

Law Council backs Bill of Rights

Australia's national legal body has given in-principle support to the concept of a Bill of Rights.

Law Council President, Michael Phelps said the decision followed a twelve month period of community consultation during which, it became clear that there was widespread concern within the community for the way fundamental human rights are currently protected.

The Law Council now plans to give detailed consideration to the content of an Australian Bill of Rights. Mr Phelps said this would involve further consultation with the community and would build on the feedback received to the *draft Australian Charter of Rights and Freedoms* released by a Law Council working group earlier this year. The *draft Charter* was distributed for the purpose of stimulating public debate, and while its content will be considered by the Law Council it may not necessarily be adopted in its entirety.

"The legal profession has a long history of being at the forefront of campaigns for the protection of human rights. Clearly a Bill of Rights will not be an overnight panacea, but we do believe it will be an important and powerful tool for the protection of Australians' rights and freedoms", said Mr Phelps.

He advocates that "Overseas experience shows that for a Bill of Rights to be effective its significance and purpose must be understood by the community. There must also be widespread acceptance of the responsibilities which accompany the rights protected by the Bill.

"The Law Council will continue to encourage community interest in this debate. We will be working over the next six months on a comprehensive draft Bill, based on consultation with the community, interest groups and governments."

Comments on the content of an Aus-

tralian Bill of Rights are invited. Copies of the current draft Australian Charter of Rights and Freedoms are available from the Law Council by phoning (06) 246 3788.



Non Smoking Magistrates' Court Buildings.

Nichols Place and all regional Magistrate' Courts are smoke-free workplaces. The public, including legal practitioners and their clients, are requested NOT to smoke inside court buildings but to use outside areas provided, such as the area outside Court 2 at Nichols Place through the exit on Bennett Street. A loud speaker system has been installed in this area to summon parties to courts 1 & 2

Police and Crime Authority Complaints.

The Australian Law Reform Commission is conducting an inquiry into complaints against the Australian Federal Police and National Crime Authority and has asked for submissions to compile its report.

The Law Society has received a copy of the Issues Paper prepared by the Commission. Contributions from interested parties will play an important part in helping to direct the Commission's work and in shaping the final recommendations of the report.

The closing date for submissions for the report is 29 February 1996. The commission will be holding consultations around Australia during February and March 1996. For further details about these or the inquiry itself, contact Michael Barnett (02) 284 6316 or Annemaree McDonough (02) 284 6305.

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Family Conflict Resolution Service

Resolve, the Family conflict Resolution Program, is now operational.

This family mediation service provides a method of dispute resolution for separating and divorcing couples whose issues could otherwise be matters for proceedings under the Family Law Act.

Resolve covers disputes over parenting, care of children, financial matters, child and spouse support and property matters etc. It does not provide counselling for couples who may wish to reconcile. Relationships covered by the term *family mediation* include "de facto" and same sex relationships.

Mediation allows the disputants to negotiate with the assistance of the neutral mediator(s). It is seen as additional to the traditional adversarial legal system.

Family Mediation NT. (Resolve) have adopted a co-mediation model which is gender-balanced with mediators from relevant professional backgrounds. This model is based on the very successful Australian Family Court mediation model.

Extensive consultation has been undertaken with people and organisations from various cultural backgrounds. Aboriginal and Islander mediation will be a specific area of focus in mediation.

Resolve is a fee paying service based on a sliding scale of a contribution of \$1 per \$1,000 of household income. For example, where the household income is \$30,000 per annum, the fee is \$30 per hour. It is expected that couples coming to mediation will require two-three sessions of mediation each of two hours duration. Social security recipients will pay a standard flat rate per hour.

Hours of operation are 9-5.00pm Monday to Friday although special out-of-hours arrangements can be made. For more information contact Ross McSwan Ph 482700 or Fax. 853963,