

FORMAL OPENING CEREMONY

IN THE YOUTH KOORI COURT SITTINGS AT SURRY HILLS

5

JUDGE JOHNSTONE PRESIDING

WEDNESDAY 6 FEBRUARY 2019

10

On the Bench

Judge Johnstone, President of the Children's Court

Children's Magistrate S Duncombe

Children's Magistrate A Sbrizzi

Children's Magistrate M Ryan

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Aunty Joanne Selfe, Elder

Aunty Pat Field, Elder

At the Bar Table

Mr Mark Speakman, Attorney General of NSW

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Ms Nadine Miles, Principal Solicitor, Aboriginal Legal Service

Mr Brendan Thomas, CEO of Legal Aid, NSW

Justice Margaret Beazley, President of the Court of Appeal

Justice Lucy McCallum, NSW Court of Appeal

Judge Graeme Henson, Chief Magistrate

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Magistrate Allen, Deputy Chief Magistrate

Children's Magistrate D Maher

Acting Magistrate P Mulroney

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OFFICER: The first sitting of the Youth Koori Court at Surry Hills is now open.

JUDGE JOHNSTONE: Welcome everybody. I start by acknowledging the Gadigal people of the Eora nation, the traditional occupiers of the land on which this meeting is taking place and pay my respects to Elders past, present and emerging.

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I thank Uncle Greg Simms and Uncle Wes Mahon for the impressive welcome and smoking ceremony we have just experienced at the Court's entrance.

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It is my great pleasure to be joined on the Bench today by some respected elders of the Aboriginal community, Aunty Jo Selfe and Aunty Pat Field, together with a number of our Children's Magistrates, unfortunately not all of whom could fit on the Bench and there are others sitting in the body of the Court.

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There are also present a number of other Aboriginal persons in our audience, too many for me to individually identify, but in particular a lot of the respected persons and Elders who have been participating in the Youth Koori Court at Parramatta.

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As you all know the Children's Court launched the Youth Koori Court at

Parramatta exactly four years ago today on 6 February 2015. We did so, on our own initiative, in response to our concern in relation to the overrepresentation of Aboriginal people in the justice system. This problem presents itself most starkly in the Children's Court where in 2015 the number of
5 Aboriginal children in detention was over 60% of the overall number of children in Juvenile Justice facilities across the State and the number of families from whom Aboriginal children were being removed was in excess of 40%.

10 Establishing the Youth Koori Court was one initiative that we, as the Judicial branch of government, considered was within our capacity to implement to begin to address these sad statistics.

15 Today marks the next stage of the initiative which has been achieved by the significant support we now receive from the Executive branch of government. In that regard I wish to personally acknowledge the role of the Attorney, Mr Mark Speakman, in securing that support.

20 It is one thing for there to be an idea or even a concept. To turn that idea into reality requires leadership, hard work and perseverance. A number of people and organisations have contributed to the success of the Youth Koori Court at Parramatta and to its extension to Surry Hills. They will no doubt be mentioned in some of the speeches that we will hear today, but for my part I wish to record my specific appreciation for two people in particular.

25 The first is the Executive Officer of the Children's Court, Rosemary Davidson, sitting to my right. Under her guidance the Children's Court has emerged as the strong independent specialist court that it has over the last ten years since the Wood Inquiry. We now have some 16 independent specialist judicial
30 officers and some ten Children's Registrar positions, which enables this Court to attend to the vast majority of care and protection cases and a majority of the youth crime matters across the whole of New South Wales. We may be at the bottom of the judicial hierarchy, but we believe the work we do here is amongst the most important in the system.

35 In particular I wish to recognise the determination, perseverance, enthusiasm and hard work of my colleague, Children's Magistrate Sue Duncombe, without whose leadership and drive the Youth Koori Court would not have been transformed from a dream into reality. It will be my great pleasure therefore to invite Magistrate Duncombe to address this gathering shortly.

40 In the meantime I would like to thank everybody who has attended today. I note in particular the presence of the Governor Designate of New South Wales, Justice Margaret Beazley who has already indicated her strong interest in youth and Aboriginal disadvantage. We look forward to an ongoing dialogue
45 with her and her involvement in addressing the ongoing issues in these two areas of socioeconomic importance.

I also welcome our guest speakers, the Attorney General the Honourable
50 Mark Speakman SC who will address this gathering on behalf of the Executive Government; Ms Nadine Miles, the principal solicitor of the Aboriginal Legal

Service which has strongly supported and participated in the Youth Koori Court throughout; Mr Brendan Thomas who has also been pivotal in the establishment of the Youth Koori Court, initially in his role as the Deputy Director General of the Department of Justice and subsequently in his role as the Chief Executive Officer of Legal Aid New South Wales; and finally Aunty Jo Selfe who has been participating as a community member in the Youth Koori Court at Parramatta and whom many of you know through the Ngara Yura committee of the Judicial Commission.

10 I will now invite each of those guest speakers to address the Court. In keeping with longstanding practice in the Children's Court there are a number of policeman in attendance and I welcome you and I am pleased to see that you are not wearing uniform, which is a tradition and part of the protocol of this jurisdiction.

15 Secondly, as part of the longstanding practice of the Children's Court I request that the speakers do not stand, but remain seated at the bar table while addressing the Court.

20 Mr Attorney.

ATTORNEY GENERAL: If the Court pleases, can I begin by acknowledging the Gadigal nation, the Dharag nation, and all Aboriginal nations. I acknowledge the traditional custodians of this land and pay my respects to their Elders past, present and emerging and I acknowledge all Aboriginal and Torres Strait Islanders with us today and thank you Uncles Greg and Wes for your wonderful welcome to country.

30 Four years ago in February 2015 the Youth Koori Court commenced operations at the Parramatta Children's Court. Today marks a critical milestone for the Youth Koori Court program as it begins its operations here at Surry Hills. It is incredibly heartening to see the level of representation here today from some of the most influential bodies in the legal sectors and indigenous services, from government partners in Family and Community Services, Health and Education, from the judiciary, the Police and Justice and the non-government sector all here at this event.

40 The pioneering team behind the project and those who have been operating the Youth Koori Court at Parramatta can be enormously proud of their achievements in four years and of the milestone achieved today. Expanding the Youth Koori Court here to Surry Hills will double the capacity of the Youth Koori Court program and that means twice the capacity to reach out to some of the most vulnerable indigenous youth when they need it the most.

45 It is an ideal location as well. The Court here is a purpose built new facility celebrating its first anniversary last month.

50 Many features here are designed to provide a relaxed non-threatening atmosphere, a lot of natural light, a layout that makes it easy to have less formal discussions held for the kind of conferences that will be held here as

part of the Youth Koori Court program, not to mention being right near Central Station and all of the convenient transport options that it offers.

5 While today gives us an opportunity to mark this milestone of the Youth Koori Court's expansion it is also an opportunity to reflect on the issues that face some of the most vulnerable participants in the justice system. Aboriginal people continue to be vastly overrepresented in our criminal justice system, a huge problem not only but particularly when it comes to indigenous young people.

10 The original New South Wales Youth Koori Court proposal included some damning statistics. Let me refer to some of them. By the time they reach the age of 23, 76% of the New South Wales indigenous population have been cautioned by police, referred to a youth justice conference, or convicted of an
15 offence in a New South Wales criminal court compared with 17% of the non-indigenous population. By the same age, 25% of the indigenous population, but just 1% of the non-indigenous population had been refused bail or given a custodial sentence, a control order or a sentence of imprisonment. The
20 custody rate for indigenous young people was more than 24 times higher than the custody rate for non-indigenous young people.

25 So we know that the proportion of indigenous youth who come into contact with the criminal justice system is far higher than for the non-indigenous population. We know that the proportion of indigenous youth in custody is also far higher and we know that this must be addressed and that is why we are committing to expanding the Youth Koori Court program and enabling more young indigenous offenders the chance to be involved over the next three years.

30 At its heart the Youth Koori Court program is designed to improve the lives of our indigenous youth. The focus is on youth in trouble with the law. Indigenous kids between ten and 17 years of age who committed crimes and are brought before the courts. One strategy alone won't turn things around and resolve the overrepresentation of Aboriginal people in our criminal justice
35 system, but by working with our young offenders, the Youth Koori Court program seeks to help young people stay out of trouble by connecting them with support services while also encouraging a greater connection with family, community and culture.

40 The program gives these young offenders the chance to participate in the court process and be involved in developing a plan. That plan is designed to help them work out solutions for problems and see a way forward that does not involve reoffending or abusing their health, and most importantly takes their cultural needs into account. They are supported by a range of experienced
45 people, many of whom are here among us today, who could help guide them back on the right track.

50 The issues that young indigenous offenders face are not always the same. Often it is about targeting the particular issues that contribute to an individual's offending behaviour. They might be issues to do with where or how they are

living, that they are not going to school or do not have work or they are getting mixed up in drugs or alcohol or both. The Youth Koori Court program seeks to put in place sensible plans, plans that are flexible enough to meet the needs of young offenders and help them resolve these issues and stop these issues from escalating. It might be as simple as helping these kids get a birth certificate, a Medicare card or a bank account and sorting these things out could have a big impact for them and give them a greater chance, taking them steps closer to a job or a driver's licence.

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10 Elders and respected persons are integral to the Youth Koori Court. They are important role models who can help young offenders reconnect and make connections with their culture and build stronger bonds with the community. Through these measures we are seeking to make a marked improvement to the lives and the opportunities available for vulnerable indigenous youth and we want to reduce the risk factors related to reoffending among Aboriginal and Torres Strait Islander youth, to reduce the number of times that they don't appear when they have a court date, reduce the number of times they breach bail or don't comply with court orders. We want to improve their confidence and the confidence of the entire community in the justice system to know that it serves all members of our community without exception.

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25 So far we have seen positive indicators from the program including a marked reduction in the time that youth indigenous offenders have spent in detention. This is a program made possible only by the passionate people involved. Many are here today representing the various organisations that have a role in the program. Each plays an essential part in making this happen and giving young indigenous offenders the chance to turn their lives around. I thank everyone involved for their passion, their hard work and their dedication in making this happen.

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HIS HONOUR: Thank you, Mr Attorney. Ms Miles.

35 MILES: Thank you your Honour. I too would like to start by thanking Uncle Greg and Uncle Wes for their welcome to country and the smoking ceremony which we all had the privilege to take part in. We gather on the traditional lands of the Gadigal people, clan members of the Eora nation and I pay my respects to the Elders in the room and all of the Aboriginal people in here today.

40 I would like to say thank you to the Attorney General, Judge Johnstone and all distinguished guests who have come today to take part in this ceremonial opening of the Court, the second of the Koori courts that are now in New South Wales. I am here representing the Aboriginal Legal Service, something that I am also very proud to do. An organisation that was first established in 1970 in Redfern, formed by the Aboriginal leaders in partnership with members of the legal fraternity in the struggle for respect and equal treatment for Aboriginal people.

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50 We remain today a community owned and led organisation, a hallmark of self-determination.

At the ALS we are very proud of the success and results that were reported in the evaluation of the pilot project of the Youth Koori Court in Parramatta, special thanks and acknowledgment to the commitment and the vision of
5 Magistrate Duncombe and President of the Court, Judge Johnstone, the commitment and dedication of our ALS solicitors and their Legal Aid colleagues from the children's civil unit who have represented young people before the Court is to be applauded. In forming trusted relationships with their clients, with the support and referrals made, with the co-operation of agencies
10 and individuals that contributed to the unique processes of the Court, the evaluation showed reductions in reoffending, but more importantly that some of our most vulnerable young people were connected back to culture and community because of the Elders who participate in the process and who are central to the Court's success.

15 It was reported that the first impression of many young people when they visited the Court for assessment with their eyes widened in surprise and in their own words "seeing all the black fellows here". Our clients were open and honest about the reasons that underpinned their offences. It is after all these
20 reasons, unstable accommodation, lack of engagement in education and employment, drug and alcohol misuse and disconnection from culture that the Court seeks to address.

25 Contrary to common perceptions the Youth Koori Court is a challenge for everyone involved, but mostly for the young offenders. It is more than hugs and handshakes. There is a daunting prospect of appearing before an elder who might know the offender's family. There is the Magistrate clearly telling them that what they have done is seriously wrong and then there is the real challenge of complying and consistently engaging in an action and support
30 plan. All these things are needed for the process to be a meaningful one, but it is the approach of the Court that differs, rehabilitation, not punishment is the watch word.

35 It is no surprise that our ALS solicitors are actively taking part in the case management roles to support this model since providing culturally appropriate legal representation and support is our raison d'être.

40 It is to the great credit of you, Attorney and to the New South Wales government that you recognise the value of the Koori Court and have funded this program and I thank you. I would like to leave you with the thoughts of Aunty Pearl from the evaluation. In her words:

45 "This pilot has proved that given the right mix of people working in mutual respectful relationships and the focus on improving young people's lives it does bring positive outcomes for them, their families and community. I hope this is just the beginning and through collaboration we continue to build on the foundation of Koori Courts across New South Wales."

50 HIS HONOUR: Thank you Ms Miles. Mr Thomas.

THOMAS: Thank you your Honour, I would also like to start by acknowledging the Gadigal people who are the traditional custodians of the land that we are meeting on this morning and pay my respects to their Elders past and present and of course extend those respects to other Aboriginal and Torres Strait Islander people present here this morning and thank you Uncle Greg and Uncle Wes for such a warm welcome to your country.

That acknowledgement and welcome of country has quite rightly become the standard opening for these events, but rarely has it been so fitting. What makes today special is that we are opening a court that is very different from a standard court. Like the Children's Court, it's a place of rehabilitation, but it also has an extra layer that is designed to communicate to Aboriginal young people by actively involving them in the process.

The Youth Koori Court does this by providing an informal setting where participants speak in plain English and everyone gets a chance to have their say. It also involves a very important community of family, Elders and kin in the process, each of whom bring their expertise to what is often a multifaceted situation. Involving this community, particularly Elders, means the young person involved has access to strong social support such as mentors and confidantes. Doing this helps keep the young person on track and keeps their culture strong. Research shows this process is working. The recent evaluation by Western Sydney University found the Youth Koori Court in Parramatta was an effective and culturally appropriate means of addressing the underlying issues that entangle many Aboriginal young people in the criminal justice system. It also found that the young people involved are less likely to end up in detention.

Today I would like to pay specific tribute to the contribution of Legal Aid's Children's Civil Law Service and the contribution they make to the operation of the Youth Koori Court. The Children's Civil Law Service has been involved with Youth Koori Court since May 2015. Like the Youth Koori Court it's a service that recognises that criminal issues cannot be treated in isolation. That they almost always come wrapped around with a range of other issues, many of them involving civil or issues such as housing, debts, fines, employment and Centrelink issues and discrimination.

These are issues that the Children's Civil Law Service provides assistance with. They do this by taking a young person through a legal health check which helps uncover any civil law issues that the young person may have, such as fines and Centrelink debts. They then offer advocacy and support services to help the young person deal with these problems.

Our Children's Civil Law Service lawyers and social worker offer their support to the young person through the Youth Koori Court program and beyond. They offer steady and consistent support as these young people begin to get their lives back on track.

If I can just briefly share with you some examples of the kind of work that they

have been able to do through the Parramatta Youth Koori Court.

Brianna (*not her real name*) is a young Aboriginal woman who was first removed from her mother's care as a toddler because of abuse and neglect.

5 Over the years she has repeatedly become homeless after being forced to flee violence in the family home. She has been the victim of serious violent crime and has struggled with mental illness and drug dependency and became a mother herself whilst still a teenager.

10 The Children's Civil Law Service began working with Brianna when she came through the Youth Koori Court, helping cut her fine debts by thousands of dollars and taking steps to keep a roof over her head. We offered her practical support to help Brianna to begin rebuilding her life, securing a copy of her birth certificate and helping her access support for victims of crime.

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Another example: we started helping Kayla (*not her real name*) after she had appeared at court at a time she was homeless, having slept the night before at Central Station and having been woken up by police and moved on. She came with complex needs after a family experience characterised by mental illness, substance abuse, domestic violence, involvement in the criminal justice system and some severe financial hardship. We were able to help Kayla work off more than \$5000 worth of fines, help her clear more than \$4000 worth of Centrelink debts and helped her with consumer, criminal and care and protection matters.

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The causes of crime are complex and the Youth Koori Court is tackling those complexities in a way that has proven to be effective. I would also like to commend the Attorney General, the Department of Justice for the commitment to this innovative court and I wish particularly to commend and pay my respect to the President of the Children's Court, Judge Peter Johnstone, to Magistrate Sue Duncombe and to our brother Daniel Daylight for their efforts in establishing and leading this very important project and Legal Aid is very pleased to continue to be a part of it.

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35 HIS HONOUR: Thank you Mr Thomas. It is now my great pleasure to call upon Aunty Jo Selfe to address the gathering.

AUNTY JO SELFE: If it pleases the Court. One of the roles of Elders in the community is to remember the stories, the stories of our families, their struggles, the story of the land on which we walk, where each tree is, the relationship of the insects and the birds. We have a sacred responsibility to the land on which we walk. We are to care for it so that she can in turn care for us. We have lived our lives and we have often looked at ways that we could support our community through the various tasks that we undertake, both paid and unpaid.

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For Aboriginal elders and respected people who have worked with the courts it is a gift that they have given. It is because we have had the ability to walk the talk with the people who wanted to make change.

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Our Aboriginal communities are a resource, often untapped, people very rarely understand the knowledge that we hold because it rarely comes into play in the work that we do throughout our day, but as members and families we have responsibilities, we have kinship structures and we know stories.

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The power of the Elders who sit with the judiciary in this court is most important. It is equal. They may know the law as it is spelt by westerners, we understand our reciprocal responsibility not only to Mother Earth but to ourselves, to our kin and our people. We share this information with children who come before us, children who know their name but do not know where they are from. Children who ask questions such as, "How do I say 'hello' in my language". "What is my community's totem?" "How can I learn about this?" Each of the Elders and respected persons who are attached to the Court have a gift and we share those gifts with the children as it is appropriate. We spend time outside the court with those very children. We spend time taking them to sites to visit family. We visit them in custody when there is no one else who can play that role. We do that because we know it is important, because the role of Elders is to talk. It is to be able to make a path between these two worlds so that our children are comfortable in their skin.

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As elders and respected persons our memories are the same. We have seen those journeys and we have seen those paths and we know what it is like when they cross. We have learnt to unpack to be comfortable in this skin and to be able to move forward. To do that in a formal setting is not something any of us ever expected we would have the opportunity to do. It has helped us blossom, as people, it has helped us reconnect children back to their communities and it is instilled in the parents pride of the journey of their child. Not just their failings that brought them before the court but how it is that they are able to address those issues and how the children can see what it is that they do through a cultural lens.

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In our community, reciprocity is core, it is something that we often take for granted and not something we speak about in a way that others often understand, but it is through this that we know that we are on the right path.

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In our languages we have many words but there are some that are more important than others, "Wingara morabunga murra bangor". This means that the Elders are creating a thinking path to make tomorrow for that child. A thinking path where they are given the tools and the skills and the support, the cultural support to help them fit into this world, for we have experienced such difficulties ourselves and while this century may be different the history is the same.

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Our goal is to help those children with wurrunga, moural, numbadi and those words simply mean to show those children the right path of respect so that when we speak of emerging Elders we are the emerging leadership within our community. We include those who appear before us and we offer them a hand so that they too can share this journey.

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There is little else I can say outside of that, but gumma kwanilella nucinya.

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HIS HONOUR: Thank you Aunty. And last but far from least I have great pleasure in introducing Children's Magistrate Sue Duncombe to address the gathering.

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MAGISTRATE DUNCOMBE: Thank you your Honour. I wish also to acknowledge the traditional custodians of the land, the Gadigal people of the Eora nation and pay my respects to Elders past, present and of course emerging. I wish to also acknowledge the many other Aboriginal and Torres Strait Islander people in the room and thank you very much for your attendance.

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Mr Attorney, distinguished guests and colleagues. This is a time for all of us to pause and reflect on why this court is necessary. I was struck by the words of Noel Pearson, at the New South Wales Bar Association seminar on the Uluru Statement From the Heart. He said, "It can't be that we were born bad, it can't be". Indeed it can't.

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The three art works in the courtroom today painted by young Aboriginal people in custody, on loan to this court, demonstrate that with guidance, the goodness can shine. As a civilized society we are confronting on a daily basis, in our courts, including the children's court, the effects of inter-generational trauma as a result of past practices, beliefs and policies which have led to separation of Aboriginal people from their land, their people and their culture. In my view we have a moral, ethical and legal responsibility to change that record and to provide supports for some of the most disadvantaged people in our country.

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This court began and expands today to allow us to respond in a way which replaces a punishment model, or supports a punishment model with a therapeutic approach. In so doing we are opening up the possibility of safe futures for these young people and safer futures as a result for all of our citizens.

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I sincerely thank the Attorney-General Mark Speakman for his vision and proactive measures to address the over-representation of Aboriginal young people at all levels of the justice system. I also thank his policy officer who is with us today, Lucinda Bourke, for her commitment to first of all sitting through a whole day of the Youth Koori Court and then supporting the expansion and resourcing of the Youth Koori Court. Thank you Lucinda.

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Thanks also of course to Judge Peter Johnstone for his vision and support from the beginning of this journey. His support has been unwavering and unqualified, at least to my knowledge, at all times.

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Rosemary Davidson who has already been acknowledged, the Executive Officer of the Children's Court, has been the powerhouse behind all of us to ensure this court began and can be sustained into the future, thank you Rosemary.

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I also thank my colleagues, past and present in the Children's Court, in

particular Magistrates Sbrizzi, Sheedy and Crompton for presiding over the Youth Court at Parramatta at times and for Magistrate Hayes for agreeing to share the responsibility with me and presiding over the Parramatta Youth Koori Court this year at least.

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Without the support and so far, on a voluntary basis, of community Elders and respected people this court would not exist and indeed would have no legitimacy. Thank you to those people who have been there for the young people and share our vision for change through the Youth Koori Court process.

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Some of those Elders and respected people are here today. Aunty Pat beside me, Aunty Jo Selfe, Aunty Thelma Quartey, Aunty Elizabeth Burke, Aunty Gail Daylight, Uncle Greg Simms, Uncle David Williams, Uncle Cliff Daylight. I also thank Uncle Wes Mahon who performed the smoking ceremony at the opening of the Youth Koori Court in Parramatta four years ago today and has honoured us again with his service today.

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I also acknowledge the other respected people and elders who are unable to be here today, but have assisted in the Youth Koori Court over its four years so far.

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I am also very pleased to acknowledge a very significant change to the way we engage with our Elders throughout the Koori Court process into the future. The Attorney-General has, to my knowledge, for the first time in New South Wales made provision in the budget for payment to our Elders and respected people for their services in the Youth Koori Court,=. That is as it should be, but not as it has always been, and I thank the Attorney-General for that vision and that support.

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I also thank Legal Aid New South Wales and particular the Children's Civil Law service, involving the dedicated work from Katrina Wong, Andrea Hadaway, Sasha DaSilva and their team.

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My notes at the beginning just said "the gift of Katrina Wong", but I thought I had better write it out in case I forgot, but suffice to say that Katrina introduced herself to the court, reached out to the court because she recognised not only the particular needs of the children who come before their service, come into their service, but that the Youth Koori Court was a vehicle for those referrals, and I thank you again.

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Thanks also to Daniel Daylight. Daniel is out there looking after young Isaiah. Thank you Daniel for bringing Isaiah to the court. Daniel guided and assisted and encouraged me throughout the consultation process and beyond to set up the court in the first place. Thanks also to Simone Simms who has taken over Daniel's role, for her continued support in that role in the court.

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The lawyers from ALS are clearly integral to the success of such a project. Sasha DaSilva the first, Jacob Tate and now James Clifford have been part of the team which has guided our young people into and through the Youth Koori Court.

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Your dedication to the young people is obvious and we are all aware that your job entails much more than advocacy. There is a line which is often blurred between lawyer, social worker, and perhaps parent.

5 I still remember a young person in court when I asked her who she'd call if in trouble but before she committed an offence, and she answered, "Sasha, I've got her on speed dial". I don't know whether you remember that person, but I'll never forget it.

10 The prosecution has also been part of our team approach. Enormous thanks are due to Sergeant Kelly Chessor. Sergeant Chessor hasn't been able to make it today, but please pass on my words and I will pass them on to her personally. Her communication skills with the young people and fairness throughout each and every one of the court attendances for these vulnerable
15 young people has been enormously respected. The young people look forward to her being part of the conferences. When Sergeant Chessor had the temerity to say to one young person that she doubted she could make the changes necessary, she was greeted by the retort, "Just watch me". For many appearances later she said to Sergeant Chessor, "See told ya". Many people
20 know who I am talking about.

Many of the prosecutors have been positive contributors also, and Sergeant Seabury and Sergeant Peter Mort are the 2019 prosecutors in each of the Youth Koori Courts in Parramatta and Surry Hills respectively. Thank
25 you for agreeing to be part of the team.

There have also been so many agencies and departments who have provided supports to the Youth Koori Court and to the young people. Thank you to all of you, including Steve Clark, Department of Prime Minister and Cabinet,
30 Daramu, Juvenile Justice, Weave, Family and Community Services, Stan Small and Blake Hamilton from the Children's Court Assistance Scheme, and Justice Health as well as of course Western Sydney University for conducting our first evaluation without charge.

35 There are many others and I will not degenerate into an academy awards speech by mentioning everybody. Forgive me if I've forgotten somebody important and there probably will be those people.

40 Looking around the packed courtroom today, I'm heartened and honoured by the support from each of you. Many good people couldn't be here, simply because of the numbers in this courtroom. Enormous credit for all logistics is due to our registrar Elaine Coleman and to the Youth Koori Court project officer, Vanessa Sakal as well as Kylie Nichols, and Simon Matheson and their
45 team for the hard work in the preparations for today and for the setting up of the Court. Thanks also to Jaspreet Singh-Bains, and to each and every member of the working group set up to prepare for the Youth Koori Court to be a success in its expansion.

50 There is however one very special person I invited here today and who I must acknowledge.

(Name redacted) has given me permission to use her name. She was the first young person admitted to the Youth Koori Court four years ago today. While I have her permission to mention her name in this court, I ask that her privacy be respected and that she not be named outside this court.

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She was 16 and with all respect to (name redacted), appeared destined like many of her friends and family for juvenile detention and adult custody. Not (name redacted). She embraced the supports, made the necessary changes, stepped up as a leader, not as a girl with a reputation for toughness, but as a young woman, with a reputation now for true leadership in showing a different path away from the effects of disadvantage and trauma. (Name redacted), as I understand it has her own accommodation, is studying, is a youth ambassador for Just Reinvest and most importantly since her graduation has not committed any offence. I always say to my knowledge, but I have a fair degree of confidence. Thank you (name redacted) and congratulations on your significant achievements.

I am often asked what is the measure of success for the Youth Koori Court. In my view (name redacted) success alone is enough to justify this court. Perhaps the Treasury would disagree. However, I'm pleased to say that (name redacted) is not alone in such achievements. We have just heard through Brendon, Brianna and Kayla, pseudonyms I know, those young people are also two of many in making the changes that are necessary. Many have embraced the supports and made the changes. There are young people who have graduated from the program now who are in their own accommodation, sometimes despite years of homelessness or couch surfing. They are employed, they are studying, they've given birth to their babies and with support their babies remain in their care, demonstrating that a break in the cycle of removals of young Aboriginal babies from their mothers is possible when the mothers and fathers step up and the community steps up to support them. Those mothers and fathers have addressed their issues, drugs, alcohol, violence, homelessness, all of which are most likely the product of intergenerational trauma, and they have succeeded. Thank you and congratulations to each and every one of you.

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I want to close with some words of wisdom. No I'm not going to quote a philosopher or respected author. What I am going to do is read to you a poem that's been written by a current Youth Koori Court participant. She has given me permission to share the poem recently written with the support and help from her social worker at Legal Aid civil, who she affectionately calls "Old Pops". For those of you who didn't hear me correctly, I did say a poem. This is from a young person who has experienced trauma, separation from siblings and other family, homelessness and clearly as a result of all that, limited schooling, and yet she wrote a poem and brought it in. The poem is entitled, "School Daze".

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"School is cool, it gets me in the groove
Some kids say 'it sucks', but they have no luck
Math is fun, it's the one.

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Division, fractions, adding up, gives me a feeling that I just can't

stop.
Infinity and beyond like standing in a billabong
In my trackie daks I keep learning lots of facts
Science and woodwork, lunch and sport,
5 Much more fun than going to court.
All the best for my test.”

10 All the best indeed and to everyone here today thank you for your support. I
look forward to a productive, protective, and effective three years and beyond
presiding over this court.

HIS HONOUR: Thank you Magistrate Duncombe, and congratulations.

15 MAGISTRATE DUNCOMBE: Thank you.

HIS HONOUR: It remains only for us to now invite you to join us for
refreshments next door. The Court will adjourn.