

Law Council welcomes Mick Gooda and Margaret White as Royal Commissioners, credits decision by Brian Martin

The Law Council of Australia has congratulated Aboriginal and Torres Strait Islander Social Justice Commissioner Mick Gooda and The Hon Margaret White AO on their appointment to the vital roles of joint Royal Commissioners to inquire into the Northern Territory's child protection and youth detention systems.

Law Council of Australia President, Stuart Clark AM, said the appointment of Mr Gooda and Ms White was a vital step to ensuring the Royal Commission could advance its critical agenda.

"This Royal Commission is absolutely vital, because of the need to examine, in detail, what appears to be a deep cultural and systemic problem within the NT juvenile detention system," Mr Clark said.

"Mr Gooda and Ms White are extremely well qualified to carry out this important inquiry, with the necessary independence from the Northern Territory Government and confidence of the community.

"The broader issue of Indigenous imprisonment is one that overlaps inexorably with juvenile detention in Australia.

"The inclusion of a Term of Reference examining 'early intervention options' and 'pathways for children at risk' has the potential to help reduce the shamefully high levels of Indigenous youth incarceration in the Territory, and provide valuable insight to other state and territory jurisdictions."

Mr Clark acknowledged Brian Martin AO QC for his decision to stand aside.

"Volunteering to standing aside to avoid reputational risk to the Royal Commission's work required Mr Martin to put the public interest ahead of his own. He deserves great credit for making the call," Mr Clark said.

"By having the courage to make this decision swiftly Mr Martin has paved the way for this Royal Commission to focus all of its energy on the critical matter at hand."

Mr Clark noted that, while supporting a swift and focused inquiry into the issues affecting the Northern Territory youth detention system, the Law Council considers the government should carefully consider a subsequent examination of youth detention in other jurisdictions and an intergovernmental strategy to address high rates of Indigenous youth imprisonment.

"There is sufficient evidence to indicate youth detention and criminal justice practices are disproportionately affecting Aboriginal and Torres Strait Islander young people across Australia and that the Northern Territory may be just the tip of the iceberg," Mr Clark said.

"There is a need for urgent and independent examination of youth detention practices in all states and the ACT, to ensure the health, safety, and welfare of young people in detention."

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