

Justice must be SEEN to be done

By Greg Barns

Recently, I had a conversation with someone with links to one of the state law societies. This individual told me that at a recent meeting of this law society the issue of the ALA was discussed. Apparently the consensus of the meeting was that the ALA, as a national association of lawyers in an era where there is a national legal industry, represents a real threat to state law societies.

The ALA should be chuffed at being thought of as a threat. Not because we want to take over or wipe out state and territory law societies (they offer useful services to members), but because when it comes to public and political influence, the ALA should aim to be the number one legal voice in Australia.

One common media complaint about lawyers is that their industry bodies are slow when it comes to responding to media and, when they do, their statements are often wordy and complex.

The media need concise, cut-through lines from those whom they interview. And they expect a position to be taken – not an ‘on the one hand but on the other’ type of qualified response.

This does not mean we can ever take shortcuts on the truth or misrepresent a position just to get a media bite, but it does mean we need to state a case for why something is desirable or not.

The ALA is fortunate to have Mandy Wyer as a media manager. Mandy is very well versed in how to deal with the media and she gets the ALA onto the front foot in debates quickly. We

have also now been joined by a new policy officer, Emily Price, who in her short time with us is proving to be very adept at helping to prepare the background for media comment.

The importance of the ALA having a high media profile cannot be overestimated. We live in an era where media profile and policy influence go hand in hand. We are gaining respect as an organisation from politicians and bureaucrats because they know who we are these days.

We should also not be afraid to be seen as an organisation that represents the progressive or reformist end of the profession; to spark public debate on sometimes controversial issues is a healthy and respectable role to play. I have been doing this in relation to the ‘war on drugs’. As lawyers, we see the futility and tragedy of the refusal of politicians and the police to treat drug use as a health issue. The waste of taxpayers’ money on police raids to find a few dope plants, and of court resources in dealing with small-time users and dealers, could be avoided. The ALA is about justice, and there is no justice in the current policy settings. So let’s encourage a public debate.

We must also resolutely stand against the trend of mandatory jail terms, sweeping assets confiscation laws, and increased police powers of arrest and search that lead to the harassment of young people, the mentally ill and the homeless. The ALA should never be coy in attacking the law and order lobby and their mean-spirited and counter-productive obsession with retribution.



Finally, during my term as National President, I want to target criminal law firms for membership this year. Criminal law and human rights are a large part of what we do and talk about, and criminal lawyers should be joining us so they, too, have a national voice.

On membership more broadly, I will be travelling to each state and territory during the next 12 months and would like, with the local Branch President or committee members, to meet with personal injury and other law firms that are not currently members of the ALA and market to them the benefits of joining us.

The ALA is becoming the most recognised lawyers’ group in Australia, and we want to continue to build on that over the course of the next year. The voice of lawyers in public discourse is vital because we are often the only rational and compassionate voice in debates where politicians typically scramble over each other to tug the forelock to tabloid media outlets and their simplistic notions of what is just and what is not. ■

Greg Barns is National President of the Australian Lawyers Alliance and is a member of the Tasmanian Independent Bar in practice at Michael Kirby Chambers Hobart and Equity Chambers Melbourne.

PHONE (04) 1969 1846

EMAIL republicone@ozemail.com.au