

A busy year ahead for the Society

What does 2008 have in store for the Society? It's probably too late in 2008 to make resolutions, but it is possible to make some predictions on the major issues that will be occupying the Council, Secretariat and indeed the Territory legal profession over the next year.

Legal Profession Act

We are about to "celebrate" the first anniversary of the commencement of the *Legal Profession Act*. The costs provisions became fully operational on 31 December 2007 (subject to transitional provisions), and I am currently answering queries, looking at problems arising and reviewing the draft costs documents prepared by the Society. They will require some amendments.

The Society is confident that most practitioners are well on the way to getting the 12 CPD points required by 31 March 2008, and a number of CPDs will be held in the coming weeks to facilitate compliance with the requirements.

The trust account external examination process (replacing "audit") will begin in April 2008, and practicing certificate renewal will be issued in April 2008.

The Professional Indemnity Insurance (PII) renewal process has begun, and we are awaiting advice on likely renewal terms.

The Society is working under the new disciplinary provisions, and the Legal Practitioners Disciplinary Tribunal has commenced operation. A CPD will be held on those matters shortly.

The Law Council of Australia will be establishing a Committee to look at harmonisation initiatives for the various Legal Profession Acts.

Possible national minimum standards for PII are also being

considered.

Member Services

The Member Services Committee of the Society is discussing how our members can get access to some of the schemes that practitioners in other jurisdictions enjoy.

Another priority for this Council year is setting up a scheme to help practitioners who are experiencing mental or other problems because of the strains of legal practice.

Many good schemes are in operation interstate, and we hope to develop one suitable to the Territory, and one that meets the special factors applying here.

Legislative Issues

At the local level, there are some major projects in train. They include the Local Government Bill, about which some practitioners have "issues", the *Care and Protection of Children Act* which will commence in a few months (and about which we will be further consulted) and the *Domestic and Family Violence Act*. It is understood a draft Liquor Bill will shortly be circulated, and there will be major criminal law amendments. It also appears that with the "reactivation" of the Standing Committee of Attorneys-General, there will be pressure to further advance projects such as the *Uniform Evidence Act* and succession initiatives (not that they have been ignored by the Attorney and his Department). The review of Unit Titles legislation should also proceed.

I am awaiting an update on progress relating to the Vendor Disclosure Discussion Paper, noting it is being reworked to reflect concerns advanced by the Society, and others.

At a Commonwealth level, a



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matter of major concern is what will happen with the Intervention initiatives. Developments will be watched closely by the Council and Law Society Indigenous Issues Committee.

Of major concern is what happens with the second tranche of the amendments relating to Anti-Money Laundering, in particular how they will be applied to lawyers. Issues include how legal professional privilege will be dealt with, the checks required by lawyers and the disclosure requirements. The Law Council of Australia has been vigorously lobbying government. More information on developments should be released shortly.

Functions and Events

This year's Opening of the Legal Year events were particularly successful, however the Society invites feedback from practitioners, particularly in regards to the format of the event and the relevance (or otherwise) of an ecumenical service.

Practitioners can then look forward

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to the commemoration dinner being held for Justices Angel and Thomas, at the Supreme Court Foyer on 12 April 2008.

Law Week, which will look at Indigenous issues, will start on 26 May 2008. The Society is seeking expressions of interest from agencies wishing to co-ordinate, or be involved in, an event during this busy educational week.

The Law Society and Statutory

Supervisor will host the annual Conference of Regulatory Officers on 12 and 13 June, and Darwin will host a Law Council of Australia Directors Meeting on 13 and 14 June 2008.

Congratulations

The last *Balance* included some details of some of the achievements of current and former Society members. The Australia Day Honours List announced the

award of an Australian Public Service Medal to Robert Bradshaw, Director Legislative Policy at the Department of Justice. The Society offers its congratulations!

Congratulations also, to Rosemary Jacob, of Robert Welfare Barristers and Solicitors, on her admission to legal practice at age 72. I can only hope that I'll be as active and ambitious at Rosemary's age!

President's report: My successful start to '08!...

clearly see rocks and sand beneath the boat, and the occasional flash of a marine creature, too fast to be identified as it kicked up the sand and darted away.

Unfortunately, the only things we could attract to our lines were a couple of sharks, which we let off with a warning. Our day on the reef was cut short by a spectacular storm that had built up over the Tiwi Islands. As it grew, it began growling at us, more or less as if to say "don't push your luck fellas". I'm no hero and I had my trophy in the icebox already, so without too much hesitation we turned and headed for home, a mere 20 minute burn across flat seas to the creek mouth.

All of these wonders were within a half-hour of our launch site at Buffalo Creek on the edge of the suburbs of the city. To think that such pristine nature, great adventure and a complete other world is just at our doorstep, what an escape! That's what holidays are all about.

But now, the summer tennis is over, the test cricket is gone, and it's time to get back to work. Future fishing trips will have to be squeezed into weekends and Easter, between kids sport, client expectations and future *Balance* articles.


Work must begin. Still, the picture

in my mind of that first silver flash in the brown salty water, will be enough to remind me of why it is we go to work, and make sure to make time for life.


Till next time...



*Duncan McConnel,
Law Society
President*



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