

debrief

VISIT OUR WEB SITE: www.lawsocnsw.asn.au/yl/

A Fresh Perspective



Pres Sez

Welcome to the second last issue of debrief for the year and the last issue that will contain my mug shot on the left. At the conclusion of the NSW Young Lawyers Annual Assembly on 4 November 2001, I will hand over the job of President to Amber Cerny. I have no doubt that NSW Young Lawyers will benefit enormously from Amber's leadership and I thank Amber for the tremendous assistance given to me during this very busy year. I would also like to extend a big big thank you to the NSW Young Lawyers Executive Officer, Poppy Drekis, without whom NSW Young Lawyers

would cease to function. Poppy is truly the backbone of the organisation!

As I will be on maternity leave for most of next year, I will not be running as a candidate in the Law Society Council elections this month when the casual vacancy position I filled in March expires. I cannot emphasise enough how important it is that you vote in the Council elections when the ballot papers hit your desk this month.

Since I joined the Council in March, only two young lawyers have sat on the 21-member Council this year, former NSW Young Lawyers President Michael Antrum and myself. Michael is seeking re-election this year. NSW Young Lawyers has also endorsed the candidature of the NSW Young Lawyers Secretary, Geoff Dunlevy. **IF MICHAEL AND GEOFF ARE NOT ELECTED THERE WILL BE NO YOUNG LAWYERS ON THE COUNCIL.** There are approximately 16,000 solicitors in the state. More than one third are young lawyers. Decisions affecting the future of the profession ought to be made with input from young lawyers. Please take the time to vote and be sure to read the ballot instructions carefully. **YOU HAVE TO VOTE FOR EIGHT CANDIDATES OTHERWISE YOUR VOTE IS INVALID.**

On an altogether entirely different note, did the Howard

Government's handling of the Tampa incident make your blood boil? Are you sick of hearing about the (allegedly) soaring crime levels and the state and federal governments' promises of a tougher "law and order" approach to crime (longer sentences, more police powers blah blah blah)? Are you concerned by the frequency of meetings between the Chief Justice of the Supreme Court and the Premier? Do you wonder about the separation of powers doctrine? Did the Carr government's recent "reforms" to the workers compensation regime trouble you? Are you frustrated by the lack of vision our state and federal leaders exhibit in relation to their approach to drug abuse? Were you concerned by the Federal Government's move in relation to the availability of IVF treatment for same sex couples?

Regardless of what your views are in relation to contemporary legal issues, you can do something more than merely sitting around and grumbling. Involvement in a NSW Young Lawyers committee can provide you with a valuable opportunity to participate in law reform debate. New members are always welcome and there is a committee for almost every area of practice. Visit the NSW Young Lawyers website (www.lawsocnsw.asn.au/yl/) if you are interested in becoming more actively involved. Committee involvement may also assist you in keeping up-to-date with legislative change. You will also meet new colleagues and friends.

In the last 6 years, my involvement in NSW Young Lawyers has given me much more than I had originally anticipated was possible. I have been encouraged by the resolve, dedication and vision of many young lawyers whose paths I have crossed over the years.

Finally, I will leave you to ponder the following words of Martin Luther King Jr:

"The ultimate measure of a man is not where he stands in moments of comfort and convenience, but where he stands at times of challenge and controversy.

Karen Weeks

**President, NSW Young Lawyers
Associate, Macedone Christie Willis
kweeks@mcwlaw.com.au**

 tmp.worldwide

**ANDERSEN LEGAL
LINKLATERS
& ALLIANCE**

Michael Page
SPECIAL
www.michaelpage.com.au

*Are you a fallen angel or a devil in disguise?
Now is your chance to put the record straight
at The NSW Young Lawyers*

Heaven & Hell Ball

Date: Saturday, 3 November 2001 at 7.00pm for 7.30pm
Cost: \$90 per person incl. GST, 3 course meal, all alcohol, live band, dj and entertainment

Venue: Tumbalong Ballroom, Sydney Convention Centre, Darling Drive, Darling Harbour.

Dress: Formal - Heaven & Hell theme

Booking: organise a table of 10 people, or book individual places by calling (9926 0270) emailing (exk@lawsocnsw.asn.au)

Elvira Khairallah at the NSW Young Lawyers office before midday 1 November 2001.

Get in quick -places strictly limited!

**NSW
YOUNG LAWYERS**
A Fresh Perspective

The members of NSW Young Lawyers are all legal practitioners under the age of 36 yrs or in their first 5 years of practice, and all law students.

IN THIS ISSUE

- Law Society Council Candidates
- Unfair Forum
- Bowl-Off Bonanza and the winner is?
- Dream Job

BOWL-OFF BONANZA

For the third consecutive year, young lawyers fused fashion and sport in an extravaganza of non-streak soles and some very fine pin action at Randwick Bowls on Friday 3 August 2001.

Magnificently MC'd by our own Warwick Eadie and sponsored by **tmp.worldwide**, **Henry Davis York and Dolman**, teams of law firms and other young lawyers bowled it out for the ultimate prize - the coveted tmp.worldwide Superbowl Trophy.

2001 saw the carry-over champion of the previous two years, PricewaterhouseCoopers Legal, knocked off their bowling shoes by Minter Ellison's world-class Strikers. Other accolades of the evening were the "Sara-Marie" Best Dressed team, which went unanimously to T&S Strikers from Taylor & Scott who risked permanent eye injury with a display of loud clothing that still has the fashion pundits talking, and the Strikeout prize went to the T & S Strike Outs, also from Taylor & Scott. Congratulations!

Additionally, \$140 was raised for University of NSW Indigenous Students Pre-law Programme. A big thank you to the players, sponsors, the NSW Young Lawyers office and to the members of the NSW Young Lawyers Social Committee for a great night!

Keep watching this space for details about this year's Heaven & Hell Ball - we guarantee it will be tantamount to a religious experience!

Katie Wood, Co-Chair

NSW Young Lawyers Social Committee



HENRY DAVIS YORK TEAM



WINNING TEAM MINTER ELLISON

SPONSORED BY:

hdy
HENRY DAVIS YORK
LAWYERS

 tmp.worldwide

Dolman
Legal Search & Recruitment

HONOUR KILLINGS

On 31 July 2001, the Australian Division of the International Commission of Jurists held a seminar on the topic of honour killings.

Democrats Senator Vicki Bourne approached the topic from a political and cultural perspective, looking at incidents which had been highlighted in a recent report by Amnesty International. An interesting point to come from her talk was the incidence of honour killings in some South American countries.

Associate Professor Ahmad Shboul AM, of the Department of Semitic Studies at Sydney University, gave the Islamic side of the story, which was interesting as there is a public perception that Islamic countries practice honour killings more prevalently than non-Islamic countries. Professor Shboul, being from Jordan and a Muslim, informed the audience that it is not a tenet of the Koran to keep women under lock and key and to punish them should they shame the family. Accordingly, Professor Shboul contended that the practice is not a Muslim ideal.

Finally, the Honourable Justice Elizabeth Evatt AC looked at the issue from an international law perspective, the local laws in some of the nations and the lack of protection those laws afford affected women.

A petition bringing the issue to the attention of the Federal Government and Opposition was widely supported. It called on the Australian Government to raise our concerns over honour killings and related issues when dealing with nations where they are known to occur. Hopefully this will result in further action being taken to put an end to the abuse of women for perceived dishonour.

Renee Saibim,

NSW Young Lawyers Human Rights Committee

UNFAIR FORUM

Exactly what is an unfair contract?

This and other issues were explored at a forum entitled "Section 106: Repeal, Amend or Do Nothing" hosted by the NSW Young Lawyers Industrial Law Committee on 29 August 2001.

The forum attracted speakers from the bar, solicitors, an academic and a representative of the Labour Council. An audience of 70 attended to hear some proposals for reform of the unfair contract provisions of the Industrial Relations Act. Ideas were tossed around as diverse as the impact of globalisation on senior executives to the reasons for "the politics of envy".

The Labour Council put forward an idea that only persons earning under \$318,322 p.a. should be allowed to access the unfair contract provisions. Other speakers on the night observed that they were unsure of whether this figure represented the cost of a new BMW with or without a leather steering wheel.

Although the meeting did not generate a great deal in the way of concrete proposals for reform, the audience seemed appreciative of the presentation of a diverse number of views.

If the NSW Parliamentary Counsels Office is called on to amend the legislation the Industrial Law Committee can recommend a more effective amendment than section 109A of the Industrial Relations Act.

If you are interested in joining the Industrial Law Committee contact Belinda Fisher (Committee Chair) Carroll & O'Dea Email:Belinda_Fisher@codea.com.au or Poppy Dreki, (Executive Officer), NSW Young Lawyers, Ph: 9926 0269. Email:ptd@lawsocnsw.asn.au

VOTING CLOSES ON MONDAY 22 OCTOBER 2001

Geoffrey Dunlevy calls on Law Society to Adopt "A Fresh Perspective"



As a NSW Young Lawyers Executive Councillor I participated in the process of adopting "A Fresh Perspective" as the motto of our organisation. There were many worthy alternatives but eventually "A Fresh Perspective" won our confidence as it so accurately represented the approach of NSW Young Lawyers. I firmly believe that the Law Society Council needs to adopt a similar approach in addressing future challenges.

An example of where the Law Society could take such a perspective is in endorsing the NSW Young Lawyers Code for Employed Solicitors. This has been a live issue for some time and if

elected to the Law Society Council, I will revive the debate on this important policy. Partners and principals should not think of the code as an impingement of their rights as employers. Nor should employees be afraid to use the influence that comes from an increasingly flexible and mobile employment market.

Another area that the Law Society should approach with a fresh perspective is the manner in which it presents itself to and takes advice from the legal profession. The Law Society needs to keep regularly informing members of core issues affecting the profession. This not only keeps members fully apprised of Law Society activities but also promotes a sense of belonging amongst members. If elected, the issue of openness and accountability will be firmly on my agenda.

The recent campaign regarding "reforms" to the Worker's Compensation system is an excellent example of how adopting a fresh perspective can increase the involvement and satisfaction of members. The Law Society may not have got the result it wanted but along the way it increased its public profile and the level of consultation with members. If elected, I will lobby for the Law Society to continue as an active participant and advocate in public policy debate.

Unless either Michael Antrum or I are elected to Council there will be no Councillors under the age of 36 or with less than five years practice. This is not an acceptable position given that young lawyers make up over one third of the Law Society's 16,000 plus members. Unless younger people are elected to Council there will be no voice for newer practitioners and there will be no change in the style and perspective of the Law Society.

I would like to thank all of the people who have assisted me so far in the campaign. In particular I have had the opportunity to discuss and review policy issues with my colleagues Christopher O'Brien, Geraldine Daley, and Stephen Lancken who are also candidates in the upcoming election. Members of NSW Young Lawyers should read with interest what these people have to say and I encourage you to consider them as suitable candidates for the position of Law Society Councillor.

Geoffrey Dunlevy
02 6792 1877
email: gdunlevy@northnet.com.au

Michael Antrum for Council



After finishing my term as the President of NSW Young Lawyers I was elected to the Council of the Law Society in 1998.

During the last three years I have chaired the Children's Legal Issues Committee and the Human Rights Committee. I hope that the general view is that during my chairmanship these issues have been raised to greater prominence in the Law Society Council's deliberation of issues. My Committees have addressed many issues including representation principles for children's lawyers, immigration and detention issues, addressing the appalling state of

Children's Court facilities and seeking to integrate the skills of legal practitioners in other social justice organisations.

I will continue to view the achievement of public interest outcomes as a primary obligation of the legal profession, in addition to recognising that a failure to aggressively articulate the lawyer's professional role will see it lost to other occupations and sectors.

In addition I have been active in online services and corporate governance issues. In all such matters I have welcomed the input of younger practitioners and have worked hard to improve young lawyer representation in many forums.

NSW Young Lawyers observers at Council meetings will attest to my ongoing support for NSW Young Lawyers' programs and initiatives and I remain committed to the objectives of NSW Young Lawyers. In short, I have not forgotten who my friends are.

In previous lives I have been the Director and Principal Solicitor of the National Children's and Youth Law Centre, and a private practitioner in small practice in Dubbo, Narrabri and Sydney city. I have recently been employed as the Legal Counsel for the University of Western Sydney, so it could be said that my employment experience has been diverse. It does place me in a position to be able to competently advocate for the interests of practitioners in various sectors of employment and I have also had special regard for the difficulties faced by lawyers in the non-mainstream areas.

I hope that I can continue to enjoy the support of young and new lawyers in NSW and trust that my record at least speaks for my commitment and determination. I welcome enquiries from other practitioners. I might add that, by definition, I am still a young lawyer (just) and thank you for your consideration of my candidacy.

Michael Antrum
0407 669 624
email m.antrum@uws.edu.au

LAW SOCIETY ANNUAL GENERAL MEETING AT THE LAW SOCIETY OF NSW ON THURSDAY 25 OCTOBER 2001 FROM 4:30 PM

PRACTITIONER'S GUIDE TO FAMILY LAW

When you want to know something fast you ask someone and when that fails you look it up. The NSWYL Family Law Committee has created the Family Law Handbook to fill the gap between the colleague and the looseleaf service.

The Guide is the work of the Committee and its members and covers family law (including proceedings in the Family Court, Supreme Court, District Court and Local Court) from substantive law to Registry specific practice and procedure.

Available in both electronic format and hard copy, via the YL website & office, the guide will be particularly

useful for new practitioners, be they young or new to the jurisdiction. The electronic version will be updated quarterly.

The Committee looks forward to seeing you at its upcoming launch (see www.lawsocnsw.asn.au/yl) and, if you are interested, at its regular monthly meetings at the Law Society at 6 pm on the last Monday of each month.

Suzanne Christie,
Chair, NSWYL Family Law Committee
Email: schristie@wattsmcraay.com.au



POSITIONS AVAILABLE

"Disgruntled" - Sydney

Openings for lawyers who:

- are sick of reading the "Dream Jobs" section of debrief because theirs is more like a nightmare;
- are happy in their current position but were "shafted" in their recent pay review;
- are working until 3am on a regular basis yet their secretary earns double their wage and leaves at 5pm; or
- at their recent job interview, told the senior partner they most aspired to be "Patsy" from Absolutely Fabulous and are now wondering why they didn't get the job.

"On the path to Partnership" - Sydney

Openings for lawyers who:

- are "first rate" and experienced young lawyers; and
- are "heavyweights" with excellent experience, strong professional backgrounds with the drive and ambition to succeed in a hardworking environment.

These are just a small selection of the vacancies on the NSW Young Lawyers Careers Committee. We are seeking members to join the Committee. The Committee meets on a monthly basis to discuss employment issues that affect young lawyers. If you are interested in participating, email careerslist@younglawyers.net or contact Poppy Dreki on (02) 9926 0270.

Jane Hall, Sparke Helmore
Chair NSW Young Lawyers Careers Committee
Email: janehall@sparke.com.au

OCT/NOV CLE SEMINARS

- **Understanding Financial Statements- \$75**
Tuesday, 9th October, 2001, 1:00 pm - 2:00 pm
- **Basics Strata Title - \$65**
Wednesday, 10th October, 2001, 5:30 pm - 7:30 pm.
- **Sentencing- \$75**
Wednesday, 17th October, 2001, 5:30 pm-7:30pm
- **Preparation of Financial Documents- \$75**
[Family Law - Preparing a matter for Final Hearing Series]
Tuesday, 23rd October, 2001, 5:30 pm-7:30 pm
- **A Practical Guide to Corporate Governance - \$75**
Wednesday, 24th October, 2001, 5:30 pm-7:30pm
- **North Sydney Council v Michael Standley- \$44**
[Joint venture between NSWYL & EPLA]
Thursday, 25th October, 2001, 5:30 pm-7:30pm
- **Construction Law - \$75**
Wednesday, 7th November 2001, 5:30 pm-7:30 pm
- **Preparation of Child Support Documents- \$75**
[Family Law - Preparing a matter for Final Hearing Series]
Tuesday, 13th November, 2001, 5:30 pm-7:30 pm
- **Basic Industrial Law- \$65**
Wednesday, 14th November 2001, 5:30 pm-7:00 pm

Contact Elvira Khairallah on 9926 0270 or email exk@lawsocnsw.asn.au for registration information or see our website www.lawsocnsw.asn.au/yl/cle

This issue of debrief has been edited by Amber Cerny, Katherine Gardner and Jennifer McVicar. All expressions of opinion are published on the basis that they are not to be regarded as expressing the official opinion of NSW Young Lawyers. NSW Young Lawyers accepts no responsibility for the accuracy of any opinion or information contained in this publication. Readers should rely on their own inquiries in making any decisions touching their own interests.

debrief is the official publication of NSW Young Lawyers. Advertising enquiries may be made by contacting Poppy Dreki on (02) 9926 0270. Rates on application. All copy subject to editorial approval. Contributions and letters are welcome and should be addressed to: The Editor, debrief, NSW Young Lawyers, Level 6, 170 Phillip St, Sydney or DX 362 Sydney.

Dream Job

Name: Michele Imlay

Admitted: September 2000

Current Position: Solicitor, Business Affairs, Energee Entertainment Pty Limited, an animation production and distribution company focussing on making children's animation for film and television, with divisions handling the merchandise, marketing and licensing of titles, including a new internet division www.ekidz.com.au. [They made The Magic Pudding - Ed]

Current Job Description: The Business Affairs Manager (Morris Averill) and I handle just about all of Energee's legal needs. The work is mainly commercial IP involving the negotiation and preparation of the contracts in the process of a production from rights acquisition through to project financing, production, talent and music publishing through to merchandising and licensing contracts. We also handle other business matters such as the management of royalty income, monitoring insurances, drafting employment contracts, general corporate work and advice to management on legal issues and courses of action.

How did you get the job: I asked my previous boss if she new of any IP legal jobs going around - she suggested I contact Morris, as he was looking for a paralegal. When I called, the position had been filled but I had read

some of Morris' articles and liked the sound of what he was doing, so asked if I could still make an appointment to speak with him about career development as a lawyer in the entertainment industry. So we had a chat and I was given the tour around the busy production studio. I started on a six week trial as a solicitor. Its now one year on and I am still here and enjoying it.

First full time job: Admin assistant then Junior Legal Officer at the Arts Law Centre of Australia - while completing my Practical Legal Training through the University of Wollongong.

Worst ever job: Cabaret waitressing in a tutu.

Have you read a case lately and what was it: Telstra Corporation v Desktop Marketing Systems [2001] FCA 612 - on ownership of databases.

What do you do to relax and have fun outside work: I love the arts and try to catch as many films, plays and art exhibitions as possible. I also enjoy tennis and find Yoga a great de-stresser.

Most surprising aspect of the job: Working in-house brings your legal work into the direct world of business and focuses your advice in that regard. While working with creative and business minded people is refreshing and interesting, they don't often understand just how involved contract drafting is and expect one instantly!

Any tips for young lawyers who want to work in a similar area:

There is no set or clear career path in becoming an entertainment lawyer. I recommend getting as much IP experience as possible, volunteer at the Arts Law Centre of Australia, join a NSW Young Lawyers Committee, find a mentor and ask lots of questions. The jobs rarely get advertised so you need to target what you want, whether in-house or in a firm that has an IP/IT division, follow up contacts, and just go for it.



NOT HAPPY WITH THE STATE OF PAY?

A number of legal recruiters have recently published salary statistics for employed solicitors. If you think that it is time to jump ship or you would like to find out what options are available, contact:

Dolman - Damon Sharwood, ph 9231 3022
email damon@dolman.com.au

Mahlab - Rachael Duggan, ph 9241 1199
email: rachael.duggan@mahlab.com.au

Michael Page - Sophie Hands, ph 9254 0349
email: syd.legal@michaelpage.com.au

Naiman Clarke - Joshua Smith, ph 9233 7977
email: jsmith@naimanclarke.com.au

tmp.worldwide - Christine Britten-Jones, ph 9256 3542
email: christine.britten-jones@tmp.com