

Précis

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The Law Council's Weekly Update

New conduct rules to benefit entire legal profession — not a select few

The following letter was sent to the Sydney Morning Herald in response to an article written by Richard Ackland regarding the National Profession Project.

"I refer to Richard Ackland's Opinion Piece '[Guess who wins if lawyers get to make their own rules](#)', 14 January 2011.

"The Australian Solicitors' Conduct Rules were developed from the existing base of conduct rules around the country with the express purpose of establishing a single, national set of conduct rules for all Australian solicitors. The Rules were released in draft form and went through an extensive consultation process, as well as being included in the COAG National Legal Profession Reform public consultation package. The model rules have been subjected to extensive public scrutiny.

"It is incorrect to assert or imply that the Chief Justices of this country had any part to play in the creation or approval of, the Australian Solicitors' Conduct Rules. To suggest otherwise is mischievous and unhelpful in any

rational debate on the appropriateness or otherwise of the content of the Rules. As one of the Law Council's constituent bodies, the Large Law Firm Group contributed to this exercise but they did not 'drive' this project; nor can it be said that 'the rest of the Law Council just went along with it'. This is simply incorrect.

"The Law Council welcomes informed comment on the contents of these Rules, but to imply that the Law Council process was unduly influenced by one of its constituencies, or anyone else, is wrong."

Alexander Ward

President, Law Council of Australia

Australian floods

Widespread floods continue to affect numerous regions within Australia. The stirring images from across Queensland brought the country to a standstill last week.

The Law Council has remained in close contact with its colleagues in Queensland throughout the emergency and will assist them where possible in the aftermath of this natural disaster.

"The Queensland floods have impacted on all Australians, but it has been inspirational to see the resilience

the community has shown in the face of such turmoil," said Law Council President, Alex Ward.

"I have personally received numerous messages from concerned lawyers looking to help those affected by the floods with pro bono work.

"The Law Council's constituent bodies, too, are helping the community with issues such as insurance law and loss of important documents."

Flooding has also hit in Victoria, New South Wales, South Australia, northern Tasmania and the Carnarvon region of Western Australia.

The Law Council would like to extend its support to all those around the country who have been affected by the recent floods.

Legal practitioner details now on register of migration agents

The Migration Agents Registration Authority (MARA) recently announced the register of migration agents has now been updated to include information about registered migration agents who hold a legal practising certificate.

The changes will take effect from 1 February, 2011, are supported by the Advisory Board to the Office of the

For all enquiries about *Précis*, please contact Michael Anderson
☎ (02) 6246 3725
✉ michael.anderson@lawcouncil.asn.au



Law Council
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MARA and is in response to requests from organisations, including the Law Council of Australia.

The Law Council has lobbied the MARA over a long period to achieve this important change, which will improve information available to consumers and enable people to make a better informed choice about who they will retain to assist with migration issues.

In addition to displaying the information for each Australian legal practitioner, the "Find an Agent" function on the Office of the MARA's website will be updated so that searches may be performed on this criterion.

The change is voluntary and those who wish to opt out can contact the MARA to request that information about their legal practising certificate not be included on the register.

5th Annual CPD Immigration Law Conference

The Immigration Lawyers Association of Australasia Focus Group (ILAA) of the International Law Section of the Law Council of Australia will host the 2011 CPD Immigration Law Conference in co-operation with the Law Institute of Victoria and Russell Kennedy.

The aims of the Conference are to provide legal professionals with CPD points accreditation under the Migration Agents Registration Authority (MARA) scheme, to highlight and discuss important

immigration law issues and to provide participants with a forum to exchange experiences.

Confirmed speakers include:

- The Hon Chris Bowen MP, Minister for Immigration and Citizenship;
- Mr Andrew Metcalfe, Secretary, Department of Immigration and Citizenship;
- Ms Christine Sykes, CEO, Office of the MARA;
- Mr Alexander Ward, President of the Law Council of Australia;
- Dr Gavan Griffith AO QC, former Solicitor-General; and
- Mr Denis O'Brien, Principal Member, Migration/Refugee Review Tribunal.

Accredited specialists include:

- Ms Carina Ford, Director, Carina Ford Immigration Lawyers;
- Mr David Prince, Principal Solicitor, Kinslor Prince Lawyers;
- Mr Andrew Cope, Senior Lawyer, FCG Legal;
- Mr Phillip Yip, Principal, Phillip Yip & Associates;
- Ms Maria Jockel, Principal, Russell Kennedy & Chair of the ILAA; and
- Ms Anne O'Donoghue, Partner, Immigration Solutions Lawyers.

The Conference will be held at the RACV City Club in Melbourne on 11 & 12 March 2011.

[Registrations are available online.](#)

North Australian Aboriginal Justice Agency (NAAJA) Criminal Solicitor Vacancy

NAAJA currently has a vacancy in its Darwin criminal team and is seeking a talented criminal lawyer with initiative, common sense and commitment to providing access to justice. The successful applicant will appear in the local Magistrates Court, surrounding bush courts and the Supreme Court and have a case mix that reflects their experience.

Most lawyers with the agency travel once a month to remote communities throughout the Top End of the Northern Territory to attend bush courts. Those within the Darwin region include Tiwi Islands, Wadeye, Daly River, Maningrida, Jabiru and Oenpelli.

NAAJA provides legal aid for Indigenous people in the Top End of the Northern Territory, with offices in Darwin, Katherine and Nhulunbuy.

Interested parties are invited to obtain an information package by contacting Glenn Miller on (08) 8982 5100 or glenn.miller@naaja.org.au

Federal Inquiries Update

The Federal Inquiries Update is a summary of important inquiries and reviews being undertaken at the Federal level which are of interest to and/or may require submissions to be made by the Law Council. www.lawcouncil.asn.au/fedinquiries.html

Recent Submissions by the Law Council of Australia

Date	Submission	Made to	Submitted by
6-Jan-11	Commonwealth Commissioner for Children and Young People Bill 2010	Senate Legal and Constitutional Affairs Committee	Human Rights & Criminal Law Unit
2-Dec-10	Impact of the new Personal Property Securities legislation on takeover bids and schemes	Attorney-General and Parliamentary Secretary to the Treasurer	Business Law Section
1-Dec-10	Trusts: Reform of Division 6 of the Income Tax Assessment Act 1936	Assistant Treasurer	Business Law Section
29-Nov-10	Consultation on the protection from discrimination on the basis of sexual orientation and sex and/or gender identity	Australian Human Rights Commission	Human Rights & Criminal Law Unit

Upcoming Events

February 2011

- » **Commonwealth Law Conference**
5-9 February, Hyderabad, India
www.commonwealthlaw2011.org
- » **The Practitioner's Certificate in Mediation**
Melbourne 7-9 & 14-16 February
Brisbane 15-22 February
www.iama.org.au
- » **Corporate Law Teachers Association Conference – Future Directions for Corporate Law**
6-8 February, Faculty of Law, Brisbane, Queensland
www.clta2011.com.au
- » **Sydney Family Law Intensive**
12 February, Sofitel Sydney Wentworth
Email kristie.fitzgerald@lawcouncil.asn.au
- » **Superannuation Conference – Super: a paradise lost?**
17-19 February, Surfers Paradise
www.conferenceworld.com.au/events.aspx?EventId=98

March 2011

- » **The Practitioner's Certificate in Mediation**
Sydney 2-5 & 11-12 March
Perth 16-19 & 25-26 March
www.iama.org.au

- » **'Life and the Law' – Bar Association of Queensland Annual Conference**
4-6 March, Gold Coast, Queensland
www.qldbar.asn.au
- » **The Victorian Bar Inaugural CPD Conference – Torquay 2011: New horizons for barristers**
4-6 March, Peppers The Sands Resort, Email mark.halse@vicbar.com.au
- » **5th CPD Immigration Law Conference**
11-12 March, RACV City Club in Melbourne
<http://www.lawcouncil.asn.au/sections/international-law/cpd2011.cfm>
- » **QLS Vincents' 49th Annual Symposium 2011**
25-26 March 2011, Brisbane Convention and Exhibition Centre
www.qls.com.au/pd/events/110325/day/1
- » **Perth Family Law Intensive**
26 March, The University Club, Perth
Email kristie.fitzgerald@lawcouncil.asn.au

May 2011

- » **Monash University Faculty of Law – Business Innovation: A Legal Balancing Act**
2-4 May, Prato, Tuscany, Italy

www.law.monash.edu.au/business-innovation

- » **Melbourne Family Law Intensive**
7 May, Sofitel on Collins, Melbourne
Email kristie.fitzgerald@lawcouncil.asn.au

June 2011

- » **Criminal Lawyers Association of the Northern Territory Conference**
25 June - 1 July, Bali Hyatt, Sanur
Email jodi.truman@johntoohey Chambers.com.au

July 2011

- » **Australasian Law Teachers' Association Conference**
3-5 July, Brisbane, Queensland
www.alta2011.com

August 2011

- » **Adelaide Family Law Intensive**
13 August, Adelaide
Email kristie.fitzgerald@lawcouncil.asn.au

List Your Event Here

- » **Do you have an event to add?**
Contact the editor to add your event.
Email michael.anderson@lawcouncil.asn.au