

Solomon Dunn

The Truth Burns

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REFLECTION STATEMENT

Driven by a desire to represent the stasis within Australian society regarding the injustices Indigenous Australians face in the legal and incarceration system, my creative non-fiction piece, 'The Truth Burns', through a post-colonial lens, critically analyses the effectiveness of the Australian legal system and Australian response to Indigenous issues. Directed by a passion for social justice acquired from cases and films I looked at during Legal Studies, combined with a personal experience on an Immersion to a remote indigenous community, I came to realise how my knowledge of indigenous issues was surface-level and how - much like the rest of Australia - I didn't know what to do about it.

My capacity to wonder, disrupt, fail, and adapt was essential to the creative composition process. To be creative, I have had to experiment with form, use self-revision throughout the editing stage, and let other people's viewpoints affect my choices. Once progress has been made and words have been written down, it offers a brief, unique emotional bliss of artistic realisation.

I express my immense gratitude to Mrs. Williams for her unwavering support and dedication in helping me achieve my goals in my Major Work. Her belief in me helped me get over the line and produce the piece I have today.

AUTHOR'S NOTE

I know that 122 Australian First Nations youth will go to bed in prison tonight. I know that Young First Nations Australians make up 49% of all youths in prison despite making up only 5.8% of the country's youth. I know that children as young as ten can be arrested by police, remanded in custody, convicted by the courts and jailed. I do not know their stories, and I cannot claim to understand their experiences. I supply only what a film director would, directing an actor on set, the tearing of the earth with hands forever stained, distant calls of kookaburras and cockatoos, dark red blood dancing its way down the riverbed. I provide glimpses into the lives of others so we may build a better Australia.

Colonial Justice

The sound of shovels burying themselves into the dry, cracked land reverberated. In the heart of an idyllic Australian countryside, where nature's untamed splendour adorned the land, towering eucalyptus trees, guardians of a once passed era, fell like giants under the relentless assault of axes, their vibrant foliage reduced to pitiful heaps of severed branches and lifeless trunks.

The construction of a sandstone courthouse was commissioned only two weeks prior, a looming symbol of progress that cast a shadow of destruction over the once-pristine landscape. A cacophony of mallets drowned out the melodies of currawongs and lorikeets as spades tore through the earth, leaving gaping scars in the once-untouched soil. The land, which once bore the gentle imprint of kangaroo tracks and echoed with the soft rustling of wallabies and wombats, now lay disturbed and wounded. Men were milling sandstone blocks in the nearby shade, which echoed through the surrounding hills, as did their complaints and squandering. They grumbled together under their breath, murmuring to each other their dissatisfaction with the resources that lay around them. Timber planks were mechanically bonded together by bolts and straps to create arches up to 10 metres in height. In pursuing architectural grandeur, the natural world bore the brunt of human ambition. The once picturesque landscape, adorned with rich tapestries of green and ochre, was now marred by a harsh industrial grey.

As the courthouse continued to rise, the displaced possums and echidnas sought refuge in the dwindling pockets of wilderness, struggling to adapt to the encroaching human presence. Once a haven of biodiversity, the area now resembled a fragmented canvas, its vibrancy replaced by discord and displacement. The unyielding Australian sun, which once brought life and warmth, now intensified the construction site's oppressive atmosphere. Its fiery rays bore mercilessly upon the labourers, whose sweat mixed with the dust of European progress and the lingering scent of animal despair.

Every day, the courthouse's imposing façade rose higher, casting an ominous shadow engulfing the nearby landscape in darkness. Once living in harmony with nature, the local First Nations community found themselves divided by the discordant forces of progress. Tensions rose as some celebrated the advancement of 'justice' within the area while others mourned the irreplaceable loss of their once-pristine home. As the courthouse neared completion, the National federation flag was hoisted, it swayed in the wind casting a small shadow over the stairs entering the court.



A profound sadness settled over the rural Australian community. What was the price paid for progress?

When the courthouse's doors finally opened, the community people were reluctant to step inside, haunted by the lingering memories of their sentinel river red gums and watchful grey iron bark, now strung up high as beams that lay lifeless and immobile, no longer swaying as they once did.

1 The Australian Colonial Flag Adopted in 1824 and relinquished in 1901

William Wentworth² was satisfied with the courthouse and the men's progress. He had roamed with an insatiable curiosity around the area. It was the year 1819 when he set forth on his first expedition, eager to unravel the mysteries of the vast and unexplored land newly named Australia. He had settled in a weatherboard house that lay next to the creek about a fifteen-minute ride from the centre of the new town Eldenford. He grew his personal settlement, raising a few sheep and goats to sustain his wife and children.

Using Eldenford as his new residence and base for his journeys into the Blue Mountains and surrounding areas, he encountered the enigmatic Aboriginal people. At first, their culture and customs intrigued him, but soon, a different emotion took root within his heart, a toxic mixture of fear and superiority. He had heard that there were ways to move people on, he had heard of stockmen taking matters into their own hands. He saw the indigenous as an obstacle to progress.

Coming home from a day spent in Eldenford managing the finalisation of the courthouse, he pushed open his front door only to hear from his children that one of the sheep had been 'stolen' by a local indigenous man. He stood remarkably still, dismissing the idea to his children and sending them to bed.

He collected some logs and compiled them in the centre of his sand fire pit around the backside of his property. Sitting solitary in the glow of the campfire, dissatisfied with his 'stolen' sheep and angry with the barrier that the indigenous people provided to his explorations, he penned his thoughts in his journal, painting an image of the local people as *"occupying the lowest place in the gradatory scale of the human species."* Fiddling round for a knife in his pants to open the three letters he shortly took from the inside pocket of his coat. The first was from Captain James Wallis, a dear friend. It contained a small inscription and a detailed sketch.

2 In the early days of colonial New South Wales, William Charles Wentworth, an Australian statesman, pastoralist, explorer, newspaper editor, lawyer, politician, and author, rose to become one of the richest and most influential people.



The Inscription read:

*"Nature in a sportive humour or a contrast between Animal and vegetable Life in New South Wales. The former hideous disgusting and barbarous, the latter graceful modest and gratifying to the senses, the Aborigines of New South Wales are the most perfect savages in existence." and below "Dick killed Burigon one day with one blow."*³

³ The piece derived from "The Barbarity of our own countrymen" alludes that the creation of this image was the officer of the 43rd regiment who was in charge of the Appin Massacre, Captain James Wallis, painted Dick, Burigon, and local vegetation.

Wentworth chuckled to himself, writing in his diary to respond to Captain Wallace with a sketch of similar nature. Tucking the other two letters back into his pocket, he meandered slowly back inside unable to resist a gentle smirk.

Wentworth's reputation as a barrister and explorer attracted settlers to Eldenford. The Courthouse was never busier.

He found himself entangled in the heart of a dark and troubling affair. In 1827, Lieutenant Nathaniel Lowe was accused of murdering an Aboriginal prisoner. Wentworth was asked to defend Lowe, and his Courthouse was required. Being an accomplished barrister, he took the mantle of defence counsel. His silver-tongued oration painted a portrait of the Aboriginal people as savage creatures devoid of moral standards and sensibilities. "Englishmen are justified in killing Aborigines," he proclaimed boldly, "for the law does not exist to protect those who are one degree just above the beasts."

The courtroom hung in pregnant silence, and with every word, Wentworth's denial of Aboriginal justice echoed like a symphony. The crowd heard could be heard undulating. His words found sympathy among some, striking a chord with the dark corners of colonial society, where prejudice and ignorance thrived. "Here, here!" men shouted. Their heads could be heard nodding, reverberating off the corners of the Courthouse. Lieutenant Nathaniel Lowe was acquitted of all charges. The Aboriginal community recoiled in horror and despair; Justice meant something different in Elden. The courthouse, was it a place of justice?

Wentworth, satisfied his town would continue to flourish, continued his exploration and became an unyielding voice against the rights of the Aboriginal people in his court in Eldenford.

In 1838, when news of the Myall Creek massacre spread, a veil of gloom descended upon the region. Stockmen had carried out a horrific massacre of helpless Aboriginal people. Although there were widespread appeals for justice, Wentworth steadfastly stood by the offenders. However, Wentworth's odyssey of denying Aboriginal justice had yet to reach its turning point. The goal of judicial reform in 1844 was to make it possible for Aboriginal people to testify in court. Wentworth, however, adamantly disagreed with this because he thought their voices would upset the established quo.

“Their testimony would be nothing more than the chattering of the ourang-outang,” he sneered, stoking the fires of prejudice among his peers. He saw the idea of Aboriginal voices being heard as a threat as if it would bring retribution upon the settlers.

The issue resurfaced in 1849, and Wentworth remained unyielding. He argued that it was not the government’s duty to protect the Aboriginal people, predicting their inevitable demise at the hands of the advancing settlers and diseases. Wentworth used his power to repress the Aboriginal people outside the courtrooms further. Wentworth had a close relationship with Frederick Walker, the first Commandant of the Native Police. The Native Police, a terror- and blood-filled organisation, was used to uphold settlers’ rule over Indigenous people.

As time passed, Wentworth’s legacy was tangled up in the oppression and denial surrounding him. His explorations once thought of as a search for knowledge, suddenly revealed a terrifying truth that it was the account of a man who allowed prejudice to cloud his judgement and fail to do justice to a people who had inhabited the area for thousands of years. His acts left a lasting impression on history, serving as a sombre warning about the perils of intolerance and the cost of ignoring the cries of the oppressed. Once a blank canvas for wonder and curiosity, the country now carried the burden of a history marred by denial, a history that cried out for acknowledgement, healing, and forgiveness.

Immersed

A sizeable white 4WD bus tussled up the dirt as it abruptly stopped just outside a long metal gate. A squat man with a green shirt torn at the sleeves, accompanied by the sound of his thongs clacking against his heels, came out of a house and opened the gate.

The old, shabby house sat nestled on a cattle property in Eldenford. Its remaining weathered wooden fences around the property were made from gnarled tree branches, like the outstretched arms of ancient guardians. The sun-baked earth bore the scars of droughts and summers past, while a corrugated iron shed stood stoically nearby, its once-vibrant red colour now fading to a rusted hue. Dust danced in the rays of light that filtered through the gaps in the worn curtains. The guests arriving on the bus couldn’t quite see in the house, but that’s what made it so interesting for them.

Surrounded by the untamed beauty of the Australian bush, the property seemed frozen in time, as if holding onto a forgotten tale of its own. Tall eucalyptus trees stood proudly, their leaves whispering secrets in the wind. The air was filled with the heady

scent of gum leaves and wattle, mingling with the earthy aroma of the parched soil that would leave a slight residue on the tongue.

Sixteen boys, accompanied by three teachers, sauntered down the bus’s stairs, each holding a large duffle bag and backpack. They looked around with eagerness and excitement. They were greeted by the man who opened the gate with open arms. He quickly instructed the boys to drop their bags and showed them around the property.

Beside the house, a muddy creek meandered lazily, its waters reflecting the azure sky above. The creek’s gentle babbling provided a soothing backdrop to the serenity of the surroundings. The banks of the creek were adorned with ferns and reeds, their verdant colours providing a vibrant contrast to the arid landscape beyond. Wild horses roamed freely in the expansive paddocks, their manes flowing like liquid ebony in the breeze. They moved gracefully, their hooves barely making a sound as they explored their vast domain.

Throughout the day, they were taught about the art of mustering cattle and its dangers, the importance of water conservation, and the delicate balance between preserving the natural environment and sustainable farming practices. They saw the weathered face of this man who had provided such hospitality and wondered what stories he would offer.

As night descended, mallets could be heard nailing tent pegs in. A gentle laughter filled the air as they joked around with each other. The boys had set up four large camping tents to the right side of the river, a 25-metre walk from the house. As the tents arose, the talking got louder. The stars emerged, painting the sky with their twinkling light. The howls of distant dingoes echoed through the bush, harmonising with the symphony of crickets and cicadas. The creek continued its soft babbling, a constant lullaby for the wilderness.

Spirit of this ancient land.

“This place is insanely beautiful”, one boy confided to another as he sat down, satisfied with the tent he could now call home for the next few days.

“Yeh wow, I could definitely live here”, another quickly responded.

A few boys went to bed. It had been a long day of travelling, and cicadas could be heard rattling in the background amongst the sound of tents zipping up and the rustle of sleeping bags. In awe of the area, the boys were ready to unpack the following day’s stories.

* * *

As the morning arose, the sound of shovels burying themselves into the dry, cracked land reverberated. The owner had asked the boys to construct a new shed. Eager to help, the boys followed suit. They dug with pickaxes, poles, and shovels, shattering the earth. As their hands gripped the cool, gritty handle of the shovels, a sense of purpose took root within them. With each forceful thrust, the soil resisted, then yielded, like a secret reluctantly whispered.

The rhythmic cadence of the shovel's rhythm became a conversation, a heartbeat synchronised with the pulse of nature. Each clump of earth overturned revealed a hidden world, a subterranean tapestry of life woven through the dirt.

Nine holes slowly formed over two hours. Satisfied with their accomplishment and contribution that they had had, the tents began to unfold; it was a race amongst them to see who could get theirs down fastest. They hopped back on the bus after they had taken their remaining photos. Vowing to return, they are yet to.

Billy's Story

Billy found it difficult to believe that stories of what Eldenford had once been were true.

A gentle breeze once carried the sweet scent of eucalyptus and wildflowers while the distant calls of kookaburras and cockatoos filled the air. The clear waters of a winding creek reflected the warm hues of the sunset. Surrounding the creek, a dense bushland once teemed with life. Tall gum trees towered above the undergrowth, providing a shady refuge for the native fauna. Wombat burrows could be seen scattered among the ferns while possums and wallabies flit between the branches of the trees. The rustling of leaves and the occasional snap of a twig signalled their presence, creating a sense of mystery and intrigue.

Yeh right.

Billy looked around.

The surrounding roads were now perfectly surfaced, with not a single bump or pothole anymore. The footpaths by its side were meticulously clean. The bright white of the footpath had an encompassing glare that made it challenging to look directly at when walking down the street. A tall, green, picketed fence with serrated edges surrounded

the local convenience store. A distinctive sign saying 'No children allowed in during school hours'. Money wasn't the issue. There was an abundance of it in Hope Vale. They had just set up a new art centre, *Opening hours 9-11 on Wednesdays*, redone all the roads, and polished all the light posts. Cameras now sat where once the birds did; the comforting buzz of life that he had heard of certainly wasn't there.

These new roads marked the outline of the little town, and there was no longer any sign of water gushing through the creek. The once lively creek that homed wildlife and provided fresh water for communities was now a mere trickle, a casualty of the town's development. What man has joined nature is powerless to put asunder.

Two police cars, a paddy wagon and Landcruiser 79 series, sat in their parking spot indicated by the sign that lay posted just beside it: *Police parking only, offenders will be prosecuted* just off the main square underneath the shade of the big palm trees that had been brought in only a couple years ago. Although there were no police inside of them, their presence was eerie. On the borderline of the town past the new infrastructure lay the residence of most people who lived in Eldenford. Corrugated iron roofs that lay all day in the sun sat atop of wood-beamed panelled houses, every one looking identical. Front lawns no longer existent, just patches of muddled-up dirt that lay lifeless, begging for rain.

The contrast between the tranquil bushland and the sterile new infrastructure of Eldenford was jarring. The beauty and vibrancy of the natural environment had been replaced with a polished yet lifeless façade. The absence of the creek's gentle babble was noticeable, and the wildlife that once thrived in and around it had been displaced.

The new buildings and facilities had done little to improve the overall quality of life in the town. The locals still struggled to make ends meet, and hardship was still prevalent. Clearly, the government's focus on physical infrastructure had been misplaced. The community needed more than just a fresh coat of paint on their buildings and newly paved roads. They needed access to better healthcare, education, and job opportunities. Despite the government's efforts, the community's spirit remained unbroken. The people of Eldenford were resilient and resourceful, and they found ways to make the best of their situation. The dustiness in the air and the sense of movement in the village spoke to the community's ongoing efforts to adapt and thrive.

Sweat gently rolled down the back of Billy's neck, finding its way into his school shirt and seeping into his backpack. Keeping his head down, he picked up his pace, knowing he only had a good couple hundred metres to go to the front gates.

The searing asphalt was slowly edging away at his almost soleless Reeboks, and Billy heard the sound of a whistle. It was Rob. He ignored him. Another whistle, this time followed by a shout.

“Billy over here.”

There wasn't much he could do now. He couldn't continue ignoring him, he had clearly seen him look over. As he slowly potted over to his 'friends', he wondered what this day would involve, just glad to no longer be at home. Although scared and intimidated, Billy felt he owed some loyalty to his mates. Being the youngest of the group, he was thrown around and a tag along, he took instructions, and there wasn't a whole lot he could do about it.

Now, being in earshot and without having to shout, Rob leans across the table.

“Morning mate, how are ya.”

Billy lifted his head and put on the smile he had put on every other day of the week, no longer able to hide the bruises and cuts accumulated over the past few days.

“I'm good, thanks, yeh really good”, Billy replied. He thought he was doing well to cover up his lies.

Rob's eyes flickered over Billy's face, and he could see the damage in them. “Are you okay, Jack?” Rob asked, his voice softening.

Billy shook his head; he didn't trust himself to say anything more. He knew he would start to cry if he opened his mouth. He didn't want to cry in front of Rob and the boys.

Rob sighed, and Billy could see the frustration in his eyes. Making sure the others didn't hear, Rob asked, his voice softening. “Are you okay, Billy?”

With no response, Rob's tone shifted, and he leaned in closer, his eyes scanning Billy's face.

“Look, we're heading out to the old creek bed today. Gonna do a bit of exploring, see if there's anything left to salvage,” he said, a smirk playing on his lips.

Billy's stomach churned at the thought of what “exploring” might entail. He knew all too well what his friends were capable of, and he didn't want to be a part of it. But he couldn't back out now, not without risking their wrath.

“Sounds good,” he said, trying to sound enthusiastic.

After school had finished, they made their way out of the school gates and towards the outskirts of town. Billy's mind raced with thoughts of what might happen. He couldn't shake the feeling that something was off about this whole situation. The old creek bed was a place of beauty and wonder, where he spent hours exploring with his family. Empty beer cans floated around in the small pools of brown water that had been made by the lack of rain in the last few months, the nitid metal syringe poked out in the sand, and the shimmers of broken glass meant that you had to watch where you were walking at all times.

As they approached the creek bed, Billy felt his heart rate increase. He could see his friends eyeing him, waiting for him to make the first move. With a deep breath, he stepped forward, his feet sinking into the dry, cracked earth to the side of the creek.

They spent the next hour scouring the area, looking for anything they could salvage from the burnt-out cars and tractors that lay along the creek's edge like copper. Billy tried to stay on the outskirts of the group, wanting to avoid being too involved in their activities. But as they moved deeper into the creek bed, he found himself being pulled in closer. It started with a few rocks being thrown into the water, followed by some playful shoves and taunts. It all seemed like a bit of fun, and this was the best of the days Billy thought to himself it really wasn't that bad. Instead of a radiant display of hues, the sky was draped in shades of grey and dullness.

The sun's attempts to break through the clouds were thwarted, leaving only faint glimpses of its fading glow. The once vivid oranges, pinks, and reds were now muted and diluted as if diluted by the presence of the sombre clouds. Billy's friends Rob, Jeremy Lucian and Ben began breaking off tree branches and using them as weapons, attacking each other with wild abandon. Stabbing ant nests with long metal poles taken from rusty cars, enraging their armies to come out, knowing their powerlessness is what they enjoyed. Waving them around to destroy the spider webs strung up between the Proteaceae plants, the insects caught up in the web fell to the ground.

Billy notices a lifeless galah lying on the ground at the base of an Acacia tree, a creature once full of vitality and grace, now reduced to a still and motionless form. The body appeared limp and relaxed, devoid of any signs of movement or life. The bird's vibrant feathers, once a tapestry of colours, now seem faded and dulled, their lustre gone.

Once bright and alert, its eyes are now closed, as if peacefully resting in eternal slumber. Once a powerful and agile tool for feeding and communication, the beak now rested quietly against its chest.

The boys laughed at its helpless and futile state. Lying dormant in the dirt, they slowly mutilated its stomach with strong prods and aggressive pokes with the same pole used

for the ant's nest. They then began to tear the wings and feathers of the once pink-crested now maimed bird,

Billy sat in silence. He had nothing to say.

It took them the best part of five minutes to move on.

Billy encouraged the boys to head down to the 'gnamma' holes⁴. It was only a couple hundred metres down the creek bed. They waded their way down the little water that remained in the creek until they reached the swimming hole.

Ripping off his shirt, Lucian shouted eagerly, "I'm in first!"

Running up the side of the rock, he dived into the hole with his hands tucked behind his back elegantly.

A loud thumping noise sent the remaining birds out of the surrounding trees into a fluster. As he hit the water, they scattered away, screeching. The boys chortled amongst each other, deciding who was next in. Billy counted the seconds he was under in his head, thinking it had to have been more than twenty. Lucian normally played jokes on the boys, so it wasn't anything out of the ordinary.

"Yeh alright, I'll go," Jeremy announced.

Billy quickly responded. "Just give him a minute."

As the seconds ticked over, a stream of dark red blood gently danced down the riverbed, weaving its way through the rocks and rubbish and finding its way to Billy's feet. The water fell still, as did the laughter; the ripples created by Lucian's dive had long passed. Lucian's motionless corpse crept up to the surface. The water level was lower than usual due to the lack of rainfall in the months prior. The silence was deafening.

Billy stood frozen and silent as the others, Rob and Jeremy, quickly rushed in, aggressively wading through the water.

"He's dead!" Rob shouted as he rested his hand on the back of his neck.

Ben insisted, "He can't be, surely not, Lucian!"

4 'Gnamma' holes were one of the Aboriginal people's primary water sources. Natural water tanks, these cavities are frequently found in hard rock, especially granite outcrops, and are refilled by underground water reserves and rainwater runoff. Sometimes large enough to swim in.

He paused. "Lucian! Get up, mate."

Flipping his body around with diffidence, he stared into his blank eyes that had rolled into the back of his head. The sound of water trickling from his wet hair as Ben lifted his head pierced the water's surface as if they were icicles falling from a winter roof, mercilessly protruding through the water. The trickle slowly dissipated into droplets, then to nothing.

The boys looked at each other. Their skin lost all colour, becoming chalk white.

"We've got to bury him, his mum can't know," Jeremy whelped, trying to mask his tears.

Quickly following up with, "We can't go to prison, you know what they'll do to us."

The others followed with little hesitation, with little understanding of what they were about to do.

Sweat streamed down their faces, mingling with the dust and grime as they tore at the scorched earth with their bare hands. The ground seemed unyielding, just like the weight of their grim task. The heavy presence of fear and worry restricted their breathing. They exchanged desperate glances while their eyes were wide open. An eerie glow was thrown over the countryside as the sun set behind the trees. With every dig, they dug deeper into their feelings of remorse in an effort to bury not just the body but also the agonising memories that were now tormenting them. Each handful of earth was an admission of their terrible secret. Their eyes filled with tears, clouding their perception of the macabre task ahead as their hearts synched to the beat of a war drum. Yet, they pressed on, fuelled by a desperate determination to hide his body.

Rising from their knees defiled, they looked at their stained hands and tried to rub them off in the water, but it didn't work. The dirt from under their fingernails was stuck, attempts made to bite them off were futile. The boys now shared a bond that would forever tie them to this desolate place, a silent witness to the secrets they had buried in the Australian country under the weight of guilt and the tearing of the earth with their bare, stained hands.

Jurisprudence

Although Billy's trial was not the first to reverberate through Eldenford's courtrooms, it did carry a weight of precedent that suggested further trials would inevitably grace the same venerable chambers in the future with a similar outcome. Since the trial of Lieutenant Nathaniel Lowe to Billy, who knew if justice would see them with the same blind eyes.

Judge: This court is now in session. The case before us today is the Queen vs. B. Yarran. The defendant is charged with ⁵Misconduct with regard to corpses Counsel, please introduce yourselves for the record.

Prosecutor: Your Honour, I am Ava Montgomery, representing the State.

Defence Attorney: Your Honour, I am Matt Sinclair, representing the defendant, Billy Yarran.

Judge: Thank you. Is the prosecution ready to present its case?

Prosecutor: Yes, Your Honour. The prosecution contends that the defendant, Billy Yarran, knowingly aided and participated in improper handling of a corpse, specifically after Jeremy Waru committed the act of misconduct with regards to a corpse. We intend to provide evidence demonstrating the defendant's involvement in assisting Jeremy Waru to evade accountability.

Judge: Defence, how does your client plead?

Defence Attorney: Your Honour, at this time, my client pleads not guilty to the charge of misconduct with regards to corpses.

Judge: Very well. The prosecution may proceed with the opening statement.

Prosecutor: Ladies and gentlemen of the jury, the proof will establish that Billy Yarran was aware of Jeremy Waru's actions and wilfully engaged in helping him evade the consequences. We'll present testimonies and records that establish the defendant's active role in offering aid and shelter to Jeremy Waru. Through these actions, the defendant became an accessory to misconduct with regards to corpses.

[Prosecution presents witnesses and exhibits]

5 81C (b) improperly interferes with, or offers any indignity to, any dead human body or human remains (whether buried or not), shall be liable to imprisonment for two years

Judge: Defence, your opening statement, please.

Defence Attorney: Ladies and gentlemen of the jury, my client, Billy Yarran, is an innocent young boy who has been wrongly accused of misconduct. The prosecution's evidence might suggest some involvement, but the defence will demonstrate that my client was not implicated in the underlying actions committed by Jeremy Waru. Our witnesses will testify that the defendant's actions were rooted in a genuine desire to help a friend in a time of need, without any awareness of potential legal consequences.

The trial lasted four days. Billy was found guilty and was given the maximum sentence of two years imprisonment. He spent the next ten years of his life in and out of prison.

Billy's story was fictional but there are many that aren't.

At the end of June 2022, 32% of all inmates were Indigenous Australians or people from the Torres Strait Island, despite making up for 3.8% of the population.

Findings from the 2017 Northern Territory Royal Commission into the Protection and Detention of Children.

Chapter 10 - Detention facilities Recommendation

10.1 The Northern Territory Government immediately close the High Security Unit or by whatever name it is known in the current Don Dale Youth Detention Centre.

Recommendation

10.2 The Northern Territory Government close the current Don Dale Youth Detention Centre (to be replaced with a new, purpose-built facility) and by 17 February 2018³ months after the date of this report, the Northern Territory Government report to the Children's Commissioner (or Commission for Children and Young People if that Commission has been established by that time) on the program for that closure.

Boys were seen in frightening sequences in the graphic film *Four Corners* presented where they were subjected to beatings, restraints, spit hoods, chains, hosing, and unjustifiable seclusion. The iconic representation of the NT legal system arose from these pictures: Dylan Voller imprisoned in a cell, tightly strapped to a chair, donning a hood, and in a catatonic state. The Royal Commission undertook an investigation that successfully pinpointed the people responsible for these egregious and brutal acts. Surprisingly, none of these people were prosecuted or suffered serious consequences. The proceedings also made clear that any child who experienced maltreatment throughout this time period—including beatings, abuse, forcible seclusion, and other cruelties—had to bear the burden of these traumas throughout the trial and for the rest of their lives.

Don Dale prison remains open to this day.

More Children are incarcerated in the Darwin facility than there ever has been.

Chapter 13 – Use of Force Recommendation

13.1 The use of spit hoods should continue to be prohibited. If spitting by detainees is a concern for staff numbers at youth detention centres, other practical alternatives should be investigated to prevent exposure. Recommendation

13.2 The restraint chair should continue to be prohibited. Recommendation

13.3 The use of CS gas in youth detention centres should be prohibited

We know the names.

Dylan Voller

Jake Roper

Wayne Morrison

John Pat

Kingsley Richard Dixon

David Gundy

Mulrunii Doomadgee

Kwementyaye Langdon

David Dungay

Rebecca Maher

Wayne Fella Morrison

Tane Chatfield

Melissa Dunn

Tanya Day

Nathan Reynolds

Kumaniavi Walker

Thomas Hickey

Ms Dhu

Tanya Day

Tane Chatfield

Jonathon Hogan

Chris Drage

Trisjack Simpson

Veronica Walker

Kumanjayi Walker

We have seen the articles.

“Australian boy, 13, spent six weeks in solitary confinement”

BBC, 15th March 2023

“Youth detention royal commission: ‘Systemic failures’ occurred, says former minister”

ABC, 17th March 2017

“Youth detention royal commission hears Alice Springs detainee was choked; teens kneed in back”

ABC, 13th March 2017

“Claims teens forced to eat animal faeces for junk food at Don Dale”

ABC, 22nd September 2015

“Don Dale: Snapchat videos show guard asking inmates for oral sex”

ABC, 20th March 2017

“Indigenous Australians unfairly jailed due to racism in legal system – research”

The Guardian, 7th July 2016

“The Nightmare Lives of Indigenous Prisoners in Australia”

Human rights watch, 9th August 2018

“The Aboriginal Gulag: The Northern Territory’s criminal legal system”

Arena, 22nd October 2022

“Indigenous Child Abuse continues in Australia”

Arena, 29th June 2020

“The royal commission into NT youth detention has failed children”

ABC, 21 November 2017

“Aboriginal Legal Service calls out justice failures on Closing the Gap Day”

National Indigenous Times, 17th March 2022

“Young Indigenous 17 times more likely to be in detention than other Australians”

The Guardian, May 11th, 2019

“Discrimination against Indigenous Australians has risen dramatically, survey finds”

The Guardian, May 24th, 2021

“Aboriginal Australians ‘still suffering effects of colonial past’”

BBC, 16th July 2020

“First Person: Aboriginal Australians suffer from ‘violent history’ and ongoing ‘institutional racism’”

United Nations, 21st April 2023

Wake up Australia.