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### **Stateline Queensland**

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Transcript

## **Andrew Boe**

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Reporter: JEFF WATERS

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KIRRIN McKECHNIE: And earlier this week, Jeff Waters recorded an interview with the high profile lawyer for the Palm Island Council, Andrew Boe.

JEFF WATERS: Andrew Boe, thank you for joining us on Stateline. Can you explain, as the lawyer for the Palm Island community, how this is affecting the community and the family involved?

ANDREW BOE, PALM ISLAND COUNCIL'S LAWYER: Well, awfully, frankly. The community firstly needs some answers as to what happened on that day last year. For the family, they need closure and a sense of understanding of what happened to their family member. The unfortunate part about it is that a lot of the evidence has already come out. People have a sense of what happened. Getting the final recommendations and rulings from the court is, I think, of paramount importance a factor that the coroner's court does appreciate, but the logistics of balancing the competing interests has been very difficult.

JEFF WATERS: How would you describe the conduct of the Queensland Police Service at this inquest?

ANDREW BOE: They've been very efficient. They've been fairly heavily resourced. They've taken an approach of a protective response to any accusations of wrongdoing. They've challenged any rulings that have been made that were adverse to their interests. All of that's legitimate. They're entitled to assert their legal rights. But if I can stand back away from the coronial proceedings for a moment, let's go back to the bare facts. It's undisputed that a man was arrested for a language offence and put into custody and not long after that he is dead. It opens the challenge not just through the coronial inquest, but through all the government departments and responses as to why this state of affairs has occurred. I think it's important for police to defend their actions where they need to be

defended, but police also should recognise that they have a community interest to further here, that is to proactively take some steps to repair this conflict in between the community and the Police Service.

JEFF WATERS: While all this has been going on, the CMC handed down a report into police conduct after the riot, when they were going around rounding up suspects, etc now, that report was highly critical of the police, but the Government hasn't acted on any of its recommendations. What do you think about that?

ANDREW BOE: Well, can I say two things: I'm not a great fan of the CMC being used as a clearing house for allegations against politicians or police actions, etc I think it's often conveniently used as a clearing house. Secondly, on the few occasions where the CMC does make criticisms of institutional actions, I think it's a disgrace that Police Commissioners pick and choose what they choose to accept from the CMC. If they got a clean bill of health, what you hear in Parliament is how wonderfully well politicians or police have acted. When there is criticism and it was such measured criticism it wasn't it was looking at systemic changes to make sure that this sort of conduct, which was inappropriate, could be checked if people wearing guns and balaclavas, to go into private people's houses if there's no system to check their identity, that that should be changed. Now, I would have thought all Queenslanders would want that sort of safety net for citizens who are subject to this sort of attack in their homes.

JEFF WATERS: If I can ask you to be broad, how would you see the Government's conduct with all of these issues?

ANDREW BOE: Government have failed Palm Island historically, not just this government. Government have not been able to come up with the answers to address these very well known, systemic problems. Government still carry extraordinary hubris in believing that they will find and answer by edict. They will march in and impose, for example, an alcohol prohibition program, an AMP, alcohol management program, which would offend our sensibilities. To think that government can decide that this community can't drink wine, but they can drink light beer. To come in with that edict really demonstrates what's wrong here. People in institutions do not regard this community as made up of human beings. What they regard is that this is a problem that has occurred due to systemic failings, but now, suddenly, it's the fault of this community itself they are dysfunctional, they can't get jobs, they can't educate their children, they can't protect their children, etc. It is so obvious to me that nothing will change until a greater sense of empathy cuts across all the bureaucratic speak that we hear at the moment the spin doctors who want to fiddle with statistics to say that there's been improvements, or the bureaucrats who want to defend the programs that provide them with employment. A very novel approach is needed here, not just from government. We need the assistance of the best in the field of sociology, of social design, of architecture, of law, of medicine, to use the goodwill that is available in the community to work with government funding to come out with some solutions that are novel. To do justice, we have to act how we would like to be treated. To hear that there's a belief that government can roll out what's necessary by not increasing the budget allocations to Palm Island is disgraceful. To think

that you can improve the housing conditions on this island by having a budget that allows one or two more houses each year is crazy. So, in some senses, what's hindering political responses to be effective is that Palm Island will go off the radar soon enough, and then at that stage we've got to just rely upon the goodwill of government, and that hasn't been there in Indigenous affairs generally and Palm Island specifically.

JEFF WATERS: Now, you don't charge Palm Island for any of your services for acting for the council as their lawyer, but the Premier, in spite of that, has called you and your firm "white hangers-on, leeches and a pack of thugs". Has he apologised to you for that.

ANDREW BOE: No, and I think it's unlikely that he's going to do that.

JEFF WATERS: What's your response to those allegations?

ANDREW BOE: Jeff, Palm Island can't be about me or the Premier or specific personalities. The Premier used those intemperate words in the flurry of a political fight that he was trying to protect his own integrity. He thought that that would be effective, and in some quarters it probably was. The things he said were untrue, of course. We know that. I think it's best to take those personality issues out of this equation.

JEFF WATERS: Andrew Boe, thank you for joining us on Stateline.

ANDREW BOE: You're welcome.