

Appeal approved and the appeal against conviction and sentence was dismissed. Now, because of the High Court's refusal to follow *Majewski*, its back to first principles. This is not such a bad thing. I agree that, essentially, these are questions properly left to the jury.

*Lindsay Tanner* is an advocate for the view that our "so called" drug problem stems only from the fact of illegality. Good fuel for debate. On the other hand, it seems to me to indicate a somewhat ambivalent view, to attack us for our bland assumptions and then, in the very next sentence, to ask us to accept the author's bald assertion that all our present problems stem from the assumptions of "the ruling elite in Australian society". I feel it is not too much to ask these angry young men (if they be such) to more precisely define and identify their terms. Slogans merely annoy and preclude informed debate.

*Matthew Goode* is always readable, controversial and a master of logic. As a judge (and Mr. Goode's godfather!) I must acknowledge how fortunate we are to have young academic lawyers, like he is, to point out the error of our judicial ways. I always get a little overwhelmed by his uncontrolled spate of angry adjectives. Mr. Goode makes the point that "reform based on *defensible* social policy is, in fact, impossible in the present feverish social and political climate".

There is nothing feverish (or purple or impassioned) in the paper by *Mr. J. Willis* who calmly develops his theme that "in a certain sense, the present public reaction to the drug "problem" is a bigger problem than the adverse effects of the drugs

themselves." His quote from *Wilkins* sticks in my mind — "A society can control effectively only those who perceive themselves to be members of it."

The article by *Maurice Whitta* was an intriguing exposition of the importance of and the use of *Phenomenology*. What a word! I noted Mr. Whitta's warning about generalisations.

The comments on sentencing for major marijuana offences by *Fiori Rinaldi* was most thought provoking — and another which added to my satisfaction at being a South Australian. Like Mr. Justice Kirby, Mr. Rinaldi urges that it is long past time when we should, in this area of the law at least, regard ourselves as being one country and not a series of unrelated States. I am sure most of us will agree.

The reminiscences of the anonymous (at time of proof reading, anyhow) Judge filled in, at a personal level, many of the gaps left in the broader sweeps of the other articles and papers. A most informative and revealing article.

In addition to acting as editor of this special edition, *Dr John F. Walsh of Brannagh* has written a sound and well-researched paper which encompasses the main provisions of the present law, both at a Commonwealth level and for his own State of Victoria.

Again, I say how grateful I and the Council are to all of the learned authors. They have, between them, done a great deal to promote informed and objective debate on one of today's burning issues — and I intend no grassy *double entendre* when I use that word.



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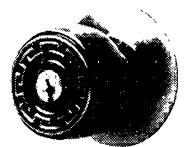
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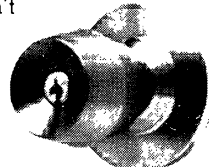
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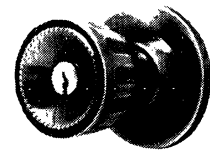
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