

NT Police Investigate with a Hand Gun to the Head

**The following press statement is released by the authority of the Galiwin'ku community Elders
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FOR IMMEDIATE RELEASE

In an ABC news broadcast, the Federal Minister of Aboriginal Affairs the Hon Mal Brough MP commented that Galiwin'ku Community, one of the largest Aboriginal communities in the NT, has no police station to help keep law and order. But the members of Galiwin'ku community are not sure that a police station with Balanda (European) police will make them feel any safer. It seems to us that it is Balanda law and culture that has brought more violence, not law and order, once again.

Last week, while members of the NT police force were investigating the theft of \$36,000 from the local ALPA store, it is alleged that two policemen became outlaws themselves, leaving the community frightened and angry. Community members are no longer sure that a police station on their community would offer them any real protection.

The Chairman of the local store and clan elder, Rev. Dr. Djiniyini Gondarra OAM said, "It hurts me badly when our young people steal from our local store and break the law like they are doing at the moment. But we are shocked to the depths of our emotions when a young man comes to us quaking in fear and telling us a horrific story of abuse by two policemen who we thought were here to help enforce the law, not to be the worst of the law breakers. The people are so angry and we have been trying to calm them down, telling them not to do anything that would make the situation worse. It is going to take a long time to repair relationships from this one."

A formal complaint has been lodged with the NT Commissioner of Police and the NT Ombudsman. The complaint contains information about two male members of the NT police while they were carrying out investigations into the theft of the money from the store.

It is alleged that they went to a small community up the north end of the island, about forty kilometres from the township of Galiwin'ku, to apprehend and question a suspect. On arrival in the community they questioned a young man who is in his late teens.

The police then said they were taking him back to the township of Galiwin'ku for more questioning and they put him in the back of the police vehicle. The young man's father wanted to accompany them and the young man wanted his father to come too, but the police refused this request saying he was old enough to answer questions himself. The two policemen left the small community with the young man in the back of the vehicle.

On the way back to Galiwin'ku, it is alleged that the police officers drove off the road near a patch of jungle where they pulled the young man from the back of the vehicle by his shirt. He was then made to kneel down with his hands behind his back where they showed him a live bullet saying, "This is a real bullet" and then the hand gun saying, "This is a real gun". Then it is alleged they then put the bullet in the gun and held it at the side of the young man's head and asked him to tell them where the money was or they would blow his head off. The young man tried to tell them again that he did not know where the money was but they kept repeating that they would shoot him.

In the end they put him back into the back of the vehicle, telling him not to tell anyone what had happened. They then drove back to Galiwin'ku and drove around town with the young man in the back of the police vehicle while they confiscated money from card games, telling the people that the money might be part of the stolen store money.

“This brings back bad memories for our community”, said Rev. Dr. Gondarra, “In the early nineties, the NT Police Task Force shot one of our people in the head at close range after we had asked the police to help apprehend the man because he had psychological problems and was not taking his medication. This incident is still very fresh in our minds. You can not just run around with guns in Aboriginal communities because of past associations with guns and how they were used against us. And this is no way of carrying out an investigation.”

As a people, we acknowledge we are living with one foot in two systems of law which do not understand each other very well. We live under Australian law today and we must obey that law, but because we are the original people of this country, we also have our traditional systems of law that comes from the *djalkirri*; the foundation of time when all things were created, and from the *ngurrnggitj*; the tried and tested law passed down through the thousands of years our people have lived here in this land. We see our law and the new Australian law as being very similar to each other in recognize that real law must be *dapirrk*, consistent to its source, and it must also be *magayamirr*, creating a state of peace and tranquillity for the citizens it protects. And for us, it must also be *wanalupthun*, assented to by its citizens through a ceremonial process. Our people still assent to our law today as we have always done and we know we are also required to live under the very new Australian law. Our biggest difference will always be our culture and our languages and we will all have to work very hard on both sides to understand each other.

So we call on the NT and Federal governments to do some of this hard work. We also call on all the *liya ngarra mirri mala*, legal minded people who understand the law and systems of law in Australia, to recognize our Traditional Madayin Law so we can speak together and make both systems of law work in harmony. Our two systems of law need to become partners, not enemies. To earn respect they must both give respect. We must nurture peace, order and good government. They can not be imposed by violence and force. We really want to work towards a future where law is enforced for the liberty of all Australian citizens.

Finally, as a people we know the difference between law and lawlessness. We want the police to work together with us Elders to help institute and maintain a system of law and order that protects and honours all citizens.

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