

---

# Changing of the guard

By John B Lawrence, CLANT President

The 2007 AGM of the Criminal Lawyers Association of the Northern Territory (CLANT) was held on 11 October 2007. Following elections, the following office bearers were appointed:

**President:**

John B. Lawrence, J o h n  
Toohey Chambers

**Vice President:**

Peggy Dwyer, NAAJA

Elizabeth Armitage, Office of the  
DPP

Tom Berkley, Edmund Barton  
Chambers

**Secretary:**

Jodi Truman, John Toohey Cham-  
bers

**Treasurer:**

Glen Dooley, NAAJA

These are challenging times for the Association. Over the last few years, the reform of Criminal Law in our jurisdiction has been voluminous and rapid. The portents (all political) suggest this will continue, if not increase.

In recent months, the Federal "Intervention" has occurred, compounding this situation. The Federal deluge has created much confusion and uncertainty amongst all as to what the law is. This lack of certainty and confusion has potential to seriously undermine the integrity of the whole legal system.

Our Association hopes to engage in positive and productive dialogue with the Northern Territory and Federal Governments, and other relevant bodies involved in criminal law reform. Discussion, consideration and explanation of proposed changes are necessarily part of CLANT's charter. Getting that across to the general public, as well as the profession, will be our responsibility.

The difficulty with much of recent criminal law reform, is that it is very much poll driven. Much of that is necessarily related to the media's method of reporting law and order issues. It's a dangerous and fraught route to law reform. Part of CLANT's charter is not only the substance of criminal law but also the subject of crime and means of reducing the same. We would be negligent if we were not concerned with such aspects.

We do well to remind ourselves, the Government and the Territory community that our criminal justice system jails people, per head of population much much higher than any other State or Territory in Australia.

In the year 2005-6 33.8% of NT Defendants found guilty of crimes received jail sentences. The national average was 10.5%<sup>1</sup>. Our Judges and Magistrates "bin" people like no other place in Australia. Much of the politically motivated reform aims to display "Getting Tough" and increasing



*John B Lawrence*

---

jail time for criminals which will win the votes and thereby win the day. The day may be won; the Government may be retained; but little of this approach really genuinely addresses nor attempts to try and reduce the tragically unacceptable high levels of violent crime in the Northern Territory.

It has a danger to undermine the integrity of the legal system and erase the rule of law. CLANT will fulfill its obligations to be actively involved in the issue of criminal law reform.

<sup>1</sup> Source derived from Criminal Court Australia – ABS Catalogue Number 4513.0