

Deck the halls

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The Coroner's findings in *Inquest into the deaths of Kwementyaye Murphy and Kwementyaye McCormack* [2016] NTLC 024 described domestic violence as a "contagion", a "true horror" and "literally out of control" in Indigenous communities in the Northern Territory. Over five days, the inquest heard evidence including that across the Territory, 60% of assaults and 56% of homicides take place as a result of domestic violence.

In the findings, the Coroner also described the criminal justice system as being "not suitable for purpose" when it comes to protecting people from domestic violence. In so doing, the Coroner highlighted the reality that punitive measures are not stopping domestic violence and do not deal with the source questions of why domestic violence takes place and why it is becoming increasingly prevalent in the broader community.

However, the Coroner's recommendations also recognised that the criminal justice system has a role to play in being part of the solution and included that "there be more effort made in the processes of courts to ensure that domestic violence matters are dealt with in a faster process so that hearings have priority in listing."

The Coroner's findings were handed down on 21 September 2016 and shortly afterwards the newly elected Northern Territory Government announced the trial of a specialist domestic violence court in Alice Springs. Specialist and therapeutic courts are proven as effective in enabling the justice system to address the issues that underlie and cause criminal behaviour and the establishment of such courts is one of the six Making Justice Work tenets.

The Society supports the trial, because it promises to be an important step towards enabling the criminal justice system to deliver better outcomes in domestic violence cases. After being the focus of so much community discussion over so many years, this type of meaningful action on domestic violence must now be made a priority, so that real results are achieved.

Equally, meaningful action on stemming and reducing Indigenous incarceration rates must be made a priority because like domestic violence, after so many years of prominence in discussions, inquiries and Royal Commissions, there continues to be a failure to realise any outcomes. As such, the federal government's announcement of an inquiry through the Australian Law Reform Commission on 26 October 2016 was met with mixed reactions. As has been stated, for this latest inquiry to be more than just another discussion, it should start by analysing the findings of the Royal Commission into Aboriginal Deaths in Custody. Despite this detailed report being delivered a generation ago, many of the Commission's recommendations were not implemented.

In other news, at this time of year mental health takes centre stage, as awareness is raised across the country in national Mental Health Week. The Society once again acknowledged and celebrated Mental Health Week between 10 and 14 October 2016, by coordinating a large array of free events, as well as the flagship CPD breakfast event. Mental Health Week is an important week for the community, but especially for legal practitioners, who as a group suffer the highest rates of depression and mental illness than any other professional group.



At a recent meeting of the Law Council of Australia's Australian Young Lawyers' Forum, mental health and wellbeing was the first and single biggest issue that every state and territory representative reported on. In the Territory, the week kicked off with Chief Justice Grant leading an enthusiastic group of early morning walkers around Darwin city on his first Chief Justice's Walk for Wellness. The Walk for Wellness is a wonderful part of the Mental Health Week tradition and as always, it was generously supported by the Heart Foundation.

The Friday breakfast CPD event featured a standout presentation from guest speaker, Petris Lapis, author of *The Little Green Handbook for the Mindful Lawyer*. As a former high functioning tax lawyer, Petris Lapis spoke very personally about the importance of mindfulness and mental health for legal practitioners. She made reasoned and evidence-based arguments as to why practising mindfulness will enhance productivity and reduce stress.

I felt that one of the recurring messages in Mental Health Week was that seeking help is an act of strength, not a sign of weakness. In the Territory, Society members have access to a range of services and these include free and confidential counselling sessions, provided through the Employee Assistance Service Australia. This service is available to members and their immediate family and is a much under-utilised resource when compared against the alarmingly high statistics of legal practitioners suffering from stress and depression at times in their career.

This time of year is also the season for annual general meetings. The 2015/16 Society Council has had a busy year and I thank all of the Councillors and the staff at the Secretariat for their important contributions and for the huge collective effort that has made the year a highly productive and successful one.

The small, self-funded, self-regulated legal profession in the Northern Territory requires a stable and representative Council, but it also requires an appropriate level of rejuvenation. The Territory legal profession has a rich and proud volunteer culture, but it is critically important that members from all sectors of the profession serve on the board of the professional body for a time. It is sound corporate governance and it ensures that the success and value of the Society brand is preserved, as well as the longevity of the system that we operate in.

I thank the Councillors who did not stand for re-election

at the 2016 annual general meeting, for their service to the Society. Candice Maclean has been on the Council since 2011. At all times she has been a member of the Executive and she has been the Vice-President since 2012. Over this time, Candice has made an enormous and crucial contribution to the Society and I thank her for the unfailing support that she gave to both Peggy Cheong and I as presidents. Candice's dedication, judgement and selflessness will be greatly missed.

Jeff Collins has been a Councillor since 2013 and an Executive member since 2015, when he was elected Treasurer. The Council will miss Jeff's experience in an overall sense, but especially his important contribution to the Society's work in ethics, regulation and social justice. I congratulate Jeff on his election to the Legislative Assembly at the 2016 general election and wish him the very best of success in his political career. I look forward to seeing him continue his engagement with the Society, though now as a member of parliament.

David Woodroffe has been a member of the Council since 2014. Having spent his entire career in Indigenous legal aid, in July this year he was appointed the principal legal officer of NAAJA, which was a great achievement for him and one that the Society is also proud of. During his time on the Council, David has made an extremely important contribution to Indigenous advancement issues in the legal profession, including as the chairman of the Society's Reconciliation Action Plan Implementation Committee. I look forward to continuing to work with David in the many spaces that the Society and NAAJA share.

Tony Whitelum has spent years on and off the Council since 2004. He has done a lot of work in access to justice areas and has always been a loud advocate for the unique issues and challenges that are faced by practitioners outside of the greater Darwin area. Tony has also played an important role in progressing the Society's engagement with Central Australia more generally.

For me, being the president of the Society for another year has continued to be a great privilege and a great challenge and I again thank the Council, the Secretariat and all of the members for working so well together to advance the Society's objectives. I wish the next Council every success in continuing the excellent work that has been done in this and previous years. Finally, I wish everyone a safe and enjoyable Christmas and holiday season with their families and loved ones and a prosperous 2017.