



## Changes to Profession Dominate Legal Year

The ceremonial openings of the legal year in Darwin on 1 February 1996 and Alice Springs on 5 February 1996 were a great success.

It was pleasing to see that despite recent attempts by certain factions to denigrate the profession that attendances at both the Church services and official lunches were the best I have seen since I became a member of the Society Council nearly eight years ago.

I apologise to all those who were unable to obtain seats for the lunch in Darwin and assure you that plans are underway to ensure this does not happen again.

I thank all of you in the profession who attended the openings and made each such a great success.

While giving thanks, I know you will all join me in congratulating the members of the secretariat of the Society for the excellent organisation of the openings and in thanking Mr Mark Woods for his informative and amusing addresses at the lunches.

In his address, Mark mentioned the importance of the legal profession actively and sensibly resisting any attempt further to regulate the profession.

As you are aware, the government has recently issued a Discussion paper titled "Complaints Against Lawyers".

If the proposals contained in the paper become law, they will regulate the profession to such an extent that a simple mistake (negligence) could result in a practitioner paying compensation up to \$20,000 without the practitioner being given the right at first instance to have issues of legal right determined in

a court.

The Society is currently preparing submissions to the Attorney-General and if you have not already done so, I ask that you let me have your views on the discussion paper or send them to the Attorney-General.

The Law Council of Australia has written to me seeking the views of members on the old chestnut, "court dress".

It was pure coincidence that the December/January issue of "Balance" contained an article titled "Wigs on the Green" written by Laurie James, President of the Institute of Arbitrators.

In jurisdictions where the views of the profession have been sought the results have been:

### **Law Society of SA**

Profession divided, but majority is in the status quo camp (wigs and gowns). (Society Survey)

### **Law Society of WA**

All advocates should wear a gown without jabots, bands, bar jackets or wigs. (Society resolution)

### **Law Society of ACT**

All advocates robe (Supreme Court Practice Direction).

### **Law Institute of Victoria**

All practitioners when appearing in a court in which gowns are presently worn should wear a gown - no wigs, bar jackets, wing collars or neck bands (QCs may wear a distinctive gown). (LIV policy).

### **Law Society of NSW**

Court dress for advocates in courts where it is customary to robe should be

gown without a wig; the wig should be reserved for ceremonial occasions at which a wig might be appropriate.

The September 1995 issue of "Balance" included the results of the New Zealand Law Society survey on court dress with the options to the status quo being:

#### **• Option 1**

Both judge and counsel, wig/bands and gown, only in witness actions (whether civil or criminal).

#### **• Option 2**

Both judge and counsel, wig/bands and gown, only in criminal jury trials.

#### **• Option 3**

Both judge and counsel, gowns only, in all proceedings.

#### **• Option 4**

Judge in gown, counsel in neat dress (no wig/bands or gown), in all proceedings.

#### **• Option 5**

Both judge and counsel, neat dress (no wig/bands or gown), in all proceedings.

It would be greatly appreciated if practitioners would fax their views on court dress to the Society on 411623 and if practitioners wish, use the above options as a guide.

The Mock Trials are about to commence and unfortunately the Society has had a poor response to the call for volunteers to act as coaches and judges.

Please don't let the students down. Telephone Julie Davis on 815104 and offer your services as a coach or judge.