

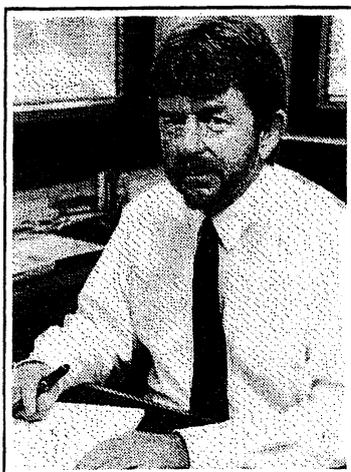
BALANCE

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Law Society of the Northern Territory

Justice Riley Supreme Court of the Northern Territory



Justice Trevor Riley

The Northern Territory Legal Profession is extremely pleased and honoured by the appointment of Trevor John Riley QC to the Bench of the Supreme Court of the Northern Territory.

Although Western Australian born, His Honour is a very distinctive product of the Northern Territory and of the Northern Territory Bar. He made his decision to go to the Bar in a canoe he and Graham Hiley QC were rowing down the Katherine River!

His Honour was educated at Merredin Senior High School in Western Australia and at the University of Western Australia. Thereafter, in rapid succession, His Honour completed articles of clerkship at Darbyshire, Gillet and Huelin in Perth, was admitted as a barrister and solicitor in the State of Western Australia and became a partner in the law firm Huelin, Gladstone and Riley.

After 3 years of practice in Western Australia His Honour decided to travel the world. He got as far as Darwin. In 1974 Ian Barker retained him as an employed solicitor with the Darwin firm Withnall and Barker. His Honour joined Ward Keller in 1975 and became a partner in that firm in 1977.

His Honour was called to the Bar in the Northern Territory in 1985 - he signed the Bar Roll on 1 April 1985. Despite the date he was not playing a practical joke on his partners at Ward Keller. His Honour quickly built a substantial general practice in Work Health, personal injuries, insurance and commercial law. He took silk on 28 April 1989. After taking silk His Honour's practice continued to expand, particularly in equity, commercial and administrative law.

His Honour has appeared in the High court many times including appearances in the case of Perrett v Robinson (1987-88) 169 CLR 172 (as junior counsel to David Bennett QC) (conflict of laws, assessment of damages); Secretary, Department Health and Community Services

Deregulating the Profession

As a result of the national move to implement a national legal services market and the national competition policy significant changes are proposed to the structure of the legal profession in the Northern Territory. The Council of the Law Society believes the following changes should be made.

Travelling Practising Certificates

To date a person could not practice as a legal practitioner in the Northern Territory without being admitted in the Northern Territory. NSW, Victoria, ACT (and soon SA) have all passed legislation to entitle interstate practitioners to practice within each other's jurisdiction without seeking admission in the new jurisdiction. This scheme (of, in effect, full mutual recognition) has been labelled the Travelling Practising Certificate scheme. It operates in a similar way to the way in which interstate drivers licences operate.

The Northern Territory Law Society has agreed to enter into this scheme and has made arrangements with the Law Council of Australia to recoup revenue lost from Northern Territory admissions.

Professional Conduct Rules

To assist in practice across borders and to update the Professional Conduct Rules of the NT the Law Society has also reviewed the national Model Rules of Conduct and Practice and believes the existing NT Professional Conduct Rules should be replaced by the plain English national Model Rules of Professional Conduct and Practice.

A paper on, and comparison of, the national Model Rules of Professional Conduct and Practice and the NT Professional Conduct Rules is available from the Law Society.

Legal Companies not Guaranteed by Directors

Law firms and practitioners are already able to use all the ordinary forms of business structures to carry on their practice. That is, legal firms may be sole traders, partnerships or corporations.

It is now proposed to remove the provision in the *Legal Practitioners Act* which provides that the directors must personally guarantee all the debts of a legal practice company. Therefore, lawyers may obtain the same benefits of incorporation (most notably limited liability) as other businesses in the community.

Subject to the following comments on multidisciplinary practices restrictions would remain on the directors, secretaries and shareholders of legal companies.

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