

Northern Territory Bar Association in 2015



Alistair Wyvill SC,
*President, Northern Territory
Bar Association*

Following the success of the NTBA's 2014 civil law conference in Dili, Timor Leste has remained an important part of our focus for 2015.

The Bar Association, jointly with the Supreme Court and the Law Society, recently hosted the visit to Darwin for the Opening of the Legal Year lunch of his Excellency Judge Deolindo Dos Santos of the Timor Leste Court of Appeal. Following the expulsion of Timor Leste's Portuguese-speaking judges and prosecutors late last year, the NTBA have been working with the Supreme Court to establish closer links with the judiciary in Timor Leste. Judge Dos Santos attended as the

representative of Timor Leste's most senior judge, the President of its Court of Appeal, his Excellency Guilhermino da Silva, following an invitation from Chief Justice Trevor Riley. In addition to meeting some of our judges, magistrates and practitioners and visiting the CDU law school, Judge Dos Santos was able to spend some time observing cases in our courts. He has indicated that this kind of experience would be very valuable for his colleagues in Timor Leste.

As a result of this visit, Timor Leste's Consul-General in Darwin, Mr Francisco Jose Filipe, wrote to the Association formally seeking:

... to continue and further enhance the relationship that has developed between the Courts, and I think there is much to be gained on both sides. As you are well aware the Timorese Judges and Lawyers need to be exposed to the efficient administration of courts, how to manage criminal and civil cases both in court and administratively. For these reasons and others, urgent legal assistance is needed in capacity building in the following areas:

- Commercial Law
- Arbitration
- Mediation
- Juvenile Justice
- Domestic Violence
- Legal terms in English (to be able to deal with present/future international commercial contracts).

Chief Justice Trevor Riley with
Judge Deolindo Dos Santos.





The NTBA, with the support of the Law Society, has put a proposal to the Law Council of Australia to source funding to undertake capacity building projects of this kind for Timor Leste, including to cover the costs of further visits by Timor Leste judges to Darwin. If anyone is interested in being involved in these kinds of projects in the future please make sure you register your interest with one of the NTBA's administrators, Marie Turbill and Naomi Haaren, at clerk@williamforster.com.

2016 Dili Conference 13 to 16 July 2016

The NTBA will be running its biennial civil law conference again in Dili, starting with a cocktail party on Wednesday evening 13 July and finishing with the conference dinner on Saturday 16 July 2016. One of the themes of the conference will be independence, both in terms of the judiciary and the profession. We are particularly interested in fostering a constructive discussion within Timor Leste not just about the importance of judicial independence but also about the responsibilities which go with it. Further, and we hope with the support of the International Bar Association, we will look at issues of independence at a regional level, including examining the development of independent bar associations not just in Timor Leste (soon to be the subject of a specific IBA programme) but also in Myanmar and Cambodia and their importance for the rule of law.

Important themes from 2014 will also stay on the agenda, including the on-going problems with domestic violence in both jurisdictions and an update on

the Timor Gap negotiations and other resources issues of common interest. Finally, we will continue to include "black letter" commercial law and practice topics of interest to Territory practitioners and which we hope will also be of interest to Timor Leste practitioners.

There are limited numbers for this conference so please register your interest early at clerk@williamforster.com.

2015-2016 Bar Readers Course

This year the NTBA has started a course directed to practitioners who have just come - or who are planning to come - to the Bar. Whilst that is its target audience, anyone else who is interested is also welcome to attend.

America, the Caribbean, Europe, and Australia. He has been a presenter at many professional development programs in Canada and elsewhere and taught at the Ontario Bar Admission Course from 1989 until 2006.

Ian has already delivered his seminar on The Theory and Practice of the Art of Persuasion, which is an excellent insight into good advocacy and which hopefully we will be able to persuade Ian to deliver again in the not too distant future.

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The course will have a heavily practical content, focusing on written and oral advocacy, ethics, evidence and procedure. The NTBA is delighted to have the assistance in running this course of Ian Fraser, a Canadian advocacy consultant now living in Darwin. He has had over 20 years' experience as a practising advocate in Canada. Since leaving Canada in 2008, he has offered advocacy training and consulting services to private law firms and individual lawyers in North

Further seminars on evidence (Prof Les McCrimmon), ethics, pleadings and other topics concerning practice and procedure in the various courts in the Territory, along with an appellant advocacy course will be advertised over the coming months. ●

