

Advocacy

Continued from page 17

clarification or explanation may lead to the tribunal of fact being less willing to accept or accord full value to any answer the witness may give to your questions. It is likely that the tribunal will not regard the evidence as being the free and untutored response of the witness.

It follows that you should only seek an adjournment to obtain instructions prior to re-examination if you regard it as absolutely necessary to do so.

In your re-examination you should exercise care to ensure that you do not venture into areas where you already have satisfactory evidence from the witness. Should you touch upon such an area you may find that the witness feels the need to further explain or to clarify some answer already given and in so doing undermine the favourable impact of the evidence already obtained. The asking of questions in re-examination therefore needs to be carefully confined to the area of concern. You will achieve that by your preliminary questions in which you identify the context of the questions you are going to ask and in which you will seek explanation or clarification.

WANT TO CONTRIBUTE TO BALANCE ?

Got an axe to grind?
Need to get something off
your chest?
Why don't you contribute to
Balance.

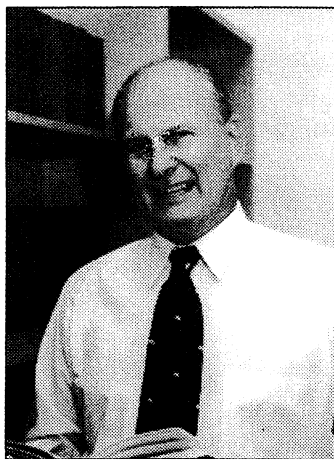
Balance is printed every
month. We accept letters to
the editor, articles,
anecdotes for Muster Room,
photos and more...

You can email your
contributions to:
swillcox@lawsocnt.asn.au
or fax: 8941 1623

AROUND THE NT BAR

REX WILD QC

Rex Wild is the Director of the Office of Public Prosecutions in Darwin, Northern Territory.



Rex was first admitted as a solicitor in Victoria on 1 May 1968 after completing his LLB in Melbourne. He became a barrister in Victoria in September 1973 and the Northern Territory in October 1992. He took silk in Victoria in 1991 and in the NT in 1996.

Rex worked as a solicitor from 1968-1973 and barrister from 1973-1993 primarily as a "common lawyer". He became Assistant Director of the Office of the Director of Public Prosecutions in the Territory in 1993. In 1995 Rex took up the post of Senior Counsel with the Attorney General's Department, before becoming Director of the Office of Public Prosecutions.

Rex is a member of the Lord's Taverners and lists Vets, hockey, golf, teaching advocacy and significant historical legal trials as his interests.

MICHAEL O'DONNELL

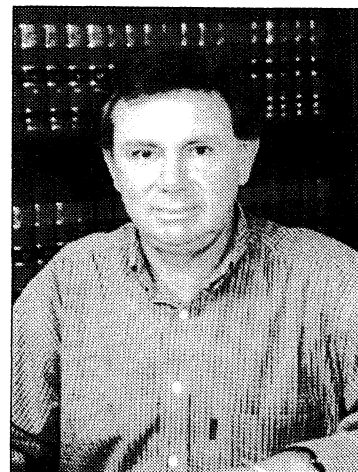
Michael O'Donnell is a barrister at John Toohey Chambers in Darwin.

Michael graduated from the University of NSW in Law and Arts and was admitted to practice as a Solicitor in New South Wales in 1980. He is also admitted in South Australia and Western Australia. He moved to Darwin in 1988 to sample Darwin life and practice as a Barrister.

Michael worked for the NSW Aboriginal Legal Service as a solicitor and Principal Legal Officer between 1980 and 1986. He practiced mainly in the criminal law area at that time. He then took up a position with the NSW Department of Health specialising in medical and health professional disciplinary investigations and appearing before the Medical Tribunal

Michael worked as the Principal Legal Officer for the Kimberly Land Council. He was employed there between 1990 and 1997, and was a Legal Adviser to the National Indigenous Working Group in Canberra in 1997 and 1998 with respect to the 1998 amendments to the Native Title Act, 1993.

In recent years he has continued to work in the native title area and regularly provides advice and representation with respect to new legislation and policy proposals affecting Indigenous peoples at a National, State



and Territory level. He was the Legal Adviser to the Aboriginal Leaders delegation to the United Kingdom and Ireland in 1999 and recently was special adviser to the Chairperson of ATSIC with respect to the Final Recommendations and Report of the Council for Aboriginal Reconciliation. Michael's area of practice includes Native Title, Constitutional Law, Industrial Relations, Criminal Law, Administrative Law and legal policy specialising in Human Rights and Indigenous Affairs. He is also a qualified mediator.