

Same same, but different

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Law Society Northern Territory



We celebrated another great week of Law Week activities this year and I congratulate and thank the volunteers and event coordinators involved in all events. A number of successful events were held in Darwin, Katherine and Alice Springs including Court open days, a sentencing forum, a mock trial, the junior v senior lawyers great debate, the Society's inaugural trivia night and of course, the Marsh Cricket match. I'd like to thank those who volunteered for the President's XI team and a special mention to the captain, Matthew Hubber, who put together the stellar team. I'm hoping that next year we will reclaim the trophy back from the Chief Justice's XI!

In a time where the role of lawyers continues to be under-valued and diminished, Law Week offers legal practices and organisations the opportunity to promote the profession's services to the community. Not only can it enhance the general public's knowledge of what we do and how we contribute to the community, but it also improves our reputation as a whole and allows us to celebrate our contributions to the community. With that in mind,

the Society calls on you to become involved in 2019. The Law Week Committee will meet next month to review this year's activities and plan for next year's program. Any ideas for future events are welcomed.

The profession was also celebrated during the ceremonial sittings held by the Supreme Court on 4 May 2018 to acknowledge the Society's 50-year anniversary. It was a privilege to speak on behalf of the Society and I extend my thanks to those who spoke at the ceremonial sitting and the members of the profession who were able to attend in both Darwin and Alice Springs. I'd also like to convey the Society's thanks to the Judges of Supreme Court for marking the occasion with a ceremonial sitting.

The ceremonial sitting begins the celebration of the 50-year anniversary of the establishment of the Society. Preparations are continuing for the celebratory dinners in Alice Springs on 31 August and in Darwin on 1 September and all members, past and present, are encouraged to attend what will undoubtedly be a couple of fantastic nights. The dinner in Darwin will see the launch of a

book to celebrate the profession's history which has been beautifully written by authors and historians Peter and Sheila Forrest. The Society commissioned this book to celebrate the NT's legal profession and we hope that you enjoy its content as much as we do. A lot of effort has gone into putting this book together and I thank the Secretariat, the Council and the 50th anniversary working group for all their efforts and contributions.

Reflecting on the history of the profession and the battles fought by lawyers during the early days, it's clear that the role of lawyers in the Territory has always been controversial. In truth, while much has changed over the years, a lot of the core issues that we continue to advocate sadly remain the same. One such issue is the urgent need for additional funding to legal aid and the ongoing challenges in seeking an increase in the legal aid fees paid to private practitioners in the Territory. The hourly rate paid to private lawyers was frozen in time for over a decade until it was increased by a nominal 10 per cent (approximately) from 1 December 2015. This is an issue that has been





raised by members over the years and we continue to advocate for an increase in the rates with the support of the NTLAC. The present reality however is that it is becoming increasingly difficult for the private profession to take on legal aid matters. Increasing the rates is not about lining the pockets of lawyers. It is about providing fair and reasonable remuneration for work performed. There is no suggestion that the rates should be anywhere near the current commercial rates, but does this mean that lawyers should continue to work at a rate which entirely fails to fairly compensate lawyers for work actually performed and undervalues our profession and the work we do? Indeed current legal aid rates are well below the Supreme Court Scale. While some private practices continue to take on legal aid matters, others have walked away from this work. Without an increase in legal aid funding, it seems inevitable that more private lawyers will find it difficult, if not impossible, to absorb the costs of such matters. I thank those who have written to the Society about this issue and I invite members to contact me with their thoughts on this topic.

Another matter that currently occupies Council's thoughts is the Royal Commission's Recommendations and the NTG

Implementation Plan to deliver the recommendations of the Royal Commission into the Protection and Detention of Children in the Northern Territory. The Society's Social Justice Committee is currently working on the Society's response plan and all members are invited to provide their thoughts/comments on this issue for consideration. If you are interested in joining the Social Justice Committee, please let me know. The Council has decided to publish a special edition of *Balance* which will be dedicated to the broad range of issues raised during the Royal Commission, and the NTG Implementation Plan. Again members are invited to submit their articles to the Society.

Finally, last month saw us farewell Judge Sue Oliver from the Local Court. Judge Oliver is well-known to the profession and her expertise in the Youth Justice Court and family matters jurisdiction of the Local Court will be greatly missed by all. On a happier note I welcome and congratulate Therese Austin on her appointment to the Local Court and wish her all the best!

If members wish to discuss any issues, please feel free to contact me. I can be contacted through the Society or at MSP Legal.



PRO BONO CLEARING HOUSE CALL FOR VOLUNTEERS

The aim of the Society's Pro Bono Clearing House (PBCH) is to connect members of the public needing pro bono legal assistance with NT legal practitioners able to provide that assistance.

Whether you're a new lawyer wanting practical skills to build your career or a senior lawyer looking to re-energise yourself in an area of law that's important to you—volunteering your time to provide assistance to those that are disadvantaged and cannot afford legal support is a fulfilling, valuable experience.

An hour out of your week providing access to justice may well change someone's circumstances for the better.

To find out more about the PBCH and how you can help make a difference, please email:

probono@lawsocietynt.asn.au

or telephone:

(08) 8981 5104