectancy of Aboriginal people Torres Strait Island people.
1.00 - 2.00 pm	Lunch
2.00 - 2.30 pm	Small discussion groups
3.00 - 3.30 pm	Plenary session - all participants
3.30 - 3.50 pm	Afternoon tea
3.50 - 4.20 pm	Implications for sentencing - full group discussion - chaired by Michael Williams.
4.20 - 4.30 pm	Seminar close - Mr S J Deer and Michael Williams.

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Program for Magistrates, Southern Queensland - August 1995

1. Program Agenda

**ABORIGINAL AND TORRES STRAIT ISLAND CULTURAL ISSUES:
SIMILARITIES, DIVERSITY AND DIVERGENCE**

Two Seminars for the Magistrates Court of Southern Queensland

7-8 and 9-10 August 1995

The Chancellor-on-the-Park, Brisbane

PROGRAMME

Monday, 7 August 1995 and Wednesday, 9 August 1995

9.00 - 9.15 am	Welcome and Opening Remarks Mr S J Deer, Chief Stipendiary Magistrate
9.15 - 9.30 am	Introduction and overview of seminar programme Michael Williams, Director, Aboriginal and Torres Strait Islander Studies Unit, The University of Queensland. This session encompasses introduction of all participants, facilitators and presenters, an outline of topics, related issues, and seminar process.
9.30 - 11.00 am	Identity, social structures and customary law (including relationship to land and sea) - introduced by Penny Tripcony. <u>Presenters:</u> Michael Williams, Director, Aboriginal and Torres Strait Islander Studies Unit The University of Queensland. Francis Tapim, Administrator, Magani Malu Kes Resource and Information Centre. McRose Elu, Office of Aboriginal & Torres Strait Islander Affairs Cheryl Buchanan, Chair, Aboriginal Justice Advisory Committee Integral to Indigenous group identity are connections to land, sea and overall environment. There were and are Laws to determine the nature of these connections. This session will provide an overview of these relationships and other factors incorporated in the construction of contemporary Aboriginal identity and Torres Strait Island identity within the structures of their respective and diverse societies.
11.00 - 11.30 am	Morning tea
11.30 - 12.15 pm	Small discussion groups
12.15 - 12.45 pm	Plenary session - all participants
12.45 - 1.30 pm	Lunch
1.30 - 2.30 pm	Communication issues - introduced by Penny Tripcony

Queensland

Program for Magistrates, Southern Queensland - August 1995

1. Program Agenda (continued)

	Michael Williams, The University of Queensland Forms of communication, protocols and language difference (i.e. Torres Strait Creole, Aboriginal English) will be discussed.
2.30 - 3.30 pm	Small discussion groups
3.30 - 4.00 pm	Afternoon tea
4.00 - 5.00 pm	Plenary session - all participants
5.00 - 5.15 pm	Overview of day's proceedings and outline for day 2 - Penny Tripcony.
7.30 pm	<hr/> Conference dinner for all participants, presenters and facilitators <hr/>
<u>Tuesday, 8 August 1995 and Thursday, 10 August 1995</u>	
8.30 - 9.30 am	Violence - introduced by Penny Tripcony. <u>Presenter:</u> Cheryl Buchanan Chair, Aboriginal Justice Advisory Committee. This session will offer information relating to community attitudes to violence, family violence and racism.
9.30 - 10.30 am	Small discussion groups
10.30 - 11.00 am	Morning tea
11.00 - 12.00 pm	Plenary session - all participants
12.00 - 1.00 pm	Health issues - introduced by Michael Williams. Presenter: Associate Professor Gracelyn Smallwood, Kumbari/Ngurpai Oag, University of Southern Queensland, Toowoomba Particular reference will be made to health issues which have implications within the context of justice processes, for example, the incidence of otitis media, alcohol/drug dependency, and other factors affecting the life expectancy of Aboriginal people and Torres Strait Islander people.
1.00 - 2.00 pm	Lunch
2.00 - 2.30 pm	Small discussion groups
3.00 - 3.30 pm	Plenary session - all participants
3.30 - 3.50 pm	Afternoon tea
3.50 - 4.20 pm	Implications for sentencing - full group discussion - chaired by Michael Williams.
4.20 - 4.30 pm	Seminar close - Mr S J Deer and Michael Williams.

Program for District Court Judges and Judges of the Family Court of Australia,
Queensland - August 1995

1. Program Agenda

**ABORIGINAL AND TORRES STRAIT ISLAND CULTURAL ISSUES: SIMILARITIES,
DIVERSITY AND DIVERGENCE - TWO SEMINARS...**
The District Courts of Queensland - 28-29 August 1995
and
The Family Court of Australia - 29-30 August 1995
Brisbane

PROGRAMME

Monday, 28 August 1995 (District Courts only)

- 9.00 - 9.15 am **Welcome and Opening Remarks**
Chief Judge Pat Shanahan, District Courts of Queensland
- 9.15 - 9.45 am **Introductions and overview of seminar programme**
Michael Williams,
Director, Aboriginal and Torres Strait Islander Studies Unit,
The University of Queensland.

This session encompasses introduction of all participants, facilitators and presenters, an outline of topics, related issues, and seminar process.
- 9.45 - 10.45 am **Communication** - introduction by Penny Tripcony.

Presenters: Michael Williams,
Director, Aboriginal and Torres Strait Islander
Studies Unit, The University of Queensland.

Francis Tapim
Administrator, Magani Malu Kes Resource and Information
Centre.

Various forms of Aboriginal English, although not formally recognised by systems, are in daily use throughout Queensland. A background and outline of these forms of English, as well as opportunities to gain some understanding of Torres Strait island Creole usage, and other factors affecting effective communication, such as protocols, incidence of otitis media, the need for interpreters, etc., will be provided in this session.
- 10.45 - 11.15 am **Morning tea**
- 11.15 - 12.45 pm **Customary Law** - introduced by Michael Williams

Presenter: Mary Graham

An outline of philosophical underpinnings of Western Law and customary law will be presented, followed by traditional and contemporary customary law issues.

Queensland

Program for District Court Judges and Judges of the Family Court of Australia, Queensland -
August 1995

1. Program Agenda (continued)

12.45 - 1.45 pm	Lunch
1.45 - 2.45 pm	Small group discussions - issues of communication and customary law.
2.45 - 3.15 pm	Plenary session - feedback from small groups.
3.15 - 3.45 pm	Afternoon tea
3.45 - 4.45 pm	Examples of alternative practices - introduced by Penny Tripcony <u>Presenters:</u> Cheryl Buchanan Chair Aboriginal justice Advisory Committee (Queensland) Robert Mills Indigenous Policy Unit Attorney-General's Department, Canberra A range of alternative court processes are being practised overseas and within Australia. Some examples of these will be discussed.
4.45 - 5.15 pm	Overview of Day 1 - Penny Tripcony
7.30	Seminar dinner
<u>Tuesday, 29 August 1995</u> (District Courts and Family Court)	
8.45 - 9.00 am	Welcome and Opening Remarks The Honourable Justice B Warnick Family Court of Australia.
9.00 - 10.30 am	Identity and Social Structures (incorporating aspects of relationship to land and sea) - introduction by Penny Tripcony. <u>Presenters:</u> Michael Williams Director, Aboriginal and Torres Strait Islander Studies Unit The University of Queensland Francis Tapim Administrator Magani Malu Kes Resource and Information Centre. McRose Elu Office of Aboriginal and Torres Strait Islander Affairs. Cheryl Buchanan Chair, Aboriginal Justice Advisory Committee (Queensland)

Program for District Court Judges and Judges of the Family Court of Australia, Queensland -
August 1995

1. Program Agenda (continued)

	<p>This session will provide some understanding of contemporary Aboriginal identity and Torres Strait Island identity, incorporating social structures, kinship and family issues, differences and similarities of traditional-orientated and urban communities, islands and mainland groups, women, children and elders. Integral to indigenous group identity are connections to land, sea and overall environment. These connections will be included within presentations.</p>
10.30 - 11.00 am	Morning tea
11.00 - 12 noon	Small group discussion concerning specific issues raised during presentations.
12.00 - 12.30 pm	Plenary session - feedback from discussion group
12.30 - 1.30 pm	Lunch
1.30 - 2.30 pm	Health issues - introduced by Michael Williams Presenter: Gracelyn Smallwood Kumbari/Ngurpai Lag University of Southern Queensland A broad range of Indigenous health issues will be presented, with particular reference to those issues which have implications within the context of justice processes, for example, alcohol/drug dependency, and other factors affecting the life expectancy of Aboriginal and Torres Strait Island people.
2.30 - 3.30 pm	Violence - introduced by Penny Tripcony Presenter: Cheryl Buchanan, Chair, Aboriginal Justice Advisory Committee (Queensland). This session will offer information relating to community attitudes to domestic violence, family violence and racism.
3.30 - 4.00 pm	Afternoon tea **Family Court Judges depart.
4.00 - 4.30 pm	General discussion (District Courts' Judges only) Judges, presenters and facilitators have this final opportunity to raise questions, as well as to clarify issues and possible implications for District Court.
4.45 - 5.00 pm	Seminar close (District Courts only) Chief Judge Pat Shanahan Mr Michael Williams.

Program for District Court Judges and Judges of the Family Court of Australia, Queensland - August 1995

1. Program Agenda (continued)

Wednesday, 30 August 1995 (Family Court Judges only)

9.00 - 10.00 am	Overview of previous day - Penny Tripcony.
10.00 - 11.00 am	Discussion - chaired by Michael Williams. This session provides opportunities to clarify or seek further information concerning issues from sessions conducted during the previous day.
11.00 - 11.30 am	Morning tea
11.30 - 12.30 pm	Customary law - introduced by Michael Williams. <u>Presenter:</u> Mary Graham.
12.30 - 1.30 pm	Lunch
1.30 - 2.30 pm	Communication - introduced by Penny Tripcony. <u>Presenters:</u> Michael Williams Director, Aboriginal and Torres Strait Islander Studies Unit The University of Queensland Francis Tapim Administrator, Magani Malu Kes Resource and Information Centre. Forms of communication, protocols and language difference (i.e. Torres Strait Creole, Aboriginal English) will be discussed.
2.30 - 3.30 pm	Examples of alternative court practices - introduced by Michael Williams. <u>Presenters:</u> Cheryl Buchanan Chair, Aboriginal Justice Advisory Committee (Queensland) Robert Mills Indigenous Policy Issues Unit Attorney-General's Department, Canberra A range of alternative court processes are being practised overseas and within Australia. Some of these will be discussed.
3.30 - 4.00 pm	Afternoon tea
4.00 - 4.45 pm	General Discussion An opportunity for Judges, presenters and facilitators to discuss any additional issues which may have implications for the Family Court.
4.45 - 5.00 pm	Seminar close The Honourable Justice B Warnick Mr Michael Williams.

Queensland

Invited Presenters and Facilitators for programs conducted in Queensland between April and August 1995

Presenters:

*Ms Cheryl Buchanan	Aboriginal Justice Advisory Committee (Queensland), Brisbane
Ms McRose Elu	Office of Aboriginal and Torres Strait Islander Affairs
Ms Mary Graham	Mary Graham & Associates, Southport
Mr Banjo Patterson	Elder, Kowanyama
Mr Noel Pearson	Cape York Land Council, Cairns
*Associate Professor Gracelyn Smallwood	Kumbari/Ngurpai Oag, University of Southern Queensland, Toowoomba
*Mr Francis Tapim	Magai Malu Kes Resource and Information Centre, Townsville
*Mr Michael Williams	Aboriginal and Torres Strait Islander Studies Unit, University of Queensland, Brisbane
Mr Viv Sinnamon	Kowanyama Community Council

Facilitators:

Mr Bob Anderson	Ngugi Elder, Brisbane
Ms Christine Cutts	Magani Malu Kes Resource Centre, Townsville
Ms Liz Bond	Human Rights & Equal Opportunity Commission, Qld.
Mr Ron Finney	Aboriginal & Torres Strait Islander Corporation For Legal Services (QEA) Brisbane
Mr Ernie Houlihan	Townsville & District Aboriginal and Torres Strait Islander Corporation for Legal Services
Mr Bill Lowah	Iina Torres Strait Islander Corporation, Brisbane
Mr Steve Mam	Iina Torres Strait Islander Corporation, Brisbane
Mr Benny Mills	Office of Torres Strait Islander Affairs, Canberra
Mr Robert Mills	Indigenous Policy Issues Unit, Civil Law Division Attorney-General's Department, Canberra
Mr Lyndon Murphy	Aboriginal & Torres Strait Islander Commission Brisbane
Ms Sylvia Reuben	Palm Island (Member of the Aboriginal Justice Advisory Committee - Queensland)
Mr David Smallwood	Townsville & District Aboriginal and Torres Strait Islanders Corporation for Legal Services
*Ms Penny Tripcony	Aboriginal and Torres Strait Islander Studies Unit, University of Queensland, Brisbane

* Denotes presenters and facilitators who attended all programs

NORTHERN TERRITORY

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Northern Territory Cultural Awareness Sub-Committee

The program run for Northern Territory magistrates was developed by Batchelor College in consultation with the Chief Magistrate of the Northern Territory and Aboriginal Community representatives. No local cultural awareness committee was formally constituted.

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Program for Magistrates, Northern Territory - September 1996

1. Program Agenda

CROSS-CULTURAL TRAINING COURSE for NORTHERN TERRITORY MAGISTRATES Katherine Court House N.T. (2 - 3 September 1996) DAY ONE	
8.30 - 9.30	<i>Coffee and Introductions</i> under the Mango Tree
Session 1: 9.30 - 10.15	<i>Presentation:</i> An introduction to the structure of the Yolngu Kinship system as the dominant ordering system of Yolngu culture, society and behaviour.
10.15 - 11.00	<i>Discussion:</i> Aboriginal facilitators from outside North East Arnhemland comment on the contemporary features of Aboriginal kinship structures and on regional variation in the patterns and in the rules of behaviour that are governed by kinship relationships.
11.00 - 11.30	<i>Summary</i>
11.30 - 12.00	<i>Contributions</i> Aboriginal people talk about their kinship systems

Northern Territory

Program for Magistrates, Northern Territory - September 1996

1. Program Agenda (continued)

12.00 - 1.00	<i>Lunch on the lawn</i>
Session 2: 1.00 - 2.30	<i>Presentation</i> Rev. Dr. Djiniyini Gondarra OAM, Stuart McMillan and Richard Trudgen speak on traditional Aboriginal legal and criminal concepts and processes from Arnhemland perspectives.
2.30 - 3.15	<i>Discussion</i> Rev. Dr. Djiniyini Gondarra, Stuart McMillan and Richard Trudgen lead small group discussions to compare and contrast Aboriginal legal and criminal concepts and processes throughout the Northern territory.
3.15 - 3.30	<i>Afternoon tea</i>
Session 3: 3.30 - 4.30	<i>Presentation and Discussion</i> Domestic Violence Issues and the Law
7.00	<i>Social Evening</i> Do-it-yourself barbecue with staff from Batchelor College, Katherine Region Aboriginal Legal Aid Service, Katherine Regional Aboriginal Language Centre.
DAY TWO	
Session 4: 8.30 - 10.00	<i>Case Studies</i> 1. The police questioning and subsequent murder trial of an Aboriginal women highlights the consequences of taking testimony from Aboriginal witnesses in question/answer form compared to narrative form. 2. Lessons from the 1990/91 Elcho Coronial illustrates how much English is enough for Aboriginal witnesses to take the stand without an Interpreter.
10.00 - 11.00	<i>Morning Tea</i> on the lawn with guests from Katherine Aboriginal organisations.
Session 5: 11.00 - 12.30	<i>Presentation & Role Play: Aboriginal Interpreters</i> The role of the interpreter. What is required beyond literal translation for an interpreter to effect cross-cultural communication in the courtroom ? Can legal jargon be effectively translated ?
12.30 - 1.30	<i>Lunch on the Lawn</i>

Northern Territory

Program for Magistrates, Northern Territory - September 1996

1. Program Agenda (continued)

Session 6: 1.30 - 2.30	<i>Presentation and Discussion:</i> Police Procedures in the arrest, detainment and questioning of Aboriginal people, focussing on initiatives from the Aboriginal Languages Interpreters Meeting held by the N.T. Attorney-General's Department.
Session 7: 2.30 - 3.30	<i>Presentation and Discussion</i> Alcohol Issues and the Law
3.30 - 4.30	<i>Coffee and Summations</i> under the Mango Tree

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2. List of Presenters and facilitators

CO-PRESENTERS:

- BATCHELOR COLLEGE
- ABORIGINAL RESOURCE & DEVELOPMENT SERVICES INC.

Names of speakers and facilitators Included in Program outline above

SOUTH AUSTRALIA

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Members of the South Australian AIJA Cultural Awareness Committee

Convenor: Justice Ted Mullighan, Supreme Court of South Australia	
Since 1996, membership of the Committee has included:	
Her Honour Justice Murray	Mr J. Witham
His Honour Judge McKusker	Ms J. Maughan
His Honour Judge Lee	Ms H. Layton
Mr A. Cannon SM	Ms P. Schulz
Mr P. Hocking	Ms S. Walsh
Ms R. Hocking	Ms C. Clothier

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Programs for South Australian Judiciary 31 May 1996, 27 February 1997, 30 October 1997

1. Program Agendas

Program Agenda – Seminar 1:

ABORIGINAL CULTURAL AWARENESS PROGRAMME A joint project of the South Australian Aboriginal People and Judiciary	
31st May 1996	
At Nunkuwarrin Yunti, 182 Wakefield Street, Adelaide	
Outline	
9.15 am	Registration and coffee

South Australia

Programs for South Australian Judiciary
31 May 1996, 27 February 1997, 30 October 1997

Program Agenda – Seminar 1 (continued):

9.30 am	Welcome
	- by a Kurna Elder: Lewis O'Brien
	- by an Aboriginal leader: Yami Lester
	- by a senior Judge: Chief Justice John Doyle
10.00 am	History of the Aboriginal People
	- chairperson: Matt Rigney
	- presenters:
	Merci Glastonbury
	Alex Castles
	Yami Lester
	Allan Dodd
	Cheryl Axelby
	- questions and discussion
11.15 am	Coffee
11.30 am	Resume
1.00 pm	Lunch
1.45 pm	Aboriginal perceptions of the Justice System
	- Chairperson: Justice Cathy Branson
	- presenters:
	David Rathman
	Tauto Sansbury
	Irene Watson
	Arnold Dodd
	Sid Sparrow
	George Tongerie
	- Questions and discussion
3.00 pm	Coffee
3.15 pm	Resume
4.30 pm	General discussion
	Chairperson: Sid Sparrow
5.00 - 6.00 pm	Refreshments

South Australia

Programs for South Australian Judiciary
31 May 1996, 27 February 1997, 30 October 1997

Program Agenda – Seminar 2

Aboriginal Cultural Awareness Programme

**A joint project of the South Australian, Aboriginal People and the Judiciary
Thursday, 27th February 1997
at Nunkuwarrin Yunti, 182 Wakefield Street, Adelaide**

Outline

- 9.00 am Registration and coffee
- 9.15 am Welcome:

Sandra Saunders, Chairperson
Lewis O'Brien, Kaurna Elder
Yami Lester, Aboriginal Leader
Chief Justice John Doyle, Supreme Court
- 9.45 am Cultural Presentation:

Charlie Jackson and Rodger Jackson
- 10.30 am History of the Aboriginal People:

Fran Lovegrove, Chairperson
Presenters:
Alex Castles
Yami Lester
Cheryl Axelby
Archie Barton
Lewis O'Brien
- Questions and discussions
- 11.15 am Coffee
- 11.30 am Resume
- 12.30 pm Group Discussion
- 1.00 pm Lunch
- 1.45 pm Aboriginal Perceptions of the Justice System:

Sandra Saunders, Chairperson
Presenters:
David Rathman
Mona Tur
Irene Brandy

South Australia

Programs for South Australian Judiciary
31 May 1996, 27 February 1997, 30 October 1997

Program Agenda – Seminar 2 (continued)

		Lee Brandy George Tongerie Arnold Dodd Lillian Holt
		Questions and discussion
3.30 pm		Resume
4.00 pm		Group discussion
4.30 pm		General Discussion: Syd Sparrow, Chairperson
5.00 pm		Cultural Presentation: Anthony Wilson and Steve Goldsmith

Program Agenda – Seminar 3

<i>Aboriginal Cultural Awareness Programme</i>		
A joint project of the South Australian Aboriginal People and the Judiciary		
Thursday, 30th October 1997		
at Nunkuwarrin Yunti, 182 Wakefield Street, Adelaide		
Outline		
9.00 am		Registration and coffee
9.15 am		Welcome by: Lewis O'Brien, Kaurna Elder Chief Justice John Doyle, Supreme Court (Exchange of gifts)
9.45 am		Cultural Presentation
10.15 am		Aboriginal English: Sandra Saunders, Chairperson Presenters:

South Australia

Programs for South Australian Judiciary
31 May 1996, 27 February 1997, 30 October 1997

Program Agenda – Seminar 3 (continued)

		Mr Michael Cook Mr Fred Field SM/or Mr Grant Harris SM
11.15 am	Coffee	
11.30 am		Mona Turr Arnold Dodd Cheryl Axelby
12.15 pm	Group Discussions	
12.45 pm	Reporting and General Discussions (4 groups)	
1.00 pm	Lunch	
1.45 pm	Family Relations and Kinship:	Syd Sparrow, Chairperson Presenters: Chief Justice Alastair Nicholson, Family Court of Australia Merci Glastonbury Lewis O'Brien Veronica Brodie Heather Agius Girlie Ingomar
3.15 pm	Coffee	
3.30 pm	Group Discussions	
4.00 pm	Reporting and General Discussion	
5.00 pm	Conclusion	

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2. List of Presenters and facilitators

Ms Cheryl Axelby, Aboriginal Legal Rights Movement Inc
Ms Veronica Brodie, Aboriginal Justice Advocacy Committee
Mr Barker Bryant, Port Augusta

South Australia

Programs for South Australian Judiciary
31 May 1996, 27 February 1997, 30 October 1997

2. List of Presenters and facilitators (continued)

Mr Michael Cook, Consultant, Sydney
Mr Andrew Collett, Consultant
Ms Ceilia Divarakan-Brown, Exec. Asst. Department of State Aboriginal Affairs
Mr Chris Charles, Aboriginal Legal Rights Movement Inc.
Ms Vi Deuschle, Aboriginal Justice Advocacy Committee
Mr Allan Dodd, Yatala Community
Mr Arnold Dodd, Aboriginal Legal Rights Movement Inc, Port Augusta
Prof Alex Castles, Retired Professor of Law, University of Adelaide
Mrs Merci Glastonbury, Indigenous Anthropologist
Ms Kim Graham, Field Officer, ALRM
Ms Lillian Holt, Principal, Tauondi College, Port Augusta
Ms Girlies Ingomar, Port Augusta
Dr. E. F. Johnston QC, Consultant
Mr Yami Lester, Commissioner for South Australia, Aboriginal & Torres Strait Islander Commission
Mr Gary Lewis, Anangu Pitjantjatjara Inc.
Ms Irene McKenzie, Port Augusta
Ms Diedre McKenzie, Port Augusta
Ms Margaret McKenzie, Port Augusta
Mr Frank Nam, Youth Worker, Nunkuwarrin Yunti
Mr Greg Newchurch, Field Officer, ALRM
Mr Lewis O'Brien, Aboriginal & Torres Strait Islander Commission
Mr Rodney O'Brien, ATSIC
Mr Darcy O'Shea, Ceduna
Mr David Rathman, Director, Department of State Aboriginal Affairs
Mr Matt Rigney, Chairperson, Patpa Wara Yunti Regional Council
Mr Tauto Sansbury, Aboriginal Justice Advisory Committee
Ms Sandra Saunders, Aboriginal Legal Rights Movement
Mr Sid Sparrow, Aboriginal Legal Rights Movement
Mr Basil Sumner, Aboriginal Sobriety Group Inc.
Mr Rex Stuart, Port Augusta
Mrs Faith Thomas, Retired Nurse
Mr George Tongerie, Department of State Aboriginal Affairs
Ms Irene Watson, Indigenous Lawyer

South Australia

Programs for South Australian Judiciary
31 May 1996, 27 February 1997, 30 October 1997

2. List of Presenters and facilitators (continued)

Mr Trevor Wanganeen, Field Officer, ALRM

Mr Richard Young, Manager of Aboriginal Programs, APOSS

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Visit to the Mobilong Prison
29 December 1997

23 Judges and Magistrates and a senior court staff visited the Mobilong Prison on 19th December 1997 and spent the morning with Aboriginal prisoners. Mobilong Prison is a medium security prison near Murray Bridge, about 50 kms from Adelaide. All of the Aboriginal prisoners are believed to have participated in the meeting. The visitors sat with the prisoners and talked generally until morning tea and then broke up into small groups and continued to talk until lunchtime when the session ended.

The matters discussed depended upon what individual Aboriginal prisoners were prepared to discuss but they included their perceptions of the justice system, what imprisonment meant to them, how they were handling prison and the effect imprisonment had on their families.

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Twilight Meeting
20 April 1998

On 20th April 1998 Judges, Magistrates and Court staff received a presentation from Reverend Bill Edwards about Aboriginal Dreaming, language and kinship. Bill Edwards was a Presbyterian Minister at Ernabella for many years and played an important role in the development of that community. He has a wide knowledge of Aboriginal culture, language, kinship and social structure.

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Program for South Australian Judiciary - May 1998
(Visit by judiciary to Pitjantjatjara Lands)

1. Program Agenda

At Invitation of Anangu Pitjantjatjara

Held 25th to 28th May

Saturday 23rd/Sunday 24th/Monday 25th/Tuesday 26th May

Informal program

Monday 25th May 1998

Arrive Mimili Community between 12 noon and 1.00pm.

Lunch with the Mimili community – (subject to confirmation).

Tour into the Everard Ranges accompanied by members of the community.

Proceed to Umuwa to arrive before dark.

Set up camp at either Umuwa Creek (about 3kms from the Umuwa head quarters) or some other approved location.

Your chef tonight: His Honour Judge David Bright!!!!

Tuesday morning

Up bright and early. Your own breakfast – necessities provided.

It is hoped that there will be some informal discussion with Anangu and maybe trips to points of interest. Nothing of a formal nature is planned. It would not be appropriate for you to go touring off on your own but there is lots to see and do around Umuwa.

Formal Program

Tuesday 26th May 1998

Lunch 12.30pm: Provided by AP at Umuwa with Executive of AP and Chair Persons of Local Communities.

Session 1 commenced at 2.00pm

Brief welcome by Chairman of AP, Trevor Adamson and Director of AP, Punch Thompson with brief reply by Justice Mulligan.

Meeting between the Judiciary and the full Executive of Anangu Pitjantjatjara plus Chair Persons from each of the communities.

This session will involve senior elected representatives of the local communities. They will address us on their concerns as to the effect of the Court system upon Pitjantjatjara communities and as to how the system is operating in practice. It will permit a flow of ideas and discussion of issues directly relating to the system as it stands, its perceived strengths and weaknesses. The agenda is open. It will be a forum for discussion as distinct from a "lecture" format.

Tea (about 5.00) Provided at Umuwa and catered by AP

After informal meal, there will be opportunity for the discussion commenced during the day

Program for South Australian Judiciary - May 1998
(Visit by judiciary to Pitjantjatjara Lands)

1. Program Agenda (continued)

to continue informally after tea with smaller groups participating.

Say at 8.00pm, return to Camp or set up camps for those who arrive only on Tuesday lunchtime. (e.g. those who have flown from Adelaide on Monday).

Wednesday 27th May 1998

Session 2: morning session at Umuwa

An anthropological/historical over view of Pitjantjatjara communities presented by speakers from the Anthropological Department of the Pitjantjatjara Council.

NPY Women's Council members to discuss issues of concern as to reaction of European legal system to domestic violence.

1.00pm Lunch at Umuwa

Wednesday Afternoon Session at 2.00pm

Presentation by Sgt Neil Smith of the Marla Police in conjunction with the police Aides as to Police discretion in relation to the laying of charges. Explanation as to police policy/practice where offences affect the community and extent to which community expectations and concerns are taken into account.

ALRM presentation re operation of the Court system and issues arising therefrom.

Session to conclude about 4.30pm

Wednesday evening

Proceed to Ernabella – about 20 minutes from Umuwa

Dinner at the Ernabella Art and Craft Centre with members of the Ernabella Council and AP executive members.

Exchange of gifts between Chief Justice and Chairman of AP and Statement by Chief Justice.

Inma – a display of traditional song and dance provided by the local community.

Return to Umuwa to camp.

Thursday 28th May

Session 4: Thursday morning 9.00am

Presentation by Nganampa Health as to health conditions and issues arising therefrom including issue of petrol sniffing and the like.

10.30am

Visit to and Demonstration of “*Ara Iritja*” project at PY Media Centre conducted by John Dallwitz.

South Australia

Program for South Australian Judiciary - May 1998
(Visit by judiciary to Pitjantjatjara Lands)

1. Program Agenda (continued)

A summation of the Conference (about 20 minutes). Closing remarks.

Lunch (packed to eat on way if desired)

Participants will leave Lands early Thursday afternoon as per schedule of Judge Bright.

Return to Adelaide as per schedule provided.

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2. List of Presenters and facilitators

Due to the nature of the program, detailed lists of those involved were not available; names of presenters involved in the formal program are detailed above.

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Seminar
23rd February 2000

On 23 February 2000 a Seminar was held at Nunkuwarnin Yunti in Adelaide. The Seminar was attended by Aboriginal leaders and members of the Judiciary and Court staff. There was no formal agenda as our interest was to have Aboriginal leaders tell us what they wanted from the Aboriginal Cultural Awareness Programme. We were welcomed by the Kaurna Leader, Mr Lewis O'Brien, and the Seminar was opened by the Honourable the Chief Justice, Justice John Doyle.

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Program for South Australian Judiciary - June-July 2000

1. Program Agenda

ABORIGINAL COMMUNITY JUSTICE SEMINAR
PORT AUGUSTA

Friday 30th June to Sunday 2 July 2000
Cooinda Hall, Commercial Road, Port Augusta

Friday 30th June

6.00 pm	Welcome	: Mr Vince Coulthard
	Opening	: Mr Vince Coulthard

Program for South Australian Judiciary – June-July 2000

South Australia

(Aboriginal Community Justice Seminar, Port Augusta)

1. Program Agenda (continued)

		:	The Chief Justice, Justice John Doyle
		:	Traditional Dance by Yarmala Mutaka Dance Group
	Chair	:	Mr Vince Coulthard
	Topic	:	<i>The Aboriginal People at Port Augusta</i> <ul style="list-style-type: none">* Origins* Population and distribution* Location of groups* Language of groups* Age spread* Health status* Economic status* Outline of problems* Cultural differences
	Speakers	:	⇒ Mr David Rathman ⇒ Ms Elsie Jackson ⇒ Ms Julie Wright ⇒ Mr Rex Stuart
8.00 pm	Close		
Saturday 1st July			
9.30 am	Chair	:	Mr Elly McNamara Chairperson, Nulla Wimila Kutju
Regional Council			
	Topic	:	<i>Problems facing the Aboriginal People in the Justice System</i> <i>Pre Court</i> <ul style="list-style-type: none">* Investigation stage* Arrest* Legal representation* Interpreters* Bail
Court			At <ul style="list-style-type: none">* Interpreters* Lack of understanding* Court companions* Legal representation* Witnesses* Problems with communication* The sentencing process

Program for South Australian Judiciary – June-July 2000
(Aboriginal Community Justice Seminar, Port Augusta)

1. Program Agenda (continued)

South Australia

			After Court
			* Punishment of Aboriginal people
			* Alternatives to punishment
			* Understanding of outcome
			* Imprisonment
			* Release from prison
	Speakers	:	⇒ Mr Malcolm Davies ⇒ Ms Lavene Ngatokorua ⇒ Ms Kym Chamberlain ⇒ Mr Ian Crombie Mr Dean Mohammed ⇒ Mr Kym Dodd
11.00 am	Morning Tea		
11.30 am	Session Continues		
	Chair	:	Ms Lavene Ngatokorua Ms Joyce Wilson
1.00 pm	Lunch	:	Aboriginal Women's Centre - Kungka Tjutaku Ngura
1.45 pm	Chair	:	Mr Dean Mohammed
	Topic	:	Problems facing the Police of Port Augusta
			* Police perceptions of crime in Port Augusta - promoting community based solutions
	Speaker	:	⇒ Assistant Commissioner Paul White
			* Diverting Youth from Crime
	Speaker	:	⇒ Assistant Commissioner Graham Brown
			* Operational Problems in Policing in Port Augusta
	Speaker	:	⇒ Sergeant Rodney Malkin
3.00 pm	Afternoon Tea		
3.30 pm	Nunga Court		
	Chair	:	Ms Julie Wright
	Speakers	:	⇒ Mr Chris Vass SSM ⇒ Aboriginal Justice Officers at Port Adelaide:
			• Mr Les Wanganeen • Ms Colleen Welch
4.30 pm	Discussion		

Program for South Australian Judiciary – June-July 2000
(Aboriginal Community Justice Seminar, Port Augusta)

1. Program Agenda (continued)

4.45 pm	Entertainment	:	Kutu Yakarlamath Song and Dance Group
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South Australia

Mr David Rathman, Chief Executive Officer, Division of State Aboriginal Affairs Mr And Robb, Regional Manager, Division of State Aboriginal Affairs Mr Rex Stuart, Courts Interpreter, Port Augusta
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Petrol Sniffing Seminar
3 August 2000

On 3rd August 2000 the Committee joined in a seminar organised by the Law Society of South Australia on the effects of Petrol Sniffing. The Seminar was held at Nunkuwarrin Yunti and the topics included:

- Life on communities with Sniffers
- Psychological Interpretation and Assessment of Cognitive
- Deficits arising from
 - Petrol Sniffing
 - Neurobehavioural consequences of Petrol Sniffing
 - The Anthropological Interpretation
 - Cultural Interpretations of Sniffing.

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Twilight Meeting
23 November 2000

On 23rd November 2000 a Seminar was held on the topic of "Kinship in Aboriginal Society". Presentations were made by the Reverend Bill Edwards and George Tongerie AM who is an Aboriginal leader now living in Adelaide but who has vast experience in the Aboriginal community at Oodnadatta over many years which, in his time, was a dry community. Also, Mr Chris Vass SM spoke about the Nunga Court which he established at Port Adelaide. About 80 members of the Judiciary and Court staff attended this Seminar.

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TASMANIA

Members of the Tasmanian Cross-Cultural Awareness Committee _____	59
Program for Tasmanian Judiciary - November 1996 _____	59

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Members of the Tasmanian Cross-Cultural Awareness Committee

The program was developed by the Tasmanian Aboriginal Centre in consultation with Justice Pierre Slicer of the Supreme Court of Tasmania and Aboriginal Community representatives. No local cultural awareness committee was formally constituted.

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Program for the Tasmanian Judiciary - November 1996

1. Program Agenda

ABORIGINAL CULTURAL AWARENESS PROGRAMME Cultural Awareness Seminar for Tasmanian Courts, 16 – 17 November 1996 Risdon Cove	
Outline	
Saturday 16 November	
Introduction and speakers	10am – 1pm
Lunch	
Discussion and contact groups	2pm – 5pm
Social function	7pm onwards
Sunday 17 November	
Workshops and issues	10am – 12 noon.
Suggested format:	
Lyndall Ryan – overview, past and present.	
Annette Peardon – dispossession and fragmentation of families.	
Pat, Joan and Karen Brown – limpets and necklaces.	
Dennis Daniels – policy and fragmentation.	
Greg Lehman and Rocky Sainty - Culture and survival.	
Rodney Gibbins and Clyde Mansell - Victimless crimes and responses.	
Ida West and Furley Gardner – recovery and impact, land and Crowther.	
Heather Sculthorpe – community responsibility and policy development.	

Program for the Tasmanian Judiciary - November 1996

1. Program Agenda (continued)

Summary

Brief Report on Seminar by Ian Richard, Supreme Court of Tasmania

A combined courts seminar was held at Risdon Cove on 16 – 17 November 1996, involving judges from the Supreme Court of Tasmania and the Family Court and Tasmanian magistrates. The seminar was planned by Heather Sculthorpe of the Aboriginal Centre and Justice Pierre Slicer of the Supreme Court of Tasmania and was facilitated by Joanne Selfe of the Department of Corrective Services, New South Wales. The seminar was attended by 38 members of the Aboriginal community and the judiciary. The format was a mixture of historical perspective as presented by Dr Lyndall Ryan, author of “The Aboriginal Tasmanians”, rationale and analysis of government policy especially in the area of attempted assimilation policies by a former Director of the Department of Community Welfare, Mr Dennis Daniels, and the response by three elders and activists of the Aboriginal community. Annette Purdon gave a personal account of the effect of the removal and relocation of Aboriginal children from their families.

The theme of the seminar was a concept of a living Aboriginal culture in Tasmania as presented by Aboriginal historian and policy adviser, Rodney Gibbins, and Aboriginal lawyer, Michael Mansell. The paper presented by Mr Mansell outlined a youth justice diversionary program, a concept well received by judicial officers. Perhaps the greatest impact on all present was a number of short recollections of personal and family experiences by a group of Aboriginal elders who had traveled to the seminar from all over Tasmania. Their stories were ones of both hope and sadness and did much to make real the nature and presence of living Aboriginal culture.

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2. List of Presenters and facilitators

Michael Mansell - Tasmanian Aboriginal Centre	Aboriginal community representatives:
Heather Sculthorpe - Tasmanian Aboriginal Centre	Annette Peardon
Joanne Selfe, Department of Corrective Services, New South Wales	Furley Gardner
Dr Lyndall Ryan, Historian	Greg Lehman
Rodney Gibbins - Aboriginal historian and policy adviser	Clyde Mansell
Dennis Daniels - former Director of the Department of Community Welfare	Pat Green
Ian Ritchard - Registrar, Supreme Court of Tasmania	Laurie Lowery
	Eddie Thomas
	Ida West
	Rosie Smith
	Phillip Becton
	Lennah Newson
	Michael Beeton
	Dionne Bishop
	Caroline Spotswood
	Dianne Spotswood
	Joan Brown

NEW SOUTH WALES

Members of the New South Wales Cross-Cultural Awareness Committee _____	61
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Members of the New South Wales Cross-Cultural Awareness Committee

In conjunction with the NSW Judicial Commission, the following members formed the sub-committee from June 1994 onwards:

The Hon Justice Clarke, Supreme Court of New South Wales (Chair)
Justice Colleen Moore, Family Court of Australia
Justice Abadee of the Supreme Court
Justice Bignold of the Land & Environment Court
Judge Madgwick QC of the District Court
Judge Armitage of the Compensation Court
Mr Henson – Deputy Chief Magistrate
Mr Ernest Schmitt, Chief Executive Officer, Judicial Commission of NSW
Ms Joanne Self, Aboriginal Liaison Officer, Department of Courts Administration
Mr David Thompson, Field Officer, Redfern Aboriginal Legal Service

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Program for the New South Wales Judiciary - May - September 1997

1. Program Agenda

This program was developed and run by a NSW Steering Committee in conjunction with the Judicial Commission of New South Wales. The program consisted of a series of visits to Aboriginal Communities, conducted from May to September 1997. The communities visited included Nowra, Gosford, the Blue Mountains and La Perouse. In each case, the communities themselves set the agenda, focussing on the exchange information and ideas on issues of current concern, as well as cultural and historical knowledge. Judicial officers were introduced to bush tucker, to some of the mysteries of the Australian bush, to Aboriginal art and dancing, and to programmes for young offenders.

The visits were followed by a seminar, conducted in the Supreme Court of New South Wales, on 13 September 1997:

Seminar Program	
Aboriginals and the Law	
Chairman: Magistrate Darcy Leo, or Mr Ken Henderson (retired Magistrate)	
Program	
11.00am	Introductory Remarks: Attitudes and Values in Decision-Making Presenter : Dr Roberta Sykes
-(Awareness/recognition segment)-	

Program for the New South Wales Judiciary - May - September 1997

1. Program Agenda (continued)

11.15am	Workshop: Racial Discrimination in our Community <i>Aboriginal Discrimination</i> (20 min. <i>A Current Affair</i> case study video) and/or, <i>Babakiueria</i> (10/30 min. ABC Video on racial role reversal)
	Discussion Facilitator: Dr Roberta Sykes
12.30	Lunch (Optional viewing of ABC video documentary "Cop it Sweet") - (<i>Information segment</i>) -
1.15	Presentation: Law Enforcement Practice: A thumb-nail sketch Policing practices and statistics Mr Chris Cunneen, Faculty of Law, University of Sydney
2.00	Presentation: Modern Aboriginal Society and Customs Community policing, night patrols, Aboriginal justice, sentencing alternatives Presenters: Dr Roberta Sykes, and Mr Kevin Williams
3.0	Afternoon Tea - (<i>Experience-sharing and brainstorming segment</i>) -
3.15	Workshop: Sentencing Practice and Alternatives Discussion Leader: Magistrate Darcy Leo General discussion
4.15	Evaluation and discussion
4.45	Closing remarks.

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2. List of Presenters and facilitators

Dr Roberta Sykes
Mr Kevin Williams

VICTORIA

Members of the Victorian Cross-Cultural Awareness Committee_____	63
Program for Victorian Judiciary - June 1997_____	63
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Victorian AIJA Aboriginal Cultural Awareness Committee:

The Victorian Aboriginal Cultural Awareness Committee is chaired by Justice Geoff Eames of the Supreme Court of Victoria. Since 1997 it has been variously composed of the following members:

Justice Frank Vincent
Justice John Coldrey
Justice Peter Gray
Justice Sally Brown
Judge James Duggan
Judge Jenny Coate
Ms Lois Peeler
Mr Frank Guivarra
Ms Wanda Braybrook
Mr Lionel Turner
Mr Jim Berg
Mr Ted Lovett
Ms Ann Bambrook
Mr Peter Lauritsen
Mr Bob Egan
Mr Ron James
Mary Atkinson

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Program for Victorian Judiciary - June 1997

1. Program Agenda

VICTORIAN JUDICIAL ABORIGINAL CULTURAL AWARENESS PROGRAM

Kooringa Conference Centre, Marysville, Friday 20 June to Sunday 22 June 1997

PROGRAM OUTLINE

FRIDAY NIGHT

5.00pm ARRIVAL AND REGISTRATION

Program for Victorian Judiciary - June 1997

1. Program Agenda (continued)

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| 6.00pm | WELCOME ON BEHALF OF THE ABORIGINAL COMMUNITY |
| 6.05pm | RESPONSE ON BEHALF OF THE JUDICIARY |
| 6.10pm | PRE-DINNER DRINKS AND ABORIGINAL ENTERTAINMENT |
| 7.15pm | INFORMAL DINNER |
| 8.30pm | WORK AFTER DINNER
(a) Why we are here - Royal Commission Into Aboriginal Deaths in Custody (Recommendation 96)
(b) The role of the Australian Institute of Judicial Administration (AIJA).
(c) Informal whole group discussion.
An opportunity for judicial participants to raise the questions which concern them about the interface between the judiciary and the Aboriginal community and for Aboriginal participants to do the same. |
| 9.30pm | RELAXATION |

SATURDAY

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| 8.00am | BREAKFAST |
| 9.00am | THE VICTORIAN MAP AS THE ABORIGINAL COMMUNITY SEES IT.
(a) Aboriginal groups and clans in the Victorian context.
(b) Aboriginal boundaries and how little they connect with white boundaries.
(c) The importance of "country" and land aspirations.
(d) Major Aboriginal population centres and the reasons why people are living there.
(e) The location and configuration of Aboriginal community organisations.
(f) The interface between government bureaucracies and Aboriginal communities. |
| 10.00am | HOW HISTORY SPEAKS TODAY
(a) A look at Aboriginal history through Aboriginal eyes.
(b) The experience of Victorian Aboriginal people who lived on missions and experienced at first hand government policies.
(c) The Victorian executive acts of early times through the statutes and grants and highlighting the specific statutory provisions that limited Aboriginals. |
| 11.00am | WHY THE ELEMENTS OF ABORIGINAL CULTURE THAT SURVIVE ARE SO IMPORTANT AND TO BE RESPECTED.
(a) Culture as a living and evolving entity.
(b) The destruction of Aboriginal culture and the ways people have responded in the past and in the present. |
| 11.30am | INFORMAL DISCUSSION GROUPS WHERE ABORIGINAL PEOPLE CAN CHAT WITH JUDICIAL MEMBERS ABOUT WHAT TROUBLES THEM IN THE DEALINGS BETWEEN THEIR COMMUNITY AND THE JUDICIAL SYSTEM AND HOW THEY FEEL THE PAST INTRUDING INTO THE PRESENT. |

Program for Victorian Judiciary - June 1997

1. Program Agenda (continued)

12.30pm REVIEW OF THE MORNING AND TALK ABOUT WHERE TO MOVE FROM HERE.

Note: Morning coffee will be taken at a time determined by the group.

1.00pm LUNCH.

2.00pm DEPART FOR CAMP JUNGAL.

2.40pm AT CAMP JUNGAL.

Options:

- Guided bush walk
- Talk by Aboriginal Cultural Officer
- Discussion about the role of Aboriginal organisations in supporting Aboriginal people through the court system and at sentencing
- Video Screening
- Damper and tea around the fire

5.00pm DEPART CAMP JUNGAL

6.30pm PRE-DINNER DRINKS

7.30pm INFORMAL DINNER INCLUDING A STORY TELLER FOLLOWED BY MUSIC AND A SING-A-LONG.

SUNDAY

8.00am BREAKFAST

9.00am PARTICULAR ISSUES TO BE TAKEN UP IN MORNING DISCUSSIONS GROUPS.

Suggested approach in discussion groups.

- (a) What do Aboriginal people feel are the main problems within the particular issue?
- (b) How do judicial members feel these matters affect the proceedings of the courtroom and their capacity to work effectively with Aboriginal people?
- (c) What practical suggestions or approaches might improve the working relationship between the judiciary and the Aboriginal community?

9.30am DISCUSSION GROUPS

Suggested issues:

- Working with Koorie youth
- Family violence
- Police, courts and authority
- Connecting with Aboriginal communities and organisations

Note: Morning coffee will be taken around 10.30am to enable people to move to different groups.

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Program for Victorian Judiciary - June 1997

1. Program Agenda (continued)

11.45am	SHARING THE PRACTICAL APPROACHES SUGGESTED BY DISCUSSION GROUPS IN A WHOLE GROUP FORUM.
12.45pm	CLOSURE.
1.00pm	LUNCH.
2.00pm	DEPART.

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2. List of Presenters and facilitators

Alf Bamblett, Melbourne Mary Atkinson, Shepparton Kevin Atkinson, Shepparton Alick Jackomos, Melbourne Ted Lovett, Ballarat Kelly Faldon, Melbourne Wanda Braybrook, Melton Margaret Stewart, Melbourne Thelma Canavan, Melbourne Frank Guivarra, Melbourne Terry Hood, Bairnsdale	Bob Egan , Melbourne John Day, Heywood Anne Bambrook, Melbourne Ron James, Melbourne Antoinette Braybrook, Melton Kylie Belling, Melbourne Terry Garwood, Wangaratta Herb Patten, Melbourne Bunta Patten, Melbourne Lois Peeler, Melbourne Sid Clark, Mildura Greg Chandler, Mildura
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Program for Victorian Judiciary - April 2000

1. Program Agenda

**JUDICIAL CULTURAL AWARENESS CONFERENCE
MARYSVILLE
Friday 31 March - Sunday 2 April 2000**

	PROGRAM	PRESENTER/FACILITATOR
4.00 pm	Registration	
6.00 pm	Refreshments in the lounge	
6.45 pm	Welcome on behalf of the Aboriginal \community and acknowledgment of the Kulin Nations.	Alf Bamblett, Aboriginal Justice Advisory Committee (AJAC)
	Response on behalf of the judiciary	Geoff Eames - Supreme Court
	Performance - Aboriginal dance group - One Fire	Alf Bamblett to introduce One Fire

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Program for Victorian Judiciary - April 2000

1. Program Agenda (continued)

7.30 pm	Informal Dinner	
8.30 pm	After Dinner Meeting	
	Judicial Address <ul style="list-style-type: none"> • Conference objectives • Background to this conference • Role of the Australian Institute of Judicial Administration and other funding groups Introducing the Aboriginal participants Housekeeping	Geoff Eames - Supreme Court Alf Bamblett - Chairperson, AJAC Anne Bambrook - Student Services Northern Melbourne Institute of TAFE (NMIT)
9.30 pm	Relaxation	

Saturday 1st April 2000

	PROGRAM	PRESENTER/FACILITATOR
8.00 am	Breakfast	
9.00 am	HOW HISTORY SPEAKS TODAY (Whole group) An interactive session which looks at the history of Australia since white settlement from a black and white perspective and through the experiences of indigenous and non indigenous Australians.	Alf Bamblett - AJAC Anne Bambrook - NMIT.
10.15 am	Morning Tea	
10.45 am	CROSS CULTURAL COMMUNICATION (Whole group) A presentation examining issues of cross cultural communication including <ul style="list-style-type: none"> • Koorie English and standard English • Language and cultural identity • Reading non verbal cues • Aboriginal experience - personal stories • Active communication 	Sally Brown - Family Court Esme Saunders - Research Manager, Institute of Koorie Education, Deakin University
11.30 am	THE VICTORIAN MAP AS THE ABORIGINAL COMMUNITY SEES IT (Whole group) Aboriginal people will talk about <ul style="list-style-type: none"> • clans, families and regional groups • the importance of "country" • the location of Aboriginal population centres and the reasons why people are living there • the role of Aboriginal organisations in community life • how members of the judiciary might connect with Aboriginal communities. 	Alf Bamblett - AJAC Anne Bambrook - NMIT.

Program for Victorian Judiciary - April 2000

1. Program Agenda (continued)

	PROGRAM	PRESENTER/FACILITATOR
12.30 pm	Lunch	
1.30 pm	<p>CRITICAL ISSUES (Discussion groups) During the afternoon two discussion groups will run as parallel sessions. Judicial participants may choose to divide their time between the two groups. There will be an afternoon tea break around 2.45pm. Aboriginal people with particular knowledge and experience in the areas listed will be in each group. Each group will have a judicial and non judicial facilitator.</p> <p>Community Issues 1.30 - 2.45 and 3.15 - 4.30</p> <ul style="list-style-type: none"> • Family, Children and Youth • Substance Abuse • Domestic violence • Education and Training • Employment and Community Development • Juvenile Justice Work <p>Political Issues 1.30 - 2.45 and 3.15 - 4.30</p> <ul style="list-style-type: none"> • Victorian Aboriginal Legal Service (VALS) • Native Title Issues - Mirimbiak Nations Aboriginal Corporation • Diversionary Programs • The Aboriginal Justice Advisory Committee (AJAC) • Victorian Government - Aboriginal Justice Agreement • Indigenous and judicial issues in New Zealand • Police Relations 	<p>Facilitator: Anne Bambrook/Jennifer Coate Muriel Cadd, Deidre King Marion Hansen, Ted Lovett Wanda Braybrook, Kelly Faldon Geraldine Atkinson Terry Hood, John Day</p> <p>Peter Hood</p> <p>Facilitator: Alf Bamblett/Peter Gray Frank Guivarra</p> <p>Damein Bell</p> <p>Sid Clarke Amelia Bitsis</p> <p>Andrew Jackomos</p> <p>Judge Rota</p> <p>Greg Chandler</p>
4.30 pm	<p>FEEDBACK (Whole group) An opportunity for participants to</p> <ul style="list-style-type: none"> • highlight issues not yet addressed • share personal observations • make 'big statements' • raise a burning question 	Anne Bambrook - NMIT
5.00 pm	Relaxation - Walk to Stevenson Falls	
6.00 pm	Pre Dinner Drinks	
7.00 pm	Dinner Speaker : His Hon Judge Robert Bellear	Geoff Eames - Supreme Court

Program for Victorian Judiciary - April 2000

1. Program Agenda (continued)

Sunday 2nd April 2000

	PROGRAM	PRESENTER/FACILITATOR
8.00 am	Breakfast	
9.00 am	<p>ABORIGINAL EXPERIENCE AND THE COURTS (Whole group) In this session staff from the Victorian Aboriginal Legal Service will present issues they believe affect Aboriginal people before the courts and will take questions from the audience. The VALS panel will comprise solicitors and Client Service Officers working in regional centres and Melbourne.</p>	<p>Facilitators: Frank Guivarra and Peter Lauritsen Panel Tom Munro - E.O. Legal Practice Paula King - Solicitor - Family Law Daniel McGlone - Solicitor Wayne Bell - CSO - Western District Ray Clarke - CSO - Mildura area Willie Pepper - CSO - Central Gipps</p>
10.00 am	Morning Tea	
10.30 am	<p>WHERE TO FROM HERE Informal discussion groups including VALS staff will consider</p> <ul style="list-style-type: none"> • What factors do judicial members believe affect the proceedings of the courtroom and their capacity to deal effectively with Aboriginal people? • What practical suggestions/approaches might improve the working relationship between the judiciary and the Aboriginal community? 	Group Leaders/Scribes
11.45 am	Sharing the practical approaches suggested by discussion groups in a whole group forum.	Facilitator: Alf or Geoff or Anne
12.30 pm	<p>JUDICIAL AND ABORIGINAL CONCLUDING REMARKS</p>	Alf Bamblett - Aboriginal Justice Advisory Committee Geoff Eames - Supreme Court

LUNCH AND DEPARTURE

2. List of Presenters and facilitators

As outlined in program above.

Conclusion

This Report endeavours to achieve two key goals. One, to provide a consolidated record of Aboriginal cultural awareness programs conducted by the Australian Institute of Judicial Administration in response to Recommendation 96 of the Royal Commission into Aboriginal Deaths in Custody. As previously stated, the specified period covered by the Report is late 1992 to July 2000.

The second function of the Report is to provide a unique reference tool for individuals, agencies and organisations commencing or re-visiting the provision of Aboriginal cultural awareness training for members, staff or client groups. In this regard, the Report highlights the fundamental philosophical and structural framework upon which the AIJA developed its national program of Aboriginal cultural awareness as well as the form and character of state and territory regional programs.

Altogether, twenty-five individual programs were developed and conducted during the six-year period covered by this review. Although it is not the purpose of this report to undertake a detailed evaluation of these programs, they were developed and implemented with due regard for judicious planning, adequate and appropriate consultation with key stakeholders and efficient use of resources.

More importantly, it becomes quite obvious from the research undertaken for this Report that, unlike criticisms that have been leveled elsewhere in respect of implementation of many other Royal Commission recommendations, the spirit and intent of Recommendation 96 was generously and sincerely taken up in each and every program by those facilitating, coordinating and participating under the auspices of the national program.

Recommendations

1. To assist future planning and to for the benefit of other organisations undertaking similar programs, it may be useful for the AIJA to undertake an evaluation exercise, most particularly to identify those factors which have been instrumental in contributing to the success of program that have been run so far.
2. That a Register of Aboriginal and Torres Strait Islander people willing to provide expertise to cultural awareness training be established and maintained by the AIJA in conjunction with ATSIC.

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