

ADDRESS BY
HIS HONOUR MR TOM PAULING AO QC
ADMINISTRATOR OF THE NORTHERN TERRITORY
ON THE OCCASION OF
**NORTHERN TERRITORY POLICE LEGACY
REMEMBRANCE LUNCHEON**

SkyCity, Darwin
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Thank you Assistant Police Commissioner McAdie for the big introduction.

You mentioned giving evidence before me when I was a magistrate. Well a few months ago when I was walking to my office, a red sports car pulled up in front of me and the passenger got out “Good day Your Honour, my name is Steve Sims. I used to know you as Your Worship and my first time giving evidence was before you.”

“What happened”, I asked.

“Well, my name was called and I jumped up and said my name is Constable Steven Casuarina and I am stationed at Sims Police Station.”

I said “What did I do.”

“You said ‘thank you constable, but first let’s get you in the witness box and have you sworn and then you can give your evidence’.”

I am sure you did a lot better Mark, but now to Police Legacy.

Two years ago today, a new National Police Memorial was dedicated in Canberra. It pays tribute to Australian Police Officers who have been killed on duty, or have died as a result of their duties since the advent of policing in Australia and it recognises the unique nature of police service and the dangers that police face in their daily duties.

Two years ago today, the Dedication March progressed from Old Parliament House to the bronze Commemorative Wall in Kings Park.

The Northern Territory contingent included Commissioner Paul White, Deputy Commissioner Bruce Wernham, motorcycle riders, mounted patrols and Pilot Leon Covey from Alice Springs who participated in the fly-over. I note that a Senior Constable Ross Bohlin was one of the flag party and that the marching contingent included Senior Constable Dani Mattiuzzo, winner of the 2005 Rotary Police Officer of the Year Award.

At the 2008 Rotary Police Officer of the Year Award Ceremony, I referred to the extent of the demands that have to be met by our highly capable police officers. And by their families too; and I know that two years ago today it was young Joseph and Ruby Huitson who had the special honour of representing the Northern Territory in the lighting of a candle of remembrance in Canberra. I represented police at the Coronial Inquiry into the deaths in that incident.

There are now 726 names of Australian police on the Memorial, dating back to 1803. It doesn't mention, however, the first police fatality here in the Territory. According to police history, that occurred in 1872 when Mounted Constable Davis, a noted swimmer, disobeyed a local Standing Order and had a dip in the sea. He was taken by a crocodile!

In those days Darwin's first police station was a crude affair of poles and plaster measuring twenty feet by twelve feet. The inspector lived nearby in three rooms and a small stone building with two cells accommodated those in custody. Of course this is now the site of the Administrator's offices on the Esplanade.

Back at the Memorial, the first Northern Territory name noted is Mounted Constable Albert Stewart McColl who died on

1 August 1933, aged thirty. Mr H.G. Nelson, then the Member of the House of Representatives and, indeed, father of the eleventh Administrator, Jock Nelson, said: *Mounted Constable McColl lived the life of a real man, strong yet gently, brave not boastful, just and merciful, a loving member of his family, a true mate and a sure friend. His spirit remains with us to inspire and guide us on.*

What a lovely tribute. McColl's unfortunate demise in the Caledon Bay killings has been well documented, particularly by my predecessor Ted Egan in his book *Justice all their own: the Caledon Bay and Woodah Island killings 1932 - 1933*.

McColl left Groote Eylandt Mission and met fellow officers and trackers on the mainland. During the hunt for the murderers of Japanese trepang fishermen, McColl and the rest of the party came upon a group of men and women at a dinner camp. The men escaped but the women were captured and left in the control of McColl. When the others returned they found McColl speared through the heart.

A senior ceremony man from Blue Mud Bay, Dhakiyarr Wirrpanda (also known as Tuckiar), was persuaded to travel to Darwin to tell his side of the story only to be arrested. He was tried for murder largely on alleged confessions and he was convicted and sentenced to death. However, an appeal to the

High Court was successful and his conviction was quashed. He was released, but never made it home.

Seventy years on, Dhakiyarr's descendants made a proposal to the Chief Minister that a Wukidi ceremony be held in Darwin. The descendants of Constable McColl were invited to receive an apology and a gift to 'heal the wounds'. The McColls made an appropriate symbolic response and the Chief Justice of Australia was also present to accept, on behalf of the High Court, the thanks of Dhakiyarr's family for overturning the decision of the Supreme Court.

This powerful and moving gathering included eighty Yolgnu people who travelled overland from Arnhem Land to conduct the ceremony. Part of the ceremony was the unveiling of memorial poles which stand permanently in the Supreme Court of the Northern Territory as a symbol of reconciliation and a monument which lays to rest the spirit of Dhakiyarr. I recently hosted the former Chief Justice Murray Gleeson at Government House and reminded him that his last visit to Darwin was to contribute to this very powerful ceremony.

It is rare that families receive such an opportunity "to heal the wounds". Police Legacy therefore plays a very important part in the lives of those that mourn. The word "Legacy" actually means "something bequeathed", an old fashioned way of saying "giving

posterity something to remember it by." Mind you when I googled the word Legacy I also learnt that it is also the name of: a British-based acoustic band performing a fusion blend of traditional music and improvisation a fictional character; a superhero in the Marvel Comics universe; a 1998 U.S. film starring the dreaded David Hasselhoff; an original novel based on the long-running British science fiction series Doctor Who.

Back to a more serious note, I quote with permission from a paper written by Bill Wilson of the then Northern Territory University entitled "A Disorderly Frontier: An Analysis of Drunkenness, Disorder and Drug Offences in the Northern Territory 1870 – 1926."

He wrote: Heavy consumption of liquor in the Northern Territory is not a recent event. Liquor was consumed in significant quantities from the early days of settlement. Even those who had been moderate drinkers in southern Australia succumbed to the lure of alcohol when they moved north. As Mounted Constable Turner noted 'men who never drank in their lives have come here and fallen to the square'.

The said Tom Turner served more than twenty-five years in the Northern Territory Police Force; in charge of the stations at Daly River and Pine Creek for much of that time – and I have no doubt that modern day officers couldn't get away with this – he

always went barefoot. The exception being as recorded in Sidney Downer's book "Patrol Indefinite" – and I am pleased to note this - *with the greatest reluctance for the sake of convention he wore shoes when he attended Supreme Court sittings or the Darwin races.*

Mrs Turner was a military nurse during World War 1 but nothing had prepared her for an isolated iron and bamboo home miles from anywhere. But she, like many other spouses and partners, reported to concerned friends that she *had too much to do to be lonely.*

Amongst the party who rode with Mounted Constable McColl in the fatal expedition that I mentioned earlier was a Mounted Constable Vic Hall.

I'd like to finish by sharing with you the final verse of the poem *The Scourge of the North* written by Vic Hall as a tribute to Tom Turner. It is equally a tribute to the police men and women that have served our Northern Territory so well:

*So it shall be with the Men of the North,
No epic their tale shall lack,
The dawn wind knows of their going forth,
But what of their coming back?*