

President's Address Speech

Ross Lee

18 June 2010

Good afternoon

The Chief Justice of Queensland, Magistrate John Hutton, Professor Geraldine Mackenzie, Professor A J Brown, Dr John de Groot, President Mick Eastwood, colleagues, ladies and gentlemen.

CHILDREN

As many of you know, I have two young children: Jessica aged 4 and Harrison aged 2. I find these days that they are the source of most of my humorous anecdotes. Many of you in the audience as parents will have seen your own children growing up and going through various shall I say, interesting stages.

Presently my 4 year old daughter has not only been in the habit of wanting anything in her younger brothers hand's and when it's a particularly nice toy she just steals it off him. However, I am pleased to say that Harrison as he is growing up is holding his own these days. His favourite words at the moment are "no" and "mine" usually yelled at the top of his lungs and as close to the ear of his sister as possible. He is the guardian of his own rights now. I have great hopes for Harrison – he'll make a fine lawyer.

COMMITTEE

Again this year I'd like to start by thanking my fellow management committee members. Their continuing commitment to the local legal profession creates many advancements here in Gold Coast.

Immediate past president and current vice president Mark Treherne has continued his service to the litigation law community, both in the criminal and civil jurisdictions. And the DLA is continuing with our ongoing program to

have the Legal Services Commission stamp out those not qualified providing unlicensed and frankly dangerous quasi legal advice.

Mary Atallah as treasurer this year as you've heard has been running the books admirably and as a past treasurer myself I know it is often a thankless job. Hopefully she will not be chastised by our Chief Justice for making a two dollar loss as has been my sentence in the past.

Secretary Matthew Harman and administrative assistant Annabelle Cottee have both been excellent in providing the engine room - which effectively powers this association. In many ways the funds that we make from sponsorship or events goes toward administration of the DLA, and without that, nothing gets done. Matthew and Annabelle have been responsible for all the email notifications that you receive and with Ted also do a lot of work on our newsletter 'Ipsos Facto'.

Past president Ted Skuse continues in his advocacy role in editing 'Ipsos Facto'. This effectively is our voice of course and our best form of keeping in touch with the membership. Ted really does devote a huge amount of time to this association including in that regard and everyone I know thinks of Ted as a true believer in advancing this profession to new heights.

So everyone of course on committee gives up a lot of time to serve the DLA and in particular we've found it helpful to have subcommittees. Kathy Atkins heads up practitioner welfare and family law, Mary Atallah and Matthew Harman run the social committee; Glenys Owen and myself run the community legal subcommittee while Pam Roberts is in charge of property and commercial interests. Mark Treherne heads up the courts subcommittee. Brian Carey and Paul Brake have been remarkable in their service to the committee but so far I've been not able to pin a subcommittee badge on their chest – well, not yet.

WORK

When I looked through the several thick files of DLA for the past twelve months I found it hard to summarise in just a few words all of the functions we have put on and the work we have been doing.

MEMBERSHIP

Firstly I would like to say that on what I consider is the main key performance indicator, our membership is up 30%. It's up to 203 financial members from 158 the previous financial year. However there is a lot of room for improvement given that we have almost 800 QLS members on our turf. While DLA membership may have been higher in the past, I'm told that these members may not necessarily have been financial.

To me, our DLA must in these difficult economic times, show that there is good value in association membership. Hopefully with every year that passes, our financial and potential members will increasingly, be aware of just how much benefit there is in membership.

SOCIAL FUNCTIONS

Social functions we've held in the past twelve months I believe have gone exceptionally well. In April this year we had drinks at the Judicial Café with well over 50 attending including Judge Wall and Magistrate Keogh. Late last year we had a breakfast seminar function with the City Solicitor and Gold Coast Mayor and almost 100 attending. We have also held two other highly successful drinks function at the Surfers Rowers and Judicial Café last year.

I believe that in mixing with colleagues we all not only unwind but have an opportunity to network and run ideas past each other. Particularly as one or two owner firms, practitioners are all too often like me, stuck in the middle of working in the business rather than working on it. Employed solicitors have the benefit of comparing bosses.

ADVOCACY

The other great thing that historically our DLA is known for is for advocacy. Hopefully you will have been reading and hearing about some great successes we have been having in the last twelve months. For example we have been making great success in regard to resourcing the Southport Courthouse. Mary and I met with the Attorney General of Queensland in April and I met him again at Community Cabinet last month and we've consistently been taking these issues up to the highest possible level.

SOUTHPORT COURTHOUSE

Three new Magistrates Court rooms are being built in addition Arrest Court One is being significantly expanded to cope especially with peak periods like Schoolies and so on where capacity needs to be much higher on some occasions.

In addition I believe that we have played a small but significant part in the Moynihan jurisdictional changes where both the Magistrates Court and District Court will both be given far wider jurisdictional powers than before. As you know one of my personal interests is to have a Supreme Court here in Gold Coast on circuit and then permanently, as it should be for a city of this size.

RETAIL SHOP LEASES ACT

I should point out though, while macro issues are prosecuted by the association, micro ones are too. An anomaly in the *Retail Shop Leases Act 1994* was raised by member Andrew Budd and I wrote to the Attorney in this regard in respect of the disparity between corporate and natural person tenants when it comes to releasing an assignor from liability, noting there may be a personal guarantee in place for a corporate tenant which prevails despite the statute.

I must say that the initial response from the Attorney General was lukewarm but on this issue being picked up by the Law Society on our prompting, the Justice Department has been asked by the Attorney to review this area of law as part of its ongoing business.

LEXON

Equally, I believe that we need to keep on our professional indemnity insurer Lexon to give the best possible price and insurance cover. If we as practitioners don't comply with the conveyancing protocol or we miss a personal injury date, a triple excess applies and at some \$45,000.00 that's a lot of money to a small business. I am pleased to advise that again through some part of this association, premiums have fallen for many of us in the small to medium firm category for the next financial year.

Perhaps more importantly still, we will have the benefit of the *Professional Standards Act 2004* to cap liability at \$2,000,000.00 which again has practical implications on the price of our insurance cover. Having the benefit of this has been long standing concern of mine and I had raised that with Lexon and the QLS on many occasions. There is still work to do with Lexon however such as optional cover for professional disciplinary proceedings defence which is currently a noticeable gap in our cover and unfortunately only discovered on claiming for some.

COMMUNITY LEGAL

Finally, you will probably know my interest in a community legal centre for private practice solicitors to attend for two or three hours after work. Glenys Owen and myself have been cracking this particularly tough nut over the last twelve months through several meetings with Manny Palma the principal of the Gold Coast Legal Service, Bond University and the Robina Shopping Centre Management and other possible venue providers.

We don't have the service up and running yet so that's our challenge for the next twelve months. What I can say however is that we have firm commitments for partnership by both the Gold Coast Legal Service and Caxton for sharing of knowledge base and quality systems to provide good community advice in the most risk managed way including induction programs and so on. Bond University in particular has shown exceptionally strong interest to partner with us and resource this service in terms of both business

equipment and providing a venue. I am determined to see this through and have a community legal service up and running before years end.

CONCLUSION

So in concluding, I do hope you enjoy the social events we put on but equally hope you also see the good work your committee members at the Gold Coast District Law Association have been doing for our local profession.

SPONSORS

Special thanks go to our sponsors Worrells Solvency and Macquarie Bank. Jones Mitchell kindly provides the venue for our committee meetings each month and the universities Bond and Griffith both partner with us in everything the association does. I'm looking forward to working also with Southern Cross in the next 12 months too.

So thanks again for your support and I'll continue to do my very best to carry out my role as president for the next year.