

Your Ref:

Our Ref: Childrens Law Section & Criminal Law Section

15 June 2007

Mr Robert Needham  
Chairperson  
CMC Inquiry into Policing in Indigenous Communities  
GPO Box 3121  
Brisbane, Qld 4001

**RE: CMC INQUIRY INTO POLICING IN INDIGENOUS COMMUNITIES**

Dear Mr. Needham

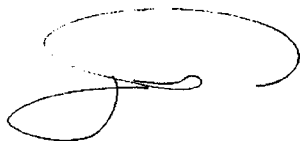
Thank you for the opportunity to participate in the Inquiry into Policing in Indigenous Communities. The Queensland Law Society believes that this is a critically important issue and commends the Commission for working to improve the relationship between police and indigenous communities.

A concern expressed by Queensland Law Society members, that was previously raised with the Minister for Police and Corrective Services, is the perception in indigenous communities that when the local court and police station occupy the same building, or very closely inter-connected facilities, that the justice system is clearly weighted towards the prosecution.

This issue was initially brought to our attention by His Honour the Chief Magistrate, Judge Marshall Irwin. His Honour noted that the actual physical location of police stations and proximity to courts is a relevant consideration in indigenous communities. When the courts are in police stations or attached to police stations, it reduces the respect in which the justice system is held by creating the perception that the court is part of the prosecution process.

Undoubtedly the Chief Magistrate has identified a very significant perception issue for those communities. It is important that there be a clear understanding that the police and the courts have entirely separate functions in the justice system. We would urge you to promote and support efforts for projects to provide very distinct stand-alone premises for police and courts in these communities as a first step to demonstrating that they do operate separately.

Yours faithfully



Joseph Pinder  
**President**



Your Ref:

Our Ref: JP:RG:cm

21 September 2006

Hon Judy Spence MP  
Minister for Police and Corrective Services  
PO Box 15195  
CITY EAST QLD 4002

Dear Minister

Recently I have been corresponding with His Honour the Chief Magistrate, Judge Marshall Irwin, about the vexed and serious issue of the over-representation of indigenous young people in detention and alternate sentencing options.

It is an issue that rightfully concerns us all. His Honour has advised me that he is hopeful that the successful implementation of a pilot program by the Department of Corrective Services to fund program officers at Doomadgee, Mornington Island and Normanton will lead to an extension of the program in other indigenous communities and I am sure that this program will have a beneficial effect.

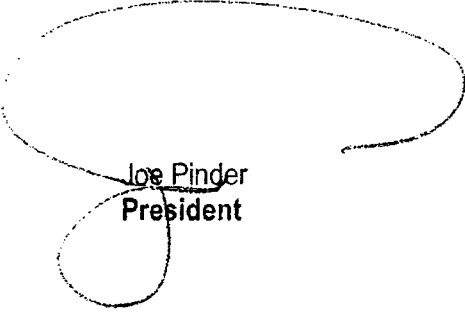
His Honour has also raised with me an issue which he considers to be relevant to indigenous communities – the actual physical location of police stations and proximity to courts.

I quote from His Honour's letter, *"I add that another issue relevant to indigenous communities is the fact that in Aurukun and Lockhart River the courts are in police stations. The same situation arises in Dirranbandi and Millmerran. In Yarrabah, Woorabinda and Duaringa the courts are attached to police stations so as to require entry past the front counter. This can only reduce the respect in which the justice system is held by the young people in these communities by creating the perception that the court is part of the prosecution process."*

Undoubtedly the Chief Magistrate has identified a very significant perception issue for those communities. You would agree that it is important that there be a clear understanding that the police and the courts have entirely separate functions and that this regrettable proximity in these communities of the two could very easily give rise to unfortunate and damaging misunderstandings.

We would urge you to give serious consideration to discussing this issue with your colleague, the Attorney-General and Minister for Justice and Women, the Hon Linda Lavarch MP who has responsibility for courts with a view to including in the Government's capital works budget appropriate projects to provide very distinct stand-alone premises for the police and courts in these communities as a first step to demonstrating that they are quite separate.

Yours sincerely



Joe Pinder  
President