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TV OR NOT TV - THAT IS THE QUESTION

TELEVISION IN THE COURTS: THE TIME HAS COME

*by MARIE DYHRBERG **

The answer is obvious - we have to have it.

Our Courtrooms are full of drama, intellect, passion and wisdom - the public wants to see it.

The arguments that will be raised against the presence of television cameras in the Courtroom all involve the same concerns.

(1) LACK OF DIGNITY AND DECORUM

Cameras will, they say, create a sideshow effect and disrupt the dignity and decorum of the Court.

On the contrary. The presence of those inquisitive, technological eyes actually CONTROL the antics of the lead actors in an already existing showcase.

What makes some lawyers think they are so precious?

Television coverage has not impaired the dignity and decorum of other important events such as religious, parliamentary and royal occasions or even the AFL Final. All these players acquit themselves of their duties notwithstanding the penetrating eye of the lens - unless of course the opposing team will try to tell us the existence of television cameras directly cause Priests to run off with their lovers and Di's bulimia?

Knowing the public at large will see and hear what it is you actually do all day for \$300.00 an hour. Surely this can only sharpen your performance.

Who wants to be seen on the National 9 News, shuffling through papers, , rambling on, asking that one question too many - worse still, getting the answer?

There will be no mute button under the control of an understanding and favourable Judge on the 6.00 o'clock news to save you.

The dignity and decorum that is at stake here is not only a matter of Courtroom protocol. Choosing legal representation is somewhat of a fashion statement. Let's face it. What self respecting criminal wants a dickhead for a lawyer, let alone one that looks every bit a dickhead.

To be fair - there is something that will happen to you that you should be warned about. The cameras will , from time to time, scan the courtroom to pick up some footage for voice-overs later on. As trial lawyers you will find that you lean over, unnecessarily, engage in apparent meaningful consultation with your junior, glance reassuringly at your client and your client's family , check for ladders in your stockings.

This posturing is evoked by P.M.T. - pre-media tension.

Woman have always had to deal with it and you men will just have to learn to deal with it

It goes away.

Television cameras therefore, can only lead to an excellence in presentation, manner, performance and the ability to get to the point in meaningful sound bites.

(2) CONDUCT OF COUNSEL

The next argument against the introduction of television cameras is that trial lawyers will somehow act differently in the presence of television cameras in Courts. I believe I speak for all trial lawyers when I say we would not be distracted one iota by the prospect of our own feature film - "**SIMON MOORE: THE PEOPLE'S CHOICE**",

We would rise above having our faces and names on t-shirts, gum wrappers and pasta sauce jars.

As any actor will confirm, it is the live audience that is the most attentive, the most understanding, the most critical and profoundly brutal. Captive, unable to change the channel, it is that target audience of 12 that remains the ultimate Judge.

(3) PERSONALITY OF TRIAL LAWYERS

To deny cameras in the Courtroom is to deny an actor a wider audience. Let us remember what the common personality traits of trial lawyers are - they have large egos, they enjoy arguing, they are flamboyant, vain, achievement orientated, adrenalin seeking, risk taking hedonists. They are like this even when they are totally alone at home in the shower.

By comparison, those trial lawyers found to be conservative, traditional, introverted and anal retentive have completed the wrong degree. This is because they have a genetic pre-disposition for bean counters.

Put a trial lawyer in a room alone and they will create an audience in their minds with which to play. Actually give them an audience - then watch them flourish and succeed. Anything that encourages a trial lawyer to do their best is, I suggest, to be promoted.

(4) CONCLUSION

I make light, Mr. Chairman. Because what I do know is that it would take more than a television camera to distract me or my colleagues from our dedication to the pursuit of justice. This dedication has existed long before television and it won't go away.

The justice system should not seek to shelter from greater public scrutiny through the television camera.

How many television cameras does it take to distract a lawyer?

For myself, we are nowhere near that yet. But a life-size video screen, pyrotechnics, a laser light show and a built in Aiwa sound system, mmmmm, maybe...