

# JUSTICE ATE ME

## Postscript to Juvenile Justice Act Section 53ae

Essendon was playing West Coast. The boys and I went early. We got a good position on the hill. We threw down the umbrellas and marked our place. They went off to get something to eat. I watched the crowd. It was a beautiful night. Light rain fell in the second quarter. Michael Long is a genius. I said hello to a couple of people I knew. A bloke bought me a beer. In the third quarter I thought I should return the favour. The bar was at the other end of the ground. I bought two cans of VB. The best cold beer is Vic. On the way back I walked behind a group of three black kids. They looked like they had come in to watch the football from one of the Top End communities. I couldn't tell which one. The middle boy had large white letters scrawled over the back of his T-shirt that read "JUSTICE ATE ME". He was a teenager a bit older than my son. Fourteen or fifteen maybe. He could not have been the Aboriginal boy who died in custody. When I saw those words, he was already doing 28 days detention for stealing stationery. To think of his death now I just feel older and tired and ashamed. I wouldn't want my son to die in custody because he stole stationery. If Section 53ae was a geological thing it would be a large grey stone.

The Attorney General addressed a luncheon for lawyers a little while ago. He said the factor that most influenced him upon his appointment as Chief Minister was his mother's entreaty to him, "Look after the least of thy brethren". Who was this boy who died then?

## Opening of the Legal Year

The turnout to the lunch to launch the legal year was tremendous. The food was almost inedible. Whatever they did to my chook was positively indecent. I gather a number of you had the same experience. Wine is supposed to be an accompaniment to a meal. By the second mouthful of food I found it to be a necessity. A large draught of wine was the only medium capable of transporting each morsel of the bird from

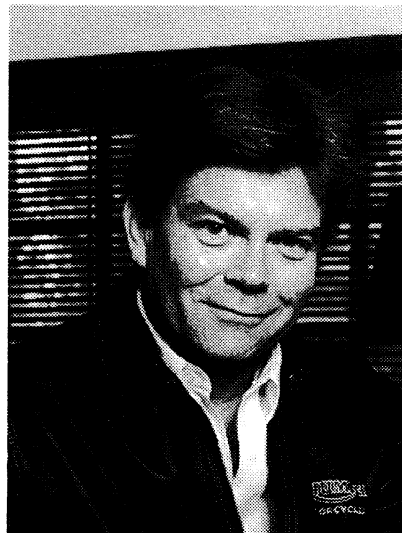
gullet to stomach. In the end I gave up. In drink and defeated. I am given to understand that the hotel has been spoken to. We will do better in the gourmet department next year. I might say however you were a generally uncomplaining bunch and for that we are grateful.

The address by Chief Justice David Malcolm was a tour de force. From the many remarks that were made afterwards it was thoroughly enjoyed. We were fortunate to have him. Listening to him it was easy to forget ones most recent culinary experience. Quite a few stayed on after the lunch and there was a bit of a party at the bar. It was very pleasing to see so many judges and magistrates in attendance. The support and patronage of the bench is of the greatest importance to a professional body such as ours.

I dare say there was some discussion about the Society's new corporate image after it was unveiled. To my surprise, arising from the fact that lawyers do not belong to a group renowned as aesthete, the general opinion of the logo was enthusiastic. But there is always one in every crowd and I did not go away disappointed.

It was a pleasure to have the designer Lily Coates present at the unveiling. Her design is fresh, simple and of this place. It describes a new Territory attitude in which the phrase "southern do-gooder" will be used in the future by an ever diminishing group of people.

The lunch in Darwin was preceded by a church service during which I shed close to a kilo in weight. Wrapped in my woollen finery of bar jacket and gown and adorned in horse hair I sat sweating through the Lords Prayer in humidity that must have been close to 80 per cent at 32C. I confess that I am not an enthusiastic theist but a full ceremonial performance in an unairconditioned environment during February is a tough call for even the most ardent believer. By the time we filed out of the Cathedral the ink on my order of service booklet had begun to run. When the Chief Justice remarked to me later that there existed an open invitation by him to



*Jon Tippet, President*

have a dedication ceremony in the body of the Supreme Court at the commencement of the legal year I told him I thought it was a bloody good idea. However I am acutely aware that there are members of the profession who view the traditional service in a church as very important aspect to the commencement of the legal year. Council will consider the proposal at its next meeting.

Alice Springs was less humid and very hot. The gathering at Puccini's restaurant after the church service constituted the largest attendance at such a function in Alice for a long time. Twenty five booked. Fifty five turned up. The restaurant staff were overrun. Another cook had to be found from somewhere and additional waiters were commandeered from a sister establishment next door. The management put in a sterling performance. Everyone got a meal. Not necessarily the dish that was ordered but the food was good. I felt the event was enjoyed by the throng. I had to catch a plane at 4.30pm but I understand lunch for some went on for a long time after I left. It was fantastic to see such a crowd in Alice.

The Law Society is indebted to all members of the clergy who officiated at each of the services of dedication held in Darwin and Alice Springs.

## The agenda

The planning meeting held by the Council on Saturday 22 of January was a significant success. Richard Coates acted as facilitator and discussion

## JUSTICE ATE ME

Continued from page 3

regarding the direction and future priorities in the strategic plan went well into the afternoon.

One of the important matters to arise was the need for the Society to develop new income streams into the future. To that end we must consider securing our own premises. At the moment the Law Society leases premises from the Government at extremely attractive rates for which we are very grateful. However, it cannot be presumed that the circumstances in which that arrangement has been maintained will continue to apply beyond the expiry of the proposed new lease (to be signed in March). The profession has to accept that to govern itself in an environment of independence it has to have facilities that provide it with an identity as well as a permanent home. Inevitably, that means money, and the money will have to come from the profession. I can hear the grumblings already. We have to come to grips with the fact that it is necessary to begin to fashion our future now.

Another issue that we need to get onto right away is the manner in which this legal community intends to celebrate the centenary of Federation in 2001. Some suggestions include putting together a publication of the history of the legal profession in the Territory over the last one hundred years that would include excerpts of oral history and writings of people who are presently in practice or have practised here in the past. Perhaps the commissioning of a work of art to be donated to the Supreme Court. Perhaps both. I don't know. You may have better ideas. Whatever we do it has to be put in train soon.

The *Legal Practitioners Amendment Act* and in particular those provisions relating to the adoption of the national model conduct rules as regulations have attracted some comment of late that has led the Society to request that the legislation not go before the house until April. That delay will enable the legislation to be further considered by the profession. So please take the opportunity to do so. It is your profession.

## SORRY, WE DON'T OPEN ...

Continued from page 1

"Judicial wigs and robes were the ill gotten gains. His Honour's scarlet robe was later spotted in the main street by a policeman. It was draped around a young woman, who said someone had given it to her. One presumes it was not His Honour. The robe was promptly returned, as were the wigs," said Mr Stirr.

As it happened, the Commonwealth did cast eyes over the court building, and the Commonwealth Law Courts moved there in 1994 following a major refurbishment to ensure its suitability for the Family and Federal Courts.

According to Mr Brendan McKeon, Client Services Officer who worked at the Commonwealth Law Courts, the roof did still leak, but "only on the very odd occasion."

The law courts remained there for five years until their recent move to facilities in the TCG building in Mitchell St. An announcement that the building would be closed for good was then made.

Controversy followed the building's closure, with some Darwin residents protesting against the building's demolition. Supporters claimed the building was among the first permanent structures in Darwin, that it had historical value and should be protected.

Their pleas went unheeded and demolition began on Sunday 13 February 2000.



NT Legal Aid's Sally Rush and Richard Coates, resting on the witness box before it was loaded into a container bound for East Timor.

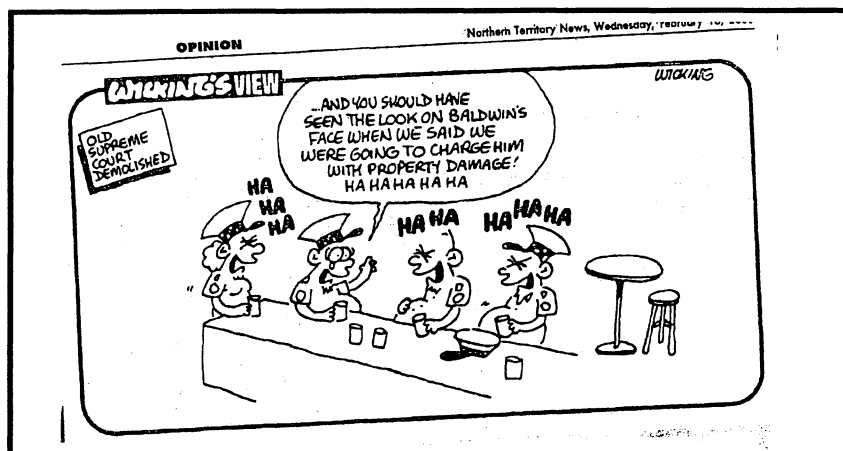
Prior to the building's removal, a busy team orchestrated by NT Legal Aid and the Law Society's Liz Morris spent two hectic days removing the entire contents of the building, including three complete court rooms, packing them into containers to be sent to East Timor.

A total of eleven containers in all were rescued, including the witness box used by Lindy Chamberlain when the building was still the Supreme Court.

Legal Aid's Sally Rush told *Balance* of the work involved.

"NT Legal Aid Director Richard Coates contacted the Territory Government who said we could have the furniture if we could get it out before the contractors came in to demolish the building."

"I contacted UNTAET here and arranged to get removalists in — we were being pressured to get the stuff out in two days so it was touch and go whether UNTAET would get approval from East



Courtesy of the Northern Territory News.