



FACE OF THE MURRI COURT ART PRESENTATION

Monday 4 February 2008 at 3.00 pm

Caboolture Courthouse, 30 King Street Caboolture

**Judge Marshall Irwin
Chief Magistrate**

I acknowledge the traditional owners and custodians of the land on which we gather today, the Undumbi and Kabi Kabi people. I understand that Caboolture was the meeting place for these two traditional tribes.

I also acknowledge the Deputy Chief Magistrate Brian Hine, Magistrate Paul Johnstone and Acting Magistrate Peter Hasted, who preside in the Caboolture Magistrates Court, the elders who honour us with their presence here today, the Buranga Widjung Justice Group (which I understand means "Listening from the Nest"), Aunty Monica O'Callaghan and Uncle Evan Blackman who have been the judges for the Face of the Murri Court Art Search Project, Sean Harvey, Regional Services Manager for the Department of Justice and Attorney-General, John Morhee the Caboolture Clerk of the Court, Linda Ryles who has been the Murri Court Coordinator responsible for this Project, and Fiona Craigie who is also a Murri Court Coordinator.

I thank Uncle Frank Brown for his Welcome to Country. This has been done with the blessing of Aunty Ann Martin.

It is also a pleasure to acknowledge the presence of Magistrate Trevor Allingham. He has not been able to take his place on the Caboolture Bench for sometime due to illness. His role in the development of the Caboolture Murri Court has been described to me as “monumental.” Trevor, you are highly regarded by the Murri Court elders and the local Indigenous community. It is with much joy that you are welcomed back today, and I express the hopes of everyone present that you will soon be back on the Bench fulltime. I hope that you will be proud and encouraged by the progress that has been made with the Murri Court and by the wonderful support of your colleagues during your absence.

Today we acknowledge the art work of Mr Dennis Muckan, a proud descendant of the Gubbi Gubbi people and South Sea Islanders. He has offered his painting to the Department of Justice and Attorney-General through the Face of the Murri Court Art Search Project.

The purpose of this project was to identify artwork for use in promoting the message of the Queensland Murri Court. I thank everyone who participated in this project. However Mr Muckan’s art work and the story it tells was selected by a panel of judges as being relevant to the activities of the Murri Court.

Murri Courts have been operating in Queensland since August 2002. Deputy Chief Magistrate Hine and my predecessor as Chief Magistrate, Di Fingleton were the driving force behind this initiative.

The first Murri Court was established in Brisbane. With the opening of the Cairns Murri Court on 11 January 2008 there are now eleven Queensland Murri Courts. The other Murri Courts operate in Mount Isa, Rockhampton, Townsville, Cherbourg, Ipswich, Cleveland, Caloundra, the Cape York Community, and here at Caboolture.

A Youth Murri Court was established at Caboolture in February 2006 and has been operating successfully with the cooperation, goodwill and commitment of the local magistracy and the Indigenous elders. The support network of the Court includes the traditional elders from Bribie Island.

The Caboolture Youth Murri Court currently sits every third Friday in conjunction with the Childrens Court. It is aimed to establish an adult jurisdiction during this year.

The Caboolture Murri Court has been recognised as one of the five funded Evaluation Murri Courts. These will allow a careful evaluation of the Court for the future.

Murri Courts developed because of the magistrates, in court everyday, who said we can do better for Indigenous people and reduce their level of over-representation in the prison population.

To achieve this, the court has used a principle in our sentencing legislation that requires it to consider relevant submissions from Community Justice Groups, including elders and respected persons when sentencing Aboriginal and Torres Strait Islander offenders.

Therefore by applying the law of Queensland it has been possible to give magistrates more culturally appropriate sentencing options with a view to the rehabilitation of offenders and the reduction of recidivism.

The Murri Court has increased the participation and ownership by the Indigenous community in the criminal justice process. It has therefore helped to establish a link from the court to local indigenous communities.

The Attorney-General who is unable to be here today because of a prior commitment has recognised Murri Courts as an important initiative of Queensland Magistrates and that they have played a significant role in addressing Indigenous justice issues.

He has also expressed the Queensland Government's support for the excellent work done by the elders and members of community justice groups in the advice they give in developing innovative and productive sentencing options through the Murri Court.

From my perspective an important aspect of the Murri Court is the involvement of Indigenous elders and respected persons in the court process:

- Advising the magistrate about cultural issues;
- Assisting the magistrate to decide on a sentence that is most appropriate;
- Assisting the offender to understand the court process; and
- Acting as a connection between the court and the local Indigenous communities.

It is about effective penalties and not soft options. The penalties are onerous, as they often involve treatment and close supervision.

One of the elements that stands out to me from Mr Muckan's painting is its representation of the connection forged by the elders between the Court, Indigenous people in the Court and the community. It also conveys to me an important sense of the equality of all people and the equality of justice for all.

I hope that Mr Muckan will be able to share with us the story behind his painting.

It is essential to communicate the activities of the Murri Court to the community. The initiation of departmental publications – brochures and newsletters – promoting the Murri Court program during 2007 has been an important step in this direction.

Two editions of a departmental publication, the Murri Court News have provided a means to give public recognition to the contributions of Indigenous communities in the development of the Murri Court initiative. Therefore in addition to being hung in the

Caboolture Magistrates Court Mr Muckan's art work will feature in future publications and promotions of the Murri Court.

I would like to thank Mr Muckan for his agreement to allow this to occur because it will enhance these publications and promotions.

To adopt the language of inaugural Brisbane Murri Court elder, Uncle Albert Holt this art work will be part of a process on "a spiritual or emotional level" which "generates dignity and respect."

I therefore have much pleasure in awarding this cheque for \$1000.00 to Mr Muckan in recognition of this achievement.