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Editorial

In this edition we will investigate a number of matters relating to litigation that raise current events. No one could ignore the recent events related to an apparent crisis in the insurance industry. Associate Professor David Field in his article *The Insurance Crisis - Don't forget the Victims* plumbs the causes of this crisis and suggests that any reform to tort law should not ignore the need to ensure plaintiffs can still obtain fair compensation.

Professor Laurence Boulle in his work *Alternative Dispute Resolution, Case Management and the Rule of Law* asks if the trend to ADR might prejudice the application of the rule of law by inhibiting a person's access to the court system. Although few would criticise attempts to resolve disputes without access to the court system this may impact on this basic principle.

One topic that often creates controversy is Family Law. It impacts on a large part of the community as unfortunately many marriages end in divorce. This results in family dislocation and upset. Professor John Wade discusses some of the common misconceptions about family law and how it really is his article *Four Myths of Family Law*.

On a more international note Professor Mary Hiscock in *The International Criminal Court: What it means to Australia?* deals with the history of the ICC; its structure and the arguments for its introduction. As Australia has only just accepted its jurisdiction this is both an interesting and timely discussion.

Professor Eric Colvin discusses the difficult issue of *Murder and the Separation of Conjoined Twins*. This was the subject of the 2002 Bond University High School Mooting Competition this year. Eric discusses the ethical and legal parameters of this issue. This article will be especially interesting to those of you who were involved in this competition.

In the next issue next year we will revisit native title to discuss the recent High Court case *Western Australia v Ward; A/G (N.T.) v Ward; Ningarmara v NT* (2002) HCA 8 August 2002. This case provides the next chapter in that evolving story.

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Did You Know

A man had been found guilty of felony and a judge prepared to pass sentence.

"May God strike me dead, my lord, if I did it!" shouted the prisoner.

The judge paused for a full minute in the silent Court. Then he intoned solemnly, "As Providence has not seen fit to interpose in your case, it now becomes my duty to pronounce upon you the sentence of the Law..."

A judge in his later years had become somewhat hard of hearing. He was however concerned to hear each part of the evidence. He was particularly concerned to assist a man who was defending himself on a serious charge.

At one point the Judge cupped his ear. "What was your last sentence?" he asked the accused.

"Six months," came the prompt reply.

In sentencing a prisoner to jail a judge described a just convicted man as "a professional burglar."

The man protested violently from the dock. "I dunno what you mean! Professional! I've only done it once before, and I've been nabbed both times."

The judge gave him a smile. "Oh, I didn't mean to say that you had been very successful in your profession."

From Stanley Jackson Laughter at Law Arthur Barker Limited London 1961