

Letter to the editor

Dear Sir

I read with interest in the criminal law special edition of *Bar News*, the article 'The development of the regional criminal bar' by Messrs Walsh and Nash, in particular their reference to circuit court closures. I found myself agreeing with so many of the points raised – the effect of a withdrawal of services, the absence of a deputy sheriff, the loss of ceremonial openings of sittings and the absence of a senior judicial presence. The action of the recently retired chief justice in taking sittings of the Court of Criminal Appeal to country centres delighted me!

Many years ago, when I was under-secretary of justice, there would be proposals to close a country court house on the basis there was insufficient work to justify its continued existence – and many were closed, I regret to confess. I learnt, however, that a closure did

great harm to that country centre and citizens. The clerk of petty sessions was agent for so many state and federal agencies and his withdrawal from a town meant the citizens lost such local services, and had to travel to other centres. Also, the closure enabled banks and others to follow suit and close. It was better to reduce the number of days the courthouse was open, rather than to close it altogether. Similarly, I found it was not necessary to abolish a country District Court, merely do not proclaim any sittings unless a need arises. That way, the town remains a District Court town – a status symbol.

Of course, some judges themselves at times controlled the sittings in certain towns and did not attend. I recall the late, dear old Sammy Ross would sit in Gundagai, however for some time had not moved on to

Tumut for the District Court sittings there later in the week. Eventually, one of the local solicitors phoned me and said the judge had not been there for ages and there was work to be done.

I checked with the clerk of the court and indeed there were a number of matters in the list, although he doubted they would proceed. Nonetheless, discreetly, I called upon his Honour and mentioned that the 'natives' in Tumut were restless. He assured me that all would be well and phoned me a few weeks later from Tumut to report he had been through the list and there now were no matters remaining.

They were the days.

Trevor Haines AO

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