

Weigh up the case by considering the evidence below and the background story (Handout 11).

Macquarie:

- Macquarie wanted to give ex-convicts a chance to prove themselves because he believed that some of them had reformed and become good citizens.
- He also had the simple, practical problem that the courts couldn't operate without lawyers.
- As governor, he had responsibility to see that the colony was well governed and this depended partly on the courts continuing to operate.

Bent:

- Bent disagreed strongly with Macquarie about letting ex-convicts work as officers of the courts.
- He thought that judges should be independent from the rule of the governor.

The British Government:

- Agreed that Governor Macquarie was in charge of the colony, but told him that they were worried about him allowing ex-convicts to be lawyers.
- Thought that this issue was not as important as making sure the Supreme Court was re-opened.

You be the judge

In your groups, write answers to these questions:

- Who was right, in **your** opinion, Bent or Macquarie? Give your reasons.
- What do you think would happen today?