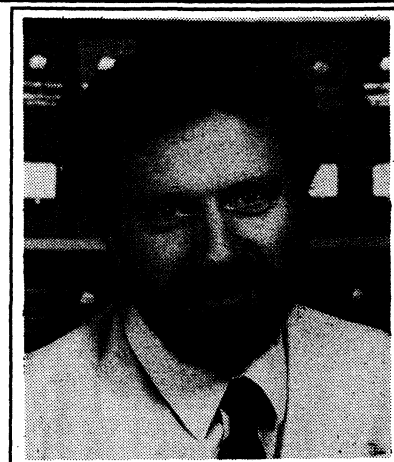


## New Legal Practitioners' Act – Submissions Invited



The focus of my observations in this column in recent times has, for the most part, been national professional issues. Within the context of those issues now falls for consideration a new Legal Practitioners Act in the Territory.

Members will no doubt be aware of the shortcomings of the present legislation. I understand that it is intended that the new Act operate from early in 1997.

Already published is the discussion paper on disciplinary arrangements. A further discussion paper on costs is expected in the near future.

Thereafter it is intended to seek to draft the new Act in consultation with the profession. To that end I invite submissions generally on suggestions for inclusion (or exclusion) in the Act which will establish the framework for the profession in the 21st century.

On a more disturbing note I refer to two recent decisions impacting on the profession but more particularly on clients:

- (a) the proposed reorganisation of the Commonwealth funding for legal aid; and
- (b) the significant increase in the range and level of costs in federal courts.

The Society has made and will continue to make representations in relation to these matters. At a time when access to justice is a theme of government pronouncement, the decisions seem particularly retrograde steps.

Members will note that the new protocol for appointment of Queen's Counsel in the Northern Territory was published recently. A practitioner practising as a barrister and solicitor made application for appointment under the protocol. In response to that application the Chief Justice replied, noting that the protocol did not envisage such application.

For the information of members I publish the Chief Justice's letter.

*"I refer to your letter of 11 October to me by which you*

*ask to be considered for recommendation for appointment as a Queen's Counsel.*

*The terms of the protocol do not envisage applications for such an appointment being made to the Chief Justice by other than legal practitioners practising only as barristers. For example, an advocate is one who pleads the cause of another in a judicial tribunal, and the reference to the cab-rank rules are of significance to barristers. Paragraph D of the protocol makes the position quite clear.*

*In the circumstances I do not consider that I am required to process your application further.*

*Yours sincerely  
Brian Martin  
Chief Justice"*



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