

Life in Crown Prosecutors' Chambers

Concerning Sally Dowling

Sally Dowling is a crown prosecutor with the NSW Office of the Director of Public Prosecutions. She is currently the only part-time trial crown prosecutor in NSW. Sally works 'one week on, one week off' from Crown Prosecutors' Chambers in Castlereagh St, Sydney. In her week 'on' Sally looks after her one year old son and three-year old daughter. On other weeks, she prosecutes a five-day trial.

Sally started her legal life as a commercial /equity practitioner. She graduated from the University of Sydney in 1994 and worked as associate to Justice Hill in the Federal Court during 1995. Then followed a short stint as a solicitor at Deacons Graham & James, where she practised in intellectual property and trade practices.

Sally went to the Bar in 1997 and read with Rowan Darke and Ron Webb. She had chambers on 8th Floor Wentworth (1997 – 2000) and later Blackstone (2000 – 2002). Sally's private practice was predominantly commercial/equity and intellectual property.

'The Office of the Director of Public Prosecutions has been an exemplary employer of a barrister with young children.'

Asked for her fondest memories of the commercial Bar, Sally responded: 'I was very lucky to to work with personalities like Tom Hughes QC and Dyson Heydon QC. That and the money.'

Sally started at the Office of the Director of Public Prosecutions in July 2001. 'In preparation for my first District Court trial I read the *District Court Procedures* loose-leaf from cover to cover. That trial was better prepared than a Justin Gleeson special leave application. Since then it has been a steep and exciting learning curve. In the last two years I have

prosecuted drug cases, armed robbery, sexual assaults, fraud cases and attempted murders. Regardless of how well prepared the Crown may be, each trial throws up unexpected and difficult issues. Trial by ambush is alive and well in the criminal law. At the close of the Crown case, I usually do not know whether I am about to cross-examine the accused or close to the jury.'

Her three main hopes for the prosecution service were fulfilled: she finds criminal prosecutions interesting and rewarding to run, the flow of work is easier to regulate than in private practice and she doesn't have the worries of running her own business.

'I really enjoy my new incarnation as a crown prosecutor. The Office of the Director of Public Prosecutions has been an exemplary employer of a barrister with young children. I generally get a brief three to four weeks before it is listed for trial. So I can do most of my preparation in chambers during my working weeks. Usually I see witnesses one afternoon of my week off. To date only a few trials have exceeded their estimates. In those cases, I work through until the verdict is reached.'

The response of Sally's colleagues in commercial practice to her change of direction has been interesting. 'I found that more experienced practitioners supported the idea of developing expertise in such an important area of the law and the honing of trial skills that criminal practice can afford. They apparently remember the days when barristers practised in all areas of law.' Others ask her when she will return to the Bar. 'I am at the Bar, employed by the state. The level of independence of crown prosecutors, the nature of preparation for trial and the forensic decisions required during trials is the same as that of barristers in private practice. Life in Crown Prosecutors' Chambers is very similar to private chambers, although now I work with more women barristers and without the views.'

FRENCH HOLIDAY ACCOMMODATION

South of France – Languedoc. Villa and s/c garden flat.

The property is situated in Languedoc, in the Corbières wine district (the oldest in France, begun by the Romans). The peaceful hamlet of Villerouge la Crémade is an hour and a half from Toulouse on the Autoroute des Deux Mers, and lies about 35k east of the medieval walled city of Carcassonne. The Mediterranean beaches are just half an hour away. Villerouge is about one and a half hours from the Spanish border, so especially in summer it is quite feasible to make a day trip to Spain (e.g Figueras and the Dali Museum, Girona, even Barcelona).

Duty free shopping in Andorra is also accessible.

Owner (02) 9327 3027

www.les-oliviers.org