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Lawyers slam privilege abuse

By Kate Gibbs

A "DANGEROUS PRECEDENT" threatened three hundred years of open government and free speech when the South Australian premier recently introduced legislation that attempted to curtail parliamentary privilege, according to a Holding Redlich partner.

Premier Mike Rann introduced legislation – subsequently withdrawn – into the South Australian Parliament that would take away the protection from prosecution, or the naming or identification of an MP, former MP, or public official of criminal sexual misconduct in Parliament.

The push followed comments made by Speaker of the

Parliament Peter Lewis, who claimed government ranks included a paedophile. Reacting, Rann asked Lewis to reconsider his position and resign from the Speaker's chair after he failed to provide evidence backing his comments.

"I think it is absolutely incumbent on [Lewis] to do the honourable thing, the decent thing and step down with the

dignity and the grace that the office of the Speaker deserves and that the Parliament deserves," Rann said in an *ABC Online* report.

Holding Redlich media and communications partner Nicholas Pullen told *Lawyers Weekly* that although the Bill was withdrawn after hours of derision from every source except Rann's own government,

this was a real threat to the tradition of free speech and open government in this country, and could have set a "dangerous precedent".

Pullen referred to England's Bill of Rights, and Article 9, which provided that "freedom of speech, and debates or proceedings of Parliament ought not be
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High Court consultations queried

THE ACTING shadow federal Attorney-General has condemned the system of making High Court appointments, arguing the process "is almost completely inside the head of the Attorney-General".

Labor announced last week it was concerned by reports that the Howard Government is holding secret interviews of candidates for the High Court. Senator Joe Ludwig, who is also acting shadow Attorney-General, said in an opinion sent to *Lawyers Weekly* that this creates a perception that the Government is assessing candidates' political

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Australian lawyers hit the NY Bar



By Kellie Harpley

WITH A PASS rate of 90 per cent from over 100 enrolments per sitting, the New York and California Bar Review Program has proved to be a successful pathway for Australian lawyers who want to sit the respective Bar exams.

The programs are designed to allow Australian lawyers to prepare for the exams in Australia, so they can then pursue work in US jurisdictions or simply increase their knowledge of the American legal system. Once the exams are completed, the Bar Review helps participants find interviews and positions with American firms through its affiliated business, Attorney Placements International, and has placed lawyers with international firms Skadden Arps, Sullivan & Cromwell and high profile NY law firm Moses & Singer.

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Australian lawyers hit the NY Bar

(continued from p1)

Applications for the July sitting closed last week, but for those who are keen to add the New York Bar to their list of qualifications it is never too early to start preparing for the February sittings, according to Melbourne University law graduate Sarah Krasnostein.

Twenty-five year-old Krasnostein has been preparing for the July exams since December, before she had officially graduated, and has found the process to be thoroughly beneficial. She said the program has proven to be the ideal complement to her law degree, and has helped her consolidate the knowledge acquired during her previous five years of study.

"It's kind of like the greatest hits of the law degree," she said. "If you didn't understand something in contracts but you still managed to get through, this really makes you revisit the main points. It's a really good synthesis of the ideology."

Krasnostein was attracted to the New York Bar Review by its 90 per cent pass rate and the fact that the program's lecturer has been training Bar candidates for over 30 years. "He truly knows how to get you to the pass stage," she said.

The program is squarely aimed at filling the gaps that Australian law students would find in their knowledge when looking at the New York Bar system, she continued, something students would find very daunting on their own.

"The Bar tests New York law and multi-state law. With multi-state law you have to know the difference between the common law and different legislative reforms – if I was doing this by myself I would be out of my mind," she said.

Krasnostein did not have to dive straight into the Bar exams, or the

preparation for that matter (many applicants do only a month of preparation before successfully sitting the exam). She had obtained a place on Sullivan & Cromwell's nine-month foreign lawyers program, and will undertake her articles with Mallesons Stephen Jaques in 2007. But rather than use her year off to go travelling, she decided to use her time in a way that would more directly benefit her career.

"I wanted to do something that would look really good on my [resume]," she says. "I thought I might as well spend this year studying." Krasnostein is originally from Washington, DC but has been in Australia for 12 years, and completed her high school and university studies here. She had always been attracted to the New York Bar as her father and grandfather both passed the exams, and the challenge of tackling an exam with the reputation for being the hardest also appealed.

When she first heard about the New York Bar Review, she contacted Beatrice O'Brien, the Review's founder and president of Attorney Placements International, and was quickly convinced that passing the exams was something she could achieve. The program's clear approach to tackling the exams took the fear out of the prospect, Krasnostein said.

She started 'attending' American lectures online and four months down the track is confident that she will pass the exams in July. "They take into account that not everybody has been to an American law school and it really crystallises the law," she said.

Email NYBar at info@nybar.com.au and Attorney Placements International LLC at info@AttorneyPlacementsInt.com

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