

THE father of a teenage boy killed in Yirrkala late last month will be temporarily released from prison on compassionate grounds to bury his son and “re-establish magaya, the state of peace”.

Gerard Marika faced the Supreme Court yesterday charged with six counts of aggravated assault and causing serious harm in relation to an ongoing dispute between two families in the remote community.

Bail had previously been denied in both the Local Court and the Supreme Court but Chief Justice Michael Grant said he was now satisfied Marika could participate in sorry business for his son without causing trouble.

Crown prosecutor Michaela Malone tendered a statutory declaration from NT Police Senior Sergeant Micheal Milde, requesting the court order that Marika have no contact with prominent Aboriginal activist David Cole.

But while Chief Justice Grant noted Sen-Sgt Milde’s concern that Mr Cole would “be stirring up trouble with the T Os”, he declined to make the order and warned Marika not to let things get out of hand.

“I won’t be making that a condition of bail but I just caution you to be careful and you and your father need to make sure that if he does go out there for the business that he doesn’t stir up any trouble,” he said.

Chief Justice Grant ordered that Marika be released tomorrow on condition that he not leave the house except to attend ceremony with his father Bakamumu Marika or two other nominated senior elders, Sam Marika and Witiyana Marika. Chief Justice Grant also ordered Marika’s father to post a \$5000 bail surety and warned him if he didn’t return to prison on June 4 he would issue a warrant for his arrest.

Marika’s lawyer, Shane McMaster, told a previous hearing his client intended to plead not guilty to the charges.

“This man should be, in my respectful submission, able to bury his child,” he said. The man police allege was responsible for the 16-year-old’s death, Anthony Djurrawut Mununggurr, faced court last week charged with murder.

CITATION (AGLC STYLE)

JASON WALLS, 'Dad free for funeral', *NT News* (online), 12 May 2021 2 <<https://infoweb-newsbank-com.ezproxy.lib.uts.edu.au/apps/news/document-view?p=AUNB&docref=news/1826CED2A55DAC80>>