

Discretionary programs need scrutiny and review

Freedom of Information

The lack of freedom of information legislation in the Northern Territory is an issue that NTWLA will be pursuing this year.

For some time we have had a policy calling for the introduction of freedom of information legislation in the NT — as in other jurisdictions in Australia. We will ensure that the issue is raised and followed up in the coming months.

Mandatory sentencing

This week changes were announced which will affect the criminal justice system in the Northern Territory. As yet the details have not been finalised. Once that has happened we will be in a position to carefully consider our response.

The move to ensure that those up to 18 years of age are to be treated as juveniles in the criminal justice system in the Northern Territory is a positive move. The funding of interpreter services is also to be welcomed.



Judge Sally Thomas, Patron of the NTWLA.

As to the question of the diversionary programs, there will be much debate about what is a minor offence and what is not. It is not easy to see how this discretion can be exercised on a consistent and transparent basis throughout the Territory.

It is also of concern that the discretion will be difficult to scrutinise and review. Access to diversionary programs will need to be fairly and equitably provided. It will not be until the 12 month review of the scheme that we are able to ascertain how the new system impacts on juveniles in the NT.

I venture to suggest that the proposal will have a discriminatory impact on those juveniles with disabilities, for example, with intellectual disabilities.

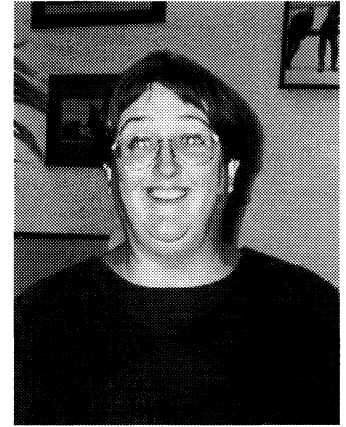
It is not hard to imagine the scenario where a person with an intellectual disability is not offered a diversionary program, if no other reason that the police can not be satisfied that the acknowledgement of guilt and the nature of the diversionary system is understood by the juvenile.

All adults remain subject to the full effects of mandatory sentencing. This includes those with disabilities, carers of infant children and the trivial cases. The cost implications for the taxpayer are yet to be fully investigated and reported upon. Suffice to say, it costs approximately \$50-60,000 to keep an adult in prison for a year. That is not counting the costs in community and human terms.

It remains NTWLA position that the sentencing discretion should be handed back to the Magistrates and Judges — in cases involving both juveniles and adults.

Trials Through Time- Volunteers needed

This year we will be presenting some short radio plays as our *Trials Through*



Melanie Little, President of the NT Women Lawyers Association.

Time — we will be broadcast over Law Week on ABC Radio.

Please contact us if you want to be in one of the radio plays. They will be pre-recorded at the ABC Studios in Cavenagh Street. Any help with scripts will also be greatly appreciated.

NTWLA Logo

NTWLA will be holding a competition for a logo (with the winner to be announced for Law Week). While everyone is welcome to enter, we are targeting the design, graphic and art students from the NTU. If you would want to enter, let me know and I will forward you the details.

Judges Reception

There will be a full report on the Judges Reception, hosted by our Patron Justice Thomas, in the next edition of *Balance*.

New Committee

Please let us know if you are interested in being on the 2000/2001 Committee.

The Committee for 1999/2000 is :

Melanie Little — President

Janelle Martin — Vice President

Britt Lardelli — Secretary

Sharon Burnett — Treasurer

Cassandra Goldie

Jacqueline Presbury

Therese Austin

Kate Halliday

Membership

Please forward your membership renewals to GPO Box 3384 Darwin 0801.