

BALANCE

APRIL 1993

The Official Publication of the Law Society of the Northern Territory

Farewell to Chief Justice

The legal fraternity bade farewell to the former Chief Justice, Austin Asche, last month.

His Honour retired from the Bench to take up the position of Administrator of the Northern Territory.

At a ceremonial sitting to farewell his Honour, speakers included the Attorney-General, Solicitor-General, Australian Government Solicitor, the Presidents of the Law Society and Bar Association (including George Beaumont QC from the Victorian Bar) and the Director of Public Prosecutions.

His Honour's love of literature was a feature of most speeches, with this from the Solicitor-General, Tom Pauling QC: "Your Honour has...displayed great legal wisdom, commonsense and a profound appreciation of the sweep of history. You have also shared with us your extraordinary appetite for literature of every kind.

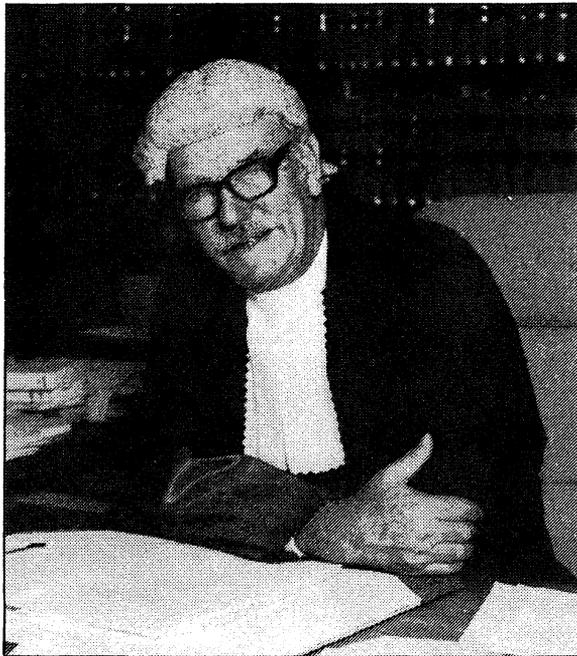
"This predilection for bursting into poetry or blank verse...is not confined to judgments, as many in the profession and court staff well know...

"But, Your Honour, your classical learning has also led to errors of judgment, I regret to say, as when Your Honour wagered \$10 with my wife that Falstaff was not a character in the Merry Wives of Windsor.

"You were not to know that she remembered David Gulpilil, the ac-

tor, as Corporal Nimm cracking the audience up by saying: 'That Balstap, he lub your wive. I tell you the true.'

"But not content with literature you took up singing. The trio of Asche, Nader and Rice in a bar in Bali may not have been the three tenors, but I disassociate myself entirely from the



comment that it wasn't even the full quid."

Speaking in response, his Honour observed that there are two occasions in life at which only good things are said of a person: one is retirement, the other death. His Honour was grateful to be in the former category.

His Honour voiced his support for,

and faith in, the jury system:

"What the great judges had in common, and what makes them a joy to read was their mastery of the English language.

"It remains a salutary exercise; because, if a law, no matter how apparently complex, cannot be made understandable to a body of 12 citizens it is a bad law."

Speaking of colleagues, his Honour said: "So far as this court is concerned...satisfaction has been enhanced by the friendliness and help of my colleagues on the Bench. I owe them an immense debt of gratitude."

"To my secretary, Joan Bourke, I really cannot express my gratitude... had she not kindly agreed to continue as my secretary in my new job I would have considerable doubts about accepting," his Honour said.

And finally, he spoke an ambition when he became a judge: "...was to hear a particular answer from a witness who had been cross-examined as to credit for some hours and at whom the cross-examining barrister threw the usual last question before sitting down...: 'I put it to you, witness, that the whole of your evidence...has been a pack of lies.' The answer I would always have been fascinated to hear would be: 'Yes, as a matter of fact I've been committing blatant perjury all day.'"

ined as to credit for some hours and at whom the cross-examining barrister threw the usual last question before sitting down...: 'I put it to you, witness, that the whole of your evidence...has been a pack of lies.' The answer I would always have been fascinated to hear would be: 'Yes, as a matter of fact I've been committing blatant perjury all day.'"