

PUTTING GREEN THEORY INTO PRACTICE

A coalition of law firms has embarked on a mission to promote environmentally sustainable practices across the profession.

In doing so, the eight foundation members of the Australian Legal Sector Alliance (AusLSA) - Norton Rose, McCullough Robertson, Maddocks, Jackson McDonald, Henry Davis York, Swaab Attorneys, DLA Phillips Fox and Clayton Utz - have publicly disclosed their own environmental impacts as a way of helping develop sector-specific best practice guidelines.

The alliance was due to release *Environmental Consumption of AusLSA Members 2009-2010*, its inaugural report that captures the environmental footprint of the firms, on 29 March.

The report found a mean consumption of 123.97kg of paper per employee across the eight firms.

It also found that electricity accounted for 69 per cent of all carbon emissions from the

firms and flights accounted for 23 per cent.

The results were compiled through an environmental consumption calculator (ECC) developed by AusLSA.

The LIV became an AusLSA partner organisation last month.

AusLSA founder, Victorian barrister Melanie Szydzik, said the organisation's two-pronged aim was to assist firms to manage and measure their sustainability profiles and help them share their expertise and experience with other firms.

"It is often commented that lawyers are addicted to paper. The many volumes of court books printed many times over are a striking image with which many of us are familiar, and the ECC numbers show this is an area where firms, large and small, tend to struggle," she said. "The transition towards paperless operations is a difficult one because paper use is part of the culture of the profession."

Maddocks director of knowledge and business services Shirley Hamel said the firm was implementing initiatives to reduce paper usage, including double-sided printing, using recycled paper, electronic court filing and file management and basing equipment procurement policies around sustainability.

"The partners wanted to join AusLSA as a way of trying to leave the firm in a better position that when they joined it. We are really excited about what we have done already and have put together a range of documents for knowledge-sharing with other firms," she said.

Ms Szydzik, who was awarded the 2010 LIV President's Green Initiative Award for developing AusLSA, said all Australian law firms were encouraged to join the alliance.

A satellite AusLSA launch is scheduled in Melbourne for 3 May.

For more information or to join AusLSA, see www.legalsectoralliance.com.au.



PETER GLENANE

RIGHTS MOVE: Attorney-General Robert Clark believes the proposed legislative amendments will allow for greater public consultation.

Native title claims on reserved Crown land in Victoria will soon need final Parliamentary approval before being ratified.

Victorian Attorney-General Robert Clark said the government planned to amend the *Traditional Owner Settlement Act 2010* to bring this change into effect in coming months.

The Act, passed in early September last year, currently allows for native title claims to be settled out of court between traditional owners and the state government executive without a parliamentary vote.

TRADITIONAL OWNERSHIP HEADING FOR VOTE

Under the proposed amendments, traditional owners will receive benefits such as conferring title and joint management rights on Crown land in return for the withdrawal of native title claims.

There are over 12,000 Crown Land reserves across Victoria.

Native Title Services Victoria (NTSV), a Commonwealth-funded body that supports Victorian native title claimant groups, believes the proposal "created a new uncertainty". However, NTSV CEO Chris Marshall said the Indigenous community would accept it if there were no further substantive changes to the Act.

The only recognition and settlement agreement signed under the current legislation occurred last October and acknowledged the Gunaikurnai people as traditional owners of over 22,000 square kilometres of Gippsland. They were given joint management right of sites in the Tarra Bulga National Park.

A claim currently posed for resolution covers an area between Bendigo and Daylesford.

Mr Marshall said the Gunaikurnai agreement would not have been achieved without the existing legislation.

"We will be happy if this is the only change made, but there has to be risks down the track

and we would prefer they did not do it. We are in wait and see mode," he said.

"It looks like a benign change, but decisions would rest with a vote and not an executive decision. This may bring interest groups out of the woodwork who may rattle the cage of the government."

Mr Marshall said the Indigenous community would work to shore up other important provisions in the Act while the amending Bill was being floated.

Mr Clark told the *LIV* he believed major changes to land title should not be made until ratified by Parliament and that the legislation in its current form did not provide for adequate public consultation.

"All Victorians are entitled to have a say about any agreements that would alter rights of access to or use of publicly reserved land. This will ensure the rights of existing land users, lease and license holders, will be properly examined and subject to public scrutiny and debate," he said.

LIV Indigenous Issues and Aboriginal Reconciliation Committee Chair Brendan Loizou said important native title decisions should be made by a high-level independent body.