

he took up law to assist him with his union work.

Values are important to him. "Finance," he says, "is an industry that has lost its moral compass. It's nothing but money, money, money. We play a role in humanising the industry. We try to keep in close contact with decision makers. There are some very powerful people among them, so rich and powerful that they have absolutely no idea of reality. They're totally out of touch, with barely any corporate memory. We often need leverage to get in front of them. The law is one source of leverage."

Certainly no one can say the unions themselves are short on corporate memory. Their past, their present, their great battles, their pathfinders and heroes are commemorated in histories, autobiographies, biographies, sculptures, poetry and song, insignias, flags and uniforms. Union archives will very likely reveal to future researchers some telling anecdotes, statistics and commentaries on the mad side of money-lending.

Banking, as Derrick describes it, is not the quiet, orderly environment customers generally imagine. Until recently, the number of armed robberies by gangs of armed young males was a major concern. Derrick tells of one young woman, ambitious for a banking career and promoted to a bank manager, who, after been exposed to 16 bank robberies with no attempt by the banks to "harden the target", as Derrick puts it, suffered a complete breakdown, her future destroyed. By applying the NSW *Occupational Health and Safety Act*, Derrick used the law to provide the leverage needed to improve safety and radically reduce the number of bank robberies in the state from 106 in 2001 to just six in 2010. While the incidence of armed robbery varies, the threat is ever present.

Other sources of angst to union members are performance-based wages and pressure to cross-sell other products to clients. This harrows workers, the majority of whom are women. The transfer of jobs offshore has also forced some members to sell their homes.

No doubt recognising what education has done for him, Derrick says the union is adopting an outreach program to train and educate delegates: "We want to shape up as facilitators, helping people achieve their goals, empowering them."

That will be a happy conjunction of wants. □

The second edition of Good Faith Bargaining under Australia's Fair Work Act 2009, by Alex Bukarica and Andrew Dallas, is due for release from Federation Press this month, with updates including analysis of the various ramifications of the recent Qantas dispute.

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... **Let's talk about** the profession's love/hate relationship with paper. Gadens reports nearly 10 million pieces of paper used (80 per cent recycled content) in its first public report on sustainability (tinyurl.com/bwr9qkh).

It's an increase from 2009/2010 but it says, "This challenge is faced by many firms ... where the production of large quantities and multiple copies of client transaction documents and correspondence is inherent to the way business is conducted." To cut usage, the firm has already introduced default duplex printing, and paperless fax facilities, and is investigating using 100 per cent recycled paper and digital file storage.

... **Another firm**, HDY – which, like Gadens, is a reporting member of the Australian Legal Sector Alliance (AusLSA) – said in its 'Imagine4' (tinyurl.com/ccat2cy) sustainability report that it experienced a 5 per cent increase in paper usage in 2010/11 – that's 14,303 reams of paper (97.5 per cent of which it says is 100 per cent recycled). But its four-year performance data shows a 14 per cent reduction in paper waste attributable to the introduction of duplex printing, document storage systems and email management.

... **It's worth noting** that AusLSA reported early this year that paper consumption in law firms was 115kg (about 46 reams, 23,000 pieces of paper) per employee for 2010/2011 ("With respect", *LSJ*, February 2012).

... **Still on the topic of paper**. AusLSA member law firms rate social responsibility, recycled content and Forestry Stewardship Council (FSC) accreditation as the top three most important sustainability factors when selecting a brand of paper, according to results of a paper survey conducted by the Alliance. From an environmental standpoint, firms were pretty close to the mark, as speakers at an AusLSA World Environment Day webinar said the ideal paper choice would be "100 per cent recycled content, certified post-consumer waste, carbon neutral and made in Australia", with a caveat that the aim should always be to reduce use. The Wilderness Society's Luke Chamberlain added that paper should not be sourced from native forests. ECO-Buy's Stephen Reardon said there were many environmental issues with how paper is made, including the fibres used (recycled v certified forests), bleaching, greenhouse emissions and compliance with ISO standards. Thus, firms should have a "dialogue with your suppliers to understand the issues", even those relating to the packaging, to avoid being "greenwashed". And interestingly, an impromptu survey after the webinar had converted listeners, with recycled content coming out tops as a selection criterion. To find out about future AusLSA events, go to tinyurl.com/cvjea5j.

... **Of the brands** currently used by AusLSA survey participants, Evolve 100% Recycled features on The Wilderness Society's ethical paper list (tinyurl.com/7obfx6r) of recommended papers, which also includes OfficeMax 100% recycled, FujiXerox Recycled Pure+ and Vision - Pure White.

... **What's in a name?** A lot, thinks Federal Attorney-General Nicola Roxon, who says the title of Magistrate is no longer adequate, and has launched a consultation with the Federal Magistrates Court for a name change. She said it would clarify the court's role in resolving disputes. "Likewise, changing the title of Federal Magistrates will recognise their status as federal judicial officers and avoid confusion with state and territory magistrates," Roxon adds.

... **The 'it wasn't me' defence** to copyright infringement seems to have worked – at least in the US. A New York judge has found that just because an IP (internet protocol) address is in one person's name, it did not mean that person had illegally downloaded porn films. Marque Lawyers agrees, saying on its Soapbox blog that with WiFi connections, there could be several devices (and users) connected, and only one IP address. "If [the case] holds up, copyright owners will need to be a whole lot more savvy about how they identify and pursue copyright infringers and, perhaps, we've seen the end of mass 'John Doe' litigation," it says.

Email your news, views and clues to withrespect@lawsociety.com.au. □