

The Territory Inquisition(s)...

A Play Reading produced by Rex Wild QC

Tuesday 24 and Wednesday 25 May 2011

Review by Bob Watt

Photography of the Alice Springs play reading kindly supplied by Claire Ryan.

BOB WATT WAS THE COURT REPORTER ON THE NORTHERN TERRITORY NEWS FOR ABOUT 15 YEARS BEFORE HE RETIRED IN 2005. AT THE TIME OF THE FIRST TWO INQUESTS HE WAS MANAGING EDITOR OF THE CENTRALIAN ADVOCATE IN ALICE SPRINGS. THE FULL TITLE OF THE PLAY WAS: THE TERRITORY INQUISITION(S) INTO THE DEATH OF AZARIA CHANTELE LOREN CHAMBERLAIN (AND THE PRESUMPTION OF INNOCENCE)

The choice of the “Azaria case” to feature as a play to celebrate the centenary of the Territory’s Supreme Court was a good one, if perhaps predictable.

No other case (which involved two inquests before the trial of Lindy and Michael Chamberlain and after eight years their acquittal) has attracted such widespread interest, publicity and strongly held opinions. Not even the more recent “Falconio case”, even though drugs, blood and a presentable young woman were in there.

From a media point of view the Azaria case had everything – an exotic location, a baby, an animal, some blood (“if it bleeds it leads”) pathos, black magic and a whiff of matricide on the desert air.

The choice to feature the early inquests was also appropriate, pointing to the injustices the Chamberlains suffered in these hearings which lacked the traditional protections given to suspected people, then being committed for trial by a coroner – a power taken away by a later change in Territory law.

The play’s author, Rex Wild QC, quite cleverly cobbled

together some interesting pieces of evidence and procedure from the two inquests. Much of it probably not sexy enough to be featured in the media at the time, the play gave a clear insight into the position the Chamberlains were put in.

The exchanges between counsel during the second inquest show that the Chamberlains’ lawyers had little to work with, battling what amounted to a prosecution case with a “tell ‘em nothing” attitude by counsel assisting the coroner.

As a former DPP, Mr Wild was brave to highlight the questionable tactics of the counsel assisting the coroner in the second inquest.

The play concentrates more on the second inquest. After all, from the first inquest Denis Barritt SM did find the dingo guilty and might have been lauded for his decision, had he not upset the legal fraternity by announcing it on national

television. The playing of that television footage on a screen behind the play’s magistrate was effective.

Mr Wild says in the program acknowledgements he had access to the transcript of the second (Gerry Galvin CSM) inquest and that was why the play concentrates on that inquest, following quite closely the original exchanges





between counsel, the bench and the witnesses.

Some of these exchanges make quite gripping reading - but I can't say the same of the presentation by a number of the players. Some were as wooden as the Court 1 furniture.

Appealing for players in *Balance* last year, Mr Wild said: "Learning of lines is unnecessary. All that is required is a little dramatic flair (which we lawyers have in abundance) and some *attitude* to go with any poetic licence the script provides."

He may have been disappointed. Much of the flair fizzled and there seemed to be a shortage of

volunteers for the male roles, some being played by women both at Alice Springs and Darwin.

I didn't attend the Alice Springs reading but in Darwin I wondered if some of the players were overcome by nerves. Perhaps the lack of "big red dresses with flour bags on their heads" on the bench left them uncertain as to who they should address.

A notable exception was Ken Conway who took the part of Barritt SM and (importantly) that of Des Sturgess, assisting the coroner in the second inquest. It was a dramatic part and Mr Conway played it out fully, depicting Sturgess as a terrier who (pardon the reference) got his teeth into the business and wouldn't let go, playing his cards extremely close to the chest. He was eminently despicable.

Actually, Mr Conway was the only non-practising lawyer in the cast. For many years he has been associated with Brown's Mart as producer, director and actor, so his theatrical flair was not unexpected. He showed a nice sense of the dramatic - and was obviously familiar with his lines.

Georgia McMaster, who read the part of Lindy Chamberlain at both venues, gave a masterly

performance, imbuing Lindy with the apparent lack of emotion and occasional displays of defiance that convinced some people of her guilt long before the trial.

In Darwin, Jon Tippet QC, who has a great voice, made an excellent narrator. The narrations tie together the narrative and fill in the gaps necessary to keep the performance to a reasonable time.

And John Lawrence SC was a suitably stern, no-nonsense Galvin CSM, although Galvin didn't take up counsel assisting's implied threat to the media to behave (I said Sturgess was despicable).

All in all, despite some lack of flair, the audience of 150 or so were treated to a very interesting and at times engaging evening.

And there was a revealing postscript recounting Justice Dean Mildren's interview in 2009 with Ian Barker QC, the principal prosecutor at the Chamberlain trial, during the judge's research for his recently-published history of the Northern Territory Supreme Court.

Mr Barker told him: "If I had known at the time of the original trial what I now know, I would have advised the government not to proceed with the trial."

As Rex Wild commented, "If Bradley Murdoch's DNA had not been on Joanne Lee's shirt, perhaps I would have advised against bringing him to trial." ●

