

## REFORMING COURT PROCESS FOR LAW ENFORCEMENT - NEW DIRECTIONS

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to make decisions regarding the ultimate resolution of the case to be engaged earlier in the process by both prosecution and defence;

- d) The double handling of cases that currently occurs because the committal and trial are treated as a two stage process;
- e) The difficulties both parties experience in securing continuity of counsel;
- f) The availability of legal aid for indigent accused prior to committal;
- g) The disparity between the resources available to the prosecution and the publicly funded defendant.
- h) The lack of any real incentive for defendants to enter a plea of guilty at committal (even though they intend to plead guilty in the superior court);
- j) The need to identify and confine the issues in dispute at trial.

### POSSIBLE SOLUTIONS

Some jurisdictions are dealing with these issues better than others and I believe by building on that experience Legal Aid, the criminal bar, the DPP and the courts can, through a redirection of resources and a willingness to change procedures contribute to the more efficient determination of indictable matters, without the need for major legislative change.

Whilst acknowledging that each jurisdiction has particular local issues with which to contend, the Directors of Public Prosecutions and National Legal (The Directors of Legal Aid Commissions) have been working co-operatively to identify measures which will contribute to the more efficient resolution of indictable charges without diminishing the presumption of innocence. We are in the process of finalising a document which identifies elements of a "best practice" approach to dealing with

indictable crime and this will be circulated to the profession for comment over the next few weeks.

### CONSUMER REPRESENTATIVE POSITIONS

- Council of the Financial Services Complaints Resolution Scheme
- Board of Directors of the Life Insurance Complaints Service Ltd

Individuals interested in either position must submit a written nomination.

Organisations who nominate individuals must submit a written nomination covering that person and must also obtain the agreement of the individual being nominated.

Duty statements can be obtained from the Law Society or by contacting Sue Barrett on PH: 02 6213 6122.

The closing date for the nominations is:

**Friday 21 August 1998**

## ADDITIONAL JUDGE APPOINTMENT

The Hon. Justice H.W. Olney

**The Hon. Justice Howard William Olney has been appointed additional Judge of the Northern Territory Supreme Court and brings a wealth of experience to this important position.**

Born in Perth, Western Australia, Justice Olney later studied Law at the University of W.A. In 1957 Justice Olney was admitted to practice as a Barrister and Solicitor of the Supreme Court of W.A.

Before the appointment of Queen's Counsel, Justice Olney was a Stipendiary Magistrate at Carnarvon, WA and later joined the independent bar in Perth, WA.

In the last 20 years Justice Olney has been a Supreme Court Judge of WA, Federal Court Judge in Australia and Judge of the Family Court.

Justice Olney has had vast experience in a number of tribunals; Presidential Member

of the Administrative Appeals, Deputy President, Federal Police Disciplinary and National Native Title.

In March this year Justice Olney was appointed Aboriginal Land Commissioner. Justice Olney had previously served as Aboriginal Land Commissioner for three years from 1988 to 1992.

## PRESIDENTS COLUMN

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### WELCOME JUSTICE OLNEY

The Law Society welcomes the appointment of Justice Olney as an additional Judge of the Supreme Court of the Northern Territory. Justice Olney is well known to the Northern Territory practitioners as a Judge of the Federal Court and as Aboriginal Land Commissioner

pursuant to the Land Rights Act. His Honour has had a very distinguished career which commenced in 1957 in Western Australia.

### LAW REFORM WORKING PARTY

The Law Reform Working Party (NT) met for the first time on Monday 13 July 1998. The Working Party is headed by the Chief Minister

and Attorney General. It is anticipated that the Working Party will be looking at a wide range of law reform. If there are any particular areas of law reform that practitioners believe should be considered by the Working Party would they please advise Jim Campbell or myself.

