

Mixed news for Circuit Courts

By Hilary Hannam
Chief Magistrate of the Northern Territory



Elizabeth Morris SM, artist Grett Mingundoo, and Hilary Hannam CM

Conditions in bush courts have long been a matter of concern for myself and others who have occupied my position. When briefing our new Attorney-General in relation to particular matters of concern for the Magistrates Courts, I encountered correspondence written by previous Chief Magistrates over a period of at least six years concerning the buildings and conditions in the Magistrates Courts in the major centres and also on circuit. It was somewhat alarming to see that the conditions which were then described as inadequate in many circuits have not improved and over time have deteriorated even further. I have been drawing attention to the conditions in circuit courts for some time and reached the position that in the case of some locations, unless conditions improve to the point that minimum standards are met, I may have no alternative other than to cancel the sittings in those venues.

It is pleasing to see that in two of the worst examples in the Top

End, Borroloola and Galiwinku, alternative suitable premises have been secured by the Department of the Attorney-General and Justice.

In the case of Borroloola, the court now has available to it the rooms owned and used by the Board of Mabunji Aboriginal Resource Centre. It includes a large air-conditioned room for court, as well as rooms for legal practitioners and service providers, and a large shady tree.

In an effort to improve a sense of relevance of the judicial system to the local community, at the suggestion of Magistrate Morris who presides in Borroloola, a local artist, Grett Mingundoo, was commissioned to produce a painting based upon the Northern Territory Coat of Arms to be hung in the court room. On 14 November 2012 during the Borroloola circuit sittings, I travelled to Borroloola for the unveiling of the painting with Grett Mingundoo herself. The ceremony was attended by approximately 40 local people,

including representatives from the Mabunji Board, Police, Corrections, NAAJA, Aboriginal Interpreter Service, NT Legal Aid and other agencies, a number of artists and members of the community. As you will see from the photograph, the painting is truly magnificent. The artist explained some of the elements, including the background which may appear to be decorative, but is in fact a representation of books and learning. Following the ceremony, a delicious morning tea was enjoyed by everyone. The much improved facilities have lifted the spirits of everyone associated with this bush circuit.

It is hoped that we will be able to commission local artists to produce paintings based on the Coat of Arms in the style of local artists to be hung in the court room in each of the places where the court sits on bush circuits.

Unfortunately at around the same time that improved premises were located in Borroloola and Galiwinku, I had no alternative but

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to cease sittings in Kalkaringi as there were simply no appropriate facilities to meet the court's needs. The building which had been used by the court was accurately described as a "crumbling asbestos shed" and has been recommended to be demolished. I am acutely aware of the inconvenience that the closure of a court in a small remote community has on the community, especially where court users, most of whom have no access to transport, are required to travel hundreds of kilometres to the nearest court. I have highlighted the issue of appropriate court facilities in all places where the court sits as a matter of the greatest concern to me. Appropriate facilities are essential for all court users and reflect the importance of the justice system in any well functioning society. I look forward to the Department of the Attorney-General and Justice securing appropriate and adequate facilities for the Magistrates Court whenever it sits. ●



James O'Brien, James Mack, and Phillipa Gilkes, 23 July in Darwin



John Rawnsley, 23 July in Alice Springs



Douglas Burns, Crystal Triggs and Anthony Burridge, 21 October in Darwin