

NT Women Lawyers Association

by Melanie Little, President

Reconciliation

The draft Document for Reconciliation has been released for discussion by the Council for Aboriginal Reconciliation. The draft is readable and succinct. The text will be the subject of debate and discussion. We hope to have the opportunity later in the year to hold a forum for legal practitioners and to send the Council our views on the draft. This may be able to be held in conjunction with other organisations such as Lawyers for Reconciliation.

Mandatory sentencing

Just when we thought we may be able to take this issue off the agenda, new changes have been passed by Parliament and we now have mandatory sentencing for another raft of offences.

For those of you not involved in the criminal jurisdiction this will not be an issue you confront on a daily basis (or at all). But I would urge you to take the time to find out more about how these changes are affecting sentencing principles and practices in the NT.

This is an important issue and one which the legal profession should be in a position to discuss with accuracy.

Trials Through Time - Law Week May 1999

NTWLA presented 'Trials Through Time' on 23 May 1999 at Brown's Mart Theatre Darwin for Law Week 1999.

This was the second year we performed and once again we were supported by the Law Society and the Public Purposes Trust. Last year were performed excerpts from Joan of Arc, Tuckiar and Debra Wardley's case.

This year four excerpts from famous trials were presented as readings by members of the NT legal profession. Mary-Lynn Griffith was the narrator. The first reading was from the case which is now known as Bushell's case. William Penn and William Mead were

Quakers charged with causing a riotous assembly in 1670. Bushell, the jury foreman, stood firm while the Court tried to compel the jury to find the defendants guilty. The jury were incarcerated and deprived of food, drink and chamber pots. The case led to changes in the way juries have been treated ever since.

Lavinia Goodell sought to be admitted in the Supreme Court of Wisconsin in 1875 and was duly refused admission to legal practice. Chief Justice Ryan's reasons for the refusal formed our second reading of the night. The reasons included such gems as:

"The peculiar qualities of womanhood, its gentle graces, its quick sensibility, its tender susceptibility, its purity, its delicacy, its emotional impulses, its subordination of hard reason to sympathetic feeling, are surely not qualifications for forensic strife".

Mata Hari's trial during the first World War gave us our third reading. Her spirit remained to the end - declaring how unreasonable it was to be shot on an empty stomach and that she would have preferred to have dined with friends before being executed.

Finally we read from the ouija board case of R v Stephen Young from the UK- [1995] QB. This was a case of murder and the jury were considering their verdict. They were held overnight in a hotel and some of the jury used a ouija board.

They deposed to the fact that the four jurors involved believed that messages were received from the deceased and amongst other things they were told to find Mr Young guilty tomorrow.

The Court seemed at pains to make sense of the whole procedure - saying "The word 'ouija' is simply a combination of the French word 'oui' and the German word 'ja' and means therefore 'yes, yes'."



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The conviction for murder was set aside and a new trial ordered. And he was found guilty and at the retrial without the use of a ouija board.

Thanks to all those involved in making it a great night. Keep an eye out for the Law Week calendar for our third performance.

COMMITTEE for 1999/2000

Please let me know if you wish to be involved on the NTWLA committee next year - or indeed wish to nominate for any of the executive positions. We will be holding our AGM at the end of September - and will formally call for nominations before the AGM.

Contacts for NTWLA WLA Executive and committee members are :

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