

Full Circle

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It's that time of year when the coconuts start to fall from the tree and that jogger or cyclist you pass is likely to be a colleague. Centralian's are stoking their log fires whilst top-enders are wrestling crocodiles for warmth. And the Tour de France is on SBS.

Things have come full circle and I celebrate a year as CEO by tossing aside another living dinosaur, turning my back to the bushfires, wiping my brow and reviewing the year that was. Since commencing it has seemed as if the Society is in a constant state of improvement, which is now bearing fruit. Along with the challenges this brings I have enjoyed most of all the feedback from the membership, the support of the Council and staff and the support of fellow law society CEOs and fellow regulators.

Horizon

If you have ever dared to write down New Year's resolutions, you too will appreciate that sometimes things do not turn out as you expect. That is not to say that things turn out badly, in this case things are much better than I hoped. If I were to identify key areas it would be:

- Collaboration
- Communication
- Regulation
- Transformation

Collaboration

In the grand scheme of things the Society is small, there are no economies of scale, and there

are tyrannies of distance. But we work together, to the great surprise of many. Sole practitioners, barristers, government lawyers, legal service providers and larger firms all contribute to the work of the Society. This includes standing for Council, participating in committees, contributing to the journal *Balance*, or attending events. We also take that spirit of partnership with us, and whilst maintaining our identity, we can do more, be more, and have more for the profession and the membership through our collaborations with other law societies through the Council of Law Societies and the Law Council of Australia. The generosity of other societies, the willingness to share resources and ideas is unquantifiable. The Society is well placed to foster this collegiate spirit to encourage partnerships and we can all be bigger and better, reach farther and do more than we could if it was just me and ten staff.

Communication

It is important that the Society not only does but is seen to do things. The Society engages with stakeholders such as members, policy makers and legislators and that the Society needs to have a voice on social justice matters. The Society has enjoyed the support of the media and President Peggy Cheong has been a capable and forthright advocate on issues close to the heart of the Society. These issues have included (to greater or lesser success):

- The Courts infrastructure

- Youth Justice, naming and shaming
- Stronger Futures

Members should be proud of the work of the Society in drafting submissions on issues of local, national and international importance. At times this advocacy is less overt however; there is an important and delicate balance between advocate and agitator which the Society continues to navigate with aplomb.

Transformation

To return to a metaphor of my first *Balance* article, the baton is poised over a nationally regulated profession. I took my seat acknowledging that transformation was on the program. One year on and we are still waiting for the curtain to go up. That is not to say that there has been no activity behind the scenes. The audience can hear the strains of a fairly discordant orchestra and is happy to wait while each section has a little practice on their own. At the time of writing, it is anticipated that New South Wales and Victoria will come out singing and dancing in harmony with maybe a few others joining in the chorus. The Council has elected to wait and hear the music before deciding what part if any we can play.

Regulation

As I have discussed with many of you the objective of any regulator is compliance. The Society has

focused on the many ways that we assist the profession meet the requirements of the *Legal Profession Act*. One of the keys to success is communication and to maximise the use of the website and social media in addition to our publications. Check out the details on page 13.

Trust Accounts

Most partners in firms know External Examiner (EE) reports are due in April each year. As foreshadowed, there have been some changes in this area. As always feedback has been very helpful. You will have seen changes in the Society's online forms and particularly the *Self-Assessment Checklist*. We will be further reviewing the EE process in August / September so if you have any comments please feel free to email Kellie Grainer (Manager Regulatory Services) who will oversee this review kellie.grainger@lawsocietynt.asn.au.

Each year the Society provides a briefing to the External Examiners which was this year provided by Merit Partners and was open to the profession. The Society's objective is to provide choice to the profession. We appreciate all those that gave feedback about the session, which we will take on board for next year.

The examiner's report is an important oversight tool for firms to 'test' their processes and procedures and implement changes that are identified. Firms will get the most from this process if they remember to:

- Engage in the self-assessment process personally
- Discuss any identified issues with the examiner
- Contact the Society if you need further assistance

The appointment of examiners is reviewed each year and you should raise any concerns with the Society. The Society will contact

examiners in the first instance where a report raises concerns.

CPD Declarations

All practitioners are aware that CPD declarations are due 31 March each year. Unfortunately only half of the profession had complied with this obligation by the due date! We experienced the usual challenges, with the Society offering a number of CPDs, requests for DVDs going through the roof, and telephone enquiries aplenty. We anticipate updating the guidelines to answer some of the frequently asked questions and generally make this process easier. Over and above this, we had our new staff member, Bella, exceeding all expectations in the delivery of the Criminal Lawyers Association of the Northern Territory (CLANT) partnership seminar on the *Uniform Evidence Act*. All in all, a busy time!

Importantly you should know:

- If you have not complied with your CPD obligations your PC cannot issue
- Your application for a practising certificate is considered "non-complaint" – you may incur a late fee
- You cannot accrue points after 30 June to count towards the preceding year

Last year a number of practitioners were not able to be renewed because they had not supplied declarations. This resulted in disciplinary action for practising without a certificate. Don't let this be you. My top five tips if you are having difficulty:

- DVDs, available from the Society or borrowed from colleagues
- Online, various content providers including other Societies.
- Don't forget business skills, training online, EASA or NTG offerings for small business

- Write an article for Balance, your years of experience amount to something
- Conduct a CPD, a point for each hour or preparation

And if all else fails and your circumstances require it, you can apply for an exemption

Licensing

We have now completed the renewals process. A number of practitioners incurred the late fee even though they submitted their paperwork prior to 31 May. Here is a summary of the reasons:

- No PII
- No payment
- Incomplete/ incorrect documentation
- No CPD declaration

As with all things, we will look again once the dust has settled. If you can think of ways that this process could be simplified please do not hesitate to contact me.

PII

This year the Society invited MARSH to develop and implement a self-audit risk assessment checklist. This replaced the risk-audits of previous years conducted by LeMessurier Harrington Consulting. There was higher than usual uptake of the audits, and many firms were able to benefit from the significant discount this offered on their PII renewal premium. Ms Cheryl Richardson, of MARSH, is collating the feedback from the audits so if you have any comments please forward to Cheryl at cheryl.richardson@marsh.com.

In summary there has been a deal of collaboration, buckets of transformation, enthusiastic communication and the ever present regulation – just not as I expected.

Until we meet again. ●