

Yet another Sunday of terror

An article which appeared in the *Sunday Territorian* on 17 May this year has been described as confused, potentially misleading and grossly irresponsible by the President of the Law Society, John Stirk.

The head to the story was *Law society (sic) a relic: rebel*.

The story carried no by-line.

Mr Stirk said the article, which carried two quotes in the ten paragraphs, vilified the Law Society on the say-so

of one legal practitioner and was an appalling example of journalism and journalistic ethics.

"The article appears to have regurgitated the moanings of one legal practitioner, and the journalist responsible failed to check any of the allegations made," Mr Stirk said.

"For example, the article said that solicitors were forced to pay interest on their trust accounts to the Law Society.

"That is patently untrue and very mischievous.

"Solicitors have never received interest monies on trust accounts and, until the societies negotiated with the banks to receive some of the percentage, the banks did not pay any interest," he said.

Mr Stirk said interest on solicitors trust accounts would never be payable to solicitors for obvious reasons.

He also said that interest from trust accounts does not go to the Law Society, but to the Public Purposes Trust which funds community legal education and provides money for institutions such as the legal aid contingency fund and the Darwin Community Legal Service.

In other states, the legal aid commissions are funded wholly from the in-

terest on solicitors trust accounts.

Mr Stirk said another inaccuracy was the practitioner's call to have the ban on solicitors advertising dropped.

"Had either the practitioner or the journalist read the last issue of *Balance*, two copies of which are sent to the *NT News*, they would see that Council has moved to amend the Professional Conduct Rules to allow advertising," he said.

Another problem with the article was

remained of the application, meaning that the practitioner lost his case.

"Further, the *Sunday Territorian* reported that the Law Society 'agreed to exclude' certain members of Council deciding whether or not to lodge complaints against the practitioner.

"Again, this is misleading and totally irresponsible.

"Prior to the court hearing, solicitors for the Society offered that three Councillors stand aside when Council

heard complaints about the practitioner.

"The offer was rejected by the practitioner," Mr Stirk said.

He said the article claimed that the reporter had been unable to contact anyone from the Law Society on the Saturday evening, before the paper went to print, for comment.

"No one from the Executive or the Secretariat of the Society received a phone call from either the *Sunday Territorian* or the *NT News* on that evening.

"Given there was no contact, the Society is of the view that the reporter should not have gone ahead with the article until the Society had been contacted," he said.

Mr Stirk said he had referred the matter to the Press Council as a formal complaint. He said he has also written to the Editor of the *Sunday Territorian* asking for his comments on the matter.

He said the article was a woeful example of abrogation of journalistic responsibility.

"The article carried no balance, little or no fact and no understanding of the mechanics of the Law Society," Mr Stirk said.



the facts relating to a court case between the practitioner and the Law Society in the preceding week.

The article referred to the practitioner "joining battle" with the Law Society.

"The practitioner issued proceedings in respect of his alleged apprehension of bias by the entire Council of the Law Society, being 11 people," Mr Stirk said.

"That claim was abandoned part-way through the hearing.

"Mr Justice Martin dismissed what