**ROYAL COMMISSION IN CRISIS AS JUDGE RESIGNS.
Christopher Walsh
NT News, 2 August 2016, page 1.**

Less than a week after he was chosen to lead a royal commission into NT youth detention centres, Brian Martin has resigned, claiming he did not have the full confidence of sections of the community.
Mr Martin will be replaced by Indigenous Social Justice Commissioner Mick Gooda and former Queensland Supreme Court judge Margaret White. They were quickly appointed co-commissioners yesterday as the Federal Government attempted to salvage the credibility of the royal commission process.
But concerns now lingers over comments Mr Gooda made calling for the NT Government to be sacked after footage showing abuse of child prisoners aired on 4 Corners last week.
“The Federal Government has to intervene and sack the NT Government,” Mr Gooda said.

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**BLOW FOR TERRITORY ROYAL COMMISSION AS MARTIN STEPS DOWN.**

**NT News 2/8/2016, pages 1&2.**
Mr Martin also faced criticism for still being a reserve justice in the NT, for meting out light sentences for serious crimes in the past and concerns that he may have sentenced children to the Don Dale centre.

**It was revealed the day after his appointment that his daughter Joanna had advised the previous Labor government on justice issues between 2009 and 2011 while some of the abuses of youth at Don Dale were alleged to have transpired.**

**It's believed she will give evidence to the commission.**

He called that criticism “disingenuous and ill informed” yesterday.

**“However, notwithstanding the nature of the commentary, it has become apparent that rightly or wrongly, in this role I would not have the full confidence of sections of the indigenous community which has a viral interest in this inquiry,” Mr Martin said.
“As a consequence, the effectiveness of the commission is likely to be compromised from the outset. I am not prepared to proceed in the face of that risk.”**

Labor leader Michael Gunner commended Mr Martin on recognising the “issues” of his appointment and for standing down.
“We have got an opportunity now to do what maybe should have been done at the start which is to consult with the Aboriginal peak organisations of the Northern Territory and let's try and get this right,” he said. “This Royal Commission is really important, It must be independent.”
He added that indigenous groups were right to blame both Labor and the CLP and said both parties should have no role in administering the commission.
**Photo: Royal Commissioner Justice Brian Martin holds a press conference in Canberra. He has resigned as Royal Commissioner into the Detention of Children in the Northern Territory. Picture Kym Smith.**

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In the NT News story headed "Royal Commission in crisis as Judge Resigns" (2-8-2016, pp1&2) we learn that at the time Attorney-General Delia Lawrie wrote the above letter, the daughter of Chief Justice Brian Martin was in the employ of the NT Attorney-General, Delia Lawrie.

**THIS IS MY REPLY TO Delia Lawrie in**NT Minister for Justice and Attorney-General
Thank you for your reply of 13th October, 2010, concerning the sentence given to Graham X of Rapid Creek. I have passed on a copy of your reply to Graham X’s elderly grandmother of Rapid Creek, and sent a copy of your reply to Graham X in Berrimah Prison. She has campaigned tirelessly for justice for her grandson since he was sentenced by Chief Justice Brian Martin in March, 2006, at great cost to her health, and I fear your reply will be most discouraging to her. She and other members of the Graham X support group are Darwin electors and I believe that they deserve a better hearing from you as the Minister for Justice and Attorney-General.
Ms Lawrie, as a representative of the people of the northern suburbs you have shown little sympathy for Graham X or his family. For example, in your reply you correctly note that the sentence was not appealed. However, rather than an indication of Graham X’s guilt as you imply, the fact that the sentence was not appealed is an indication of the inadequacies of the Northern Territory justice system, as was his inadequate defence by Alan Woodcock.
For one, Graham X was a 15-year-old boy at the time; however, he was not tried until he was almost 19. And yet you state in your reply that ‘the maximum penalty for those offences is life imprisonment’. This remark is extremely hurtful. For what offences do the courts give life imprisonment for a 15-year-old boy? For multiple murders? Graham X stood in the dock as a fully grown man after living freely in Darwin for 3½ years. In that time he came to the notice of the police only for minor infringements, not of a sexual nature. How was it that a supposedly violent sex offender facing life imprisonment (as you state) was free to wander the Darwin streets for 3½ years, and yet committed no chargeable offence? Even the judge was surprised that Graham X had spent no time in custody until the end of his trial, which was delayed for over three years due to police incompetence.
Graham X went to court to be judged as a grown man for an offence which occurred between two juveniles (and the evidence suggests it was the very common ‘offence’ of clumsy consensual sex between juveniles).
Three witnesses contradicted the complainant’s evidence, some of which she ‘recalled’ years later.
I have known Graham X since he was 12 years old and visit him regularly in Berrimah prison. I was a friend of his grandfather back in the 1970s. Since I heard of this case, I have been campaigning for his release or retrial. Every month that passes I become more convinced than ever that this is a racial and political case. Unfortunately for Graham X he appeared before the Chief Justice immediately after the judge had been criticised in the media for sentencing an Aboriginal man to three months for the anal rape of a 14-year-old girl.
Because you are a politician, I would have thought you would have more understanding the above situation. As the Member for Karama, I would have thought you would show more interest in the plight of Graham X’s family and friends who are convinced of his innocence and the injustice of the case. As the Attorney-General you might have the power to do something about it, rather than to spout legalities from the rule book.

Yours sincerely

William B Day