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## The life of the Law Society President...cont. from page 3

My sincere hope is that the Law Council can advocate to ensure that the Framework is developed quickly so that the issues of Indigenous law and justice can begin to make some progress.

The second session of the retreat involved a presentation on the corporate structure and governance of the Law Council. The Law Council has developed from its origins as a federation of all of the Bar Councils, Law Societies and similar bodies of the various Australian States 75 years ago. In 2002, the Law Council became

an incorporated body. It is now a corporation governed by the Corporations laws. Various issues have arisen from time to time about the appropriate balance between the Law Council's role as a national body to represent the profession nationally and the various State and Territory interests and the need to ensure that there is fair and appropriate representation of all of the constituent bodies on the Council at any one time.

As a result of the issues discussed at the Director's Retreat, there will be an additional executive position

sought for the Law Council which will require an amendment to its Constitution.

Further, the Governance Committee of the Law Council will be reactivated and will undertake a review of the governance structure of the Law Council and report back to the Law Council at a future meeting.

At both a Territory and national level, it appears that 2009 will be another year of significant activity for Law Society and Law Council alike.

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### FOR THE RECORD

## The challenges of remote and regional practice

I am wondering whether the Global Financial Crisis and the subsequent downsizing decisions by some southern practices will see an influx of lawyers into the Territory to fill the gaps in law practices in Darwin and Alice Springs, and the various legal aid organisations.

One issue is how they would fit into the varied challenges of legal practice in the Northern Territory, whether it be in a Darwin practice acting for major corporates, drafting statutory instruments, assisting with the prosecution in a complex murder or assault case or representing or prosecuting Indigenous Territorians in a remote bush court.

In many cases, working in remote communities, whether dealing with the victims of domestic violence, prosecuting or acting for defendants, offers some major challenges for practitioners. The Intervention and even the Northern Territory shire "reforms" have created additional challenges.

This edition of *Balance* outlines some of the issues involved.

Frequently, the communities are only accessible by plane or long road trips. Many of the people involved have English as a second or third language. Cultural values for Indigenous people are very strong in many communities with a "two way" legal system. Lists are frequently long, and practitioners have to deal with this whilst operating in small offices in police stations or council buildings or sometimes in the open air under a tree.

How can the Society help not only the practitioners working in this environment, but others involved in the Court system? The Council of the Societies regards these matters as priorities, and various Society Committees, such as the Indigenous Issues, Access to Justice and Family Law Committees, deal with the various matters.

The Society has supported the production of the Indigenous Protocols, a copy of which is provided to newly admitted practitioners.

We have endeavoured to assist practitioners with CPDs that assist



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in practice.

The Society consults on practice issues and liaises with LeMessurier Harrington as required, including on practice issues such as Information Barrier guidelines.

The Society regularly considers, and comments on, relevant legislation. Whilst it can easily be seen from some current Bills that our



comments are not always fully taken into account, we do occasionally have some success. In addition, to assist practitioners, we work with Government agencies on implementation issues.

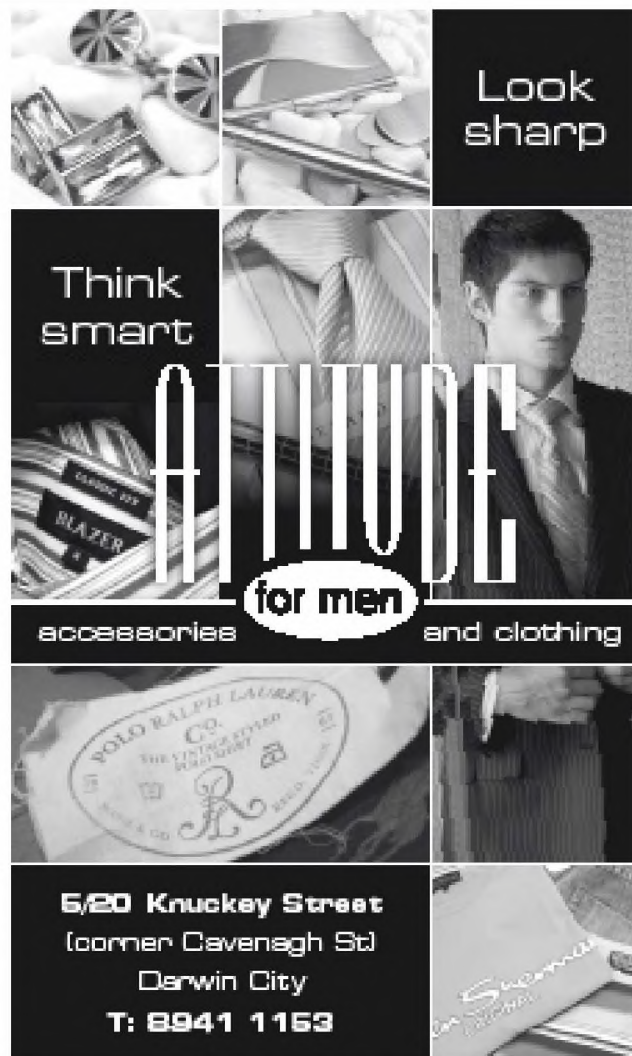
The society works closely with the Law Council of Australia on related issues, and we very much appreciate their support. I enjoy liaising with staff members, such as Nick Parmeter and Rosemary Budavari. Society members, including Vice-President Matthew Storey, are on the Council's Indigenous Issues Committee. This very much assists in matters of national focus. Their recent National Access to Justice Conference was a great success.

The Access to Justice Committee has a number of things on the go, and the Pro Bono Clearing House is being reactivated.

The Access to Justice Conference considered provision of legal services to rural and remote communities, and the Council has a Working Group developing initiatives for recruitment of legal staff to rural and remote communities. Duncan McConnell is on this group. However, one issue is what is considered remote, it being suggested that towns 200km out of a major capital city fit into this category.

These are just some of the initiatives. Law Week 2009 will have as a theme of providing services in the '3Rs'- Regional, Rural and Remote areas.

Any further ideas on how the Society could improve their performance in these areas would be welcome.



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## CALD family law project

By Fiona Hussin, Northern Territory Legal Aid Commission (NTLAC)

The NT Legal Aid Commission is working in partnership with Mela-leuca Refugee Centre to develop a family law (including domestic violence and child protection) education kit for newly arrived and migrant communities in the NT. Funding for the project is provided by the Law Society Public Purposes Trust.

The project has been adapted from similar kits produced in other states (largely the kit produced by the Legal Services Commission in SA) but has a strong focus on community development and engagement. The kit will utilise creative education methods such as story telling and role play to generate discussion about family law issues.

Members of many of the newly arrived and migrant communities

in Darwin have been involved in the development of the kit. A community member reference group has been meeting each month since August 2008. The role of this group is to assist the project team to identify areas of legal need and gaps in knowledge about family law in the various newly arrived and migrant communities. This group is also providing the project team with strategies for engaging with their communities.

A service provider reference group has also been established to provide guidance and support for the project. This group is made up of other legal services and stakeholders including Relationships Australia, The Multicultural Council of the Northern Territory and the Top End Women's Legal

Service. It is anticipated that these and other stakeholders will be able to make use of the kit, and provide the education to community groups when the kit is completed.

From January to April 2009 focus groups made up of newly arrived and migrant community members will be formed to trial the education kit. Feedback provided by these focus groups will be used to refine and modify the kit. The final kit and a report on the project will be produced in May 2009.

If you are interested in being involved in the project, or if you have contacts within the newly arrived or migrant communities in the NT who you think would be interested in being involved, please contact Bethany at the NT Legal Aid Commission on 8999 3070.