

# THE PRACTITIONER SOCIETY UPDATES



## CPD

### Probing ethical dilemmas in Commercial Law

29 May 2018  
1.00 pm - 2.00 pm  
Darwin  
Register [here](#)

### Cyber risk - what is it and what do you need to know

4 June 2018  
1.00 pm - 2.30 pm  
Darwin  
Register [here](#)

### 2018 Practical Advocacy Workshop

15 - 17 June 2018  
5.00 pm  
Supreme Court  
Darwin  
Register [here](#)

### The 8 strengths of resilience for success

17 July 2018  
9.00 am - 12.00 pm  
Darwin  
Register [here](#)

## From the CEO

### Renewal period for 2018/19 practising certificates ends soon!

Are you renewing your practising certificate for 2018/2019? If so you need to get your application form, payment of the application fee (and contribution to the Fidelity Fund if applicable) and proof of professional indemnity insurance, to the Society **by close of business Thursday 31 May 2018**. Any renewal applications submitted from 1 June 2018 onward will attract a **late fee of \$115.00**.

If you have submitted your application form but there are other outstanding requirements such as:

- Payment
- Insurance
- Your Annual CPD Certificate for 2017/18 (which was due on 31 March 2018)
- Your law practice's 2017/18 Part A declaration (only applicable if you are a principal of a law firm or a barrister).

These must also be provided to the Society by 31 May 2018 otherwise you will still incur a late fee.

Any questions about the practising certificate renewal process can be directed to the Society's [Licensing Officer](#). If you do not intend to renew your practising certificate in the Northern Territory please contact the Society's Licensing Officer.

### 50th Anniversary celebrations

The Supreme Court held a special sitting to celebrate the Law Society's 50th anniversary. For those who couldn't attend, you can view the transcript of proceedings [here](#).




## Events

### 7th LAWASIA Family Law & Children's Rights Conference

6-8 June 2018  
Vientiane, Laos

### Hellenic Australian Lawyers Association Conference

9-12 July 2018  
Greece

### Australian Women Lawyers Conference

25-26 August 2018  
Sydney

### 2018 International Criminal Law Congress

3-7 October 2018  
Byron Bay

### International Bar Association Conference 2018

7-12 October 2018  
Rome, Italy

### 31st LAWASIA Conference

2-5 November 2018  
Cambodia

### Australian Bar Association Conference

15-17 November  
2018

## Review of Security of Payments Laws

This week John Murray AM handed down the final report into a national Security of Payments Laws. The recommendations include that a national legislative regime should be based on the East Coast Model and it should apply to the residential housing sector. Read the report [here](#).

## Federal Court of Australia - Update

Since 2015, under the National Court Framework (NCF), the Federal Court has been progressively undertaking fundamental reforms as to the way it operates. The key purpose of the NCF is to reinvigorate the Court's approach to case management by further modernising the Court's operations so that the Court is better placed to meet the demands of litigants and can operate as a truly national and international Court.

New registrar titles, commensurate with the important roles performed by registrars, will apply from Monday, 28 May 2018. Read more [here](#)

## Practical Advocacy Workshop – callout for Volunteers

As you may be aware, the annual Practical Advocacy Workshop will be held at the Supreme Court on the weekend of 15-17 June, just a few short weeks away.

A critical part of the workshop is having 'witnesses' for the parties to examine and cross-examine. Being a 'witness' is a valuable way to get an understanding of the workshop and is suited to early career lawyers and law students and even if you are not a lawyer, and can commit to all day Saturday (9am to 5pm) and half of Sunday (9am to 1pm) we would welcome you.

We need 10 'witnesses' and are grateful for those who have put their names forward already, and we need some additional personnel - you. We provide a great experience and refreshments throughout the weekend too.

We also need 5 volunteers to be involved from Friday through to Sunday or parts thereof, to assist each courtroom during the workshop. This is an opportunity to be involved and to appreciate what participants are learning and support your colleagues.

If you would like to offer us some of your time, please email [Heather](#).

## Law Society of NSW v Dubler [2018] NSWCATOD 78

This [solicitor](#) was charged with professional misconduct for witnessing documents before sending them to the client to

Sydney

### International Legal Ethics Conference VIII

6-8 December 2018  
Melbourne

## Employment

**Civil Solicitor** -  
Darwin

**Senior Associate** -  
Darwin

**Law Officer** -  
Darwin

**Criminal Lawyer** -  
Darwin

**Solicitor** - Alice  
Springs

**Litigation Lawyer** -  
Darwin

**Head of Legal** -  
Darwin

**Events Manager &  
Membership  
Coordinator** -  
Darwin

**Executive  
Assistant** - Darwin

**Solicitor** - Brisbane

**Environmental  
Lawyer** - Brisbane

**Legal Counsel** -  
Melbourne

**Export Compliance  
Officer** - Adelaide

**Resources Lawyer**  
- Perth

execute.

### **Legal Services Commissioner v Forward [2018] QCAT 130**

A Queensland barrister who took a direct access brief was removed from the roll due to fraud against the client. Read the case [here](#).

### **Law Society of NSW v Osman [2018] NSWCATOD 75**

The name Zenah Mehajer struck off the roll for attempting to mislead the court, making false and misleading representations and swearing a false affidavit. Read the case [here](#).

### **It's National Reconciliation Week**

View the Campaign and find out what's on in your area [here](#). Griffith Review has published "The courage to reform: Fixing the Commonwealth's Indigenous policies' by Mark Moran. Read it [here](#).

### **The republic is an Aboriginal issue**

Megan Davis argues that Recognition must be at the heart of constitutional reform. Read her article [here](#).

### **EDONT art auction launch party**

You are invited to the 2018 EDO NT Online Art Auction Launch Party on 1 June 2018 at the Lucky Bat Café in Nightcliff from 6 pm to 9 pm. The online auction will open on 1 June 2018 ([art4edont.com](http://art4edont.com)) and remain open until 12 July 2017. As you may be aware the EDO NT was defunded by the Federal Government in 2014 and now largely relies upon its annual Art Auction for the funding of its continued operations. EDO NT would be delighted if the local NT legal community could support the online auction and we remind you that bidding can be done anonymously.

### **Rebel Wilson's pitch perfect defamation victory**

Few successful defamation plaintiffs are awarded six figure defamation damages in Australia. This is principally because damages for non-economic loss in defamation claims—the principal, indeed usually the only, head of damages sought—are now capped under statute. Few high-profile celebrities sue for defamation to final judgment in Australian courts. So when the comedian and actress, Rebel Wilson, was recently awarded almost AUD 4.57 million damages by a judge of the Supreme Court of Victoria, the case is newsworthy and noteworthy. Wilson sued a number of related women's magazine titles essentially over allegations that she serially lied about many aspects of her life. The award of damages to Wilson is the largest ever made by an Australian court for a defamation claim. Besides the record-breaking quantum, Wilson's claim against Bauer Media is

**Director Legal Aid**  
- Tasmania



**Legal associations**

**NT Bar Association**

**Criminals Lawyers NT**

**NT Women Lawyers**

**NT Young Lawyers**

**Other**



### **Public workshops calendar**

**LawCare:** The Society funds a professional, confidential and free counselling service for our members and their immediate family, provided through EASA. If you are experiencing workplace, personal or emotional issues which are affecting your work or personal life, please call LawCare via the 24-hour support line on: 1800 193 123 or visit their [website](#).

important because it is the first time the statutory cap on damages for non-economic loss—an important feature of the national, uniform defamation laws introduced a little over a decade ago—has been exceeded. It is also significant because not only is it one of the rare cases in Australia where damages for economic loss have been sought and granted, it is the first case in Australia where damages for economic loss have been calculated on the basis of loss of opportunity. *Wilson v Bauer Media* also raises some difficult doctrinal questions of the interaction between defamation law and conflict of laws, where an international celebrity sues locally for damage to reputation which, due to the "grapevine effect", occurs outside the jurisdiction. Read more from this paper [here](#).

## **Save the date: Ian Morris Memorial Golf Day**

Save the date: Ian Morris Memorial Golf Day will be held on 10 August 2018.

## **Lost Will**

**ALFRED JAMES PASSFIELD** (also known as JIM PASSFIELD) late of 7 Chisholm Way, Balga, Western Australia and also 616 Lower King Road, Lower King, Albany, Western Australia died on 25 July 2017 at Nedlands, Western Australia.

Would any person holding the last Will and Testament of ALFRED JAMES PASSFIELD (also known as JIM PASSFIELD) or knowing the whereabouts of such last Will and Testament please contact the Public Trustee at 553 Hay Street, PERTH, WA 6000 on (08) 9222 6660 within one (1) month of the date of publication of this advertisement quoting reference DE 33146245 EM213.

## **Courts**

The following Family Court forms have been updated:

- [Application – Contempt](#)
- [Application – Contravention](#) (Shared with the Federal Circuit Court)
- [Application in a Case](#)
- [Application in an Appeal](#)
- [Financial Statement](#) (Shared with the Federal Circuit Court)
- [Notice of address for service](#)
- [Notice of discontinuance](#)
- [Response to an Application in a Case](#)
- [Response to an Application in an Appeal](#)
- [Affidavit](#)
- [Affidavit – Non-filing of Family Dispute Resolution Certification](#)
- [Affidavit of proof of signature](#)
- [Case Information](#)
- [Financial questionnaire](#)
- [Parenting questionnaire](#)



The Society is pleased to endorse this human rights campaign. For more information visit the [website](#).

- [Balance sheet](#)

## Law Council of Australia

Latest submissions

### Review of Australian Solicitors' Conduct Rules

The Law Council of Australia (LCA) has now released the consultation paper for a review of the Australian Solicitors' Conduct Rules (ASCR). A copy of the Review of the ASCR Consultation Discussion Paper can be found [here](#).

Whilst the Northern Territory has not yet adopted the ASCR it is important for Territory practitioners to consider the proposed changes as they may affect this jurisdiction if the ASCR are adopted in the future. At present the ASCR have been adopted in South Australia, Queensland, New South Wales, Victoria and the Australian Capital Territory. Tasmania is in the process of adopting them.

This is the first review of the ASCR since their promulgation by the LCA in June 2011. Some of the issues raised for consideration as amendments (inclusions and omissions) to the ASCR arise from the experience of practitioners in the jurisdictions where the ASCR are operative.

The closing date for submissions is Thursday **31 May 2018**. If you wish to provide any feedback for the Society to consider including in any submission in response to this consultation discussion paper, please send it to the [CEO](#) or [MRS](#).

## Other tid bits

### A booming economy with a tragic price

A [deep dive](#) by the New York Times into the high rate of suicide among Australian farmers.

### On regret

'Memory is the location of regret. It is capacious. . . Memories inspire tunes in the minor key, the sad one. If I could play the fiddle, it now might be appropriate in the course of this recalling of events to angle the bow and begin to play such a tune, preparatory, in A minor, to be specific, as if after years of practice.' Read more of this sort of a memoir to his dogs by

Andrew Sant [here](#).

## Vietnamese noodle salad

This light and refreshing [vermicelli noodle salad](#) gets its inspiration from the [Vietnamese bun salads](#), with fresh slivered veggies in a tangy Vietnamese rice vinegar dressing, making it a simple side dish to serve with grilled meats and chicken.

## Chocolate chilli

Not chilli chocolate but chocolate chilli. This [spicy dish](#) featured in new cookbook [15 Minute Vegan Comfort Food](#) is flavoured with a hint of cocoa powder and grated dark chocolate. Are you game to try it?

## 10 Super healthy smoothie recipes

Do you love smoothies, but hate the hassle of making them every morning? Then you will love these easy [smoothie recipes](#) made in freezer packs.

## 50 mind numbingly stupid jokes

You never know the reaction a [joke](#) will get. Maybe you will laugh but then again you will probably groan.

## 13 tricks to appear smart on Twitter

How to get the perfect [Twitter](#) account up an running.



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## Missing something?

Is there something missing from your *Practitioner*? Do you have any ideas or information you would like to be kept up-to-date on? If so, email us at [practitioner@lawsocietynt.asn.au](mailto:practitioner@lawsocietynt.asn.au)

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