

## SPECIAL PANELS IN THE DILI DISTRICT COURT

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Rights in East Timor (December 1999), the Report of the International Commission of Inquiry on East Timor to the Secretary General of the UN and Crimes Against Humanity in East Timor; Their Nature and Causes (James Dunn) argue for the establishment of an international tribunal to investigate and prosecute international crimes committed in East Timor between 1975 and September 1999 in the event that those in positions of responsibility for the crimes are not held accountable by domestic tribunals in East Timor or Indonesia.

The experiences of the international tribunals for Rwanda and Yugoslavia indicate that prosecution for crimes against humanity is expensive and slow. There is also a preference for prosecuting those who were in positions of authority, who could have prevented the widespread and systematic violence, rather than their subordinates who committed the individual acts. Prosecution against those in authority also functions as a more effective deterrent to others who are in a position to unleash terror against civilian populations.

It is possible that coupled with effective community education about the nature of crimes against humanity that a large number of victims in East Timor could derive a sense of justice from a small, but well targeted, number of prosecutions for this crime. However it is becoming increasingly clear that such prosecutions may not be possible with the current arrangements both in East Timor and Indonesia.

For more information about the prosecution of serious crime and the justice system in East Timor go to the Justice System Monitoring Project website at: <http://www.jsmp.minihub.org>.

Kate Halliday received a grant from the Myer Foundation International Residency Program to work with Fokupers for three months.

# AROUND THE NT BAR

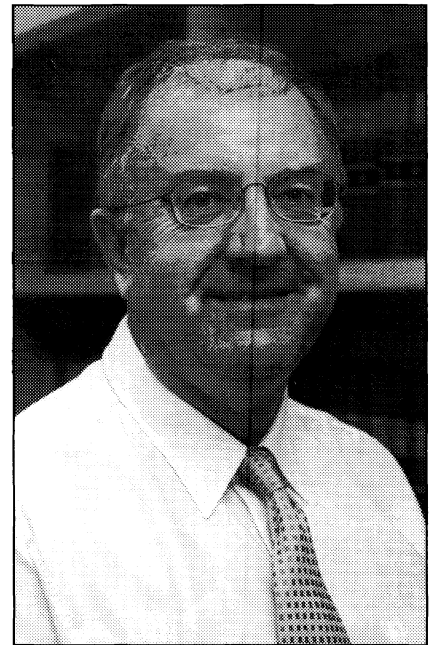
Martin Carter is a barrister with Edmund Barton Chambers.

Martin's first admission was as a solicitor in England in 1972 after completing a law degree in the UK and two years as an articled clerk. He worked as a corporate solicitor for Richards, Butler & Co in the City of London.

In May 1975 Martin was admitted in Perth WA and worked as a family lawyer and then commenced as a sole practitioner. He visited a number of regional centres including Meekathara, Cue, Mt Magnet, Wiluna, Tom Price, Parraburdoo, Exmouth, Onslow on a monthly basis by light aircraft. This was terrific fun as a 20 year old and involved encounters with "ratbag" clients and some amazing cases.

In December 1983 he was offered employment in Darwin and spent an interesting two years working for Ward Keller in their civil litigation department. In 1995 he formed a partnership with another former Ward Keller lawyer Vincent Close and had a prosperous association with Vincent until he retired from the partnership in March 1999.

Martin joined Edmund Barton Chambers in October that year and has been practicing in the areas of criminal and family law although he has had some other fun work including a



number of appeals (which he particularly enjoys).

His interests include cycling, "day trading" and military history. He reports that life at the Bar is bliss.

Martin reports that criminal law is the bread and butter of Edmund Barton Chambers but has been involved in a variety of civil cases including family law and building cases.

*Around the Bar* is provided by the Northern Territory Bar Association.

### Nominations called for 2001 Australian Young Lawyer Awards

Sponsored by Hughes-Castell

The Australian Young Lawyers Committee of the Law Council of Australia is seeking nominations for the 2001 Australian Young Lawyer Awards.

The objectives of the Awards are to encourage young lawyers' associations and individual young lawyers throughout Australia to establish and institute programs for the benefit and assistance of the profession and/or the community, and to provide recognition of the programs initiated.

The Awards are judged in three categories:

Category 1 - Professional Issues

Category 2 - Community Issues

Category 3 - Individual contribution to the profession and/or the community

Nominations for the Awards close at 5:00pm EST on Friday 14 September 2001. Application forms and rules governing the Awards are available at <http://www.lawcouncil.asn.au>, or by contacting: Gerard O'Neill Administrator Law Council of Australia Tel: (02) 6247 3788 [gerard.oneill@lawcouncil.asn.au](mailto:gerard.oneill@lawcouncil.asn.au)