

CYBERLEX

PAPER – IS IT WORTH THE RISK?



Recent anthrax scares have raised safety concerns with using the traditional mail system. The threat of a biological or chemical agent has made electronic communication more attractive. In looking at alternatives to physical mail, technologies such as online billing and account management, e-mail marketing and electronic documents have come under scrutiny.

Despite the advances in technology the paperless office is a prophecy as yet unfulfilled for most businesses. A move to electronic communication is a difficult process involving a variety of external stakeholders, including governments, suppliers, financial institutions and customers. While there is a requirement for paper there will be a need for mail systems. However, there are options available to reduce the number of items you receive in the mail and thereby reduce risk from bioterrorism.

Online billing and account

management is increasing becoming available as an option. For example, Telstra provides customers with the ability to stop receiving telephone and mobile bills by post. You can view itemised accounts, obtain current account balances and pay bills online at no additional charge. Banks have provided online account management facilities for accounts that enable you view balances and transactions, pay bills and transfer funds.

Direct marketing is an area that will be affected by the current mail safety concerns and investigation into the use of e-mail as an alternative has been taken more seriously. As I see it, the problem with moving direct marketing to e-mail is the resultant increase in e-mail usage, not to mention the likely view of users that direct marketing may be seen as "spam".

Another technology to consider is the use of digital documents. There are number of technical practicalities to overcome in the use of digital documents, one of which is digital

signatures or other digital authentication. I do not think this will be solved quickly, but the risk of bioterrorism will generate more interest in overcoming these problems as users demand solutions and alternatives to paper.

As in any situation you have to assess your level of risk. Moving to electronic communication may reduce the risk of bioterrorism through mail systems, however, it increases the risk from cyberterrorism. If you are concerned about bioterrorism, especially following the anthrax scare at Australia Post's Winnellie postal sorting centre (reported *NT News*, 9 November 2001) important information has been issued by Federal Attorney-General's Department (<http://www.ag.gov.au/>) regarding the handling of mail and packages. The information relates to procedures where items containing possibly hazardous material are detected.

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MEETING THE NEW 'PARTNERSHIP' PARADIGM

An idea for a partnership for accelerating mining on Aboriginal land

A feature of the first 23 years of self-government was the deep-rooted, mostly political conflict between miners, the former government and aboriginal people over mining and exploration on Aboriginal land.

At the November Economic Summit, delegates were surprised to hear David Ross of the Central Land Council and Galarrwuy Yunupingu of the Northern Land Council talk about the urgent need to get exploration and mining happening on Aboriginal land. Of course this was loudly supported by representatives of the mining industry. But all sides complained that the Land Councils lacked the resources to process

the large number of applications awaiting. Chief among those resources, it was explained, was legal resources.

The processes that must be undergone to get mining exploration and mines happening on Aboriginal land are extremely time consuming and complex. The land councils do not have the financial resources to hire the lawyers and other disciplines to do the work.

My thoughts are that the half dozen or so lawyers in Darwin, with the range of expertise, experience and disciplines required, capable of working at this level, should, through their respective firms, join together and offer the Land Councils a working 'partnership' to

process the backlog of applications. The mining companies will pay the costs of this service. To them it's a cost of doing business. The ethical obligations and duty of care would be owed to the Land Councils.

It's an idea worth looking at.

Before any one firm runs off and makes a solo bid, pause and think how greater the benefits to the Territory legal profession would be if Territory lawyers could develop world class capabilities in this field.

The time is right for new ways of doing things and the demand is surely there.

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