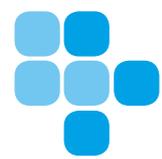


**LAW SOCIETY**  
**Northern Territory**  
**Annual Report**  
**2012 - 2013**





# Law Society Northern Territory

## EXECUTIVE

PRESIDENT // MS PEGGY CHEONG  
VICE-PRESIDENT // MS CANDICE MACLEAN  
TREASURER // MR TASS LIVERIS  
SECRETARY // MR NIGEL BROWNE

## COUNCILLORS

MS FIONA HUSSIN  
MR DUNCAN MCCONNELL  
MR JARED SHARP  
MR JEFF COLLINS  
MS MARIA SAVVAS  
MR CECIL BLACK  
MR MATTHEW STOREY  
MS MARGARET ORWIN  
MR BRUCE TAYLOR  
ALICE SPRINGS REPRESENTATIVE // MR MARK O'REILLY  
ALICE SPRINGS ALTERNATE REPRESENTATIVE // MR TONY WHITELUM  
ALICE SPRINGS REPRESENTATIVE // MR ASHLEY DEWELL  
NT BAR ASSOCIATION REPRESENTATIVE // MR DAVID ALDERMAN  
YOUNG LAWYERS REPRESENTATIVE // MS EMMA FARNELL  
YOUNG LAWYERS REPRESENTATIVE // MS IMOGEN TAYLOR  
YOUNG LAWYERS REPRESENTATIVE // MS DONNA STOREY  
YOUNG LAWYERS ALTERNATE REPRESENTATIVE // MR ASHLEY MARSH  
YOUNG LAWYERS REPLACEMENT ALTERNATE REPRESENTATIVE // MS OLIVIA GO

## SECRETARIAT

CHIEF EXECUTIVE OFFICER // MS MEGAN LAWTON  
MANAGER CORPORATE SERVICES // MS JULIE DAVIS  
MANAGER REGULATORY SERVICES AND PROFESSIONAL STANDARDS // MS KELLIE GRAINGER  
PUBLIC RELATIONS OFFICER // MS SUZIE SIMMONS  
PROJECT OFFICER - RESEARCH AND POLICY // MS JACKIE ANTOUN  
PROFESSIONAL DEVELOPMENT OFFICER // MS BELLA BASILIDES  
PERSONAL ASSISTANT TO CEO // MS SONIA OLIVEIRA  
ADMINISTRATION OFFICER REGULATORY SERVICES // MS MELANIE LAWSON  
FINANCE OFFICER // MS DAGMAR BRAUTIGAM  
LICENSING OFFICER // MS DANIELLE SAWYER  
RECEPTIONIST // MS LILY COE

**VISION**  
THE PRE-EMINENT  
VOICE SUPPORTING  
AND ADVANCING THE  
LEGAL PROFESSION  
IN THE NORTHERN  
TERRITORY.

**VALUES**  
INTEGRITY,  
ACCOUNTABILITY,  
EXCELLENCE.





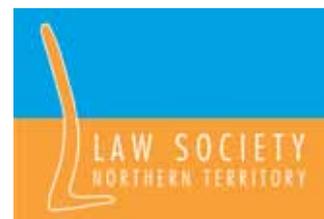
## LAW SOCIETY NORTHERN TERRITORY

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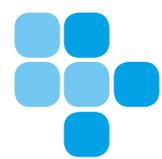


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## MISSION STATEMENT: EFFECTIVE 10 OCTOBER 2012

The Law Society Northern Territory promotes the interests of its members and the public by providing leadership in a time of change, and by:

- (a) facilitating and improving the delivery of fair, economic and efficient legal services;
- (b) enhancing access to justice, improving the law and maintaining individual rights; being accountable for and maintaining the highest standards of professional conduct; and
- (c) representing and promoting the Northern Territory legal profession and the legal services it provides to the community.



## President's Report

**M**y second year as president of the Law Society Northern Territory (the Society) has been more interesting and enjoyable than the first. The second year has been more challenging, with the change of Government in the Northern Territory in August 2012, as well as ongoing national issues such as the apparent demise of the National Legal Profession Reform (NLPR) and introduction of Australia Solicitors Conduct Rules (ASCR) in various States and Territory (not yet adopted in the NT). Again, my contribution would not have been possible without the staff and secretariat of the Society; the engine that drives the services and work output of the Society. Therefore I wish to express my profound thanks to all the staff at the Society who have made my job so much easier and have made my last 12 months run smoothly and efficiently.

Special thanks go to my CEO, Megan Lawton, who is tireless and fearless in her pursuit of all issues pertaining to the Society both on a local and national level. Megan works extremely hard and she does sacrifice much (including her health) when she has to attend week long conferences in Bali (CLANT) and Hong Kong (IILACE) and many others. I do not know how this mother of three young children manages it, her energy levels are superb and her enthusiasm for her job is unwavering... go Megan! I also express similar gratitude to Julie Davis, our CFO, who keeps the Council focused on our finances and spending; and lastly, but not least, to our Manager of Regulatory Services, Kellie Grainger, who works tirelessly on the complaint matters and supervising licensing, CPD and Trust Accounts. These ladies and all of the staff at the Society are awesome!

I continue to be involved in the various committees of the Society, which are made up of Councillors and volunteers from the local legal profession. I thank committee members for their hard work and contribution to the Society throughout the year. Without their efforts the Society would not be able to produce the high standard of submissions to Government, legislative bodies, as well as providing advocacy and advice to, and on behalf of Council. I continue to chair the Society's Ethics Committee, the PII Committee, and the Legal Practice Committee, and am a member of the Social Justice Committee. As president I also remain

on the Funds Management Committee the Legal Practitioners Admission Board, the Northern Territory Law Reform Committee and various Supreme Court and Local Court users groups.

I continue as a Director of the Law Council of Australia (LCA) and have attended various meetings of same as well as meeting of the Conference of Law Societies (COLS). There have been some limited ongoing developments regarding the National Legal Profession Reforms (NLPR), which is now more properly described as the Uniform Legal Profession Reforms, as they appear to be applicable to practitioners in Victoria and New South Wales. I understand that those two States intend to proceed with the proposed reforms and are hopeful that once implemented and shown to be generally useful and acceptable to those jurisdictions, that other States and Territories will then reconsider their positions and elect to be a part of the said Uniform Reforms. The Society has not been 'engaged' by Victoria or New South Wales as anticipated when the Federal Government indicated that funding for the reforms will not be provided if the reforms were not accepted nationally by all States and Territories. I was advised that Victoria and New South Wales were going to 'engage' the other jurisdictions in the process further but this did not occur and the Uniform Legal Profession Reforms are now proceeding with just Victoria and New South Wales... interesting. In the circumstances the Society will watch and monitor with interest the progress of Uniform Legal Profession Reform in the relevant States to assess the likely outcome and any application or advantages of same for the Northern Territory.

The Model Australian Solicitors Conduct Rules (ASCR), passed by the Law Council of Australia has been adopted by Queensland and South Australia, with New South Wales and Victoria indicating through their legal services commissioners that adoption will proceed after review of the commentary. The LCA has now released the commentary on the ASCR for consideration by stakeholders and interested parties. The size of the commentary appears far lengthier than the Rules themselves. The commentary is intended to provide additional information and guidance in understanding how particular rules may apply in some situations. The commentary makes interesting reading.



The Society will consider the commentary in the coming weeks / months and note its application and usefulness in better explaining the effect and intent of the ASCR generally.

Law Week activities in 2013 were once again well supported by the community and profession generally. Once again the Society is grateful for the assistance of the profession and others who participated during this week and particularly the community legal education sector. Also, the annual cricket match between the President's XI and the Chief Justice's XI continues to be a competitive undertaking by both sides. The President's XI was successful in wresting the trophy back from the Chief Justice, thanks to the dedication of my team of capable cricketers, their hard work, great bowling, impeccable batting, precise fielding and amazing sporting prowess. My team was grateful that, having nominated myself as the best player for the Chief Justice's team during my attempt to bat and give away runs to the opposing team, I did not participate when the President's XI took to the field. As a result of my absence from the fielding side, my team was victorious... did I mention, the President's XI won back the trophy in 2013....

With the change in the Government for the Northern Territory in August 2012, there has been a lot of developments in the legal arena, with the introduction and commencement of a wide variety of legislation; in particular, dealing with alcohol reforms, mandatory sentencing, mandatory rehabilitation, social justice and access to justice issues in the Northern Territory. The Society, and especially its committees, the Social Justice Committee in particular, has had, and continues to have, a heavy workload considering these changes, proposed legislation and legislative amendments and making submissions to the Government as appropriate. I thank the hard work of all these committees and their members. I also extend my gratitude to the Attorney-General, Mr John Elferink MLA, who has been an enthusiastic participant in Society events and has made himself available to meet with me.

Issues in relation to social justice and access to justice continue to be in the forefront for local practitioners with significant increases in Court fees in both the Magistrates and Supreme Court in 2013. In addition there remains no Family Court Registry in Alice Springs despite the Society's ongoing communications with the Federal Court authorities. I note that the Productivity Commission review of access to justice, has been tasked to review these issues on a national level and the Commission's report is expected in another 12 months. I met with Commissioner McRae of the Productivity Commission, and we attempted to identify for the Commission the relevant issues for the profession and residents of the Northern Territory. Commissioner McRae and her investigators were most helpful and interested in the issues that we raised, and hopefully there will be some consideration to specific Northern Territory issues in their ongoing task of reviewing and reporting on these matters.

The Productivity Commission report will be a significant report upon which long-term policy decisions with respect to the Government's role in providing legal assistance for all Australians will be made.

The next year (2013/ 2014) will continue to be interesting and challenging times for the Australian nationally, the Northern Territory locally and for the legal profession generally. The recent change in Federal Government will no doubt mean further changes and reviews in legal policies and directions of the new Government's focus on border controls and access to justice issues.

I look forward to the challenges ahead and hope that I will be able to contribute to the ongoing improvement and maintenance of the work and lifestyle balance for practitioners in the Territory.

 **Peggy Cheong**  
President



# Treasurer's Report

In the 12/13 financial year the Society took steps to implement budgetary strategies designed to enhance the financial productivity of the Society and this presented challenges that were met by the staff and the Secretariat as a whole. The hard work of Secretariat staff, particularly Julie Davis and Dagmar Brautigam contributed to the success of the financial year and planning for the future.

The Society recorded a surplus of \$38,183 for the 12/13 financial year which increases accumulated members funds to \$819,099.

Funding Submission 8 for the 12/13 financial requested an amount of \$1,728,362 and this amount was subsequently recommended by the Funds Management Committee and then approved by the Minister for Justice and Attorney-General, Mr Rob Knight MLA. The 12/13 funding submission sought \$133,542 more than the previous year and was based on the forecast of funds required to discharge the Society's functions with a focus on National Legal Profession Reform which was a part of the regulatory climate at that time. Provision was made for a salaried NLPR Officer to

be engaged and it was anticipated that a significant body of work would be undertaken to investigate, keep abreast of, disseminate information, liaise, negotiate and inform relevant stakeholders in relation to the progress of and implementation of NLPR. Ultimately, the Northern Territory, along with a number of jurisdictions withdrew from participation in NLPR and adopted a "wait and see" approach. This meant that funding received for an NLPR Officer was not expended. This, together with other savings and underspends, resulted in an amount of \$316,255 being returned to the LPFF. Under the agreement with the LPFF, the Society receives funding on the basis that unexpended funds are returned to the LPFF for reinvestment.

In January 2013, and in the light of the continued restrained economic and political climate, the Society undertook a review of all income and expense accounts to endeavour to maximise income and minimise expenses wherever possible. The full outcomes of the review will be realised in the 13/14 financial year.

2009/2010	2009/2010	2010/2011	2011/2012	2012/2013
LSNT Sub No. 4	Relocation Sub No. 5	LSNT Sub No. 6	LSNT Sub No. 7	LSNT Sub No. 8
2009 / 2010 (12 months)	Relocation Costs (95%)	2010 / 2011 (12 Months)	2011 / 2012 (12 Months)	2012 / 2013 (12 Months)
\$1,473,541	\$80,940	\$1,496,056	\$1,594,820	\$1,728,373
Expended \$1,448,435	Expended \$73,430	Expended \$1,477,470	Expended \$1,433,697*	Expended \$1,412,118
Funds remitted to LPFF \$98,536	Funds remitted to LPFF \$7,510	Remit to LPFF \$18,586	Remit to LPFF \$161,123*	Remit to LPFF \$316,255

 **Tass Liveris**  
Treasurer



### ADVOCACY HIGHLIGHTS

- "Making Justice Work" - campaign
- NTCOSS forum – Justice Reinvestment
- Visits to Darwin and Alice Springs Correctional Centres
- LCA visit to Immigration Detention Facilities

### EVENTS HIGHLIGHTS

- LSNT members Christmas drinks 100-120 in attendance
- Law Week spectacular 17 events across the Territory for the profession and the public
- Bishop Hurley spoke to a sold out event in Darwin

### EVENTS HIGHLIGHTS

- LSNT 2012 Annual dinner at Pee Wees attended by 97
- AGM 2012 35 members in attendance with a total of 230 voting in person or by proxy
- Opening of the Legal Year Darwin 151 Alice Springs 37

### 12/13 CPD HIGHLIGHTS

- 57 CPDs held (some videoconferenced)
- 38 Darwin, 13 Alice Springs, 6 Other
- 1535 Total attendees
- New CPD Regulations commenced October 2012
- 0.5-1 unit CPDS = 36
- 1.5-2 unit CPDS = 10

### 12/13 CPD HIGHLIGHTS

- CPDS longer than 2.5 units = 12
- 2nd Family Law Refresher - 58 attendees
- Time Mastery for Lawyers and Accountants – Frank Sanitate attended by 58
- Mental Health Week Breakfast 2012 attended by 30





# Chief Executive Officer's Report

The 2012/13 period saw the Society commit to a strategic plan for 2013-16. The most important aspect of this plan is a commitment to securing stakeholder confidence in the Society, advocating with influence and promoting the fundamental principles of a just society and the administration of justice. It seems it has been many years since the Society had a strategic plan locked in for more than 12 months and it will be interesting to see if the plan meets the needs of the Society over the coming years. Importantly to compare our progress against these objectives it will be important to identify the starting point in this annual report.

## STAFFING

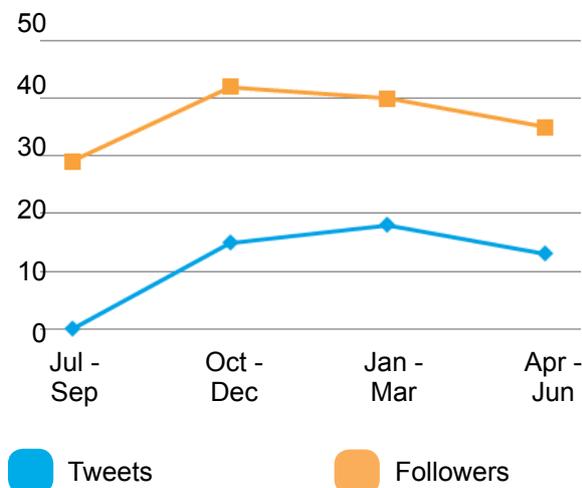
The Society aims to have in place the staff, systems and processes that will deliver on the strategic goals. This includes attracting and retaining appropriately skilled employees. After taking stock of the tremendous work of the CPD Co-ordinator it was determined that greater staffing resources would be directed to support this area. The co-ordination of the Pro Bono Clearing House was transferred once again but appears to have found a capable and determined home. Staff numbers remained constant at 11 full-time and with the conclusion that trust account inspections would be carried out by consultant auditors. During the period it became apparent that the much anticipated NLPR officer was not required.

In 2012/13 staff undertook numerous professional development opportunities including attending national meetings with interstate counterparts which lay important foundations for mutual support and development. A total of 17 training opportunities to the value of \$9,750 (excluding travel) and including media training for the President and Executive.

## ADVOCATING WITH INFLUENCE

The Society's advocacy and influence is in part reflected by the Society's communications. The Society's commencement on Twitter and Facebook has seen steady growth over 12/13 with the total number of Twitter followers as at 30 June 2013 -35 reflecting the slight decline in the number of posts for that period (13) with the annual total of 46 followers. Facebook

## SOCIAL MEDIA



finished the year with a total of 64 posts and 37 likes/followers. In the 2012/13 period the total page updates for the website was 133 with the number of people accessing the website through mobile devices growing to 594 but representing less than half of the webpage access (49%).

For the 12/13 period there were six editions of *Balance* compared with five in the previous year enabling the Society to meet advertising commitments. Looking forward the Society is now publishing *Balance* four times per year. Below is a comparison of other outputs between the 12/13 and 11/12 periods

	11/12	12/13
Submissions	34	37
Practitioner	19	26
Media Releases	12 (7 in 10/11)	7

The reduction in media releases can be mostly explained by the new government elected in August 2012. The speed of policy output in the first 100 days coupled with establishing a positive and productive working relationship has seen reduced need for the media attention achieved through media releases.

The other even more crucial element of the Society's advocacy is the hours of volunteer



support from the Society's committees. The Society's resources in this area are scarce and without the input of the Committees the voice of the profession would not be more than a peep. In general the Society has continued to advocate with influence and punch well above its weight. The Society has also harnessed the support of colleagues nationally through the Conference of Law Societies and the Law Council of Australia. Importantly the President has maintained a productive dialogue with the Attorney-General maintaining a regular regime of meetings throughout the year. The Society thanks the Attorney for his insistence on this arrangement which is an important foundation going into 2013/14.

## CELEBRATING COLLEGIALLY

The period saw the second year of the Council's mental health strategy *'Celebrating Collegiality – Mental Health strategy 2011—14'*. The strategy is aimed at raising awareness of proactive preventative help and looking at different ways to improve the mental health of the profession. The second mental health breakfast in October 2012 was attended by 30 compared to 76 people the previous year however the cost of attendance significantly increased in line with the Society's policy regarding CPDs generally. The informative presentation on Emotional Intelligence held the audience captivated. We continued to focus on these issues in *Balance* though not in a stand alone edition. This is now a regular feature on the CPD calendar and I look forward to seeing the levels of participation in 13/14.

The Society has in 2012/13 focused on the availability of acute care services. This has resulted in updated information on the website and the Society becoming a corporate member of Lifeline Top End. The Society continues to provide 'LawCare' delivered by EASA to members and their families. EASA also provide

an after hours phone service.

Lifeline can be contacted on 131 114 24 hours a day.

In 2012/13 the Society continued to focus on the representation of women and Indigenous Australians in the legal profession.

The Society supported the Law Council of Australia's National Attrition and Retention Study (NARS) and looks forward to the results of the survey in 13/14. The survey will hopefully provide insight into why women are under-represented in the later years of the profession.

2011/12 of the 45 barristers seven were female

2012/13 of the 45 barristers six are female (as at today's date).

## VOLUNTEERS

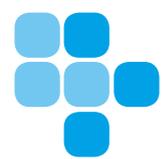
The regulatory and advocacy work of the Society could not be undertaken without significant volunteer contribution. In 2012/13 this amounted to approximately 489 hours work in meeting time alone.

## STAKEHOLDER CONFIDENCE

The Society continues its commitment to quality improvement in 2012/13. The revision and amendment of the forms and policies of the Society continue on an almost seamless calendar. The Society continues to benefit from member feedback in relation to the Society's activities.

I take this opportunity to thank the Council and the staff of the secretariat for their continued dedication to the organisation its goals and objectives. Additionally I thank the members of the various committees for their contribution to the work of the Society.

 **Megan Lawton**  
Chief Executive Officer



## Information Act Compliance s11

The object of the *Information Act* (the Act) is to create a right of a person to access information relating to the functions of a public sector organisation but also personal information held by public sector organisations, and includes a right to correct personal information. The Act includes exemptions for certain information. In addition, the Act sets standards for the retention of records and requires the annual report of the public sector organisations to make statements regarding compliance with the Act.

Pursuant to s646 the *Legal Profession Act 2006* (LPA) the Society is a public sector organisation under the *Information Act*. The LPA expressly states that this includes a reference to Council.

Importantly, sections 46 and 49 of the Act state that information is exempt under section 44 if it prejudices the investigation of a breach or possible breach of the law (whether generally or in a particular case) or discloses information about a proceeding or other matter before a body such as the Society which is established under the LPA and has quasi-judicial functions.

Under Section 11 of the Act, a public sector organisation must publish a statement about its structure and functions, the types of information usually held by it, a description of the organisation's procedures for providing access to its information and a description of the organisation's procedures for correcting information.

Information concerning the organisation and functions of the Society can be found

### Organisation:

<http://www.lawsocietynt.asn.au/about-lsnt/about-lsnt>

### Functions:

<http://www.lawsocietynt.asn.au/about-lsnt/mission-statement-a-objectives>

## PROCEDURES FOR PROVIDING ACCESS TO INFORMATION

### Documents available

The following documents are available for inspection or purchase on request:

- **Brochures:** No charge

- **Annual Report:** free/ \$20.00 for the purchase of a hard copy of the report
- **Balance:** Cover charge applies
- **Little Red Book of Advocacy:** \$20.00 plus \$5.00 postage and handling
- **Policy Statements:** No charge

### Administrative Arrangements for Access to Information

General inquiries and requests for access to documents may be made in person, by telephone or in writing addressed to the CEO of the Society. Parties to a current or past complaint such as the complainant or the practitioner should address inquiries to the Manager Regulatory Services. The Society is open between 8.30am and 5.00pm on weekdays.

### Access under the Information Act

For a party seeking access under the *Information Act* applications forms may be obtained from the Office of the Information Commissioner website at [www.privacy.nt.gov.au](http://www.privacy.nt.gov.au) or by contacting the CEO of the Society.

## INFORMATION HELD BY THE LAW SOCIETY NORTHERN TERRITORY

The Society holds information in the following categories:

- Information relating to inquiries and complaints investigations against Legal Practitioners. This information includes: complaints; correspondence and consultations with complainants and the subject of the complaint including other parties to any proceedings; and other information sources such as background material, records of conversation, analysis and advice and reports;
- Information relating to the Society's role as an advocate on legal issues and on behalf of the profession and legal reform. This includes information stored by subject research and background materials relating to submissions to inquiries or comments upon policy or legislation.
- Information relating to the Society's management of the secretariat, including



personnel, contracting and financial records and information about asset management. This also includes various membership activities such as events and publications. This includes information relating to other entities for which the Society provides administrative secretariat services.

- Information relating to the Society's licensing and other regulatory functions such as practitioner registration files; firm and trust account records; and in relation to the continuing professional development functions.
- Information relating to the work of the Society's advisory committees and the Council including minutes of such meetings.

The following are specific types of information held by the Society:

### Administrative and policy files

The Society maintains files of correspondence and other documents, indexed by subject matter, on issues concerning office administration and management. There are records on a wide range of policy and general questions concerning the functions and powers of the Society. Access to information held on these files may be provided depending on the content of the relevant documents. Charges may also apply (see 'Procedures for Providing Access to Information' below).

### Practitioner, firm, trust account files

The Society maintains an electronic database of legal practitioners, law firms and trust account information as required by the LPA. This is complemented by paper files. The Society also maintains electronic and hard copy records of firm and trust account information as required by the LPA. Access to the information on these files is generally restricted depending on who is seeking the information.

### Complaint files

The Society keeps files of documents relating to each written complaint made under the LPA and records of telephone inquiries regarding complaints. The files are indexed in several ways, including the complainant's name, and the practitioner subject of the complaint. The Society maintains a computer-based register of all complaints and inquiries. A paper based file

is also maintained.

On completion of inquiries, complaint files or documents are stored in the Darwin office.

Access to the information on these files is generally restricted depending on who is seeking the information.

### Legal opinions

The Society maintains a copy of legal opinions it has obtained. These opinions cover issues arising during the investigation of complaints and matters before Courts or tribunals such as the Legal Practitioners Disciplinary Tribunal and issues involving the Society's functions and powers.

### Information Sheets

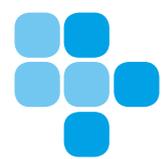
The Society has a range of information available to the public and the legal profession. The material details the functions of the Society and provides a guide to making complaints, continuing professional development and rules of professional conduct. Some printed copies of these brochures are available free of charge from the Society's Office and some are available for downloading from the Society's website.

### Minutes/ Agendas/ reports

The Society's Council minutes are maintained in accordance with the requirements of the *Associations Act* and are available for inspection by officers of the Society free of charge. Minutes of any general meeting of the Society are available for inspection by members at the Society's office free of charge. Minutes of the Society's advisory committees are available for inspection by members of those committees and Council. Minutes of meetings of the executive are available for inspection by the Council. Minutes of Council meetings are not generally available for inspection but limited access may be given to resolutions of Council in relation to regulatory matters relating to the party requesting the information.

### Manuals and guidelines

The Society has various policies and procedural information for use by the secretariat employees relating to employment and operational processes. Access to information contained in these manuals may be provided depending on



## Information Act Compliance s11

the content of the relevant documents. Charges may also apply (see 'Procedures for Providing Access to Information' below).

### Publications

The Society publishes a journal, *Balance*, to members and subscribers four times per year. Past editions may be obtained from the Society subject to availability and will be charged according to the cover price. The Society also publishes an e-newsletter called *Practitioner* which can be accessed from the Society's website. Copies of the current Annual Report and some previous Annual Reports are available for downloading from the Society's website at [www.lawsocietynt.asn.au](http://www.lawsocietynt.asn.au). Some printed copies of the current Annual Reports are available free of charge soon after publication (subject to availability).

### DISCLOSURE OF INFORMATION

The LPA expressly prohibits disclosure of information obtained for the purpose of an investigation or certain information obtained in the course of carrying out the regulatory functions under the LPA. Information the Society holds may be disclosed:

- As required by law or
- On request, for example, in relation to information sought by a complainant about the investigation of his or her own complaint, where the documents are routine, an ongoing investigation will not be prejudiced and there is no other interest likely to be adversely affected by disclosure, and the information is not personal information as defined in the Act.



NAME	CURRENT POSITION / PRIOR POSITION	COUNCIL MEETINGS	TOTAL ATTENDANCE	POSSIBLE TOTAL
Peggy Cheong	President	9	9	9
Candice Maclean	Vice-President	6	6	9
Tass Liveris	Treasurer	8	8	9
Nigel Browne	Secretary	0	0	9
Mark O'Reilly	Alice Springs Representative	8	8	9
Tony Whitelum	Alice Springs Alternate Representative	1	1	9
David Alderman	NT Bar Association Representative	6	6	9
Duncan McConnel	Councillor	5	5	9
Cecil Black <sup>3</sup>	Councillor	5	5	9
Fiona Hussin	Councillor	6	6	9
Jeff Collins <sup>3</sup>	Councillor	6	6	9
Jared Sharp	Councillor	4	4	9
Maria Savvas	Councillor	6	6	9
Margaret Orwin <sup>1</sup>	Councillor	0	0	3
Bruce Taylor <sup>1</sup>	Councillor	1	1	3
Olivia Go <sup>1</sup>	NTYL Representative	0	0	1
Emma Farnell	NTYL Alternate Representative / NTYL Representative	8	8	9
Imogen Taylor	NTYL Alternate Representative	0	0	9

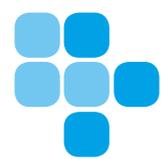
Notes:

\* There were 11 ordinary meetings and 0 special meetings from 1 July 2012 to 30 June 2013

1 = Resigned during 12-13 Year

2 = Joined during 12-13 Year

3 = New Councillor for 12-13 Year



**GOAL**  
ADVOCATE WITH  
INFLUENCE.

DATE	TOPIC	SUBMISSION TO
02.07.12	Review of <i>Justice Legislation Amendment (Committals Reform) Act</i>	Department of Justice
05.07.12	<i>Care and Protection of Children (Therapeutic Orders) Amendment Bill 2012 - Secure Care for Children</i>	Department of Children and Families
19.07.12	Expert Panel on Asylum Seekers seeking legal advice service and guardianship of minors	Expert Panel Asylum Seekers
22.08.12	Delay in the passage of the <i>Evidence (National Uniform Legislation) Consequential Amendments Bill</i> and the <i>Evidence (National Uniform Legislation) Act</i>	Department of Justice
12.09.12	Law Council of Australia's response to Expert Panel on Asylum Seekers Recommendation	Law Council of Australia
18.09.12	Joint Standing Committee on Foreign Affairs, Defence and Trade Inquiry into Slavery, Slavery-like Conditions and People Trafficking	Law Council of Australia
26.09.12	<i>Unit Titles (Schemes) Act</i> proposed review	Department of Justice
28.09.12	Remote housing in the NT and access to legal services	Law Council of Australia Review
01.10.12	Child in Need of Protection: Draft Practice Direction 24 of 2012	Chief Magistrate
22.10.12	Family Law Service at North Australian Aboriginal Justice Agency (NAAJA)	Attorney-General (Cth)
22.10.12	Alice Springs Registry of the Family Law Courts	Attorney-General (Cth)
29.10.12	<i>Evidence (National Uniform Legislation) Consequential Amendments Bill</i> and the <i>Evidence (National Uniform Legislation) Act</i>	Attorney-General
01.11.12	Closure of the Kalkaringi Court	Chief Magistrate
06.11.12	Draft Fifth Report by Australia on the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	Law Council of Australia
26.11.12	Legal Services: Disaster preparedness	Commissioner of Police
14.12.12	Exposure Draft of <i>Human Rights and Anti-Discrimination Bill 2012</i>	Law Council of Australia



DATE	TOPIC	SUBMISSION TO
20.12.12	<i>Migration Amendment (Unauthorised Maritime Arrivals and Other Measure) Bill 2012</i>	Senate Standing Committee on Legal and Constitutional Affairs
03.01.13	Mandatory Sentencing	Attorney-General
07.02.13	Proposed amendment Supreme Court Rules: ceasing to act	Chief Justice
28.02.13	<i>Justices Act s77C</i>	Department of the Attorney-General and Justice
18.03.13	<i>Electronic Conveyancing (National Uniform Legislation) Bill 2013</i>	Department of the Attorney-General and Justice
24.03.13	Inquiry into the value of a justice reinvestment approach to criminal justice in Australia	Senate Standing Committee on Legal and Constitutional Affairs
27.03.13	Comments on <i>Serious Sex Offenders Bill 2013</i>	Department of the Attorney-General and Justice; Gerry Woods MLA; Lynne Walker MLA
28.03.13	Review of the <i>Bail Act (NT)</i>	Department of the Attorney-General and Justice
28.03.13	Safety Concerns Darwin Registry Family Court	Family Court of Australia
11.05.01	<i>Sex Discrimination Amendment (Sexual Orientation, Gender Identity and Intersex Status) Bill 2013</i>	Law Council of Australia
15.04.13	Review of the <i>Victims of Crime Assistance Act</i>	Department of the Attorney-General and Justice
15.04.13	Cancellation of Titles under the Unit Titles Act and the Unit Titles Scheme Act	Department of the Attorney-General and Justice
01.05.13	<i>Sex Discrimination Amendment (Sexual Orientation, Gender Identity and Intersex Status) Bill 2013</i>	Law Council of Australia
07.05.13	Draft Law Council Policy Statements on Principles applying to Detention	Law Council of Australia
14.05.13	<i>Electronic Conveyancing (National Uniform Legislation) Bill 2013</i>	Department of the Attorney-General and Justice
24.05.13	Local Court Rules	Chief Magistrate
07.06.13	Review of the Alcohol Mandatory Treatment Bill	Department of Health
20.06.13	Enforcement of articles and by-laws under the Unit Titles Act and the Unit Title Schemes Act and other issues	Department of the Attorney-General and Justice

## Member Services

The Society held two sell-out events during the year which brought together the profession with eminent speakers who gave thought provoking presentations which were very well received.

### OPENING OF THE LEGAL YEAR 2013

The Alice Springs dinner, attended by the profession and their partners, was held at the Crowne Plaza Hotel on Wednesday 13 February. Attorney-General the Hon John Elferink MLA hosted a particularly successful lunch in Darwin at the Parliament House Dining Room on Friday 15 February. The keynote speaker on both occasions was Justice Dean Mildren RFD on the occasion of his retirement.

	2010	2011	2012	2013
Speaker	Paul Everingham	Riley CJ	Jonathon Temm	Mildren J
Alice Springs Attendees	30	56	51	37
Cost	\$79	\$85	\$87	\$100
Darwin Attendees	117	120	139	151
Cost	\$89	\$95	\$100	\$125

### NATIONAL LAW WEEK 13 - 17 MAY 2013

A very successful lunch was held at the Darwin Convention Centre on Thursday 16 May, and dinner at the Crowne Plaza Alice Springs the following evening. The keynote speaker was passionate human rights advocate, Bishop Eugene Hurley, who shared some unique insights into his experiences with asylum seekers.

	2010	2011	2012	2013
Speaker	Sue Oliver SM	Alex Ward	Lizzy O'Shea	Bishop Hurley
Alice Springs Attendees	43	55	25	35
Cost	\$86	\$85	\$85	\$85
Darwin Attendees	102	65	80	120
Cost	\$88	\$95	\$95	\$110
Marsh Sponsorship	0	\$700	\$1300	\$2500

**GOAL**  
PROMOTE THE  
FUNDAMENTAL  
PRINCIPLES OF  
A JUST SOCIETY  
AND THE  
ADMINISTRATION  
OF JUSTICE

### MARSH LAW WEEK CRICKET MATCH

Following two successive defeats, the Marsh Law Week Cricket Match was won by the President's XI. Appreciation goes to Attorney-General, the Hon John Elferink MLA for putting in a very enthusiastic innings for the President's XI. In a change of venue, the match was moved from Dinah Beach Oval to Gardens Oval, thus providing a better facility, reducing the burden on the Secretariat staff, and bar facilities on hand. Higher spectator numbers than in the past has been attributed to the change of venue. Thanks go to Marty Aust for securing the venue free of charge.

### ANNUAL DINNER

A most enjoyable Annual Dinner was held at Pee Wee's on the Point on Saturday 1 September. The guests of honour were from the Law Council of Australia; Secretary-General Sally Walker AM and President Cathy Gale; both of whom spoke to the audience. President Peggy Cheong took the opportunity to mark the occasion of the 20th anniversary of Julie Davis' employment with the Society with the presentation of a gift.

	2009	2010	2012
Venue	Cornucopia	Cornucopia	Pee Wees
Entertainment	String quartet	String quartet	N/A
Attendees	99	124	97
Cost	\$140	\$150	\$130



### CHRISTMAS DRINKS

A very successful members' Christmas drinks function was again held at the Novotel Atrium in December 2012. Unfortunately, drinks planned for Alice Springs did not go ahead due to calendar clashes.

### SOCIAL MEDIA

The Society's Facebook page has been live for over a year and provides a broad mixture of information in a more relaxed format, about CPD's and social events in particular. This facility was set up as another channel of communication for members and so practitioners with Facebook accounts are encouraged to 'Like' the Society as this is a particularly good vehicle for sending last minute information such as changes of venue or advising of events being fully booked.

### LAWCARE COUNSELLING

The *Lawcare* counseling service has been in place for three years now and has been used by a small number of members. The Society is alert to the high incidence of stress and depression within the legal profession and believes that *Lawcare* is a very important initiative to have in place for its members.

### CORPORATE PARTNERSHIPS

The Society has entered into a partnership with Legalsuper. This sponsorship arrangement benefits members by investment in the Continuing Professional Development program.

Again we extend our gratitude to Marsh Pty Ltd for their continued sponsorship and support of Law Week and the Law Society, thus enabling events to be provided for the profession at below cost price.

 **Suzie Simmons**  
Public Relations Officer



The Law Society Pro Bono Clearing House (PBCH) was established in 2008 to assist individuals and organisations that are unable to access legal representation. The PBCH is intended to provide a service to those who are caught in between failing to meet the guidelines set by Northern Territory Legal Aid Commission/Community Legal Centres but are unable to afford a private lawyer.

### ACHIEVEMENTS

In the 2012-2013 the PBCH successfully referred seven applications. 40% of applications received were eligible for pro bono assistance.

Enquiries	6*
Applications	17
Accepted Applications	7
Declined Applications	10

*\*Reporting for the PBCH has only commenced as of May 2013 and therefore the number of inquiries could not be accurately reported.*

### ASYLUM SEEKERS

Historically the PBCH has been challenged with increased pressure from asylum seekers requiring legal assistance. In August 2012 legal aid funding for asylum seekers was significantly reduced. The PBCH expected this funding reduction to result in an increase in enquiries for legal assistance however, this has not been the case with fewer enquiries than expected received over the 12-13 period. The PBCH is in the process of investigating the reasons for this.

### STRATEGIES FOR 2013-2014

At present PBCH has 15 legal practitioners on the Pro Bono Register. The Society is keen in the coming year to increase that to at least 25 practitioners, and to broaden the areas of practice and lawyers represented.

The National Pro Bono Resource Centre has an 'Aspirational Target' which is a voluntary target of at least 35 hours of Pro Bono work undertaken per lawyer per year. The Society understands that a vast majority of our lawyers carry out much more than this national average. The Society recognises the importance of pro bono work to the profession and hopes to build on this generosity by increasing our number of practitioners on the register.

The Society is eager to raise the profile of pro bono work undertaken in the Northern Territory and encourages all practitioners to participate in

the performance of pro bono work. The Society is also keen to improve its understanding of how much pro bono work is likely to be undertaken by the profession, and will investigate ways to better capture the pro bono work being undertaken outside of the PBCH.

The Society encourages all practitioners, including barristers and sole practitioners to join the register as there is a need for assistance in all areas of law including:

- Family matters.
- Not for profit organisations who require legal advice on their constitutions or contracts.
- Criminal matters.
- Personal injury claims.
- Employment law, specifically unfair dismissal claims.
- Native Title matters or organisations wishing to become incorporated.

The Society also encourages practitioners from Katherine, Alice Springs and Tennant Creek to join the register as the need for assistance spreads far wider than just the Darwin area.

The Society has implemented a strategy in conjunction with the Social Justice Committee to team up with Darwin Community Legal Service (DCLS) to work together with the legal practitioners who assist DCLS on regular basis.

The PBCH also hopes to improve the reporting of all aspects of pro bono to gain a better understanding of the types of applications and applicants that come through the PBCH. Once this information is collected, the Society can develop KPI's for the PBCH to aspire to each year. This will give direction and clarity of the common goals for the PBCH.

The Society would like to thank all the practitioners on the register and panel for their contributions throughout the year.

 **Lily Coe**  
Coordinator Pro Bono Clearing House



VOLUNTEER HIGHLIGHTS

- Committees Charter approved by Council 28 November 2012

- 11 Council Meetings  
96 legal practitioner attendees @ 2 hours per meeting = 192 hours @ \$240 per hour (SC scale 2012) = \$46,800.

- 52 Committee Meetings of 7 Committees attended by minimum 3 legal practitioners at 1.5 hours per meeting = 234 hours @ \$240 per hour (SC scale 2012) = \$56,160

- 21 Meetings of the Executive attended by minimum 3 legal practitioners at 1 hour per meeting = 63 hours @ \$240 per hour (SC scale 2012) = \$15,120





# LSNT Council Roll of Honour

## 1968:

Ronald John Withnall (President)  
Alexander Robert Rorrison (Vice President)  
Richard G. Kemp (Secretary)  
Penelope Holmes (Treasurer)  
Godfrey Foy Hall (Alice Springs Representative)  
George William Cridland  
Richard Keller  
Peter Massie  
Jim Williams

## 1969:

Alexander Robert Rorrison (President)  
Brian St Leger Kelly (Vice President)  
Richard G. Kemp (Secretary)  
Cecil Albert Black (Treasurer)  
Ian McClelland Barker (Alice Spring Representative)  
Graeme Innes-Ker MacNish  
Michael Ward  
Jim Williams  
Keith Williamson

## 1970:

Ian McClelland Barker (President)  
Brian St Leger Kelly (Vice President)  
Richard G. Kemp (Secretary)  
Thomas Ian Pauling (Treasurer)  
Graeme Innes-Ker MacNish  
Walter Arnold Raby  
Alexander Robert Rorrison  
Jim Williams  
Nerolie Phyllis Withnall

## 1971:

Ian McClelland Barker (President)  
Thomas Ian Pauling (Vice President)  
Allan Michael O'Neil (Secretary)  
Nerolie Phyllis Withnall (Treasurer)  
Brian Frank Martin (Alice Springs Representative)  
Kenneth Arnold Conway  
Peter Donald James  
Graeme Innes-Ker MacNish  
Alexander Robert Rorrison

## 1972:

Ian McClelland Barker (President)  
Brian Frank Martin (Vice President)  
Dean Mildren (Secretary)  
Nerolie Phyllis Withnall (Treasurer)  
Brian Frank Martin (Alice Springs Representative)  
Peter Donald James  
Alisdair McGregor  
Allan Michael O'Neil  
Alexander Robert Rorrison  
Alexander Henty Silvester

## 1973:

Dean Mildren (President)  
Gregory Reginald James (Vice President)  
Peter Donald James (Secretary)  
Allan Michael O'Neil (Treasurer)  
Brian Frank Martin (Alice Springs Representative)  
Ian McClelland Barker  
Paul Anthony Edward Everingham  
Janice Montes McFarlane  
Clement John O'Sullivan  
Michael Winter

## 1974:

Dean Mildren (President)  
Peter Donald James (Vice President)  
Pamela Noel Gray (Secretary)  
Janice Montes McFarlane (Treasurer)  
Brian Frank Martin (Alice Springs Representative)  
Ian McClelland Barker  
Paul Anthony Edward Everingham  
Allan Michael O'Neil  
Clement John O'Sullivan

## 1975:

Paul Anthony Edward Everingham (President)  
Thomas Ian Pauling (Vice President)  
Anna Mayo Norgard (Secretary)  
Patrick Loftus (Treasurer)  
Brian Frank Martin (Alice Springs Representative)  
Hugh Burton Bradley  
Narendra Manubhai Patel  
Gordon Charles Pelletier  
John Bascomb Waters

## 1976:

Paul Anthony Edward Everingham (President)  
John Peluso (Secretary)  
Patrick Loftus (Treasurer)  
Terence Frances Coulehan  
Narendra Manubhai Patel  
John Bascomb Waters

## 1977:

John Peluso (Secretary)

## 1978:

Nerolie Phyllis Withnall (President)  
Allan Michael O'Neil (Vice President)  
Patrick Loftus (Secretary)  
David Holt Avery (Treasurer)  
Peter George Howard (Alice Springs Representative)  
Ian McClelland Barker  
John Michael George  
Michael David Andrew Maurice  
Trevor John Riley



## 1979:

Dean Mildren ( President)  
 Peter Donald James (Vice President)  
 John Michael George (Secretary)  
 Stephanie Anne Forgie (Treasurer)  
 Peter George Howard (Alice Springs Representative)  
 Graham Eric Hiley  
 Athol Geoffrey James  
 Brian Edward McMillan  
 Anthony Cecil Thursfield

## 1980:

Dean Mildren (President)  
 Peter Donald James (Vice President)  
 Geoffrey Robert Clark (Secretary)  
 Peter William Walker (Treasurer)  
 John Edward Reeves (Alice Springs Representative)  
 Terence Francis Coulehan  
 Graham Eric Hiley  
 Robert Andrew Kimber  
 Brian Edward McMillan

## 1981:

Terence Francis Coulehan (President)  
 Peter William Walker (Vice President)  
 Geoffrey Robert Clark (Secretary)  
 Kim Latrobe Graves (Treasurer)  
 John Edward Reeves ( Alice Springs Representative)  
 Graham Eric Hiley  
 Robert Andrew Kimber  
 Brian Edward McMillan  
 Gordon Charles Pelletier  
 Trevor Marius Dorsman (Provisional Councillor)  
 Danny Charles Masters (Provisional Councillor)

## 1982:

Terence Francis Coulehan (President)  
 Hugh Burton Bradley (Vice President)  
 Brian Edward McMillan (Secretary)  
 Kim Latrobe Graves (Treasurer)  
 John Edward Reeves (Alice Springs Representative)  
 Trevor Marius Dorsman  
 Phillip Michael Hamblin  
 Graham Eric Hiley  
 Margaret Patricia Lyons  
 Allan Michael O'Neil

## 1983:

Hugh Burton Bradley (President)  
 Margaret Patricia Lyons (Vice President)  
 Allan Michael O'Neil  
 Kim Latrobe Graves  
 Maxwell Ferris Horton (Alice Springs Representative)  
 Steven Ronald Bailey  
 Kevin Maxwell Curnow  
 Michael James Gillooly  
 Neil Raymond Halfpenny  
 Graham Eric Hiley  
 Colin Rodney McDonald

## 1984:

Hugh Burton Bradley (President)  
 Margaret Patricia Lyons (Vice President)  
 Michael James Gillooly (Secretary)  
 Kim Latrobe Graves (Treasurer)  
 Maxwell Ferris Horton (Alice Springs Representative)  
 Steven Ronald Bailey  
 Kevin Maxwell Curnow  
 Richard Grant Giles  
 Patrick Loftus  
 John McCormack  
 John Russell Munn

## 1985:

Richard Grant Giles (President)  
 Peter Donald James (Vice President)  
 Michael James Gillooly (Secretary)  
 Kim Latrobe Graves (Treasurer)  
 Maxwell Ferris Horton (Alice Springs Representative)  
 Roy David Ellis  
 John Michael George  
 Patrick Loftus  
 Peter Donald McNab  
 John Edward Reeves  
 Peter John Butler Tiffin

## 1986:

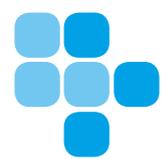
Richard Grant Giles (President)  
 Graham Eric Hiley (Vice President)  
 John Michael George (Secretary)  
 Kim Latrobe Graves (Treasurer)  
 Maxwell Ferris Horton (Alice Springs Representative)  
 Ian David Logan Briggs  
 Roy David Ellis  
 Peter Donald James  
 Kym Pelham Livesley  
 Peter Donald McNab  
 Peter John Butler Tiffin

## 1987:

Graham Eric Hiley (President)  
 Kim Latrobe Graves  
 Peter Francis Conran (Secretary)  
 Ian David Logan Briggs (Treasurer)  
 Maxwell Ferris Horton (Alice Springs Representative)  
 Gordon Munro Berner  
 Tanya Pauline Fong Lim  
 Peter Donald McNab  
 John Edward Reeves  
 Stephen Roger Southwood  
 David de Lappe Winter

## 1988:

Kim Latrobe Graves (President)  
 Stephen Roger Southwood (Vice President)  
 Meredith Denise Smith Harrison (Secretary)  
 Ian David Logan Briggs (Treasurer)  
 Maxwell Ferris Horton (Alice Springs Representative)  
 Richard Andrew Andruszko



# LSNT Council Roll of Honour

Tanya Pauline Fong Lim  
Ian Leslie Gray  
Robert Andrew Kimber  
John Edward Reeves  
Peter Michael Robinson

## 1989:

Ian David Logan Briggs (President)  
Trevor John Riley QC (Vice President)  
Meredith Denise Smith Harrison (Secretary)  
Peter Michael Robinson (Treasurer)  
Maxwell Ferris Horton (Alice Springs Representative)  
Brian Sinclair Cooney  
Terence Michael Gardner  
Neville John Henwood  
Stephen Roger Southwood  
John Thomas Stewart  
Daynor Wilmott Easom Trigg

## 1990:

Geoffrey John Stirk (President)  
Terence Michael Gardner (Vice President)  
Meredith Denise Smith Harrison (Secretary)  
Brian John Cassells (Treasurer)  
Maxwell Ferris Horton (Alice Springs Representative)  
David Graham Alderman  
Diana Mary Elliott  
Kim Latrobe Graves  
Neville John Henwood  
Leanne May Robertson  
Markus Andreas Spazzapan  
(Ian David Logan Briggs – Immediate Past President)

## 1991:

Geoffrey John Stirk (President)  
Terence Michael Gardner (Vice President)  
Neville John Henwood (Secretary)  
Brian John Cassells (Treasurer)  
Maxwell Ferris Horton (Alice Springs Representative)  
David Graham Alderman  
Richard James Coates  
Diana Mary Elliott  
David Sydney Farquhar  
Judith Clair Kelly  
Leanne May Robertson

## 1992:

Neville John Henwood (President)  
Terence Michael Gardner (Vice President)  
Judith Clair Kelly (Secretary)  
Jan Macpherson (Treasurer)  
Maxwell Ferris Horton (Alice Springs Representative)  
David Craig Anderson  
Alison Lois Cassells  
Richard James Coates  
Diana Mary Elliott  
David Sydney Farquhar  
John Michael Roberts Neill  
(Geoffrey John Stirk – Immediate Past President)

## 1993:

Neville John Henwood (President)  
Terence Michael Gardner (Vice President)  
Richard James Coates (Secretary)  
David Craig Anderson (Treasurer)  
Maxwell Ferris Horton (Alice Springs Representative)  
Gordon Joseph Kennedy  
John Michael Roberts Neill  
Guy Andrew Riley  
Eileen Marie Terrill  
Peter John Butler Tiffin  
Janet Denise Trier

## 1994:

Terence Michael Gardner (President)  
Diana Mary Elliott (Vice President)  
Guy Andrew Riley (Secretary)  
David Craig Anderson (Treasurer)  
Maxwell Ferris Horton (Alice Springs Representative)  
David Robert Davies  
James Thomas Moore  
John Thomas Stewart  
Eileen Marie Terrill  
Peter John Butler Tiffin  
Janet Denise Trier  
(Neville John Henwood – Immediate Past President)

## 1995:

Terry Michael Gardner (President)  
Diana Mary Elliott (Vice President)  
Janet Denise Trier (Secretary)  
James Thomas Moore (Treasurer)  
Maxwell Ferris Horton (Alice Springs Representative)  
Donna Maira Isabella Dreier  
Peter John Butler Tiffin  
Eileen Marie Terrill  
Samantha Julie Miles  
Christopher Gordon Fanning  
John Thomas Stewart  
Neville John Henwood – Immediate Past President)

## 1996:

Terry Michael Gardner (President)  
Diana Mary Elliott (Vice President)  
Samantha Julie Miles (Secretary)  
James Thomas Moore (Treasurer)  
Maxwell Ferris Horton (Alice Springs Representative)  
Eileen Marie Terrill  
Donna Maira Isabella Dreier  
Peter John Butler Tiffin  
Susan Jane Porter  
John Benjamin Lawrence  
Anthony David Young  
Neville John Henwood – Immediate Past President)

## 1997:

Stephen Roger Southwood (President),  
Alan John Lindsay (Vice President),  
Eileen Marie Terrill (Secretary),



Donna Maira Isabella Dreier (Treasurer),  
Wojciech Jacek Karczewski,  
Stuart Andrew Barr,  
Richard James Coates,  
Susan Jane Porter,  
Maxwell Ferris Horton (Alice Springs Representative),  
Duncan Charles McConnel.  
(Terry Michael Gardner – Immediate Past President)

## 1998:

Stephen Roger Southwood (President),  
Alan John Lindsay (Vice President),  
Eileen Marie Terrill (Secretary),  
Donna Maira Isabella Dreier (Treasurer),  
Max Horton (Alice Springs Representative),  
John William Arthur Birch (Alice Springs Alternate Representative),  
Richard James Coates,  
Ian McDonald Morris,  
Duncan Charles McConnel,  
Alastair John Shields,  
Merran Kathleen Short,  
Kevin Royce Stephens.  
(Terry Michael Gardner – Immediate Past President)

## 1999:

Jon Courtland Arthur Tippet (President),  
Ian McDonald Morris (Vice President),  
Eileen Marie Terrill (Secretary),  
Donna Maira Isabella Dreier (Treasurer),  
Katrina Joanna Budrikis (Alice Springs Representative),  
John William Arthur Birch (Alice Springs Alternate),  
Robert Angus Gosford,  
Elizabeth Jane Morris,  
Duncan Charles McConnel,  
Alastair John Shields,  
Merran Kathleen Short,  
Kevin Royce Stephens,  
(Stephen Roger Southwood – Immediate Past President)

## 2000:

Jon Courtland Arthur Tippet (President),  
Ian McDonald Morris (Vice President),  
Merran Kathleen Short (Secretary),  
Eileen Marie Terrill (Treasurer),  
Katrina Joanna Budrikis (Alice Springs Representative),  
Domenico Conidi (Alice Springs Alternate),  
Suzanne Francis Oliver,  
Elizabeth Jane Morris,  
James Thomas Moore,  
Duncan Charles McConnel,  
Timothy Donald Jacobs,  
Sarah Laurie Hawke,  
(Stephen Roger Southwood - Immediate Past President).

## 2001:

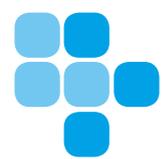
Ian McDonald Morris (President),  
Merran Kathleen Short (Vice President),  
Duncan Wilson Maclean (Secretary),  
Eileen Marie Terrill (Treasurer),  
Stephen Roger Southwood QC (NT Bar Association Representative),  
Katrina Joanna Budrikis (Alice Springs Representative),  
Anthony Ross Whitelum (Alice Springs Alternate Rep),  
Sarah Laurie Hawke  
Timothy Donald Jacobs,  
Duncan Charles McConnel,  
James Thomas Moore,  
Suzanne Francis Oliver.  
(Jon Courtland Arthur Tippet - Immediate Past President).

## 2002:

Ian McDonald Morris (President),  
Merran Kathleen Short (Vice President),  
Duncan Wilson Maclean (Treasurer),  
Eileen Marie Terrill (Secretary),  
Michael Patrick Grant (NT Bar Association Representative),  
Anthony Ross Whitelum (Alice Springs Representative),  
Nardine Rosemary Collier (Alice Springs Alternate Representative),  
Suzanne Francis Oliver,  
Melanie Jane Little  
Markus Andreas Spazzapan,  
Michael John McKillop Grove,  
Glen Meyers Dooley,  
Stuart Andrew Barr,  
Christopher David Booth (Replacement Councillor),  
Jennifer Hardy (Replacement Councillor).

## 2003:

Merran Kathleen Short (President),  
Duncan Wilson Maclean (Vice President), Resigned  
Michael John McKillop Grove (Treasurer),  
Glen Meyers Dooley (Secretary),  
Anthony David Young (NT Bar Association Representative),  
Anthony Ross Whitelum (Alice Springs Representative),  
Nardine Rosemary Collier (Alice Springs Alternate Representative),  
Christopher David Booth (Young Lawyers Representative)  
Jennifer Hardy  
Danielle Sue Howard  
Margaret Catherine Orwin  
Markus Andreas Spazzapan  
Matthew Gladwell Storey  
Jo-Ann Marie Tomlinson  
Allison Margaret Robertson (Replacement Councillor).



# LSNT Council Roll of Honour

## 2004:

Merran Kathleen Short (President),  
Allison Margaret Robertson (Vice President),  
Jacqueline May Presbury (Treasurer),  
Glen Meyers Dooley (Secretary),  
John William (Jack) Lewis (NT Bar Association Representative),  
Anthony Ross Whitelum (Alice Springs Representative),  
Allan David Forrest Cockburn (Sam) Salmon (Alice Springs Alternate Representative),  
Lisa-Gaye O'Donohue (Young Lawyers Representative),  
Kate Helena Hughes,  
Jodi Alva Mather,  
Rhona Mary Douglas Millar,  
Jo-Ann Marie Pattinson (nee Tomlinson),  
Markus Andreas Spazzapan,  
Matthew Gladwell Storey

## 2005:

Allison Margaret Robertson (President)  
Rhona Mary Douglas Millar (Vice President)  
Jacqueline May Presbury (Treasurer)  
Jodi Marie Truman (Secretary)  
John William (Jack) Lewis (NT Bar Association Representative) - Resigned  
Patrick Francis McIntyre (NT Bar Association Representative)  
Gottlieb Thomas (Tom) Svikart (Alice Springs Representative) - Resigned  
Kim Margaret Raine (Alice Springs Representative)  
Rennie Douglas Anderson (Alice Springs Alternate Representative)  
Caroline Heske (Young Lawyers Representative)  
Kate Helena Hughes - Resigned  
Jodi Alva Mather  
Lisa-Gaye O'Donohue  
Jo-Ann Marie Pattinson (nee Tomlinson)  
Markus Andreas Spazzapan  
Matthew Gladwell Storey  
Ian Leonard Read (Replacement Councillor)

## 2006:

Allison Margaret Robertson (President)  
Rhona Mary Douglas Millar (Vice President)  
Jacqueline May Presbury (Treasurer)  
Jodi Marie Truman (Secretary)  
Patrick Francis McIntyre (NT Bar Association Representative)  
Kim Margaret Raine (Alice Springs Representative)  
Rennie Douglas Anderson (Alice Springs Alternate Representative)  
Caroline Heske (NT Young Lawyers Representative)  
Markus Andreas Spazzapan  
Jodi Alva Mather  
Ian Leonard Read  
Jo-Ann Marie Pattinson (nee Tomlinson)  
Matthew Gladwell Storey

Lisa-Gaye O'Donohue

## 2007:

Allison Margaret Robertson (President)  
Duncan Charles McConnel (Vice-President)  
Matthew Gladwell Storey (Secretary)  
Jo-Ann Marie Pattinson (nee Tomlinson) (Treasurer)  
Kim Margaret Raine (Alice Springs Representative)  
Rennie Douglas Anderson (Alice Springs Alternate Representative)  
Charles Andrew Martel (Alice Springs Alternate Representative)  
Markus Andreas Spazzapan  
Jodi Marie Truman  
Caroline Elizabeth Bicheno  
Jason Gary Schoolmeester  
Ian Leonard Read  
Katarzyna Rutowska  
Patrick Francis McIntyre (NT Bar Association Representative)  
Katherine O'Fathartaigh (NT Young Lawyers Representative)  
Catherine Hamilton (NT Young Lawyers Alternate Representative)

## 2008:

Duncan Charles McConnel (President)  
Matthew Gladwell Storey (Vice President)  
Jason Gary Schoolmeester/Caroline Bicheno (Secretary)  
Jo-Ann Marie Pattinson/Jason Gary Schoolmeester (Treasurer)  
Rennie Douglas Anderson (Alice Springs Representative)  
Gottlieb Thomas Svikart (Alice Springs Alternate Representative)  
Ian Leonard Read (Councillor)  
Allison Margaret Robertson (Councillor)  
Peggy Siew Meng Cheong (Councillor)  
Ruth Ellen Brebner (Councillor)  
Cameron Samuel Ernest Ford/VACANT (Councillor)  
Caroline Elizabeth Bicheno/VACANT (Councillor)  
Kate Alexandra Kensell (Young Lawyers Representative)  
Callum Leigh Dolman (Young Lawyers Alternate Representative)  
David Graham Alderman (NT Bar Association Representative)

## 2009:

Duncan Charles McConnel (President)  
Matthew Gladwell Storey (Vice President)  
Peggy Siew Meng Cheong (Secretary)  
Jason Gary Schoolmeester (Treasurer)  
Rennie Douglas Anderson (Alice Springs Representative)  
Gottlieb Thomas Svikart (Alice Springs Alternate Representative)  
Linda Ann Morgan (Councillor)  
Allison Margaret Robertson (Councillor)



Margaret Catherine Orwin (Councillor)  
 Fiona Levene Hussin (Councillor)  
 Ruth Ellen Brebner (Councillor)  
 Marcus Andreas Spazzapan (Councillor)  
 Caroline Elizabeth Bicheno (Councillor)  
 Kate Alexandra Kensell (Councillor)  
 Melanie Jane Warbrooke (Councillor)  
 Patricia Angela Horvat (Young Lawyers Representative)  
 Nicholas Ryan Johansen (Young Lawyers Alternate Representative)  
 David Graham Alderman (NT Bar Association Representative)

## 2010:

Matthew Gladwell Storey (President)  
 Peggy Siew Meng Cheong (Vice President)  
 Jason Gary Schoolmeester (Treasurer)  
 Ben Wild (Secretary)  
 Rennie Douglas Anderson (Alice Springs Representative)  
 Ashley Graham Dewell (Replacement Alice Springs Representative)  
 Gottlieb Thomas Svikart (Alice Springs Alternate Representative)  
 Duncan Charles McConnel (Councillor)  
 Fiona Levene Hussin (Councillor)  
 Melanie Jane Warbrooke (Councillor)  
 Kevin Francis Banbury (Councillor)  
 Margaret Catherine Orwin (Councillor)  
 Julian Quentin Johnson (Councillor)  
 Jared Nathaniel Sharp (Replacement Councillor)  
 Nicholas Ryan Johansen (Young Lawyers Representative)  
 Donna Irene Lynette Ward (Young Lawyers Alternate Representative)  
 David Graham Alderman (NT Bar Association Representative)

## 2011:

Matthew Gladwell Storey (President)  
 Peggy Siew Meng Cheong (Vice President)  
 Nigel James Browne (Treasurer)  
 Candice Louise Maclean (Secretary)  
 Ashley Graham Dewell (Alice Springs Representative)  
 Mark Gerard O'Reilly (Alice Springs Alternate Representative)  
 Duncan Charles McConnel (Councillor)  
 Fiona Levene Hussin (Councillor)  
 Margaret Catherine Orwin (Councillor)  
 Anastasis Andrew Liveris (Councillor)  
 Ashley James Marsh (Councillor)  
 Jared Nathaniel Sharp (Replacement Councillor)  
 Donna Irene Lynette Storey (Young Lawyers Representative)  
 Nicholas Ryan Johansen (Young Lawyers Alternate Representative)  
 David Graham Alderman (NT Bar Association

Representative)

## 2012:

Peggy Siew Meng Cheong (President)  
 Candice Louise Maclean (Vice-President)  
 Nigel James Browne (Secretary)  
 Anastasis Andrew Liveris (Treasurer)  
 Mark Gerard O'Reilly (Alice Springs Representative)  
 Anthony Ross Whitelum (Alice Springs Alternate Representative)  
 Ashley Graham Dewell (Alice Springs Representative)  
 Matthew Gladwell Storey (Councillor)  
 Duncan Charles McConnel (Replacement Councillor)  
 Fiona Levene Hussin (Councillor)  
 Margaret Catherine Orwin (Councillor)  
 Bruce Cameron Taylor (Councillor)  
 Maria Savvas (Councillor)  
 Jared Nathaniel Sharp (Councillor)  
 Donna Irene Lynette Storey (Young Lawyers Representative)  
 Ashley James Marsh (Young Lawyers Representative)  
 Olivia Gail Saio Go (Replacement Young Lawyers Alternate Representative)  
 David Graham Alderman (NT Bar Association Representative)

## 2013:

Peggy Siew Meng Cheong (President)  
 Candice Louise Maclean (Vice-President)  
 Nigel James Browne (Secretary)  
 Anastasis Andrew Liveris (Treasurer)  
 Mark Gerard O'Reilly (Alice Springs Representative)  
 Anthony Ross Whitelum (Alice Springs Alternate Representative)  
 Duncan Charles McConnel (Councillor)  
 Fiona Levene Hussin (Councillor)  
 Maria Savvas (Councillor)  
 Jared Nathaniel Sharp (Councillor)  
 Cecil Albert Black (Councillor)  
 Jeffrey David Collins (Councillor)  
 Emma Jane Farnell (Young Lawyers Representative)  
 Imogen Clare Taylor (Young Lawyers Alternate Representative)  
 David Graham Alderman (NT Bar Association Representative)

# Regulatory Services Manager: Complaints and Discipline

In 2013 the Society adopted a strategic plan to guide its focus over the coming three years. One of the goals identified is to secure stakeholder confidence in the Society. Relevantly for complaints and discipline handling, a strategy is to be adopted to help achieve this goal demonstrating transparent and accountable regulatory oversight. The Society has reviewed the reporting of its complaint handling data with the aim of presenting clear, useful information about the receipt and resolution of complaints under Chapter 4 of the *Legal Profession Act 2006*.

## COMPLAINTS

The number of complaints received during the course of this year has decreased as compared to previous years. This year however, did see a return to earlier trends where a majority of complaints emanated from the areas of family law and civil litigation. Five of the complaints were initiated as an own motion complaint by the Society.

## COMPLAINTS RECEIVED BY AREA OF LAW

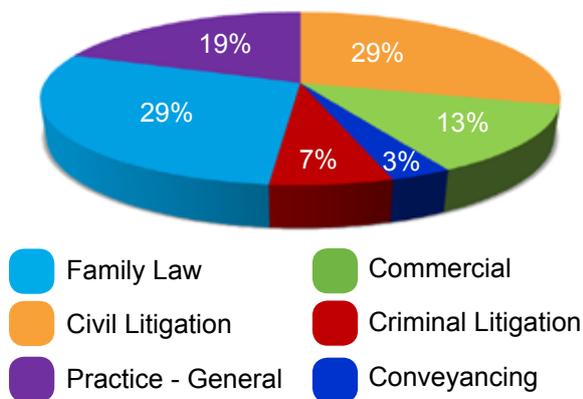


Fig 1

## PERFORMANCE CRITERIA

Section 557 of the *Legal Profession Act 2006* requires the Society to set performance criteria relating to the handling of complaints under Chapter 4 of the Act and to report against that performance criteria each year. This year the Society determined to set as the performance criteria that 75% of complaints received be concluded by the Society within one year of receipt of the complaint.

As can be seen from Fig 2, the Society did not quite achieve this goal with 71% of the complaints

## COMPLAINTS RECEIVED VS. COMPLAINTS RESOLVED

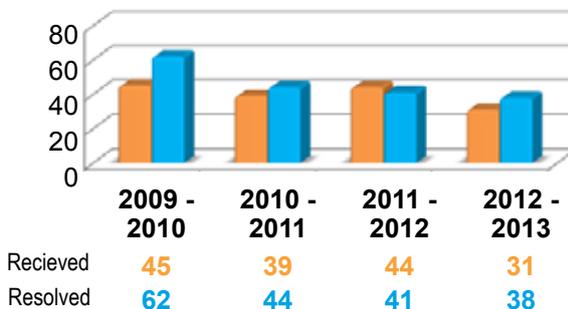


Fig 2

finalised during 2012/2013 being completed within one year. This may be a reflection of the impact on complaint investigations arising from a vacancy in the Manager Regulatory Services position and the subsequent training period for the replacement staff member in the latter part of the preceding year.

On average it took 340 days to conclude a complaint finalised during the 2012/13 year.

## ENQUIRIES

The Society received enquiries about legal practitioners' conduct from clients, other parties involved in cases and members of the public. Of the 65 enquires received over the course of the year, eight subsequently resulted in a formal complaint form being received by the Society.

## CONSUMER DISPUTES

This year the Society continued collecting data on consumer disputes. A consumer dispute is defined in the *Legal Profession Act 2006*

## COMPLAINTS BY CONTACT TYPE

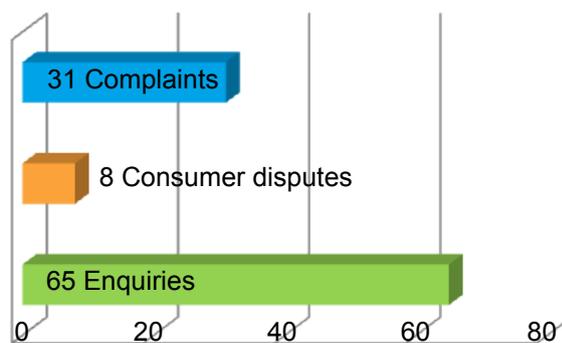


Fig 3

## Regulatory Services Manager: Complaints and Discipline

### FILES CLOSED DURING 2012 - 2013

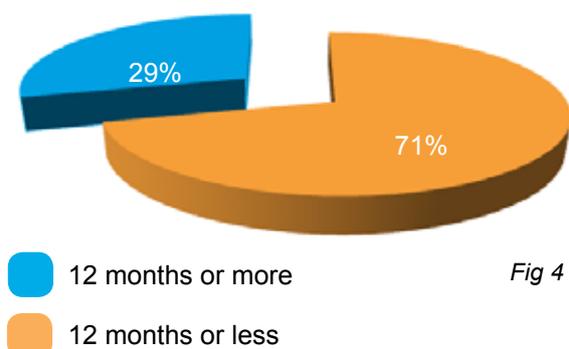


Fig 4

as a dispute between a person and a legal practitioner about that legal practitioner's conduct but only to the extent it doesn't involve an issue of unsatisfactory professional conduct or professional misconduct.

A significant number of the consumer disputes dealt with arose due to a breakdown in communication between the practitioner and the client. One consumer dispute was dealt with through a formal mediation with an external mediator appointed by the Society. A successful resolution was achieved through this mediation process. The remaining consumer disputes were dealt with by more informal means, largely through the Manager Regulatory Services speaking with each of the parties and facilitating agreement on a course of action. Only one of these matters resulted in a subsequent formal complaint to the Society.

### TIME TAKEN TO FINALISE COMPLAINTS

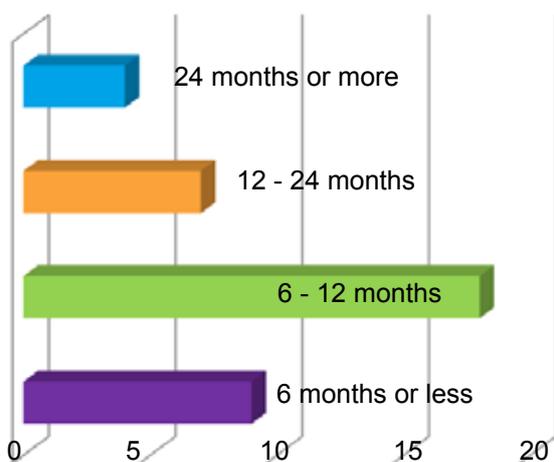


Fig 5

### DISCIPLINARY TRIBUNAL

Following a Council decision made in late May 2012 a disciplinary application was initiated in the Tribunal against a legal practitioner during the 2012/13 year. This application had not been heard or determined by the Tribunal prior to 30 June 2013. The practitioner did not seek to renew their practising certificate for the 2013/14 year.

The Society was also a respondent to two appeals in the Tribunal during this year, although one of these appeals was on foot prior to the start of the 2012/13 year. Both appeals were initiated by complainants as a result of the Society's decision to dismiss their complaint against a legal practitioner or practitioners. An application by the Society in one of the appeals resulted in an order by the Tribunal striking out the grounds of appeal documents filed by the self-represented appellant with a costs order in favour of the Society. The other appeal, which was initiated during the course of this year, was ultimately deemed to be withdrawn.

### NUMBER OF OUTCOMES

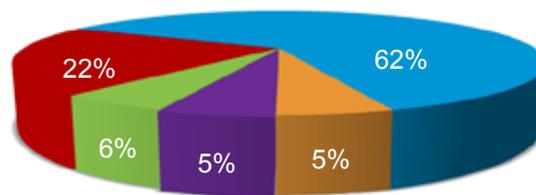
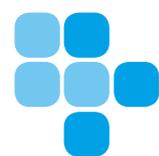


Fig 6

- Dismissed (s498)
- Summarily dismissed (s478)
- Withdrawn
- Private reprimand
- Fine only
- 0% Fine and private reprimand
- 0% Fine and public reprimand
- 0% Public reprimand
- 0% Referred to the LPDT

■ **Kellie Grainger**  
Manager Regulatory Services



# Trust Accounts

The Society has not employed a Trust Accounts Supervisor during the 2012/13 year and the Manager Regulatory Services has continued to have oversight of trust account supervision.

## COMPLIANCE AND NOTIFICATIONS

As in previous years the Society has dealt with numerous routine enquiries from law practices relating to various trust account record keeping and management obligations as well as the various trust account notification requirements (including irregularities and longstanding trust ledger balances).

Steps have been taken to communicate and follow up with law practices to achieve compliance with the annual reporting requirement that applies to all law practices as well as the additional reporting requirements applying to law practices with trust accounts. The Society has begun to formulate and implement a routine system of compliance checking and reminders aimed at garnering timely compliance with law practice's annual trust account reporting.

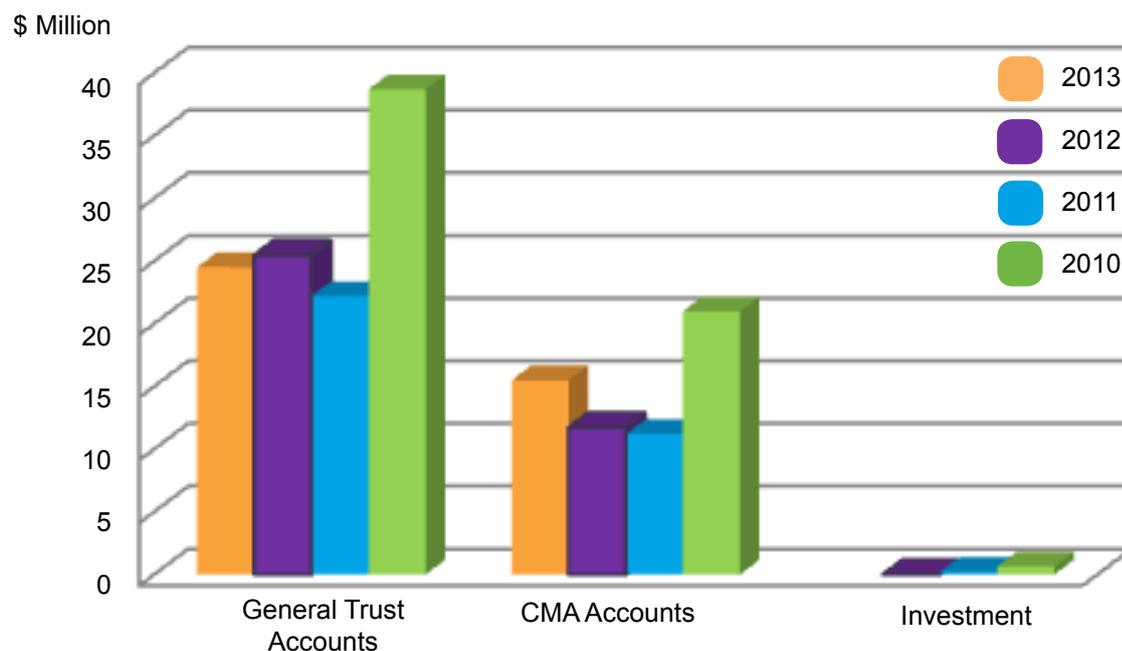


## INVESTIGATIONS

In the absence of an in-house trust account investigator the Society explored alternative options to fulfil the Society's regulatory role under the *Legal Profession Act 2006*, particularly in undertaking routine trust account investigations. Ultimately, the Society settled on a model involving the outsourcing of this work to a third party.

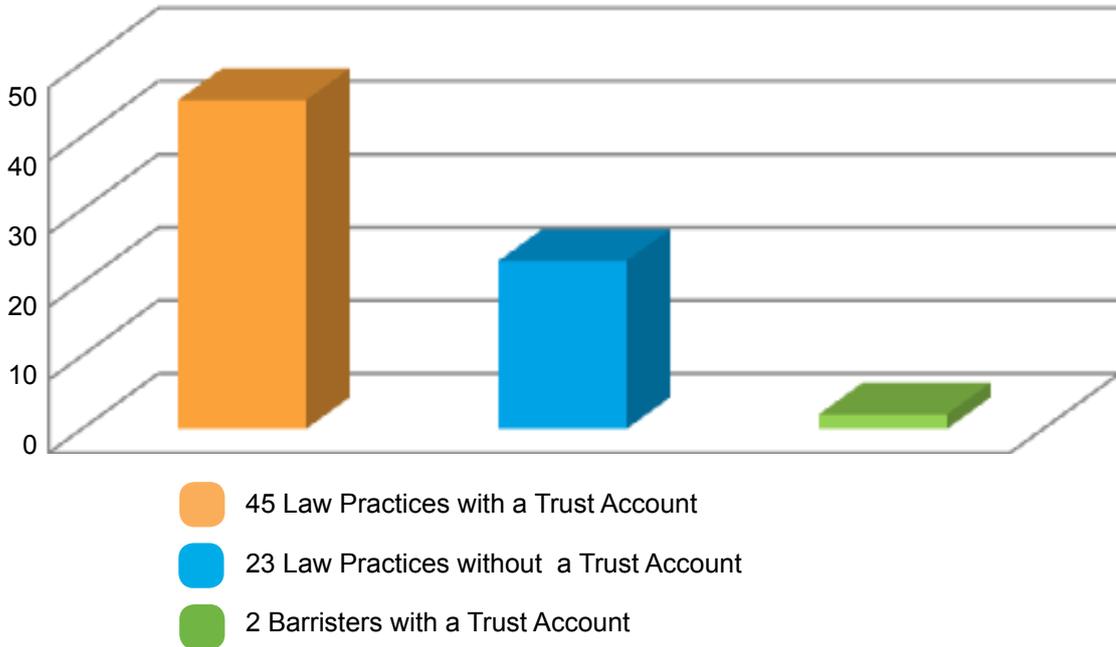
Consequently, in June 2013 the Society engaged an external provider to undertake routine trust account investigations. Three investigations were undertaken for the

## ENTRUSTED FUNDS HELD BY TRUST ACCOUNT TYPE





**BARRISTERS AND LAW PRACTICES WITH TRUST ACCOUNTS DURING 2012/13**



2012/13 year and generally the results of the investigations were favourable.

**EXTERNAL EXAMINATIONS**

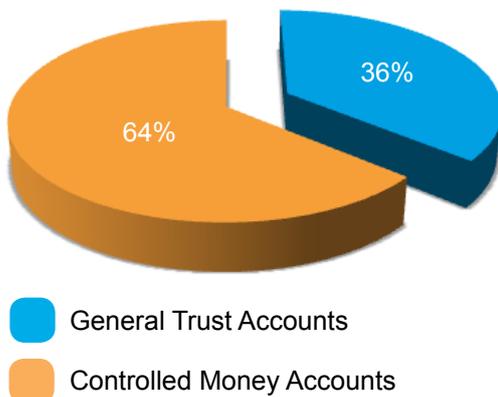
As has occurred over the past couple of years external examiners were required to undertake training provided by the Society before their appointment as an external examiner was

renewed. The Society enlisted the services of an external party to deliver this training.

**TRUST ACCOUNTS IN THE JURISDICTION**

The number of open general trust accounts has decreased slightly over the past year – 45 as at 30 June 2013 compared to 52 as at 30 June 2012. During the course of the year steps were taken to review the Society’s records to ensure that the list of current open general trust accounts is up to date and work on this is continuing.

**IDENTIFIED IRREGULARITIES REPORTED DURING 2012/13**



During the year there have been 10 law practices operating controlled money accounts.

**Kellie Grainger**  
Manager Regulatory Services



# Continuing Professional Development

## THE NEW CPD SCHEME

A significant change for the continuing professional development (CPD) obligations on legal practitioners in the Northern Territory occurred during the 2012/2013 year. On 1 October 2013 the *Legal Profession Amendment Regulations 2012* came into effect. The import of this subordinate legislation was to amend Schedule 2 of the *Legal Profession Regulations* which houses the mandatory continuing professional development scheme for the Northern Territory legal profession. The most notable changes were to reduce the total number of CPD points required from 12 to 10 per CPD year and to introduce three new core competencies with a requirement for practitioners to accrue at least one point in each core competency in each CPD year.

The Society undertook considerable work to educate and inform the profession about impact of the various changes to the CPD scheme. The Society's Manager Regulatory Services presented a CPD seminar about the new Regulations in both Alice Springs and Darwin in early October 2012 and again in Darwin in March 2013. An article was published in *Balance* outlining the key changes to the CPD scheme. Notices were included in two editions of the Society's fortnightly e-newsletter *Practitioner* to alert practitioners and highlight where they could access information about the new CPD scheme.

Additionally a letter was sent to every practitioner in November 2012 informing them of the change to the Regulations and enclosing an optional form to assist them in assessing their obligations relating to the transitional arrangements for the core competencies for the 2012/13 CPD year. 48 practitioners took up this offer by the Society to seek confirmation as to their particular obligations for core competency CPD points in this transitional year.

The Society also undertook a review of its publication "CPD: A Guide for Practitioners" which is a useful ready reference for practitioners about the CPD scheme. This was updated and the revised version published on the Society's website in December 2012. The amendments also impacted on the annual certificate that practitioners are required to provide resulting in the Society taking the



opportunity to review its existing CPD forms as well as introduce some new forms, including a Supplementary Certificate (new requirement) and an Application for Exemption form. The new forms were published to the Society's website in December 2012. In March 2013 again the Society wrote to each practitioner providing copies of the new CPD annual certificate forms for their convenience.

The Society's Professional Development Officer spent considerable time dealing with enquiries from practitioners in the lead up to the end of the CPD year on 31 March 2013 as well as during the period from April to June 2013 pursuing compliance with submission of complete and correct Annual CPD Certificates as well as Supplementary CPD Certificates where necessary. It is hoped that this intensive level of assistance for practitioners this year will result in reduced compliance issues into the future.

## CPD PROGRAM DELIVERY

The Society has continued to explore opportunities to deliver CPD seminars that are accessible to as many practitioners as possible, including those in remote locations. The use of video-conferencing has continued through this year. Other options continue to be considered by the Society. The Society also continues to utilise other techniques for CPD activities such as full day intensives and workshops like the popular Advocacy Workshop run by His Honour Chief Justice Riley and Rex Wild QC, which this year included a third stream for more experienced practitioners wishing to hone their advocacy skills.

The Society aims to deliver CPD seminars that meet the needs of the Northern Territory legal



## SPEAKERS LIST

We would like to thank ...

Anna McGill	Kris Norrington
Bob Cowling	Leon Loganathan
Bruce Taylor	Louise Page
Cecil Black	Mark O'Reilly
Cheryl Richardson	Master Vince Luppino
David Berman SC	Max Emanuel
Dr Carol Durkin	Megan Hunter
Dr Nanette Rogers	Megan Lawton
Eileen Terrill	Melissa Yates
Fiona Davis	Mike Nicholls QC
Frank Sanitate	Miles Crawley
Graham Nicholson	Paul Maher
Hon Justice Christine Dawe	Peter Schroter
Hon Chief Justice Trevor Riley	Peter Skinner
James Stoller	Phillip Ng
Jane LeMessurier	Philippa Martin
Jaquie Palavra	Professor Les McCrimmon
Jennifer Cavenagh	Rex Wild QC
Jocelyn Nathanael-Walters	Richard Giles
Jodi Truman	Rick Trevaskis
John B Lawrence SC	Roslyn Cook
Judge Leanne Turner	Stephen Odgers SC
Judge Peter Cole	Sue Harrington
Judge Terry McGuire	Thomas Haystead
Kellie Grainger	Tony Young
Ken Lechleitner	

profession with relevance to practice and high quality speakers among the key considerations in achieving this. The Society has also set itself a benchmark to deliver CPD seminars that would satisfy each of the core competency requirements for practitioners at least once each quarter and this has been implemented in the latter half of the 2012/2013 year. These form part of the Society's strategies to meet the

goal set as part of the Strategic Plan introduced in 2013 for the Society to be the pre-eminent CPD provider in the Northern Territory.

 **Mark O'Reilly**  
Chair  
CPD/CDU Committee



## Corporate Services Manager

This report will highlight a number of operational activities within the secretariat that have supported the work of the Society. As we look forward to the 2013-16 strategic plan and particularly focusing on:

- positioning the Society as the pre-eminent provider of CPD in the Northern Territory
- securing stakeholder confidence in the Society
- advocating with influence through effective and supported committees

Corporate services supports these goals by ensuring the necessary staff, systems and processes are in place.

Effective support of the Council in this financial year included the provision of tablets to Executive members of Council and the Secretariat in July 2012. This along with an internet file sharing service realised the anticipated benefits including the easy, convenient and timely access to the various meeting papers. Despite the success, the Society has elected to allow Council members to use their own devices with appropriate privacy protocols now assuming the focus.

The Society continues to enjoy the many benefits of using a secure file sharing service. This facility has, over the course of the year, been rolled out to all the Society's Committees. The cost savings in print, paper, postage and courier expenses more than justifies the cost of the service and the convenience factor is an added benefit. We are continuing to monitor how to better support the work of the Council and committees.

### POSITIONING THE SOCIETY AS THE PRE-EMINENT PROVIDER OF CPD IN THE NORTHERN TERRITORY

The Society has for many years now offered DVDs of CPD for purchase. In 2012 the Society purchased a Disc Producer for the purposes of producing DVDs in-house. This has reduced waiting time for DVD orders to be filled, and effectively allowed the Society

to make to order (thus reducing stockpile of dated DVD material). The change has been successful in speeding up delivery and in 2013/14 we will continue to improve 'turn-around' times.

The Society entered into a sponsorship arrangement with Legalsuper, the industry superannuation fund for the national legal profession, who have sponsored the Continuing Professional Development program. Sponsorship monies are either reinvested in the CPD program or are used to reduce the call on the Legal Practitioners Fidelity Fund. Legalsuper representatives have attended a number of CPD seminars. Legalsuper is the default fund for the Law Society Secretariat.

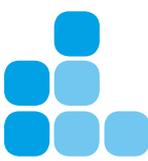
### LEGAL SUPPORT STAFF COURSE

In accordance with the licence agreement between the Society and the Queensland Law Society, a funding application is being made to the Law Society Public Purposes Trust to cover the amendments to the course materials to reflect Northern Territory legislation. It is anticipated that applicants will be able to commence in late 2013.

### CORPORATE GOVERNANCE

We are working on compliance with the Australian Charities and Not-for-Profit Commission (ACNC) reporting requirements due at the end of 2013 for the Law Society Northern Territory, Law Society Public Purposes Trust and the Northern Territory Council of Law Reporting Inc. Each of the entities have slightly different requirements and we are looking at what amendments need to be made to constitutions and reporting periods etc. to ensure each entity is compliant.

Under the requirements of the Personal Property Securities Act (PPSA), we developed a policy and procedure to establish a Personal Property Securities Register. As members would be aware, the PPSA applies to commercial transactions involving virtually all types of property, except land.



## PREMISES AND STAFF

In July 2012 the kitchenette at the Society's premises was updated and now provides increased bench space and equipment for meeting catering purposes. In the coming year attention has been placed on staff amenity and conditions to ensure the Society can attract and retain suitably qualified staff.

Over the 12/13 financial year, we welcomed Lily Coe as Receptionist, Jackie Antoun as Senior Policy Officer (temporary) and Lenore Keyte as part time/casual administration assistant to the Secretariat.

It has been a pleasure to work with our Treasurer, Mr Tass Liveris, who has provided valuable input and guidance, during a period of review and economic restraint.

 **Julie Davis**  
Corporate Services Manager



## Law Society Public Purposes Trust

In 2012 David Lisson completed 10 years of service as a member of the Law Society Public Purposes Trust Allocations Committee as the nominee of the Attorney General. The Law Society offers David sincere thanks for his contribution over such an extended period.

The Law Society welcomed Alastair Shields who was nominated to the Allocations Committee by the Attorney General. Alastair joined Fiona Hussin and Nigel Browne on the Committee whose task it was to consider this year's diverse applications. The time and effort contributed by the Allocations Committee to arrive at the final recommendations is greatly appreciated by the Society.

All applications are considered in the context of the objects of the Law Society Public Purposes Trust, which are:

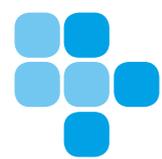
1. To advance the education of the community, and any section of it, with respect to the law;
2. To advance the collection, assessment and dissemination to the community, and any section of it, of information relating to the law;
3. To improve the access of the community, and any section of it, to legal services;
4. To improve the quality, standard and effectiveness of legal services available to the community or any section of it; and
5. To protect any member of the community using or seeking to use legal services.

The 12/13 financial year saw 26 grant applications received, requesting a total amount of \$572,017 in funding. Following on from the recommendations of the Allocations Committee, the Northern Territory Attorney-General, the Hon. John Elferink MLA, approved a total of \$297,630 in grant funding set out in the table opposite.

 **Dagmar Brautigam**  
**Secretary**  
Law Society Public Purposes Trust



ORGANISATION	PROJECT	AMOUNT
NT Young Lawyers	2012 Golden Gavel National Final	\$1,400
Multicultural Council of the NT	Production of the 2 <sup>nd</sup> Edition of the Migrant Employment Handbook	\$20,000
Central Australian Women's Legal Service	Translation of website into several languages	\$20,103
Central Australian Women's Legal Service	Promote discussion paper on behalf of CAAFLU and Sexual Assault Network	\$4,000
Darwin Community Legal Service	Human Rights Education Kit	\$6,052
Australian Wild Law Alliance	Roadshow Series of Workshops Darwin and Alice Springs	\$5,148
NT Bar Association	Bar Readers Course	\$29,000
North Australian Aboriginal Justice Agency	Production of a Community and Cultural Handbook	\$30,620
Law Society NT	Martin Kriewaldt Memorial Address 2013	\$7,841
Law Society NT	Opening of the Legal Year 2013	\$7,811
Law Society NT	Law Week 2013	\$28,400
Environmental Defenders Office NT	Community legal education project	\$53,350
Browns Mart Arts Ltd	Production of Forced Legacy - The Story of Alyngdabu	\$5,500
Australian Red Cross Society	International Humanitarian Law Forums	\$7,100
NT Council of Law Reporting Inc	Consultative Council of Australian Law Reporting membership, travel expenses and website development	\$3,620
James Gayakamangu and the Larrakia Nation Aboriginal Corporation	Development and editing of the autobiography of James Gayakamangu	\$5,500
Dept. of the Legislative Assembly	Law Forum entitled 'From Cabinet to Court' for Legal Studies school students	\$940
Multicultural Youth NT	Continuation of Asylum Seeker Project	\$55,000
NT Young Lawyers	Northern Territory round of the National Golden Gavel Competition 2013	\$2,945
NT Council of Social Services	Justice Reinvestment Policy Forum	\$3,300
<b>TOTAL</b>		<b>\$297,630</b>



## Alice Springs Representative

The election of a new government in August 2012 saw the closure of the Alcohol and Other Drugs Tribunal and shortly after the closure of the West Point facility altogether as it was not considered suitable for youth matters. The priorities of the new government also saw the closure of the SMART Court.

The issue of Court space including a dedicated youth facility has once again been a priority. This was coupled with the continuing closure of the Family Court registry. In Law Week 2013 Alice Springs practitioners were informed that the search was on for a solution in the form of a 'justice precinct.' We continue to await formal announcements.

Alice Springs and particularly the Family Court was a focus of the Society during Law Week with a public forum attended by 30+ community members. The absence of a Court has been an added pressure on Family Law practitioners in Alice Springs.

There was also a changing of the guard at the Magistrates Court with John Neill returning to Darwin, and Daynor Trigg coming down to Alice Springs. The hospitality of Neill SM and his wife Suzie was much appreciated with their hosting a farewell to Mildren J in their own home catered for by the Society.

Events:

- Unfortunately Law Society Christmas drinks for Alice Springs practitioners did not eventuate due to numerous other

social bookings in the calendar.

- The Opening of the Legal Year and farewell to Mildren J was well attended.
- Law Week had a good showing in Alice Springs with the notable launch of the 'Renting know your Rights' DVD.
- The Law Week Dinner was once again an inspiration to the profession with Bishop Eugene Hurley speaking about immigration detention.
- Law Week also saw local practitioners support the sentencing forum and schools tour hosted by the Court.
- Whilst it has been a challenge, I believe my participation as chairperson of the CPD committee has ensured that Alice Springs has been well catered for. There has been a noticeable increase in professional development opportunities in Alice Springs many organised by the Society but also Northern Territory Women Lawyers and visiting judicial officers have made time available. The Society has also continued to offer video-conferencing on a number of occasions.

I would like to thank Tony Whitelum for his work as Alice Springs alternate representative throughout the year.

 **Mark O'Reilly**  
Alice Springs Representative



It's been another exciting year Northern Territory Young Lawyers (NTYL). Nationally there has been further focus on young lawyers both in terms of employment opportunities, supervision, workplace standards and mental health, all of which resonates in the Northern Territory. These issues are part of a growing national trend which recognises that the current system is failing both graduates and young lawyers. In particular, the Law Council of Australia (LCA) has undertaken a national attrition survey the results of which, when released, will hopefully provide insight into the reasons that people leave the law (especially young lawyers) and the demographics involved. In the future NTYL hopes to engage with the profession in relation to these issues.

This year NTYL have focussed on the continuing legal education program and offering similar types of services to young lawyers.

## COMMITTEE

The NTYL committee has had a number of personnel changes over the past year. We have also had engagement with Alice Springs young lawyers through the efforts of James O'Brien, Susanna Warrick and Elise Rivett.

We are committed to having Territory wide reach and are examining ways to increase participation of Alice Springs young lawyers. The committee holds open meetings every month - any young lawyer is welcome to attend.

Nationally, NTYL has a voice on the Australian Young Lawyers Committee which is a sub-committee of the LCA. Currently that structure is under review however, we would always advocate a position for the voices of young lawyers in the Territory to be heard on a national stage.

## NTYL EVENTS

NTYL mainly engages with its members through its events.

The highlight of the year was the William Forster Chambers Golden Gavel Competition, held on 8th August thanks to the sponsorship of William Forster Chambers who won the naming rights during the Law Week Luncheon auction and also to secondary sponsorship of local firms.

Heloise Woodside was the winner on the night, speaking on *"I'm a tax lawyer: pick up lines*

*that are bound to work"* and Tristan Moseley was took out the people's choice speaking on *"Google, wikipedia and my boss: unreliable sources exposed"*. Heloise attended the National Golden Gavel in Adelaide on 21st September, where she took out People's Choice speaking on *"How to Lose an Employer in 10 Days"*.

In keeping with the theme, NTYL's focus has been on knowledge growth in young lawyers. We assisted the associates of the Supreme Court in the organisation and running of the advocacy program which has been a great success. It was run over five weeks in an open court before senior members of the bar and the legal profession and based on a series of facts which were prepared by the Department of Justice and Attorney-General. Given its success and value to young lawyers starting out in gaining practical advocacy training NTYL would be looking to run similar programs in the future.

Additionally, NTYL assisted the Society with the presentation of CPDs specifically designed for young lawyers, which were a great success through the *Lunch and Learn* series. The inaugural CPD was a presentation by His Honour, Chief Justice Trevor Riley, covering the role of lawyers in the community and the issues which face young lawyers. It was so well received that the event was run twice. It is these sorts of activities and presentations which assist young lawyers in honing their craft and can only be of assistance to the entire profession.

Finally I would like to thank our committee for their hard work this year and also members of the legal profession, local firms and the Society for their support and assistance throughout the year.

## Emma Farnell

**President**

Northern Territory Young Lawyers



# Committee Membership Terms of Reference

## PROFESSIONAL INDEMNITY COMMITTEE

The Committee considers all issues relating to the Professional Indemnity Insurance Scheme in the Northern Territory.

**Chairperson:** Peggy Cheong

**Members:** Candice Maclean, Duncan McConnel, Maria Savvas

**Secretariat:** Julie Davis, Megan Lawton

## ETHICS COMMITTEE

The Committee considers the reports of investigators and makes recommendations to Council and the CEO.

**Chairperson:** Peggy Cheong

**Members:** David Alderman, Peter Mariotto, Margaret Orwin, Kerry Sibley, Eileen Terrill, Geoff Clift, Jeff Collins, Allison Smart, Caitlin Perry (Community Member), Duncan McConnel

**Secretariat:** Kellie Grainger, Megan Lawton

## LEGAL PRACTICE COMMITTEE

The Committee considers all areas of legal practice excluding commercial law and family law matters including alternate dispute resolution.

**Chairperson:** Peggy Cheong

**Members:** Candice Maclean, David Alderman, Duncan McConnel, Melissa Dunn, Tass Liveris, Ben O'Loughlin, Jeff Collins

**Secretariat:** Kellie Grainger, Megan Lawton

## COMMERCIAL LAW COMMITTEE

The Committee considers all areas of law and legislative reform relevant to the practice of a commercial lawyer at a local and national level.

**Chairperson:** Lyn Bennett

**Members:** Gordon Berner, Brett Midena, Guy Riley, Richard Henschke, Emma Farnell, Pipina Papazoglou

**Secretariat:** Megan Lawton

## CPD/CDU COMMITTEE

The Committee supervises and directs the delivery of the CPD program, considers CPD rules and regulation and comments on legal education issues.

**Chairperson:** Mark O'Reilly

**Members:** Kerry Sibley, Geoff Clift, Cecil Black, Tom Haystead, Emma Farnell, Candice Maclean, Georgia McMaster, Ruan Sanders

**Secretariat:** Kellie Grainger, Megan Lawton, Bella Basilides

## FAMILY LAW COMMITTEE

The Committee considers all matters relevant to Family Law practices.

**Chairperson:** Megan Lawton

**Members:** Clara Mills, Deborah Noll, Diana Elliott, Eileen Terrill, Jaquie Palavra, Sally Bolton, Tracey Marris, Carol Durkin, Laura Muccitelli, John Stirk, Mark O'Reilly, Rowena Petreas, Penelope Johnston

## SOCIAL JUSTICE COMMITTEE

The Committee incorporates the work of the Indigenous Legal Issues Committee and the Criminal Justice Committee and considers all issues relating to Social Justice issues at a local and national level.

**Chairperson:** Fiona Hussin

**Members:** Peggy Cheong, Benjamin Grimes, Lisa Coffey, Tony Whitelum, Seranie Gamble, Jared Sharp, Mark O'Reilly, Roslyn Cook

**Secretariat:** Megan Lawton, Suzie Simmons, Lily Coe

- Committee appointments are for one year but members may be re-appointed.
- Appointment /removal of members is by resolution of Council.
- Committees Charter approved and available on the Society's website.



As everyone knows, the 2012/13 year brought with it a new government and the opportunity to seek, or reinvigorate previously pursued, legislative reforms.

#### LAW SOCIETY/REINT APPROVED CONTRACT OF SALE

After a mammoth amount of time spent on the part of the Committee in the re-drafting over the last couple of years of the proposed new Contract of Sale, it was somewhat disillusioning to have all the hours of work swept away in the lapsing of the Sale of Land (Rights and Duties of Parties) Act, and with it, of course, the vendor disclosure regime. But, that's life, and the NT remains one of the last bastions of caveat emptor. The Committee has however urged a review of the current Law Society/REINT approved Contract of Sale noting that there are some necessary changes which need to be made to cater for changes in other legislation and to improve the document generally, not to mention the now looming concept of the national electronic settlement process. In the absence of this being considered a policy priority for the Government, it seems the Law Society/REINT will need to divert its own resources to bring this to fruition. The Committee will monitor this in the coming year and see if we can harness some energy to review the form of the Contract of Sale which was designed for the vendor disclosure legislation, and amend it to include the required updating, minus disclosure.

#### PROPOSED INTRODUCTION OF THE NATIONAL E-CONVEYANCING SCHEME

The slow but unrelenting evolution of e-conveyancing (better probably described as e-settlement, as that is fundamentally what will be covered under the process) saw the introduction in various jurisdictions, including the NT, of the Electronic Conveyancing (National Uniform Legislation) Bill 2013. The Committee notes that s5 of the Bill adopts the E-conveyancing National Law (ECNL) in the Northern Territory. The passing of the legislation in the NT does not mean that e-conveyancing will become a reality in this jurisdiction immediately, as its implementation is subject to the availability of funding to enable the Land Titles Office and other agencies to be able to make the requisite software and other

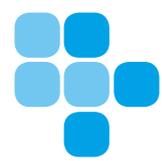
changes which are necessary for the process to be used in the NT. Government has not as yet confirmed with the Society at what point the NT will actually commence implementation of any aspect of the e-conveyancing scheme.

At a national level, advocacy on the key issues of concern for the profession has been and is continuing to be undertaken by a working group formed under the auspices of the Law Council of Australia (in which I have participated as the NT representative). The Law Council's advocacy focused on ensuring that the right balance was struck between the need for confidence in the e-conveyancing system and unnecessarily exposing legal practitioners to expanded risk. An example of the additional liability practitioners will face is in the context of repudiation of the digital signature under ECNL. The provision requires the subscriber (i.e. the legal practitioner registered to use the e-conveyancing system) to establish that:

- they did not create the digital signature
- it was not created by an employee or with the authority of the subscriber
- the subscriber's employees and officers:
  - o complied with the rules
  - o took reasonable care.

In the Law Council's view these elements will be difficult to establish, particularly as evidence of a sophisticated hacker is likely to be in the care, custody and control of the e-conveyancing system rather than the subscriber, but with the onus on the subscriber.

Unfortunately, as is often the case with nationally-introduced and externally-driven legislation, concerns of lawyers are paid little heed in the rush and flurry of bringing into being the legislation required to drive the process. We have been working at all times closely with the professional indemnity insurers and our regulating bodies, and currently await the response of the insurance industry and the fidelity funds to what we consider will be increased risk exposure presented by e-conveyancing. The Committee will continue to participate in the evolution of the law and the model participation rules throughout every stage, but it has been at times a somewhat



## Commercial Law

disheartening process, with the enthusiasm shown by other parts of the industry to shift responsibility onto insured practitioners wherever possible.

### BUSINESS TENANCIES (FAIR DEALINGS) ACT

The Committee continues to participate in the statutory review of the Business Tenancies (Fair Dealings) Act with the new government identifying a number of proposals for reform. The Society has strongly voiced its concern over recent years as to the delay in the review of this legislation and the Committee is delighted this is finally being done.

### UNIT TITLE LEGISLATION

The Committee also participated in the review of the unit title legislation. Various potential areas for improvement were identified, however the streamlining of processes for the dissolution of unit plans and schemes is posing a significant challenge for the Committee and the Government. Ultimately, the Society formed the view that the percentage required to vote in favour of a dissolution was a policy decision

rather than a legal issue and the process of striking the right balance between minority owners' wishes and the wishes of a majority was not answered by the recommendation of any particular legal formulae.

Looking forward to the coming year, it is expected that the Government's expressed commitment to cutting red tape and promoting private enterprise is likely to see expression in reform in the commercial law space. The new Government has abandoned the Property and Commercial Law Taskforce, which leaves the Society, through the Commercial Law Committee, continuing an important role in the ongoing debates and the design of future legislative reforms.

I again express my heartfelt thanks to the Committee and the Law Society staff who so ably support us. I acknowledge all of their efforts throughout the year and the significant body of work that is undertaken out of working hours. If practitioners have matters which they consider the Committee should be discussing, we welcome the referral of these.

 **Lyn Bennett**  
Chair  
Commercial Law Committee



The Society's Legal Practice Committee has continued to meet since our last AGM. I thank all members of this committee for their continued attendance, support and contributions throughout the year which have been gratefully received.

At the meetings of the Committee during the 2012/2013 year, the members have continued to consider and monitor issues relating to:

- Changes and reforms to the Supreme Court Costs structure and Courts fees regime;
- Changes to the Supreme Court Rules to facilitate the process of civil litigation through the Court; taking into account the ongoing high costs of such litigation, access to justice, the discovery process, and formal incorporation of the requirements of PD6 into the Rules;
- Provision of input into, and monitoring of the progress of the implementation of the Australian Solicitor Conduct Rules in other States and Territories, confirming that the Commentary of these Rules are now available and can be circulated for consideration;
- Participation in the Civil Court Users Groups in both the Magistrates Court and Supreme Court, with a view to addressing any issues practitioners may have in relation to their practice in those Courts directly with the Magistrates and Judges respectively;
- Confirming the implementation and passing of the Uniform Evidence legislation for the Northern Territory in early 2013;
- Submissions in support of the proposal to refer to and use of the 5<sup>th</sup> edition of the AMA Guides to Permanent Impairment for all relevant legislation in the Northern Territory, including but not limited to the *Workers Rehabilitation and Compensation Act*, *Motor Accidents (Compensation) Act*, *Personal Injury (Liabilities and Damages) Act*;
- Consideration of the proposed introduction of an Administrative Appeals Tribunal in the Northern Territory;
- Consideration of, and submissions to Government with regard to proposed reforms to the Magistrates Court in relation to the jurisdiction of the Small Claims Court reform and overall civil practice in the Local Court;
- Possible introduction of Legal Practitioners ID Cards for easier access to Courts.

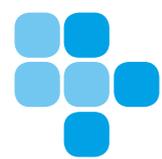
These issues will continue to have an impact on legal practice in the Northern Territory and for the local legal profession generally. In addition to any new matters, they will continue to be a focus for discussions for this Committee in the next 12 months and beyond.

The progress, use, and application of the Australian Solicitors Conduct Rules will also be enlightening now that the Commentary of the intended effect, interpretation and purpose of those Rules are available for consideration. Our own Supreme Court in the Northern Territory is also likely to effect changes to its own rules of practice and costs regime in the coming year and local practitioners will have to become familiar with such changes, especially if or when the requirements of PD6 are incorporated as Rules of our Court.

 **Peggy Cheong**

**Chair**

Legal Practice Committee



The Northern Territory is a large jurisdiction with a small, diverse and remote population. These, among other factors, present unique challenges to access to justice in the Northern Territory.

The Social Justice Committee was established by the Society some years ago to bring together practitioners from a range of perspectives to consider the social justice and access to justice issues in the Territory, and provide advice and make recommendations to the Society in relation to these issues.

This has been another busy year for the Committee. This report notes some of the areas of focus of the Committee however, this outline is by no means exhaustive.

The immigration detention population in the Territory has continued to grow, despite government policy announcements indicating an anticipated reduction. The Committee has continued its important work in obtaining information from relevant stakeholders and raising concerns about barriers to obtaining independent legal advice and assistance faced by people in immigration detention in the Territory. Of note, the Society made submissions to the Expert Panel of Asylum Seekers and to the Senate Standing Committee on Legal and Constitutional Affairs on the Migration Amendment (Unauthorised Maritime Arrivals and Other Measure) Bill 2012. The Committee will continue to monitor this situation.

The Territory has a significantly disproportionate number of people in criminal detention, which reached more than five times the national average during the year. This issue has occupied much of the Committee's time in the past, and this year was no exception. The Committee arranged a visit of the Darwin Correctional Centre and was grateful to be hosted by the Director of Correctional services, Mr Ken Middlebrook. This tour provided a useful insight to the Society of the range of

services and challenges in the Darwin gaol and to prisoners on release from prison. The Committee has considered these and related issues and made a number of submissions raising concerns including contributing to the Law Council of Australia's submission on the Draft Fifth Report by Australia on the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Senate Standing Committee on Legal and Constitutional Affairs on Justice Reinvestment, the review of the NT *Bail Act* and the NT Monitoring Places of Detention Bill. The Committee will continue to advocate on issues relating to criminal detention in the Territory. The Pillars of Justice Initiatives of the Northern Territory Government will provide a sound platform from which the Society can advocate.

The Committee has kept a watching brief on alcohol reforms in recent years as this has been a subject of intense debate and law reform. This year, the Committee made a submission on the Mandatory Alcohol Treatment bill which has now been passed.

An interesting and exciting development during the year has been the establishment of the Making Justice Work Campaign by a range of legal and related services, which the Society has joined. The Campaign supports an evidence based approach to law and order and community safety in the Territory.

Special thanks to the staff of the Society for the valuable work they provide to supporting the work of the Committee, in particular Megan Lawton, Sonia Oliveira, Manuela Seiberth and Jackie Antoun. The Committee is only as good as its members and I extend my deepest thanks to the members of the Committee who donate their time and expertise to the work of the Committee. I also thank the Society for their support of the work of the Committee, particularly the President, Peggy Cheong, who is also a member of the Committee.

 **Fiona Hussin**

**Chair**  
Social Justice Committee



The Family Law Committee continued its work throughout 2012/13 financial year.

The Committee's work includes practice in the Federal Magistrates Court – now the Federal Circuit Court; the Family Court and extends to proceedings under the *Care & Protection of Children Act* in the Local Court. Members of the Committee also participate in the Child Support Stakeholder Engagement Group, Family Matters Court users groups and the Family Law Section of the Law Council of Australia Regional and Remote Committee. This report sets out some of the work of the Committee in 12/13 year.

In 12/13 the Committee continued to advocate regarding reforms to the *Care & Protection of Children Act* set in train as a result of the 2010 Board of Inquiry report. The election in August 2012 saw an amending Bill lapse, and along with the multiple changes in the agency, senior management, and Ministry the Committee observed significant challenges to progress. Reforms included secure care facilities for children with the facilities having been constructed but continuing to remaining vacant. The Committee was pleased to receive a briefing from the Office which outlined a program of legislative reforms. With a subsequent change of Minister the Committee looks forward to achieving reforms in the 13/14 year with the Attorney-General having recently been appointed to this portfolio.

The Committee also followed closely the development of Local Court Rules in the CINOP jurisdiction. The status of the rules remains somewhat unresolved due to the resignation of the Chief Magistrate and the Committee anticipates the appointment of the new Chief Magistrate will clarify the position.

The Committee also encouraged and supported various CPD activities focused on their sector. This included the 2<sup>nd</sup> Family Law Refresher attended by almost 60 participants with the generous support of Peter Cole FM and the Federal Magistrates Court (as it was then known). The Committee also grappled with ensuring the quality of the representation of minors in child protection matters sourcing presenters and training materials. The success of these CPD's will hopefully see more CPD's offered to Family Law practitioners in Alice Springs.

The Committee also continued to advocate in relation to the closure of the Federal Magistrates Court Registry in Alice Springs in August 2011. This was the basis of the Law Society forum in Alice Springs as part of Law Week.

I take this opportunity to thank the Committee for their work.

 Megan Lawton

Chair  
Family Law Committee



## Professional Indemnity Insurance

2012/13 was an interesting and generally reasonable year for professional indemnity insurance through the Society. As usual, the Committee members worked hard throughout the months leading up to the PII renewal date to obtain and secure the best outcome for legal practitioners. There was some concern that premiums may rise due to the overall economic climate and insurance industry concerns.

The claims experience and history was quite well maintained for the greater part of 2012, and as such, the Committee was able to negotiate a competitive and reasonable insurance package for the profession. Although premiums did rise, the increase was slight, and in the Committee's view, bearable by all practitioners in the Territory, in light of global economic conditions. The insurer again took into account the ongoing claims history and overall global economic and national factors. The good outcome was achieved through significant efforts by our broker, Marsh Limited, who assisted at all stages of the renewal process, including testing the market for insurance options. We have remained with QBE as they again offered the best options, terms and premiums for practitioners in this jurisdiction. Marsh's assistance, in particular the efforts of Cheryl Richardson in the entire renewal process have been invaluable. Marsh continues to provide significant support to the Society in the renewal process, as well as other areas such as sponsorships of local events and donations from time to time.

The Society, together with Marsh, monitors the status and progress of claims, which is further assisted by the claims management committee. The claims management committee does not report to the PII Committee for reasons of

confidentiality of the subject matter of the claims and the parties involved. Through the work of the claims management committee, the PII committee has been able to identify areas of practice which pose risks for practitioners and provide CPD training as required. Reducing risks and costs of claims would hopefully and ultimately lead to a reduction in premiums in the next renewal period.

The PII Committee has also supported the implementation of alternative risk management strategies for the Northern Territory profession. In the current period of insurance, the Society has implemented a self audit program for local practitioners, that was suggested and prepared largely by Cheryl Richardson from Marsh and undertaking this program provided practitioners with a discount in their premiums. Le Messurier Harrington continues to refine their assistance and education for Territory practitioners in selected areas and on specific topics, targeting potential risk factors in the industry.

Notwithstanding that the National Legal Profession Reform now does not appear to be proceeding and certainly the Northern Territory is not part of such reforms, there remains continuing challenges in securing competitive professional indemnity insurance for all practitioners in the Territory in the future, such challenges apply to all areas of practice from the sole practitioner to the larger law firms. The PII Committee will continue to monitor trends in this area of insurance as well as to investigate alternative insurances or insurers for the local profession to ensure that Northern Territory legal profession obtains the optimum insurance cover at a reasonable and affordable cost for each practitioner.

 **Peggy Cheong**  
Chair  
PII Committee



## APPOINTMENTS, CEREMONIES ANNIVERSARIES AND FAREWELLS

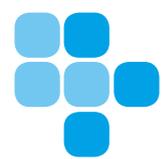
- Appointment: Ombudsman - Peter Shoyer
- Farewell to Richard Coates - DPP
- Appointment of Jack Karczewski - DPP
- Farewell to Eddie Cubillo
- Anti-discrimination Commissioner

- Appointment of Sally Sievers - Anti-discrimination Commissioner
- Ceremonial Sitting - farewell Mildren J, longest serving Judge of the Supreme Court
- Ceremonial Sitting - welcome Hiley J, Supreme Court

- Appointment Raelene Webb as President Native Title Tribunal
- Appointment - Jo Catanzaritti Deputy President Fair Work Australia LCA President
- NAAJA's 40<sup>th</sup> Anniversary elected Treasurer, LCA Executive

- Ceremonial Sitting - welcome Magistrate Armitage, - held in the Magistrates Court
- Farewell to Judge Turner - Federal Circuit Court
- Ceremonial Sitting - welcome Judge Alexandra Harland to the Federal Circuit Court





## CEO Unit

### Megan Lawton

#### Chief Executive Officer (CEO)

The Legal Profession Act creates the position of Chief Executive Officer of the Society. Pursuant to s641 of the LPA the CEO is, subject to the directions of the Council, responsible for the day-to-day management of the Law Society's affairs. Pursuant to the LPA the CEO has roles as public or principal officer under the *Associations Act* and *Ombudsman Act*. The CEO is a member of the Funds Management Committee. In general terms the CEO is responsible for developing and overseeing the implementation and reporting against the strategic plan of the Society and particularly developing and maintaining relationships with stakeholders. The CEO is responsible for the Society's advocacy including oversight of submissions and representing the profession on various Committees and working groups.

### Suzie Simmons

#### Public Relations Officer

The Public Relations Officer is responsible for member and community activities and event management, including the Opening of the Legal Year and Law Week. The role includes editorship of *Balance* (the Law Society's journal), production and distribution of *The Practitioner* (a fortnightly electronic newsletter), maintenance of the website and social media pages, media management, and represents the Society on a number of Law Council of Australia and other committees. All staff assist with the work of this position.

### Jackie Antoun

#### Senior Policy and Research Officer

The Senior Policy and Research Officer supports the Society's advocacy work by undertaking research and preparing prepare submissions and reports on behalf of the Society. The Senior Policy and Research Officer participates in various Committees, providing executive support and research. Senior Policy and Research Officer participates in many Law Council of Australia national networks of policy lawyers..

### Sonia Oliveira

#### Personal Assistant to CEO and CSM

This role provides administrative support to the Chief Executive Officer and to the Corporate Services Manager. The role is responsible for secretariat support of the Council, Executive and other committees including meetings calendar and travel. The role has primary responsibility for preparation of meeting materials including minutes, agenda and action items



## Kellie Grainger

### Manager Regulatory Services (MRS)

The Manager Regulatory Services develops policy documents and guidelines relating to professional standards of legal practitioners. The MRS has management oversight of Licensing and Professional Development. The MRS investigates complaints against legal practitioners and in effect she has the role of in house Counsel. The MRS also prepares advices to the Council of the Society on the *Legal Profession Act* and comparative penalties. The MRS provides regulatory oversight of the management of trust accounts under the *Legal Profession Act 2006* and Regulations including external examination of trust accounts.

## Elizebeth McDonald

### Administration Officer Regulation

The Administration Officer provides administration support to the Regulatory Services Unit. This role also maintains the complaints database and reporting system, co-ordinates, arranges and assists with meetings, and provides assistance to the Professional Development Officer.

## Bella Basilides

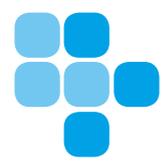
### Professional Development Officer

The Professional Development Officer is the co-ordinator of the Continuing Professional Development (CPD) Program for the Society, in line with the Legal Profession Act 2006. The role liaises with the CPD Committee to organise speakers, venues, video conferencing and attendance to CPDs. The role deals with member questions, management and record keeping of attendance and performs random audits of practitioners' CPD declarations.

## Danielle Sawyer

### Licensing Officer

The Licensing Officer has primary responsibility for the processing and administration of Northern Territory practising certificates and provides information to practitioners and members of the public in relation to the legal practice in the Northern Territory as well as membership and general queries. The position also provides secretariat support to the Legal Practitioners Admission Board located at the Supreme Court. Additionally the Licensing Officer provides reception support, maintains operational databases, and assists with customer accounts, co-ordinates Council Room facilities. The Licensing Officer assists the Public Relations Officer with event management activities and preparation of *The Practitioner*.



## Corporate Services Unit

### Julie Davis

#### Corporate Services Manager (CSM)

The Corporate Services Manager is responsible for the finances and financial records of the Law Society Northern Territory, the Law Society Public Purposes Trust, Northern Territory Council of Law Reporting Inc., and the Legal Practitioners' Fidelity Fund.

The role includes management of human and administrative resources, delivery of services to Council and members, oversight of database and other office systems.

Additionally, the role undertakes the functions of Secretary of the Legal Practitioners Fidelity Fund.

### Dagmar Brautigam

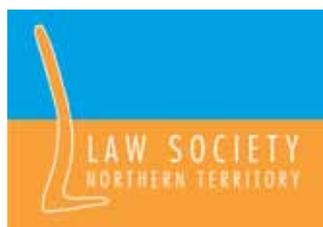
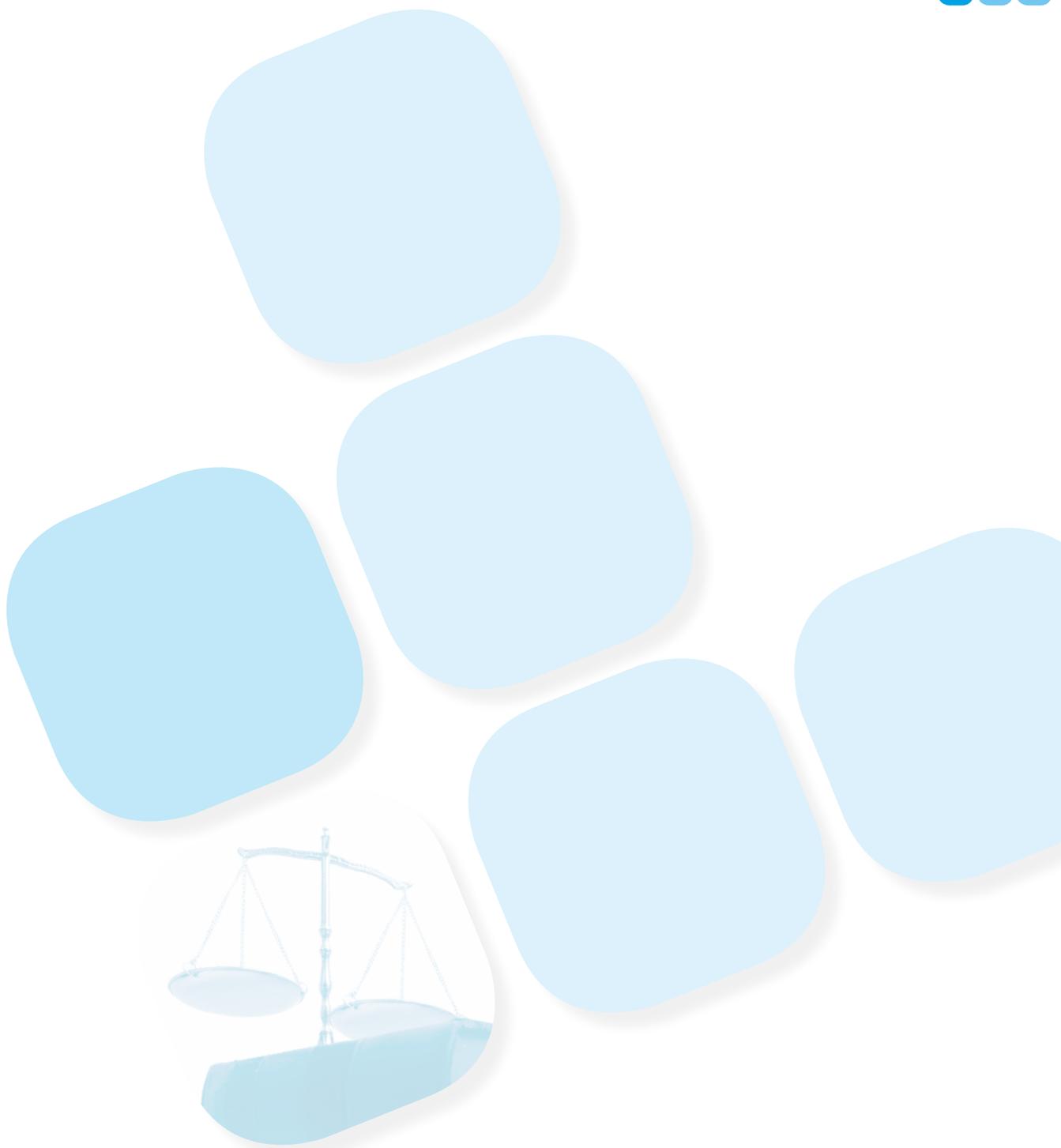
#### Finance Officer

The Finance Officer provides bookkeeping support to the Corporate Services Manager in relation to the accounts of the Society, Legal Practitioners' Fidelity Fund, Law Society Public Purposes Trust and Northern Territory Council of Law Reporting, and is also Secretary of the Law Society Public Purposes Trust.

### Lily Coe

#### Reception and Administration Assistant / Pro Bono Coordinator

The Receptionist and Administration Assistant deals with general enquiries from members and the public and provides general information, attends to daily incoming and outgoing mail services including daily rounds, data entry. The position assists with meetings and functions and undertakes special projects as required. The position also oversees the Pro-Bono Clearing House including preparation of reports to the relevant committee and processing of applications.



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