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Michael Weir
Bond University, Michael_Weir@bond.edu.au

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Editorial

This April 2002 issue will deal with a variety of topical subjects.

The process of acknowledgment for native title in Australia has been rapid since the Mabo decision in 1992.

Since that decision subsequent legislation and case law continues to add new chapters to an unfolding story. The High Court and the legislature will no doubt continue to add new chapters as our system of law attempts to incorporate the distinct concepts at the basis of native title. My article on *The Story of Native Title* discusses this process to date.

In recent months the position of Governor-General has come under the spotlight. Associate Professor Carney in his article *A Unique and Precarious Office* - the office of Governor-General provides a perspective on the role of Governor-General and suggests reforms to how a Governor-General should be appointed and what circumstances might justify his or her dismissal.

Professor Jim Corkery in his latest contribution *Lawyering* applies his entertaining style to describe what lawyers do; how they do it and why they do it. You will never look at a lawyer in the same way after you read this article.

In the same theme Postgraduate Fellow Winnie Ma in her article *Feathering their Own Nests - Should Barristers and/or Solicitors be sued?* discusses the immunity the law has applied to barristers and solicitors in liability for negligence while doing advocacy work. This immunity is progressively being eroded overseas. Will Australia move in the same direction? Consumers of legal advocacy services will be very interested in the future direction of this debate.

Have you ever wondered about how criminal profilers work? In his article *Criminal Profiling in the Investigative Process*, Andrew Lowe delves into this interesting world and provides an insight into how criminal profilers can assist in the investigation of a crime. Andrew includes an interesting case study to demonstrate how criminal profiling has been used in the field.

To improve your knowledge of legal matters read the newspapers and ask questions of your teachers, parents and family members because legal issues arise every day in your own life and in public life. An inquiring mind will lead to wisdom.

Email: legal_eagle@bond.edu.au
Associate Professor Michael Weir
Editor-in- Chief
School of Law
Bond University

DID YOU KNOW

The Soul of Wit

Justice Harold H Burton once gave one of the shortest oral opinions on record. A defendant who had been convicted of murder was before the court for sentencing. As usual, the judge asked if he had anything to say before the sentence was pronounced. The defendant said:

'As God is my judge, I didn't do it. I'm not guilty'.
To which the judge replied:

'He isn't, I am. You did. You are.'

Change of Mind

Judge Walton, an English judge in the 18th century once gave a sentence of seven years for a serious offence. The barrister for the convicted felon asked for mitigation of the sentence on the ground of his client's poor health.

'Your lordship' he argued, 'I am satisfied that my client cannot live out half of that term, and I beg you to change the sentence.'

'Very well,' Judge Walton obliged, 'under those circumstances I will change the sentence; I will make it for life, instead of for seven years.' At that point the felon agree to abide by the original sentence.

*From The Book of Legal Anecdotes Peter Hay
Facts on File New York 1989 205-206*