

Managing risk and an insurance update

Well, I trust you all enjoyed your Easter break. I certainly did. I went with my family to Tumbling Waters where fish were caught and Easter eggs eaten. All in all it was a nice break and I hope you all also enjoyed some time off.

The recent month has been a busy one, on 1 April 2004 Barbara Bradshaw and I met with Adrian Gamble from QBE and Cheryl Richardson from Marsh. QBE are our Professional Indemnity Insurers (PII) and Marsh are our Brokers. A number of matters were discussed, including how we are going to deal with the introduction of the Multiple Disciplinary Practice legislation and in particular how our PII coverage may be affected by the introduction of non-lawyers into a partnership. QBE will consider several options which may include inter alia, an additional policy, a separate policy for the new non-lawyer partners, extending the cover of the existing policy and/or additional cover under the existing policy.

We also discussed the initiatives that the Law Society has been implementing to improve the Territory's claims rate. Over the last few years, an increasingly bad claims record has caused difficulties in obtaining insurance. We have made a concerted effort over the last two years to combat the increasing number of claims. These efforts include: the implementation of a consistent CLE program; the engagement of experts, like Kriss Will, to give workshops about areas of risk; and last, but certainly not least, LeMessurier Harrington's quality practice reviews.

The LSNT arranged for LeMessurier Harrington, a well-respected quality

and risk review firm from Adelaide, to undertake risk reviews of firms in the Northern Territory. A lot of the firms have already participated in this process and whilst the Law Society does not, of course, receive any individual reports, LeMessurier Harrington's has overall reported that it has been generally impressed with the standard and very impressed, thus far, with the firms who have undertaken the review. I certainly encourage all firms to undertake the review process. LeMessurier Harrington has kindly agreed to reduce the costs for sole practitioner firms, details can be obtained from the Law Society.

I can only emphasise that the more firms who undertake the review the better for the Territory profession and consequently for our premiums. Additionally, as previously mentioned, those firms that do undertake a quality review prior to September 2004 are entitled to a ten percent reduction per practitioner on insurance premiums for the next insurance period.

COSTS AND ADVERTISING ACT

As previously reported, the *Legal Practitioners Amendment (Costs and Advertising) Act* and Regulations are scheduled to commence on 1 June 2004.

A Law Society Council sub-committee is currently reviewing the Law



Merran Short, President

Society's Costs Agreement. The LSNT's revised Costs Agreement, which is compliant under the new Act, should be available for distribution shortly.

A CLE on the new Act was held on 27 April 2004.

NATIONAL PROFESSION MODEL LAWS PROJECT

The next phase of work on the Profession Model Laws Project has commenced. The Law Council of Australia (LCA) is continuing its work and the Council of the LSNT will provide comments on the next draft as and when requested.

TORT LAW REFORM

Steve Southwood and I continue with our work on the LCA Tort Law Reform Working Party. The Working Party is due to meet again in Brisbane on 3 May 2004 at which time we will divide up the topics with a view to preparing and finalising information on each topic. In turn, this will be distributed to

continued page 7

Are you getting The Practitioner?

The Practitioner is the Law Society's weekly e-mail newsletter, which provides information about submissions, news and upcoming events.

If you want to stay informed and up-to-date, make sure you are on the mailing list. For more information, or to be added to the list, please email Zoe at publicrelations@lawsocnt.asn.au

Due to technical problems, *The Practitioner* is currently being distributed by fax. If you are not receiving a copy, please call the Law Society on 8981-5104.

LCA appoints a new Secretary-General

In March, the Law Council of Australia announced the appointment of Peter Webb as the Council's new Secretary-General. He will take up the position in late April.

Mr Webb brings a wealth of experience to the position. He is a former Chairman of the Australian Broadcasting Authority, a past Director-General of New South Wales Court Services and was Deputy Director-General of the NSW Attorney-General's Department.

"Peter has an impressive combination of policy skills, administrative capability and public authority experience that very much suits the Law Council," Law Council President, Mr Bob Gotterson QC said.

The Law Council started its search for a new Secretary-General in December 2003 when Michael Lavarach resigned after being appointed as Dean of Law at the Queensland University of Technology.

Michael stayed on at the Law Council until late March 2004.

"Michael has enhanced the Council's effectiveness in its core roles of supporting the rule of law and

Managing risk and an insurance update cont...

the Law Societies in each State and Territory.

On the local front the LSNT Council's working party has met and continues to attend and contribute to the Government working party. As most of you will be aware the Law Society remains concerned about further proposed Tort Law Reform particularly when there is no evidence which suggests any or further changes are warranted.

Well, I hope this has given you all something to think about, of course, if there are any matters which you wish to discuss further, please feel free to contact me or the Secretariat. ①

representing the profession at the national level," Mr Gotterson QC said.

"Peter's energy will maintain the momentum of the Law Council, and he is a worthy successor to Michael Lavarach," he said.

Mr Webb said he is looking forward to assuming the challenging position of Secretary-General at the Law Council.

"Law Council Secretary-General is a position of great responsibility. Representing Australian lawyers at the federal level is a vital role, one which is growing in importance," he said.

"The Law Council has an impressive



Mr Peter Webb, Secretary-General of the Law Council of Australia.

track record in its advocacy of national practice standards and in other major fields of work. My intention is to maintain the current drive and momentum of the Council." ①

Keeping the Territory moving ahead



The Chief Minister's Business Round Table

The Chief Minister's Business Round Table is a chance for businesses to talk directly to Government about the issues important to you.

Listening to ideas and issues from businesses is part of our commitment to keeping the Territory moving ahead.

For more information about the next Chief Minister's Business Round Table in your region contact:

1800 193 111

www.businessroundtable.nt.gov.au

email: brr.dbird@nt.gov.au



Northern Territory Government

www.businessroundtable.nt.gov.au