

New Council

2009 - 2010 Council declared at AGM

Wednesday 14 October 2009

Outgoing President, Mr Duncan McConnel commenced his report by advising this would be his last AGM as President of the Law Society and said "It has been an extraordinary privilege to serve as the President for the last two years." He went on to say:

"It is an important position in the profession and the community, I have had opportunities to meet with government, both NT and Commonwealth, to be involved in shaping policy (in a small way), to meet with and discuss frankly issues affecting the profession with Judges, Magistrates and fellow lawyers around the country.

I came to the position of President shortly after the Society had gone through a major transition as a result of the new Legal Profession Act. The Society took over regulation of trust accounts, took on a changed regulatory role in respect of professional conduct and became more involved in the national regulation of practitioners. The transition into the new era of the Society was a smooth one thanks to the efforts of the Secretariat in particular, and also to the Council and the Committees of the time. The CPD program that has been offered by the Society has been consistently excellent and particular efforts have been

made to ensure that Alice Springs and remote practitioners do not miss out on CPD services. The initiative spearheaded by Jason Schoolmeester to trial web based CPD presentations was a resounding success and I hope that it continues and expands in the future.

Trust account regulation has operated virtually without incident notwithstanding significant changes imposed on solicitors.

Insurance continued to be the good news story for the Society until about 12 months ago. Unfortunately, we have seen deterioration in our claims history and as a result premiums were slightly increased this year. They remain at historic low levels; we pay less than most other jurisdictions.

We have faced some extraordinarily difficult challenges in the area of complaints. The Ethics Committee does an incredible amount of voluntary work in investigating and making recommendations on complaints against practitioners. We have had a number of matters progress to the Legal Practitioners Disciplinary Tribunal. The workload in this area has been significant and we have recently been fortunate to secure Allison Smart's services as a Professional Standards Solicitor.

I would also like to acknowledge the work undertaken by Jacqueline Presbury in this difficult role over the past two years.

An area I was keen for the Society to lift was its profile was in speaking publicly on issues affecting the profession and the community generally. These are the issues for which the Society was formed many years ago. I am very happy with the way the Society has fulfilled that role in the two years of my Presidency. We have been instrumental in some important changes and developments in government policy as a result of issues we have aired publicly. Some examples include mandatory reporting of teen consensual sex, imprisonment of mentally ill people because of lack of adequate community-based facilities, responses to overcrowding in our prisons and a lack of service delivery of education and training to prisoners in our prisons, to name a few.

We have also quietly achieved important reforms in a number of areas through working co-operatively with government, including in relation to unit titles legislation, vendor disclosure, serious organised crime, bail, to name only a few.

The Society faces major challenges going forwards. Our operating costs are significant and have doubled in recent years. There will be continued pressure to keep our operating costs under tight control

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in order to ensure that the reserves built up in the Fidelity Fund can be maintained.

National reform of the legal profession is again occurring, with further moves to create consistencies between the States and the Territories and a possible future Commonwealth or nationally appointed co-ordinating role being considered.

The Law Society's future could well be threatened by such proposals. Mindful of that, we have taken steps to ensure that we are able to participate in the development of the model, with Barbara Bradshaw on the national consultative group

for the new model legislation. I have spent a good deal of time focusing on the issues that affect our Society in order to put us in the strongest possible position to deal with whatever changes lie ahead.

It is a time in which the profession will be forced to give serious thought to what role it would like to see for our Society. We could become simply an Association of likeminded individuals, gathered for the purpose of collective comment and lobbying on issues for the profession. But if we as a profession want to continue to self regulate, to maintain our own standards of our conduct, then it is going to be necessary to hear

that from you. More importantly, it is going to be necessary for you to convince governments that that is the wish of the profession and that it is the best approach.

May I say in closing, my extreme gratitude to Barbara Bradshaw, the staff of the Society and the Council. I could not have done my job without their assistance. In moments of wheel wobble (which were plenty) I had wise heads to consult with. One of those wise heads is taking over from me today. Matthew, I wish you and your new Council the best of luck. I look forward to seeing your mark being made on the Council and the profession in the time ahead." }

2009 - 2010 Executive



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Matthew Storey



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Incoming President, Mr Matthew Storey said that "in the normal course of events he would hold office for two terms but we are heading into very difficult times with the National Legal Profession Reform which will have a huge impact on the LSNT over the next two years.

From the point of view of the Society it is unlikely to be a good thing. There are a number of issues for small and isolated jurisdictions like the Northern Territory.

What will happen to such things as disciplinary matters which are likely to be moved to a national disciplinary commissioner, what will happen with control of the fidelity fund? If the move to a national uniform profession takes place what will happen to PII? Will it be regulated in relation to large firms in Sydney? All these things need to be addressed over the coming months.

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The Secretariat will be smaller. The profession should be aware that some of the matters discussed in "The Australian" will impact on them and they should be vocal

about their concerns.

Mr McConnel will be heavily involved in these matters through Law Council Australia. It is pleasing to see other Law Societies have begun rising to the challenge of a national legal profession reform."

Mr Storey concluded by giving his thanks to Mr McConnel, Ms Bradshaw and the 'extraordinary' staff of the Secretariat. }

CRIMINAL JUSTICE COMMITTEE INVITING EXPRESSIONS OF INTEREST

The LSNT Criminal Justice Committee is inviting expressions of interest from practitioners with current criminal law experience to join the Criminal Justice Committee. The committee meets on a monthly basis at the Law Society. Interested parties should register their interest by e-mail with Barbie McDermott, including a short summary of their relevant experience and expertise.

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