

# What is the correct Balance?

The Council of the Law Society has determined that a review of the *Balance* magazine be conducted and the input of members sought.

*Balance* has had an important role for members in providing information and a wide range of articles on various subjects. The contributions from organisations like the NT Bar Association, NT Women Lawyers Association, Criminal Lawyers Association NT and individuals such as Jason Schoolmeester, Mark Hunter and Justice Trevor Riley (with his Advocacy columns now consolidated in "The Little Red Book of Advocacy") have been particularly useful for members.

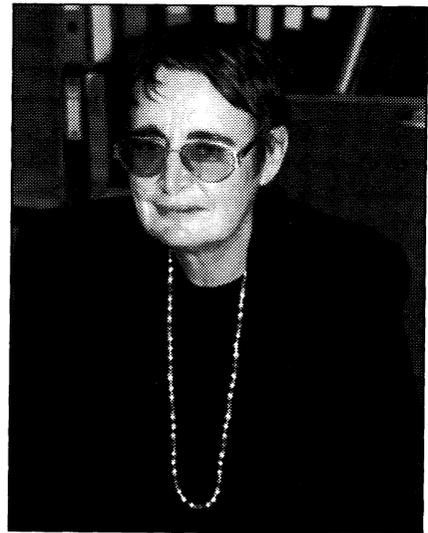
There have been some problems with the publication with *Balance* over the last few months – in particular with producing magazines monthly, as scheduled. The production of *Balance* is a lengthy process. Our Public Relations Officer, Zoe Malone, often spends a considerable amount of time chasing up columns from busy contributors (I often require as much chasing up as anyone else) and even getting suitable copy can be a chore. Then comes the editing process, and printing takes several days. This invariably lengthens the time taken for *Balance* to reach

members and subscribers.

Zoe combines her role as the Editor of *Balance* with many other duties, including arranging events like Law Week and other social functions and dealing with the many media issues that arise, some requiring immediate attention. Zoe is also responsible for *The Practitioner*, the Society's weekly email newsletter.

Many members have welcomed the arrival of *The Practitioner* which enables information to be provided in a timely fashion (sometimes on the same day as it becomes available) in convenient abbreviated electronic format. In fact it has to some extent taken over the information providing role of *Balance* and steals the content that would normally be in the magazine. I myself have sometimes written material for *Balance* which was out of date by the time it was published.

A suggestion has been that *Balance* be produced bi-monthly. It has also been suggested that whilst the focus on photos of events and social matters should remain, there should also be a stronger focus on more "academic" articles of interest to the profession.



Barbara Bradshaw, Chief Executive Officer, Law Society NT

*Balance* definitely has an important role – what should it be?

Comments should be received by September 2004 so a report can be completed for the incoming Council's consideration.

You will find a survey about *Balance* enclosed in this edition and I encourage all readers to fill this in and return it to the Law Society and provide any additional comments to assist the Society in meeting the needs and expectations of the legal profession.

Alternatively, readers may make their comments to myself at [bbradshaw@lawsocnt.asn.au](mailto:bbradshaw@lawsocnt.asn.au) or to Zoe Malone at [publicrelations@lawsocnt.asn.au](mailto:publicrelations@lawsocnt.asn.au) or by telephoning the Law Society on 08 8981-5104. ①

## LCA calls for preservation of right to silence cont...

refusal.

'It is not for an accused person to have to prove their innocence,' he said.

"The prosecution must prove their guilt and an accused person who declines to answer an interrogator's questions should not be penalised for doing so."

In 2000, the New South Wales Law Reform Commission concluded that it would be

inappropriate to qualify the right to silence in the way suggested by the AFP Commissioner.

The Commission concluded that modification of the law along the lines suggested by Mr Keelty would undermine fundamental principles concerning the relationship between the State and the liberty of citizens.

Mr Gotterson said it would be unfortunate if Mr Keelty's comments led rank-and-file law

enforcement officers to believe that the Australian criminal justice system was unbalanced in favour of accused persons.

"For law enforcement authorities there remains no substitute for good investigative work leading to the identification of persuasive admissible evidence of guilt," he said.