

# **L**and Title Certificates

Mr Jim Campbell, Executive Officer  
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Dear Jim

I refer to our recent conversation and your comments that Council Members of the Law Society had recently raised the issue of errors on title certificates issued by the Land Titles Office.

Firstly, thank you for bringing the matter to my attention. I admit I was previously unaware that there were concerns amongst the clients of the Office as to the accuracy of title details. I trust the following advice will be of some interest to the members of the Law Society and hopefully the proposals outlined will go some way to rectifying the situation in respect of accuracy of the Register.

Land Titles Office maintains, as a component of its key performance indicators, quarterly statistics relating to error rates. Two indicators are maintained. Firstly, the quantification of amendments to the Register. Approximately 12 months ago staff were instructed to carry out all amendments to the register via registered instrument. This process of amendment applies to errors made by staff and clients alike. Quarterly reports indicate the number of such amendments recorded, as well as providing a traceable record on the Register of the alterations. Whilst zero amendments is the ultimate aim, the performance target is less than 15 amendments per quarter.

Secondly, internal checks of new titles are carried out in an attempt to detect errors before the titles leave the Office. All work of the junior staff is checked by a senior officer and a random sample of all new titles is checked each month. This measurement does not indicate "errors" in the true sense in that the client would be unaware that the "error" occurred and remedial action is taken before the title leaves the Office. However, such measurement does provide a useful indicator of the accuracy of new titles prepared. The performance target in this area is less than 30 errors per quarter.

For the financial year 1995/6 the following data was collated:

*Formal amendments to the Register via instrument* 33

*Management check on registration (errors detected and corrected before leaving office)* 129  
*Total corrections* 162

From a total of 22,653 lodgements the overall resultant error rate was recorded as 0.7%. For errors which actually left the office the error rate of 0.15%. Whilst I would prefer an error free Register I recognise these levels of error rate as acceptable where human activity is involved.

There are a number of possibilities which could effect the measurement of error rate as against actual errors noticed by clients. I would ask that you advise your members that I would welcome any reporting of an error back to the Land Titles Office for correction, no matter the degree or nature of the error. I have no objection if errors, particularly those of a serious nature, are reported directly for my attention. In fact I would welcome such feedback.

***"I would welcome any feedback from practitioners who detect errors or problems with titles issued from this Office."***

I am also aware that in the past there have been problems with abbreviations of recordings on the Register. Whilst such abbreviation, of names for example, may not technically be regarded as an error I accept that the practice of abbreviation is not acceptable to many clients, and in particular practitioners. The problem is in part a result of the transfer of the Register to computerised form.

I can advise that this specific problem has been corrected in respect of the ownership field on title certificates. Programming changes have been effected so that there is unlimited space to record details of ownership. Abbreviation of ownership detail is no longer necessary nor is it acceptable to me.

In respect of the recording of dealings, and especially leases, there are problems with the number of characters which can be inserted in the dealing field. In the past advice from the programmers has been to the effect that this problem is insurmountable without dramatically

increasing the size of the database. Having raised the issue again, as a result of our conversation, I have now been advised there may be a viable solution. I have instructed my staff to investigate the solution. I trust that this development may remove what are essentially errors caused by necessary abbreviation.

Following receipt of your advice and as a means of attempting to establish the scope of the problem I have directed that, for a trial period of 3 months, all new title certificates are to be checked by the Office manager before delivery to client. This may extend the turn around time for registration of dealings slightly; however the process will provide me with a more precise measure of the accuracy level of title certificates. I will report to you in due course as to the results of this trial.

I also advise that I have recently resurrected the Registrar-General's Consultative Committee which comprises a mix of client representatives and senior staff of this office. Hopefully that Committee will provide an appropriate forum for raising issues of this nature, or any issue of concern to clients of the Land Titles Office. Practitioner members of that Committee are currently Ms Alison Cassells and Mr Paul Ewens. However, I would also welcome the nomination of a specific representative of the Law Society if requested by your membership.

A resolution of the October meeting of the Consultative Committee was that the issues of errors on title, in a general sense, would be raised in the next Registrar-General's newsletter for the purpose of receiving feedback from clients who may have accuracy related complaints.

I would be grateful if you would bring the above information to the attention of members of your Council. I would emphasise that I am concerned as to the accuracy of titles being produced and I would welcome any feedback from practitioners who detect errors or problems with titles issued from this Office.

I believe that the above initiatives are likely to assist in resolving the problems raised by your members. Please don't hesitate to contact me should you wish to discuss this matter further.

Yours sincerely  
Philip Timney  
Registrar-General

