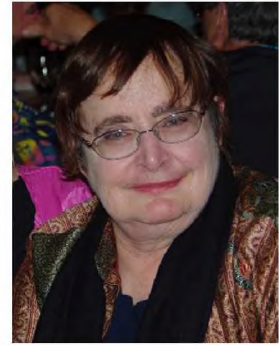


Friday 13th ...

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I am writing this piece on 4 August 2010. This is a notable time in the Territory as it is a couple of days after the Picnic Day holiday in the Northern Territory and those in the Secretariat are making preparations for the Annual Dinner which will also be a farewell for the Chief Justice the Hon Brian Martin. The date also coincides with the Federal Election.

A new Federal Magistrate, Ms Leanne Turner, has started sitting in the Federal Magistrates Court in the Territory and the new Chief Magistrate Ms. Hilary Hannam will be sworn in on 13 August 2010. The Attorney-General has recently announced that Justice the Hon Trevor Riley will be the new Chief Justice. The next *Balance* will deal with these matters.

One of the most important “dates” is the 13 August 2010, which is the close off date for comments on the National Legal profession Reform package.

Directors of the Law Council of Australia attended a special meeting on 24 July 2010 where the development of the Law Council submission was discussed. Matthew Storey and myself represented the Society at the discussions with Duncan McConnel attending in his capacity as a member of the national Law Council of Australia Executive.

I am now looking at the draft submission. Comments will be provided to the LCA President and a final submission will go to

Directors next week with a view to the submission being provided to the Task Force by 13 August 2010. The society will also be drawing some supplementary matters to the attention of the Task Force and the Northern Territory Department of Justice.

Whilst there are major policy issues of concern such as the composition of National Legal Services Board, there are other issues of note such as the proposed costs provisions, powers of the proposed Ombudsman and the proposals relating to admissions.

It is also of concern that no effective costings of the proposed system have been worked out.

The Task Force will be seeing a report on costings in the next couple of week but there appears to be no guarantee that the report will be provided to the Consultative Group

What will happen after the Task Force sees the various comments?

There will be a lot of material for the Task Force to consider. It is understood a report will need to be made to the Standing Committee of Attorneys-General and a further report will be made to the Coalition of Australian Governments by the end of the 2010.

My belief is that, whatever party takes power after the Federal Election, that things will proceed, but at a slower rate.

It is noted that at a local level the

“related” issues of assaults, alcohol issues, domestic violence and the role of the judicial system have been getting a lot of airing in the media.

The retiring Chief Justice and others have pointed out that the Courts often deal with problems occurring at the end of the process and imprisonment is not necessarily a “cure” for general social problems that eventually end up with the Courts’ involvement.

Recent statistics have shown an increase in alcohol-fuelled violence, a major proportion of it being family violence. It is understood that the Northern Territory Government will be looking at other means of dealing with alcohol problems apart from legislative amendment with Alcohol Management Plans being a major part of this strategy. The Society will be looking closely at these measures and is looking to establish a working group of interested practitioners to work specifically on these matters.

It is also noted that the Report of the Child Protection Inquiry will shortly be released. The Society provided a submission to the Inquiry which is now on the website, along with a number of other (and arguably more interesting) submissions. We feel, given the issues involved there is a continuing role for the Courts and profession in protecting the interests of children in particular who are involved in the process and we have asked to be consulted as the Care and Protection of Children Act is reviewed following the Inquiry. ●