

Ngara Yura program: visit to Walgett community

Walgett community, a small outback town in north-western NSW where the Barwon and Namoi rivers meet, hosted a Ngara Yura community visit last month for 13 judicial officers and their family, with Judicial Commission staff in attendance.

In 2004, the Commission's Aboriginal Cultural awareness program first visited Walgett when the Honourable Justice Virginia Bell AC, now a High Court justice, chaired the program. In 2014, with Supreme Court judge, the Honourable Justice Stephen Rothman AM as chair, a second visit was made. Ms Joanne Selfe, the Commission's Aboriginal project officer, organised the weekend and the National Judicial College provided funding.

Why visit Walgett again? Recommendation 96 of the Royal Commission into Aboriginal Deaths in Custody suggested that judicial officers undertake cultural awareness designed to explain Aboriginal society, customs and traditions with an emphasis on the historical and social factors which have contributed to the disadvantaged position many Aboriginal people experience. Since 1992, the Commission has organised regular community visits as part of its commitment to Aboriginal cultural awareness. Walgett is still a highly disadvantaged community with a predominantly Aboriginal population, notwithstanding the town being singled out as "a priority community" under the National Partnership Agreement on Remote Service Delivery in 2010 announced by the Council of Australian Governments.

In 2004, Justice Bell wrote that "social problems associated with the high level of unemployment in Walgett were palpable". A decade on, unemployment and a lack of training opportunities remain significant problems. The axing of the Community Development Employment Program (CDEP) in July 2014 has exacerbated this. Ms Janelle Whitehead, CEO of the Murdi Paaki Regional Enterprise Corporation Ltd (MPREC), explained that providing meaningful training or employment opportunities without the CDEP type activities has become very difficult and several worthwhile projects such as a community market garden have had to be abandoned. The social effects of unemployment have recently been taken judicial notice of in *R v Hines (No 3)* [2014] NSWSC 1273 at [61]. Justice Peter Hamill, who participated in the visit, commented in *Hines* that an Aboriginal offender sentenced for a murder committed in Wilcannia had been exposed to alcohol and violence from an early age. There was little evidence of his obtaining gainful employment, although he sometimes obtained work with the CDEP and had helped clean up the Bourke reserve. Justice Hamill noted "with unqualified dismay" the abolition of the CDEP.



Pictured at the meeting by the river are Ms Joanne Selfe, the Commission's Aboriginal Project Officer; Mr David Peachey; Ms Wendy Fernando and Elder Aunty Elizabeth Peters

The visitors were briefed about the "Tackling Violence" prevention program that uses regional rugby league clubs to promote changed attitudes and behaviour about domestic violence. We were fortunate to hear from former first grade NRL player David Peachey and Ms Dixie Gordon, ambassadors for "Tackling Violence"; Ms Sue Lindsay, program manager with the NSW Office of Communities; as well as members of the Walgett Dragons Rugby League team. In exchange for an initial \$3,000 in sponsorship, rugby league clubs sign up to a code of conduct that requires their players to adhere to the code or accept match suspension for any breaches for domestic violence offences.

The Walgett Club has given the local Police, Women's Domestic Violence and Safe House Services, a list of team members, and asked that Police notify the club if any players are charged with a domestic violence offence. This process has proved to be more effective than waiting for matters to go before the court and ensures the players are accountable and mitigates community gossip.



The visitors hear about the "Tackling Violence" program.

The program also offers domestic violence workshops for the clubs and for local high school students. Community service announcements on television and social media are made using participant clubs and delivered during NRL broadcasts. Despite its positive message and the success of the program in attracting around 28 clubs in NSW, the Walgett Dragons players said that community support for the club has dramatically declined since signing up to "Tackling Violence".

The group visited the Gingie community. This is on the site of the former Aboriginal mission where many older Walgett residents grew up in tin huts without utilities or freedom of movement to and from the mission without the manager's permission. Elder Uncle George Fernando and Ms Anne Dennis, the elected representative of the Aboriginal Land Council, addressed the visitors. They and other locals articulated ongoing concerns about overcrowding, lack of employment and educational opportunities, alcohol and drug abuse, and the ineffectiveness of the criminal justice system to deal with Aboriginal offending. Some of the Elders expressed their dismay that young offenders view doing time in a correctional facility as an initiation rite. Another serious issue raised is that a small

number of Aboriginal offenders in correctional centres are being radicalised by Islamic fundamentalists, a concern recently reported in the media.

The weekend concluded with a visit to the Dharrivaa Elders Centre. Established in 2000, this keeping place for local art and artefacts aims to protect and promote local Aboriginal cultural knowledge and identity. The visitors were farewelled by didgeridoo and the warm words of Aunty Corrie Dodds who said that she "felt special" that judicial officers had taken their time to visit her community.

Information about the Commission's Ngara Yura program can be found on JIRS under the "Services Directory" menu and on the Commission's website at www.judcom.nsw.gov.au/Ngara-Yura.

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Pictured in the Gingie community hall are Mr Clem Dodd, Mr Michael (Ghillar) Anderson and Elder Aunty Corrie Dodds.



The Honourable Justice Stephen Rothman AM, Chair of the Ngara Yura Committee and the Honourable Justice Rachel Pepper, Land & Environment Court judge and Ngara Yura Committee member, talk with David Peachey, ambassador for the "Tackling Violence" program.

Ms Anne Dennis, the elected representative of the Aboriginal Land Council, addresses the group in the Gingie Hall.

