

Supreme Court in desert

In the 1950s Justice Kriewaldt made at least two forays into the outback; one was to Anthony's Lagoon Station in 1953, another in 1955 to hear a matter involving cattle duffing.

His "lenient" sentence upset local graziers.

Justice Kriewaldt upset graziers again in a Darwin decision which was perceived too severe a punishment for whites whipping Aborigines.

As George Cridland tells it, he and Justice Kriewaldt attended the Brunette Downs races in 1956 in a public relations exercise designed to placate the graziers.

Since then, the Supreme Court of the Northern Territory has only sat in Darwin and Alice Springs.

Last month, Justice Mildren headed to Ali Curung (formerly Warrabri), a township of 450 people, which is about 200 kms southeast of Tennant Creek.

The mission was to hear a Justices Appeal in relation to the imprisonment of a 17-year-old Aborigine who had effectively been sentenced to three months imprisonment for two counts of assaulting police (the maximum being six months).

It was a part-heard matter from Alice Springs.

Counsel for the appellant, Lorraine Liddle, made submissions which went to cultural matters and wanted to call witnesses.

The Crown consented, and Justice

Mildren discovered that most witnesses were either from Ali Curung or Tennant Creek.

He sought the appropriate direction from the Chief Justice under s13(2) of the Supreme Court Act.

With that the judge, his associate, Greg Macdonald and secretary, Michael Thomas headed for Alice Springs.

It was Thursday.

In Alice Springs they collected

wife had been hospitalised in Darwin. There was an adjournment while Mr Adams sought details of the seriousness of Mrs Adams' condition.

Speaking of the unusual sitting, Justice Mildren said that the Ali Curung court was a different scenario from an ordinary court.

"Aboriginal witnesses are normally very shy," he explained.

"But here the witnesses were all confident and didn't appear to be overawed by the wigs and gowns."

Justice Mildren said he thought sitting in the outback was a great experience because he could see what sort of place the people lived in.

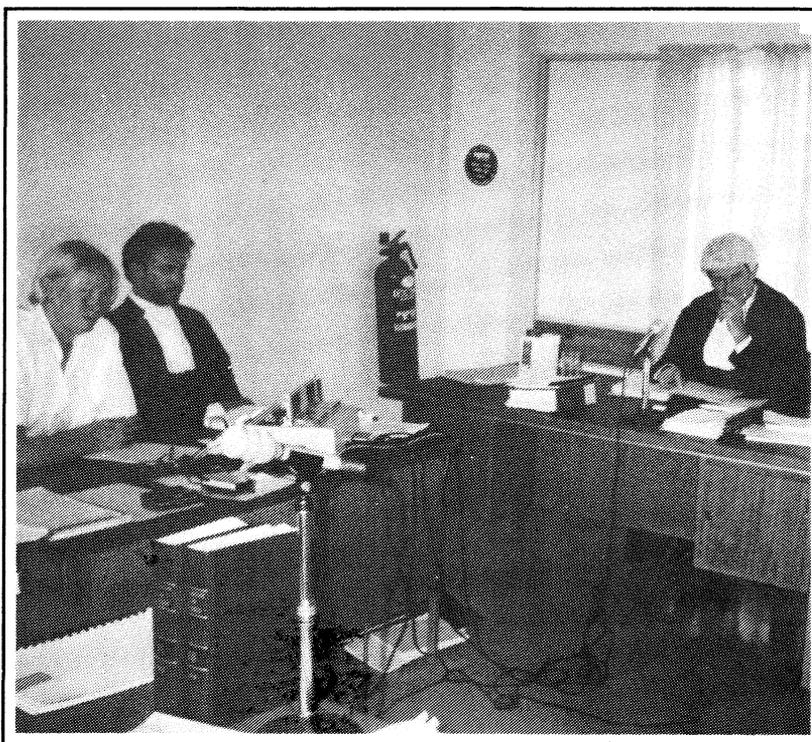
"We toured the town -- it's more like a village, really.

"Housing was basically poor, but I wouldn't call it squalor," he said.

Justice Mildren said he thought it was a good thing for the Supreme Court to sit in Aboriginal communities where it was appropriate to do so.

"I don't think it should be done for the sake of doing it, but I think in cases like this it is sometimes essential," he said.

By the way, the party did not return to Alice Springs that night. They drove to Wycliffe Well, about 30 kms from Ali Curung, for the night and returned to Alice the following day.



Left to right: Court Reporter, Louise Nolan, Associate Greg Macdonald and Justice Mildren in the "Courtroom" at Ali Curung Police Station.

Louise Nolan, a court reporter.

They left Alice at 5.30am on the Friday and arrived at Ali Curung at 9.30.

The Court convened at 10.00 in the modest surrounds of Ali Curung police station and sat, with various interruptions, until around 7.00 that evening.

One of the "interruptions" was news that Crown Counsel, John Adams'