
Margaret White and Mick Gooda replace Brian Martin as juvenile detention commissioners

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SABRA LANE, PRESENTER: The man handpicked to get to the bottom of sickening revelations from within the Northern Territory's juvenile justice system has quit just days after his appointment. The Federal Government's known since Saturday that Brian Martin wanted out, but kept it under wraps until not one, but two replacements were found. Critics say the Government's been tripped up in its haste to get on with the royal commission, but say the path is now clear for hearings to begin. Tom Iggulden reports.

BRIAN MARTIN, FORMER ROYAL COMMISSIONER: I have decided in the public interest that I should not continue as the commissioner.

GEORGE BRANDIS, ATTORNEY-GENERAL: It's going to be conducted by an independent and esteemed royal commissioner.

MALCOLM TURNBULL, PRIME MINISTER: Mr Martin is eminently qualified to undertake this important role, a man of immense legal expertise, immense experience, a distinguished judge.

GEORGE BRANDIS: Any suggestion that he is not independent, any suggestion that he is not suitable for a task of this kind is very foolish. I have no doubt at all that Justice Martin's conduct of this royal commission will demonstrate the wisdom of the Government's choice of him as royal commissioner.

TOM IGGULDEN, REPORTER: Brian Martin's rapid-fire appointment as royal commissioner is now so last week. Today, just as quickly, two new commissioners have been found and installed, taking the place of the man who as recently as Friday the Government insisted was the right one for the job. Now the Attorney-General says the pair of Mick Gooda and Margaret White are perfect.

GEORGE BRANDIS: I have a very, very high regard for both of them. Mr Gooda obviously meets the need which the Government accepts for there to be an Indigenous voice among the commissioners.

TOM IGGULDEN: Mr Gooda will resign as Aboriginal and Torres Strait Islander Justice Commissioner to take up his new role. He will join Margaret White, who's a former Justice of the Supreme Court of Queensland, as co-commissioner.

MICK GOODA, ROYAL COMMISSIONER: I've been fairly vocal about Aboriginal and Torres Strait Islander people needing to have confidence in the process, to have confidence in the outcomes. I think I may have set myself up a bit because I will be now part of that process.

MARGARET WHITE, ROYAL COMMISSIONER: We do hope that we will be able to seamlessly proceed with the timetable that had been alluded to at the end of last week.

TOM IGGULDEN: Some keeping a keen eye on the royal commission say Mr Martin could have held on as commissioner.

WARREN MUNDINE, INDIGENOUS ADVISORY COUNCIL: At the end of the day, he made his choice. I thought he wimped out, to be honest. But, I tell you what, the announcement by George Brandis today of Justice White and Commissioner Gooda was brilliant, without a hiccup and we can now move forward.

TOM IGGULDEN: Others are praising him for stepping down, saying he's put the interests of the commission ahead of his own.

JOHN LAWRENCE, FMR PRESIDENT, NT BAR ASSOC.: There are no shortage of eminent jurists, eminent Aboriginal leaders who have should have been probably set up at the beginning. But we've only lost less than a week.

TOM IGGULDEN: Mick Gooda's name was mentioned early and often when the Government began casting around for a replacement for Mr Martin after Four Corners aired the disturbing footage of the brutalisation of teenage inmates in Darwin last week, he tweeted his outrage. "The Federal Government has to intervene and sack the NT Government." He's promising a cooler approach now he's part of the process.

MICK GOODA: You know, it was a day of emotions and, you know, people had all sorts of emotional responses in the clear light of day. I probably wouldn't think that.

JOHN LAWRENCE: I suspect he wasn't alone in making that call on Tuesday, having seen what we've all seen now, the whole country's seen on Four Corners last Monday. But I don't think in any way, shape or form that can impact on - he's an experienced social justice commissioner and quite apt for the job.

WARREN MUNDINE: That probably wasn't a good comment in regard to it, but there is a lot of emotions around this. Look, Mick's a really good bloke. I know - I know - I suppose I should call him Commissioner Gooda now. He is a very professional person.

TOM IGGULDEN: The Opposition says the Government should have spent more time listening to it and to the Indigenous community before appointing Mr Martin.

BILL SHORTEN, OPPOSITION LEADER: He has failed abysmally. We shouldn't see this sort of administrative bungling, this sort of high-handed one-man band antics from the Government that they know best and don't need to worry about what anyone else says.

TOM IGGULDEN: The Government's not conceding Mr Martin was a poor choice; indeed, the Attorney-General and the Prime Minister both tried to talk him out of quitting, even as doubts emerged mere hours after his role was announced last Thursday afternoon.

GEORGE BRANDIS: I asked him whether there was any aspect of his appointment that could be problematic. He was of the view, as was I, that it would not be problematic. And you may recall that at the press conference in the Prime Minister's courtyard on Thursday afternoon, he was asked whether there was any issue that would be problematic for him and he said there would not.

BRIAN MARTIN: Since my appointment, I have been extremely disappointed with the disingenuous and ill-informed comment that has ensued.

TOM IGGULDEN: A hail of criticism greeted the Government's first choice from the moment he was announced. Indigenous justice and health organisations in Darwin complained they hadn't been consulted. As a former Chief Justice of the Northern Territory Supreme Court, his independence was questioned. Then it emerged his daughter was once an advisor to a former Labor attorney-general in the Top End, making her a potential witness to the commission.

BRIAN MARTIN: Quite unnecessarily, my family has been drawn into the debate. I am not prepared to allow the unwarranted intrusion into the life of my daughter to continue.

TOM IGGULDEN: His own career also attracted criticism, in particular the leniency he showed to five white men convicted of killing Aboriginal man Kwementyaye Ryder in a dry creek bed outside of Alice Springs. Then Justice Martin himself observed there was a racial element to the killing and now accepts the sentences he handed down had a hand in the moves to discredit him as royal commissioner.

BRIAN MARTIN: It explains why some people have a view about it, but it's - it's a misconceived view. There was no appeal in that particular decision.

TOM IGGULDEN: Warren Mundine was one who complained at the time the sentence was handed down.

WARREN MUNDINE: I was pretty savage on former Chief Justice Martin, but I was also respectful in regard to that we could get moving forward on a - on this royal commission.

TOM IGGULDEN: And he says it's important to keep the royal commission on track and arm's length from Darwin politics.

WARREN MUNDINE: It's interesting that the two appointees are from Queensland, and that's not a criticism, just an observation. Look, it was the only way to go after former Chief Justice Martin resigned.

JOHN LAWRENCE: I think that's essential. I think that's a good thing, it's healthy in reality and it's healthy in perception.

SABRA LANE: Tom Iggulden reporting.