

Peter Garton, Geoff James

Lawyer (Darwin)

Brief career history: I was a refugee from the Maths Faculty of the University of Adelaide having been accused of causing grievous harm to the proof of beibnitz theorem. I then worked in the salvage diving and oil drilling industry in remote parts of Australia for a couple of years until they found me and made me join the Army; paradoxically, to learn to fly. I served one tour in Vietnam as a reconnaissance pilot and casual observer of death and destruction. I then worked in the aviation industry throughout Australia then came to Darwin to work in my parents' Loss Adjusting business.

As a result of being a close observer of the landscape and in the company of men and women of their time, like my wife Pam, Geoff James, Barb James, Lex Silvester, Jo Parish, Bill Parish, Owen and Helen Peake, Ted and Robbie Giblin, Strider and others, I participated in the formation of the Environment Council NT and the Darwin Solar Village project. We still live in a solar-powered house at Humpty Doo.

What motivated you to start working in the legal profession? As an insurance loss adjuster I worked closely with a number of lawyers and formed the opinion that they were really nice people so I decided to become one. A really nice person that is. I actually wanted to be a fireman but I enrolled in the wrong course.

How long have you been in the Territory and what brought you up here? I first came to the Territory when my parents returned after WW2. We then went back to Adelaide for my sister and I to do our schooling. I returned to Darwin in 1972 to join my parents, meet my wife, and have my children, Molly, Alice, Daniel and Joshua.

What is the best, and worst, thing about living and working in the Territory? They are one and the same, "remoteness". It is great to be in an open society and natural physical environment away from the large population centres but inevitably the family drifts to those large cities for the lifestyle they offer.

If you had the power to change one thing in the world, what would it be? I have already spoken to Slartibartfart about this, I want to reef at my favourite fishing spot a little longer and the water a little deeper. A rational long term

energy policy for the NT and Australia would be nice too.

What is your greatest achievement? Being able to share the last 29 years of my life with my wife and a great family. Although, I haven't asked them how they feel about that.

Describe your perfect weekend: Rise at about 5.45am, take Panadol for hangover from Friday night. Pam and I meet friends at golf course for daylight start, hit maybe a 41-42 for 9 holes, after golf have a large brunch, pack car and boat to go fishing, have vigorous political arguments around campfire that night. Go fishing early Sunday morning; come home, eat fish.

What are you most passionate about? Life - in all its guises. I was fortunate enough to recently discover the meaning of life, from the little-read philosopher Kilgour Trout who is best known for asking the rhetorical question "What is the white stuff at the end of birdshit".

What was the last book you read? "Man Without a Country" by Kurt Vonnegut.

What is your favourite movie? The original M.A.S.H directed by Robert Altman.

What was the last CD you bought? Ahmad Jamal - Live in Paris.

What is your favourite holiday destination and why? Falls Creek Victoria: great memories and great skiing at an affordable price.

Describe your perfect meal: Lamb salad of middle eastern appearance, served with a South Australian Shiraz. Followed by vanilla ice-cream smothered with mango and passionfruit puree and topped with chopped glace ginger. Finish with strong black coffee and Ferrero Rocher chocolate(s). You might as well then go fishing because you are not going to sleep.

After a long week at work it is finally Friday, you walk up to the bar and order a... Long scotch and soda; before I start on the South Australian Shiraz, preferably from Coonawarra district.

Three words that describe who you are: Father of four.

Stewart Boland, TIO (Darwin)

Brief career history: I started my law degree straight after high school at NTU (as it then was). I also worked as a manager at McDonalds while at Uni. I worked for the Government for six months after completing my degree before deciding to pursue a legal career. I did my articles at Ward Keller and worked there for just over three years following my admission. Since 2003 I have worked for TIO. I started as an in-house solicitor and am now working as a manager in the motor accidents compensation department.

What motivated you to start working in the legal profession? Doing something that no-one else in my family had ever done before and Alan Woodcock played for the same rugby club as me when I was a kid and was someone that I always looked up to.

How long have you been in the Territory and what brought you up here? I have been in Darwin for 25 years. I moved here with my parents in 1980 after my father joined the NT public service.

What is the best, and worst, thing about living and working in the Territory? The best is definitely the people. Although due to the transient population friends often leave, it is not long before you make new ones. The worst is the lack of big events - concerts, sporting events, etc.

If you had the power to change one thing in the world, what would it be? Give Dad his mobility back.

What is your greatest achievement? Work - my admission. Sport - representing the NT in both Rugby League and Rugby Union and winning the

NTRU's Best and Fairest Award twice.

What are your hobbies? Keeping fit and watching and playing sport - rugby union, rugby league, cricket, touch football.

Describe your perfect weekend: Gym after work on Friday followed by a nice pasta meal. A few laps of the Parap pool on Saturday morning and a game of footy in the afternoon. A couple of quiet beers on Saturday night to celebrate a good win. A BBQ on Sunday with friends.

What are you most passionate about? Family, friends and maintaining a balanced lifestyle.

What was the last book you read? "The Beach" by Alex Garland. Inspired by a recent trip to the marine park in Thailand where the movie was filmed.

What is your favourite movie? Goodfellas

What was the last CD you bought? Underworld 1992-2002

What is your favourite holiday destination? I've done a bit of travelling and can't separate Prague and San Francisco. Both cities just had an amazing atmosphere.

Describe your perfect meal: chicken pad thai and a diet coke.

After a long week at work it is finally Friday, you walk up to the bar and order a... During the rugby season - a water. In the off season - a cascade light followed by a rum and coke (or two).

Three words that describe you... athletic, honest, realistic.

Celia Kemp, ODPP (Darwin)

Brief career history: I studied medicine and law (and maths) at university. I did various clerkships at commercial firms and was not particularly inspired by them. When I finished medicine I worked for a year as an intern at St Vincent's Hospital at Darlinghurst, Sydney. Then I went to PNG for six months to work on an HIV/AIDS program for a development organisation and then to Toronto, Canada, to finish my law degree. After that I came up to the Territory as an articulated clerk with the ODPP and have been here since then.

What motivated you to start working in the legal profession? I was always much more interested in the theory of law than medical theory - I would read law books in my spare time but never medical journals. I did some work experience with the ODPP in NSW while I was an intern and went to the High

Court to watch *Veleviski* being argued and thought it was fascinating. I had always been interested in issues of justice. I eventually decided that it was more important to do what I loved than to stay in medicine, no matter how worthy a profession it seemed.

How long have you been in the Territory and what brought you up here? Nearly three years now. I always wanted to work in Darwin, even before it was to be as a lawyer, and was particularly interested in learning about indigenous Australia.

What is the best, and worst, thing about living and working in the Territory? The best things are the kindness of the people, the beauty and the fascinating work. The worst thing is the extremely

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Electronic communication: equal to paper-based transactions cont...

making a claim of the employer's decision within 10 working days.

In either case, personal service of the notice is not required.

Is the decision "information" under the ETA? Yes, since that word is very broadly defined to mean information in the form of data, text, images or sound.

The WHA's requirement to notify is clearly within the ambit of the ETA.

Provided the notice is in a form which is readily accessible, the only real issue is that of consent. If there has been a course of correspondence between the parties by email on the topic of the compensation or the claim, consent would be reasonably inferred. It may even be inferred where the course of correspondence was on a different topic, if email was the sole or principal means of communicating between the parties.

Proof of receipt of the notice may be more problematical than where the notice has been delivered personally. Section 13 of the ETA provides that the information is received by the recipient when it enters that person's information system. Proving that event would probably require production of the recipient's electronic records, on subpoena if not consensually.

CONCLUSION

You can adopt the approach of Civil Registry of the Magistrates Court and clarify your information system and policy regarding consent in relation to:

- * Giving or receiving information, including notices, in writing.
- * Providing a signature.
- * Producing a document.
- * Recording information.
- * Retaining a document.

Although there are some important matters that need to be satisfied (such as consent and the reliability and integrity of the communication form selected), the ETA renders the electronic form as legal as the traditional paper-based form of communication.

** George Roussos is a partner of Cridlands, practising in Employment and Insurance Law. George gratefully acknowledges the assistance of Julian Van Lingen (Lawyer, Cridlands) with research for the article; and Cameron Ford (In-House Counsel, Cridlands) for his comments and observations.*

FACES BEHIND THE LAW

Celia Kemp, ODPP (Darwin) cont...

high frequency of people leaving.

If you had the power to change one thing in the world, what would it be? Increase the amount of truth spoken.

What is your greatest achievement? Close relationships with family and friends.

What are your hobbies? Reading, church, theology (which I am studying at the moment), poetry, walking, skiing, listening to Radio National, talking to people!

Describe your perfect weekend: Listening to a brilliant speaker talk about theology or politics or law then having a fired up discussion about it with a group of close friends.

What are you most passionate about? God.

What was the last book you read? Birchwood by John Banville.

What is your favourite movie? Fried Green Tomatoes at the Whistlestop Cafe.

What was the last CD you bought? Foggy Highway, Paul Kelly and the Stormwater Boys.

What is your favourite holiday destination? Somewhere I haven't been before which is edgy and exciting and where I can learn lots of new things.

Describe your perfect meal: Anything cooked by someone else.

After a long week at work it is finally Friday, you walk up to the bar and order a... lemon, lime and bitters.

Three words that describe you... quirky, book-y, gregarious.

MAGISTRATE COURT MEETINGS

The following meetings are held for all practitioners at the Magistrates Court four times per year.

If you would like to attend these meetings please email your details to sally.glass@nt.gov.au to be added to the mailing list. This is your opportunity to become involved in the working of the court and make suggestions to improve court processes.

Civil Court User Group Meetings

21 March 2006; 20 June 2006; 19 September 2006; 19 December 2006

Criminal Court User Group

14 March 2006; 13 June 2006; 12 September 2006; 12 December 2006.