

- (a) that some people might be more willing to speak to the coroner than to the police.
- (b) that it is desirable to be able to come to a conclusion as to who was responsible for a murder or other crime resulting in death with the aid of inadmissible evidence thus concentrating attention in a particular direction in the hope of building up a case based on admissible evidence.
- (c) that it is desirable to have an investigatory office proceeding upon evidence given compulsorily and on oath and subject to cross-examination—this not being available to the police.

Those who adopt this view generally agree that it should be accompanied by a complete forbidding of publication of the evidence taken. We do not agree with this view but believe that the Coroners Court should not be part of the machinery for investigating crime.

Summary

- (a) In the Yeates inquest the coroner appears to have proceeded upon a mistaken view of his duty in admitting hearsay and other inadmissible evidence. The nature and extent of hearsay rumour and opinion and of irrelevant evidence admitted exceeded all reasonable and proper bounds. The rules of evidence should be applied in cases of suggested or suspected criminality.
- (b) Exhibits should not be made available for copying or photostating. It is a more serious departure from proper practice to allow copying or photostating of an exhibit for publication where no proper basis exists for its reception in evidence. It is not known who made the exhibit available.
- (c) Persons against whom suspicion has been directed should only be called as witnesses if they volunteer to give evidence.
- (d) Persons who have stated their intention of not answering questions by police officers except in the presence of their legal advisers should not be approached by police officers other than in the presence of their legal advisers.
- (e) We recommend that the law be altered to ensure that coroners will strictly observe the laws of evidence in cases of suggested or suspected criminality. Section 18 of the *Coroners Act*, 1960 should accordingly be altered. The law should also provide that persons against whom suspicion is directed cannot be called to give evidence unless they volunteer to do so.
- (f) We recommend that the Council appoint a committee to consider the whole question of publicity in committal proceedings.

The Common Room

On the first Friday of term (10th February, 1961) a representative gathering of the Bar met in the common room in the late afternoon to tender to Mr. Justice Kirby the President of the Commonwealth Conciliation and Arbitration Commission congratulations upon the occasion of the conferring upon him by Her Majesty of the honour of knighthood.

On 22nd February, 1961 the president entertained at lunch in the common room five of the delegates who had been attending the United Nations seminar on the Protection of Human Rights in Criminal Procedure which had been held between the 6th and 20th of the month in Wellington, New Zealand. They were Mr. *U Ba Swe*, an advocate of the High Court of Burma; Dr. *Cha Liang-Chien*, Vice-Minister of Justice of the Republic of China; Mr. *R. Abdurrachman*, a Justice of the Supreme Court of Indonesia; Dr. *Bagher Ameli*, Under Secretary of the Ministry of Justice of Iran; and M. *Tran Minh Tiet*, Conseiller a la cour d' Appel de Saigon in Vietnam. On the next day Mr. Justice Rogers of the Supreme Courts of Sarawak, North Borneo and Brunei who had also been a delegate to the seminar visited the common room for lunch.

These visits were arranged through the good offices of the Solicitor-General of New South Wales

who had been a member of the Australian delegation to the seminar.

On 8th March, 1960, Mr. *Gluck* a member of the Bar of New York, visited the common room for lunch.

From time to time, distinguished legal visitors are invited by the president to lunch in the common room and on these occasions, the president occupies the presidential chair at the big table. On such occasions, in addition to the president and some representatives of the Bar Council, members of the Bar are asked to meet and have lunch with the visitors. Necessarily the size of the table limits the number of members who can be asked to help in entertaining the guests but an attempt is being made to ensure that different members have the opportunity of contact with them.

The Law Convention

The Law Council of Australia will hold its Law Convention in Sydney in the short vacation between the 5th and 11th July, 1961. A preliminary notice as to this has already been circulated to all members of the Association.

Lord *Parker of Waddington*, Lord Chief Justice of England, will attend the Convention, and invita-