

NOTHING LIKE A GOOD WHINGE

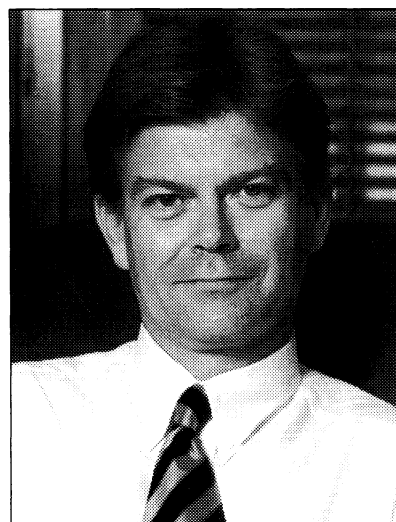
The weather is good. In Alice the days are so clear the desert becomes a diorama and the nights are still and swarming with stars. In Darwin a cooling breeze spans white sails about the harbour and the hazy afternoon light is extinguished by brilliant purple pink sunsets.

For the legal profession it is a time to catch breath if it can. But the wall of cases seems to go on forever. The decision of whether to return a clients telephone call that day or the next is weighed heavily. The email in-box is full of garbage. The last losing judgement is read and reread with emotion flickering between anger and resignation. Time has an atmosphere about it like being poised on a precipice, staring into a void with an ever strengthening zephyr at your back. The mid year break, the one you planned if work permits, seems strangely distant — almost illusory. Between you and time off there lies an obstacle course strewn with sparky judges who have just been on a holiday, sneaky listing registrars and important clients who only instruct you in circumstances of dire emergency.

Somehow in those badlands some matters become incorrectly diarised, your partner decides that you are not contributing to the relationship, and the office takes on the sweet odour of constant human habitation that is very close to the olfactory experience you get when you stick your head into a dogs kennel. Barrelling towards you like the asteroid in the matinee flick *Armageddon* is the end of the financial year when the opportunity arises to pay tax on money you haven't yet received and when you know a good cry in the bank managers office is about as likely to get you an extension on the overdraft as putting a bet on the Freemantle Dockers for a win. If these things have some resonance then I say to you fellow practitioners stand firm. Take stock. This time is the Tobruk of the legal year. Don't reach for the happy pills and resist the temptation of taking advice from the idiot who suggests that you join an aerobics class. What you need is a good whinge. I am not talking about

the whining of a self pitying forelock tugger. I mean a whinge that is honestly approached and undertaken with vigour and enthusiasm. A good whinge, however, does not take place without sound planning. There is no point in having a whinge unless you have someone to whinge to. I suggest a good mate who also likes a whinge so that if the enthusiasm of one party quails there is another present to take up the cudgel. Equally important are the accoutrements to accompany the event. Don't purchase bottles of good wine. Get hold of something that tastes like the bottom of a Darwin urinal and costs in the vicinity of fifteen dollars. Don't concern yourself with spending time selecting the wine. Most bottle shops have a vast array of the stuff on special with little gold labels affixed attesting to the fact it won first prize at the Clunes wine expo. The importance of the wine cannot be overlooked. If you run out of topics to whinge about the subject matter of the crook claret and its exorbitant cost will return you to the point of the exercise.

Then there is the most important decision of all. The location of the whinge. Steer clear of home. There are a number of reasons for that. Top of the list is that your partner may be home which would eliminate a fruitful subject for discourse. If you have kiddies there is always the chance of copping a spray on account of the fact that your enthusiasm is keeping



Jon Tippett, Law Society President

them awake. Such occurrences are likely to encourage your brother or sister in whinge to call for a cab with the result that much ground is left unexplored. One option is to find a place where you are unlikely to be disturbed and which heightens immediate feelings of desperation like the park benches opposite the toilet block at Vesty's Beach. There you can watch the dying light of yet another beautiful day spent in the office.

The better option is to set your sights on a bar in Mitchell Street. Do not be dissuaded from your intent by some happy as Larry bastard packing a few New Age phrases like "seize the day". Tell that person that you are going out to prop up a bar somewhere and the only thing you intend to seize is the opportunity to have a good whinge. Say that the day of which they speak has been like many others you have experienced and that while you have been of a mind to run away on



Jon Tippett with staff from the Aboriginal Interpreter Service at the Safer Communities Expo in Law Week

Continued over

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previous occasions you have been too busy to get around to it. Wish the person au revoir and leave muttering about how deluded some people have become.

That brings me to the next important matter. A good whinge is one that is embraced with dignity. To avoid descending into the mindless and embarrassing drivel of the miseryguts punctuate your conversation with statements like "I am surrounded by fools" or "The man's an idiot". It is just as well to take care however because to put on the dog can be asking for trouble. The audience may be alienated. A satisfying whinge takes time and the listeners attention is paramount to developing the many themes you intend to explore. Look upon the exercise as a philosophical excursion into an irrational world studded with unfairness and populated by nincompoops. At all times you must maintain your position as a island of sanity upon whose shores is deposited the stuff of lunatics and grifters. Remember if you keep it interesting somebody else will buy the drinks.

As your President I have given some thought to the type of whinger the legal community would do best to emulate. You may have your own champion but I commend to you Stuart Littlemore. He is well dressed, articulate and informative. He deals with his subject matter with just the right degree of disdain. He manages that fine line between self indulgence and fair criticism with a handy injection of dry humour and a flair for irony. He displays all the finest attributes of the sophisticated whinger. At the other end of the scale is the babbling loon. I have in mind a particular party but common decency and a respect for the art of whinging behoves me not embark upon further discussion of that topic.

Lawyers commonly need a professional purge and a good whinge is one of the most harmless and social ways of bringing that about. Never lose sight of the objective and you will find yourself restored and refreshed. Structure your whinge with the same care you would an outline of argument in the Court of Appeal. Success is then assured and the good part is that your audience will cause you far less trouble than the three usually deeply informed and indubitably correct persons who sit on that Court. If you do not drink my advice is to join an aerobics class.

RISE IN SUPREME COURT SCALE UNIT RATE FOR SOLICITORS

Dear Member

Rise in Supreme Court Scale unit rate for Solicitors

Thanks to inquiries made by the Law Society there has been an increase in the unit rate for solicitors which applies from 6 April 2001 to 31 December 2001 inclusive.

The Law Society was greatly concerned in January 2001 when it was advised that there had been no change to the rates per unit for solicitors and clerks and therefore no change to the composite scale.

To address this question of the remuneration of legal practitioners and the amount recoverable by them on taxation, the Council of the Law Society engaged a consultant to investigate the matter.

It was recommended that the unit rate for solicitor's should be increased to \$17.00.

Representations to the Master by the Law Society resulted in Treasury admitting the calculations used were incorrect and a cost variation was subsequently approved.

Copies of the variation are available from the Supreme Court.

Yours faithfully

**Council of the Law Society
Northern Territory**

The Council of the Law Society Northern Territory welcomes feedback and comments from Law Society members. Write to the Society c/ GPO Box 2388 Darwin NT 0801 or email: lawsoc@lawsocnt.asn.au