

RESPECT THE INSTITUTION OF THE JUDICIARY

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articulates, and insists upon observance of, the enduring principles of legal justice, and upon respect for the judicial and other institutions through which they are applied.'

If the Northern Territory Attorney-General disagrees that his role is as described by Hon Len King AC QC, he owes it to the NT legal profession and the Northern Territory public to say so and why.

There are certain universal principles that are right and others that are wrong, wherever and whatever the year or season, and it is they that sometimes indicate the proper course of conduct in a given situation. Of course, Darwin is different to Darlinghurst, and of course Alice Springs is different to St Kilda, but no Territorian, however parochial, would deny a common humanity and sense of decency, a common respect for the rule of law and a common distaste for portentous ignorance in those who wield governmental power. It was Aldous Huxley who wrote that insensitive stupidity is the main root of all other vices. There is in each jurisdiction in Australia a need of an Executive that respects the rule of law and of an Attorney-General who holds himself or herself responsible for upholding the rule of law and thus the integrity of the legal system and who respects the institution of the judiciary and the enduring principles of legal justice which the judicial system administers.

You who have been admitted to legal practice today are now members of the Northern Territory legal profession, an honourable profession, and it is for you as it is for your fellow practitioners to uphold fearlessly your profession's highest principles and to assist ordinary people to understand their supreme worth in our community.

The Court congratulates you and wishes each of you success and satisfaction in your chosen profession.

Finally, in the words of Dylan Thomas:

"Do not go gentle into that good night.
Rage, rage against the dying of the light."

CYBERLEX



Democracy in the comfort of your own home

Australia is one of the world's leaders in e-government. What would on line government be without e-voting? The ACT Legislative Assembly has passed legislation allowing the use of computers in voting and vote counting. Use of online voting via the internet is not likely before the 2004 elections, however electronic voting at polling stations is set to be a feature at select locations for the October 2001 elections.

What is electronic voting? It can be described as widely as any process where some form of electronics is incorporated in the polling process or as narrowly as the actual casting of a vote in an online medium such as the internet (AEC Online Action Plan). It should be noted, that while we still vote using a paper ballot, the process behind administering an election involves extensive use of technology, from maintaining the electoral role on a national integrated computer network to the tracking of equipment used in polling stations to tally rooms on the internet.

The ACT will be using a 'secure network' at selected polling stations. The network of polling computers will not be connected to the internet. The main difference to current paper practices is that the voter will submit an electronic ballot at the polling station. The real savings are expected to come from the simplification of the counting process.

E-voting is being considered by many and used by a few, but why has it not taken off? E-commerce is becoming an every day occurrence, the internet is everywhere, we are surround by the dot.com phenomena: why not e-voting as well? The problems seem to be as fundamental as democracy.

An election process is crucial to the functioning of a democracy. A democracy with elections that are free and fair and based on principles such as transparency; security; professionalism; accuracy; secrecy; timeliness; accountability and equity. Any electronic system will need to satisfy all these principles and ultimately

ensure a free and fair election before it will replace the current system.

One of the biggest issues facing the use of internet based voting systems is security. Regular reports of databases being compromised, credit card details being exposed or stolen and web sites being crashed, means that the integrity of any e-voting system is still suspect. What are the consequences if an online voting system is compromised?

Add to security the problem of accuracy. How do you know the person voting is in fact that person. In the American Democratic Party's Presidential Primary in the US State of Arizona, voters were sent, in the mail, a unique PIN. This PIN was then entered when casting a vote online (only 4.2% of voters sent a PIN actually voted online). This PIN of itself cannot provide accuracy. Some readers will say that the current system is also imperfect. Yes it is, but a 10 year old child in another country cannot vote 1000 times under the current system employed in Australia. The exposure to risk under an internet system of voting is far greater due to increased assess to the process.

E-voting will continue to be investigated and some say it is an inevitability. But ask yourself, what will life be like without the polling station? Will we have a polling day or a polling period? The internet will most likely change the way we conduct elections and through this change in process, our perceptions of democracy. Likely, but not just yet.

For more information, check out these sites:

Australian Electoral Commission
(www.aec.gov.au)

ACT Electoral Commission
(www.elections.act.gov.au)

Election.com

VoteHere.net

Jason Schoolmeester

Tel: (08) 8999 7128

jason.schoolmeester@nt.gov.au

website: www.nt.gov.au/ntt/