

More information on the National Legal Profession

Following on from last month's column, in which I reported of the New South Wales Law Society Forum, the issue of a single national legal profession in Australia was discussed further at the Law Council of Australia Annual General Meeting in Canberra on 26 March, 1994.

The meeting was marked by a level of co-operation and agreement rarely seen in the Law Council, particularly on issues of such significance.

By way of general statement, the Law Council adopted a resolution supporting the proposition "that the profession should operate in a national market for legal services and that uniform or harmonious rules regarding its conduct and practise should exist in all States and Territories, so that a practitioner in one State or Territory may practise in another State under rules which are substantially common".

In order to work towards this goal, a number of working groups have been set up to consider the prospect of adopting uniform rules relating to such issues as professional conduct and ethical rules, professional indemnity insurance, disciplinary processes, trust accounting obligations, plus fidelity funding, as well as specialist accreditation, the multi-disciplinary partnership, incorporation and limitation of liability and others.

While no doubt an enormous amount of work

still needs to be done, it is important that the profession take the lead in the debate rather than allowing Governments, particularly the Commonwealth — which apparently has a view in favour of central regulation of the profession from Canberra — to impose their views.

New Fixture

Many will recall the address by The Right Honourable Lord Oliver of Aylmerton a couple of years ago titled "Requiem for the Common Law?".

For those who missed it, the address is reproduced at (1999) 67 ALJ 675.

That address caused a great deal of interest as well as some controversy - see for example the note regarding the concerns of Professor Ellinghaus in March 1994, No 68, Volume 3 ALJ page 234.

The Society has resolved to establish a tradition of addresses of that nature.

The Martin Kriewaldt Memorial Address will be held biennially, starting this year.

The Honourable AM Gleeson, Chief Justice of New South Wales, has been invited to deliver this year's address and at this stage it is anticipated that this will be held in Darwin on Thursday, 28 July 1994 or thereabouts.

Regrettably, on this occasion, it is unlikely that the Chief Justice will be able to visit Alice Springs.

The topic of the address has not yet been determined.

However, it is hoped that

His Honour will speak on a topic of general interest which is both controversial and provocative.

It is the Society's hope that this event will become one that is not to be missed in the Northern Territory's Legal Calendar.

Language Survey

On a different note, all Territory firms should soon receive a survey from The Law Society.

The survey is seeking certain information about practitioners who speak a second (or more) languages and/or are familiar with the laws and customs of another country (or countries).

Practitioners who are certified to practise in other states of Australia are also asked to participate.

All information obtained in the survey will only be used to better serve our clients in what is becoming an increasingly transient and multicultural population.

Your support will be greatly appreciated.

Humanitarian Law Seminar

The International Humanitarian Law Committee of Red Cross will hold a breakfast seminar on Humanitarian Law as part of this year's Law Week activities. It will be held at Rumpole's. The date and speakers are yet to be finalised. For details call Jim Moore on 81 8848.