Monday Briefs | 22 November 2010 | Issue 308
A weekly update on regulatory changes, events and information relevant to the legal profession

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This week: Link-Up Conditional Youth Bail Service; become an Accredited Specialist in 2011; Christmas special from Cellarmasters.

NEWS

- LUCY B's: Link-Up Conditional Youth Bail Service
- Overseas Scholarships for Indigenous Australians
- Disciplinary Decision – Legal Services Commissioner v Maurice John McCarthy [2010] NSWADT 269

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LEGAL & POLICY

- Assents – Australian Jockey and Sydney Turf Clubs; Totalizator; Election Funding and Disclosures; Health; Motor Accidents Compensation; Nature Conservation; Occupational Licensing; Workers Compensation; Surrogacy
- Proclamation of commencement – Anzac Memorial (Building) Amendment Act 2010 No 32
- High Court Judgments – State of South Australia v Totani & Anor; Commissioner of Taxation v Anstis; Plaintiff M61/2010E v Commonwealth of Australia & Ors and Plaintiff M69 of 2010 v Commonwealth of Australia & Ors
- Submissions – Law Council: Civil Dispute Resolution Bill 2010 (Cth); Human Rights (Parliamentary Scrutiny) Bill 2010; Occupational Health and Safety Legislation; Sex and Age Discrimination Legislation Amendment Bill 2010

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EDUCATION & EVENTS

Professional Development

- Specialist Accreditation Scheme: Applications for 2011 Program Now Open
- NSW Young Lawyers CLEs & DVDs
- The College of Law Seminars & Programs
- Have your say on 2011 office and legal training timetables

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Events

- 3rd Biennial Ingram Colloquium on International Law and Development: The Challenge of Food Security, *2 December*
- University of NSW: Torts in Commercial Law Conference 2010, *17 - 18 December*
- Regional Law Societies new listings: Inner West, Newcastle, Central West

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SERVICES & SUPPORT

- Cellarmasters: Special Christmas Offer
- AMP Banking Affinity Banking Package
- Member Connexions: Are you making the most of your benefits
- Law Society Precedents Updates: Personal Injury – Workers Compensation

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NEWS

LUCY B's: Link-Up Conditional Youth Bail Service

The Law Society would like to inform practitioners about a transport and accommodation service for Aboriginal clients aged between 10 and 16 years who are eligible for conditional bail.

Read more about the Link-Up Conditional Youth Bail Service.

Overseas Scholarships for Indigenous Students

The Charlie Perkins Trust for Children & Students and The Roberta Sykes Indigenous Education Foundation are now accepting applications from Indigenous postgraduate students for the following overseas scholarships:

- The Charlie Perkins Scholarships to the University of Oxford and the University of Cambridge
- Roberta Sykes Harvard Club of Australia Scholarship (for postgraduate study at Harvard University)
- Roberta Sykes Scholarships for postgraduate study at any overseas university
- Roberta Sykes Scholarships for up to one year of overseas study (available to Indigenous Australians undertaking postgraduate studies in Australia)
- Roberta Sykes Scholarships for Indigenous Australians to undertake short executive courses at overseas universities

Email expressions of interest to scholarships@auroraproject.com.au.

Disciplinary Decision

- Legal Services Commissioner v Maurice John McCarthy [2010] NSWADT 269

Media

Other

- New laws provide equality for children born through surrogacy, (NSW Att Gen), *11 November*
- Launch of Report *Family Violence – A National Legal Response*, (Fed Att Gen), 11 November 2010
- Grants a helping hand for flooded farmers, (Fed Att Gen), *11 November 2010*
- Law Council says High Court decision demonstrates vigilance, (Law Council), *12 November 2010*
- Law Council of Australia calls for fairness for all asylum seekers, (Law Council), *12 November 2010*
- Strengthening Australia's cyber security capability, (Fed Att Gen), *12 November 2010*
- Youth mentoring grants program to counter violent extremism, (Fed Att Gen), *13 November 2010*
- Protecting personal records of sex assault victims, (NSW Att Gen), *15 November 2010*
- National Security Legislation passes the Parliament, (Fed Att Gen), *15 November 2010*
- More criminals to contribute to victims' compensation, (NSW Att Gen), *16 November 2010*
- Improving the Family Law System for all, (Fed Att Gen), *17 November 2010*
- Victims' rights to be enshrined in law, (NSW Att Gen), *17 November 2010*

LEGAL & POLICY

Assents – 16 November 2010

- Australian Jockey and Sydney Turf Clubs Merger Act 2010 No 93
- Totalizator Amendment Act 2010 No 94
- Election Funding and Disclosures Amendment Act 2010 No 95
- Health Services Amendment (Local Health Networks) Act 2010 No 97
- Health Legislation Further Amendment Act 2010 No 96
- Motor Accidents Compensation Amendment Act 2010 No 98
- Nature Conservation Trust Amendment Act 2010 No 99
- Occupational Licensing (Adoption of National Law) Act 2010 No 100
- Workers Compensation Legislation Amendment Act 2010 No 101
- Surrogacy Act 2010 No 102

Proclamation of commencement

- Anzac Memorial (Building) Amendment Act 2010 No 32: 15 November 2010

High Court Judgments

- State of South Australia v Totani & Anor, 11 November 2010
  Constitutional law (Cth); judicial power of Commonwealth; Serious and Organised Crime (Control) Act 2008 (SA)
- Commissioner of Taxation v Anstis, 11 November 2010
  Income tax; assessable income; youth allowance; university study expenses
- Plaintiff M61/2010E v Commonwealth of Australia & Ors and Plaintiff M69 of 2010 v Commonwealth of Australia & Ors, 11 November 2010
  Administrative law; procedural fairness; error of law; refugees; migration; offshore processing

Submissions

Law Council of Australia

- Supplementary submission to the Inquiry into the Civil Dispute Resolution Bill 2010 (Cth)
- Human Rights (Parliamentary Scrutiny) Bill 2010 – Supplementary Submission
- Exposure Draft Model Occupational Health and Safety Legislation
- Sex and Age Discrimination Legislation Amendment Bill 2010

EDUCATION & EVENTS

Specialist Accreditation Scheme: Applications for 2011 Program Now Open

The Specialist Accreditation Board would like to remind practitioners would like to remind practitioners that applications are open for the 2011 program.

In 2011 eligible practitioners can seek accreditation in the areas of Business Law, Children's Law, Commercial Litigation, Criminal Law, Family Law, Government and Administrative Law, Property Law and Wills & Estates Law.

The benefits of accreditation should not be overlooked by practitioners currently specialising in these areas. For more

information on the relevance of accreditation and its benefits please read our flyer.

Download an information kit on the 2011 program. Applications will remain open until 15 April 2011.

NSW Young Lawyers CLEs

November CLE Seminars

- Shareholder Agreements: Setting the Terms of a Business Relationship, Tues 23, 1.00pm
- The Rise and Rise of Green Companies: How to Bring That Company to Listing, Wed 24, 5.30pm
- The Three Cs: Communication, Conflicts and Costs, Tues 30, 1.00pm

December CLE Seminars

- Mandatory Rule 176 E, Wed 1, 1pm
- Mandatory Energy Disclosure / 'Green' Buildings and Leases, Thurs 2, 1pm
- Totani and the Hells Angels: Pushing the Envelope. Extraordinary Measures Against Ordinary Crime, Mon 6, 1pm
- Directions Hearings: Bomb Disposal Technique, Tues 7, 1pm
- Ethics for Litigators: Rule 42 Professional Conduct and Practice Rules, Wed 8, 1pm
- Overview of Trust Money and Trust Records, Thurs 9, 1pm

CLE DVDs & Papers

- Essential Criminal Law Update 2010: Sexual Assault Directions and an Update on DNA – DVD and Paper (CR93/1195)
- Advanced Criminal Law: Sentencing – DVD and Paper (CR94/1197)
- Property Acquisition and Development – DVD and Paper (PRO77/1196)
- Drafting International Arbitration Clauses and Observations on International Arbitration Legislation – Paper Only (MIS41)

The College of Law Seminars & Programs

- Live Web Conference: Conflicts of Interest in Property Transactions, Monday 22 November 2010, 1.00pm to 2.00pm (AEDST). Complies with Rule 42.1.6.1
- The Essential Guide to Challenging a Will, Tuesday 23 November 2010, 9.00am to 4.30pm
- Local Government – Council Prosecutions, Tuesday 23 November 2010, 5.00pm to 6.30pm
- Home Building Act Refresher, Wednesday 24 November 2010, 2.00pm to 4.00pm
- Liability of Building Professionals – Your Essential Guide, Wednesday 24 November 2010, 4.30pm to 6.00pm
- Enforcement of Mortgages, Wednesday 24 November 2010, 9.00am to 11.15pm
- Workers Compensation – Recent Developments, Thursday 25 November 2010, 1.30pm to 4.45pm

Legal Practice Management Courses 2010

Unrestricted Practising Certificate – Practice Management Corporate and Government Course – Friday 4, Saturday 5 and Friday 11 February 2011.

Details for all remaining 2010 courses. Enrol now.

Understanding & Implementing LAW 9000 - Legal Best Practice

Created by QL Inc. and SAI Global, and recently revised, LAW 9000 is the only nationally available quality management scheme specific to the legal profession. Certified firms can get a 10 per cent discount through LawCover.

Learn how it can work in your practice with the College's training course: Tuesday 23 and Wednesday 24 November 2010 at The College of Law, St Leonards. Register now.

Have your say on 2011 office and legal training timetables

Timetables for the Law Society's Legal Secretarial Training Program and Online Training (conveyancing; wills and probate) for 2011 are currently being drafted.

If you have any suggestions for the scheduling of courses, or would like to receive the timetable as soon as it is available, email your details to lstp@lawsociety.com.au.

Events

Event	Date and Location
3rd Biennial Ingram Colloquium on International Law and Development: The Challenge of Food Security An array of distinguished speakers will examine the roots of food insecurity, the mechanisms that are being adopted globally to achieve a food secure world and the role that Australia can play in addressing the global food security challenge. Read more about The Challenge of Food Security.	3pm - 7pm, 2 December 2010 Faculty of Law Building, University of NSW, Kensington Campus
Torts in Commercial Law Conference 2010 The Faculy of Law at the University of NSW is hosting this international conference, to be convened by Associate Professor Simone Degeling (UNSW) and Professor James Edelman (University of Oxford and Conjoint Professor at UNSW). More details on the Torts in Commercial Law Conference.	17-18 December 2010 Domain Theatre, Art Gallery of New South Wales

REMINDERS

- Australian Law Reform Commission Panel Discussion: Discovery of Documents in Federal Courts, 5.30pm-7pm, 18 Nov 2010, No 1 Court, Level 21, Law Courts Building, Queens Square, Sydney. RSVP to info@alrc.gov.au by Tuesday 16 November 2010.
- ALPMA Workshop: Best BD Tip This Year!, 12.30pm, 18 November 2010, Clayton Utz Level 34, 1 O'Connell Street, Sydney
- STEP Address: Should the 'Rule in Hastings-Bass' Be Followed in Australia? Trustees' Duty to Enquire and Trustees' Mistakes, 5.30pm, 25 Nov 2010, Banco Court, Supreme Court of NSW, Queen's Square, Sydney. Email Mr Neil Wickenden at nwickenden@hlbnsw.com.au or phone (02) 9020 4000.
- Monash University, 'Through the Looking Glass' – National Engagement with International and Foreign Law and Governance, 2-3 December, Novotel Manly Pacific.
- International Society of Family Law Caribbean Regional Conference, 17-19 March 2011, British Colonial Hilton Hotel, Nassau, The Bahamas. Submit abstracts of papers (about 250 words) to the convenor Hazel Thompson-Ahye by 3 December.
- Learned Friends Professional Education: Lord Howe Island Legal Conference, 2-9 April 2011, Lord Howe Island. Accommodation and flights need to be booked well in advance. Email admin@learnedfriends.com.au or solicitor, John Mcguire, or barrister, Peter Cummings.

Regional events and CLEs

View the online CLE & Events Calendar for all regional listings.

NEW LISTINGS

Inner West:

- Christmas Function, Thursday 18 November, 3 Weeds, Rozelle
  Family Law Dinner Seminar, Thursday 18 November, Efendy Restaurant, Balmain
-

Newcastle: Domestic Violence in Family Law Cases, Friday 3 December, City Hall

- Central West: Annual CLE Day & AGM, Friday 3 December, Orange Ex-Services Club

REMINDERS

- North Metropolitan: AGM & Christmas Function, Tuesday 23 November, Royal Sydney Yacht Squadron, Kirribilli
- Eastern Suburbs: Rule 42 Ethics Dinner Seminar, Thursday 25 November, Eastern Suburbs Leagues Club
- Liverpool & Fairfield: CLE Day, Friday 26 November, Liverpool Library
- Newcastle: Construction & Insurance Law, Monday 29 November, City Hall
- Southern Tablelands: Free MCLE Seminar: The Lawyers Guide to Sanity, Profitability & Wellbeing, Monday 6 December

Also see Rural, regional and remote vacancies.< SPAN>

SERVICES & SUPPORT

Cellarmasters: Special Christmas Offer

For a limited time Law Society members can receive a $50 discount voucher on any case of wine worth $120 or more. Plus benefit from exceptional savings on a selection of wines. Visit Cellarmasters to learn more about this members-only special. Offer is valid to 31 December 2010.
Cellarmasters offer a 100% money-back guarantee and convenient delivery straight to you.

AMP Banking Affinity Banking Package

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AMP Bank Limited ABN 15 081 596 009, trading as AMP Banking. AFSL No. 234517. Only available to Permanent Residents of Australia or New Zealand. New Zealand borrowers must be living and working in Australia.

Member Connexions: Are you making the most of your benefits?

The Law Society Member Connexions program offers you preferential pricing and exclusive benefits from premium commercial organisations. View our current offers.

Law Society Precedents Updates

The following suites have been updated:

- Personal Injury – Workers Compensation

Precedents Licensees can download the updates by going to precedents.lawsociety.com.au

For information about the Law Society Precedents please contact the Precedents Administrator on (02) 9926 0278.