

## Strong passions raised

It seems that Kirby ACJ's comments in *Cook & Ors v Philips & Ors* (NSW Court of Appeal - unreported 29 September 2001) that "in the nature of matters that come before courts ... there will often be strong passions raised" had particular resonance in the case of Sydney MD Dr Katelaris.

Dr Katerlaris was found guilty of deliberately hitting and abusing Kenneth Horler QC, Counsel for the opposing party on 9 June 2000.

In his judgement of the case McClellan J noted that the defendant was "apparently unable to appreciate that counsel is required to advance the interests of his or her client, and believing himself wronged, attributed that wrong to Mr Horler."

It may be some relief to the legal community that McClellan J, in considering the appropriate penalty for Dr Katelaris' behavior, decided to impose a punishment which "will have the prospect of deterring others from similar conduct".

## "Quite involuntary" act

On 6 September Judge Leslie Ross of the Werribee Magistrates Court in Victoria dismissed a case that caused quite a bit of stifled giggling in the court room.

*The Age* (07/09/01) reported that David Grixti, 28, was accused of intentionally breaking wind and leaving a stench in the local Werribee police station.

In dismissing the offensive behavior charge Judge Ross found that passing wind was "quite often involuntary".

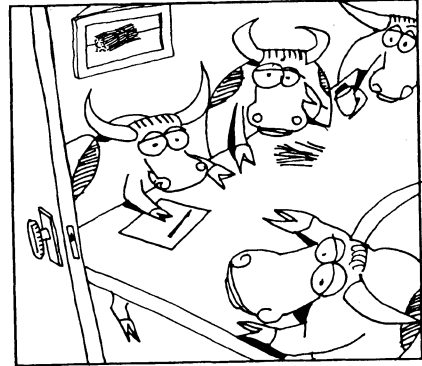
"I don't believe ... you can turn that particular piece of human behavior on at will," he said.

## The law has its uses

Regular readers of Muster Room will know that the column editor is rather a fan of the *Sydney Morning Herald's* Column 8.

Often the bits and pieces contributors send in to the Column about the law and lawyers are more of the whinging

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or mocking variety.

Finally someone has found something the law has to offer (Column 8, 24/08/01):

"A leading department store has been pushing a canine perfume dubbed Oh My Dog. Its costs \$78 a bottle. Flicking through a brochure from the store, Gillian Tatt, of West Pymble, was startled by the assurance that it would "prolong those precious moments of intimacy between two and four-legged creatures". Asks Gillian: "Isn't there a law against that?"

# PEOPLE AND THE LAW

## Jodeen Carney

Jodeen Carney has ceased to practice. She was elected as Member for Araluen in the Northern Territory elections on 18 August 2001.

## Peter Maley

Peter Maley has ceased to practice. He

was elected as Member for Goyder in the Northern Territory elections on 18 August 2001. He is also Shadow Attorney General.

## Alan Woodcock

Alan Woodcock is now a solicitor at Withnall Maley & Co.



*All in the family: Director of Public Prosecutions Rex Wild QC moved the admission of his daughter Beth Wild at the Supreme Court on 7 August 2001. Mr Wild told the panel of judges: "I have a great deal of pleasure, as you can imagine, in moving Beth's admission. I have moved a number of admissions before this court. They always provide me personally with a sense of honour and pride in moving those. This one, more so than most."*



*Two old school mates: It took a Law Society bash to reunite two legal eagles. It was 50 years since Austin Asche and John Mackinolty last saw each other. Both went to school together, then Melbourne University Law Faculty where they went through to take on LLB and LLM at the same time. It was some time since the NT's former Chief Justice had been addressed by his schoold days nickname — "Oscar" (after a theatrical uncle) — by former Sydney Uni Law School dean.*