

BALANCE

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Terry Gardner heads 1994-95 Council

The Director of the Australian Government Solicitor's office, Terry Gardner, is the new President of The Law Society for 1994-95.

He was elected unopposed at the Society's annual general meeting this week after four terms as Vice-President.

Terry Gardner succeeds Neville Henwood, of Cridlands, who retired after two terms but remains on the Executive as Immediate Past President.

The other members of the 1994-95 Executive are:

- * Vice-President Diana Elliott (Waters James McCormack);
- * Secretary Guy Riley (Philip & Mitaros);
- * Treasurer David Anderson (Department of Law);
- * Alice Springs representative Max Horton (Martin & Partners).

Diana Elliott is new to the Executive, while Guy Riley was a member of the previous Council.

David Anderson and Max Horton have both retained their positions from 1993-94.

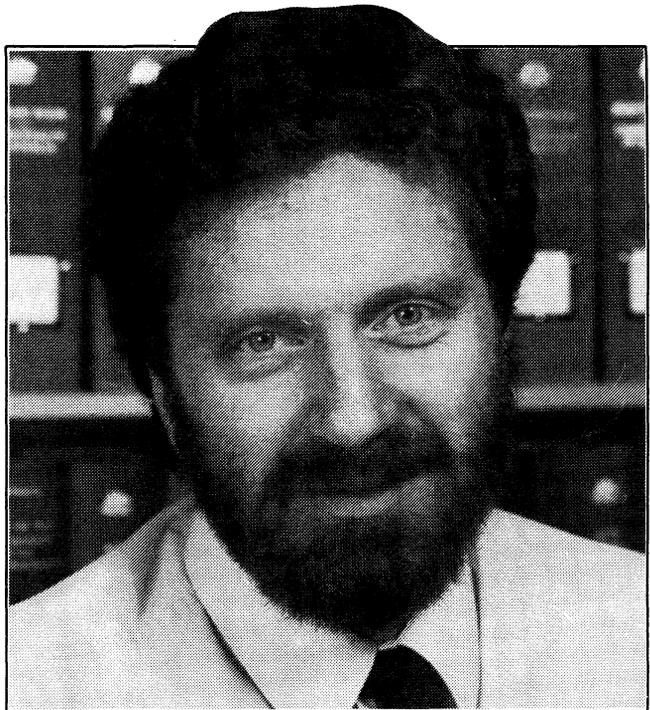
The 1994-95 Council is:

- * Eileen Terrill (Terrill & Associates);
- * Janet Trier (Department of Public Prosecutions);
- * Robbie Davies (William Forster Chambers);
- * Jim Moore (Barr Moore & Co);
- * Peter Tiffin (Department of Law);
- * Gordon Kennedy (Cridlands).

Robbie Davies and Jim Moore are both fresh faces on Council. The remaining Councillors have all retained their positions from the previous year.

More than 100 members voted at the meeting, mostly by proxies. Various business matters for the Society were also finalised. One of these was the decision for the Society to remain a member of the Law Council of Australia.

Minet Professional Services Limited has maintained its arrangement to provide Professional Indemnity Insurance to practitioners for the next 12 months, while KPMG Peat Marwick will remain the Society's auditor for the next three years.



The Law Society's President for 1994-95, Terry Gardner

Advertising rules for practitioners were discussed at length and, while the words "specialist", "expert" or any derivation of either are still disallowed under Society policy, the new Council is expected to debate the issue at a forthcoming meeting.

In his farewell speech, Neville Henwood touched on several key issues, headed by the march towards a national profession.

Despite the emergence of the Law Council of Australia blueprint, Mr Henwood said an enormous amount of work still needed to be done on this topic and its ramifications for all practitioners.

Another issue of concern to the outgoing President was the significant changes to admission requirements over the past year.

"There have been several problems with the application of these new rules which need to be addressed," he said.

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BY PRESIDENT
TERRY GARDNER

OFF BALANCE

Terry Gardner heads Council

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"However, the move towards a national profession may require the introduction of Australia-wide uniform admission rules that may well overcome these problems."

Mr Henwood lamented the introduction of the NT Government's Bail Amendment Act (No 2) early this year, which involves the restriction of the previous presumption in favour of bail (except in cases of murder or treason).

He was particularly disappointed that the profession's concerns over the amendment had been overlooked in the Bill's introduction.

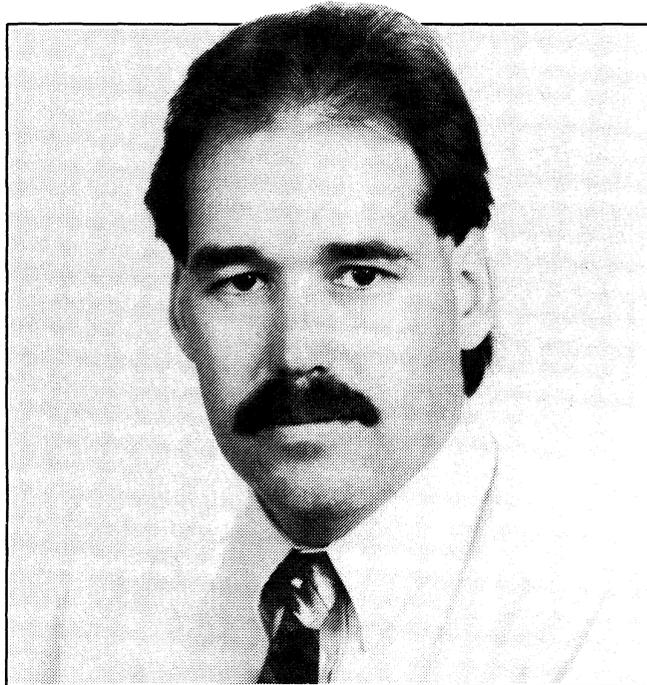
Regarding complaints, Mr Henwood reminded the meeting of the need to consult The Law Society with any queries on policies, procedures or ethics in an effort to stem the regular complaints concerning costs, delays and failure to communicate regularly with clients.

He also thanked the various lawyers who contributed their time to public relations events such as the annual Inter-School Mock Trial Competition and Law Week activities.

A full copy of the President's Report for 1993-94 is included in this edition of *Balance*.

Meanwhile, Mr Gardner accepted the role of President with a short acceptance speech, in which he thanked retiring Immediate Past President John Stirk for "putting the Society back on solid footing" and Neville Henwood, for establishing the credibility of Territory lawyers in the national arena through the Law Council of Australia.

He said that he hoped to continue the work done by



Immediate Past President Neville Henwood

the Society and Mr Henwood towards the development of a national profession.

"The concept of free competition among legal practitioners in every state and territory is integral to our national development and should be encouraged," Mr Gardner said.

"Another major issue over the coming year is certain to be that of non-lawyers performing legal work."

He said that moves to limit the public's right to legal representation in certain areas of law or in certain tribunals must be resisted.

Areas that could be affected by this trend include taxation, wills and probate, simple incorporations, uncontested divorces, simple civil claims and administrative and welfare advocacy.

He said another matter of considerable concern was the Trade Practices Commission recommendation that Practising Certificates issued in one state or territory be recognised nationwide, which could have serious financial repercussions for The Law

Society of the NT. "We presently gain income of approximately \$65,000 annually through the provision of Interstate Practising Certificates," he added.

On a different note, Mr Gardner listed the "price rise pressure" for Professional Indemnity Insurance as another matter of importance.

"It is crucial that Territory lawyers note these pressures ... and make every endeavour to ensure claims do not arise," he said.

It is widely believed that an increase in claims and the subsequent cost increase in this insurance could effectively force some solicitors out of the profession.

Both Mr Henwood and Mr Gardner referred to the media's increasing interest in legal matters, with journalists now developing a deeper understanding of individual issues and seeking the Society's comment.

Footnote: *Off Balance*, the President's Column, will return in its usual format in the October edition of *Balance*.