



COUNTY KOORI COURT – A REPORTER’S GUIDE

ABOUT:

The County Koori Court is the only sentencing court for Aboriginal and Torres Strait Islander offenders in a higher jurisdiction in Australia.

The accused must be Aboriginal or Torres Strait Islander. The accused pleads guilty and is listed for an Arraignment.

There are three stages to a County Koori Court hearing – Arraignment, the Sentencing Conversation and the Sentence. In the Arraignment, the accused enters a formal guilty plea before the Judge alone.

The sentencing conversation follows and includes the Judge, the Elders and Respected Persons, the accused, the lawyer for the accused, the Prosecutor, the Koori Court Officer, the Corrections Officer and those people who may be present to support the offender. If a victim is present he or she will participate. Everybody has the opportunity to speak.

SENTENCING:

The Judge has the sole responsibility for imposing sentence. Offenders are sentenced under the same law as those in the mainstream Court.

ELDERS & RESPECTED PERSONS:

Aboriginal Elders or Respected Persons advise the Judge on cultural issues relating to the accused and his or her offending behaviour. Their voices are a powerful cultural feature and send a clear message to the accused the offences are not condoned by Koori or non-Koori communities.

Elders and Respected Persons provide information on the background of the accused and possible reasons for offending behaviour. They may also explain relevant kinship connections, how particular crimes have affected the Indigenous community and provide advice on cultural practices, protocols and perspectives relevant to sentencing.

HISTORY:

The County Koori Court began sitting in the Latrobe Valley in 2008, in Melbourne in 2013, in Mildura in 2016 and in Shepparton in 2018. Aboriginal Elders and Respected Persons are appointed from each region where a County Koori Court is located and have strong cultural ties and knowledge of the local area and their community.

Sexual offences cannot be heard in the Koori Court.

IMPORTANT NOTE:

Some Aboriginal and Torres Strait Islander people have cultural sensitivity around photography. Please consider this and seek permission from the parties before publishing photographs.

LINKS:

[MEAA Code of Ethics for Journalists.](#)

Not-for-profit group Media Diversity Australia has developed a [free resource](#) for journalists to assist in reporting on Aboriginal and Torres Strait Islander peoples.

Visit the Koori Court page on the County Court website [here](#).