

“When experience counts
and you need an
innovative approach,
contact us”

Welcome to this Summer Edition of Legal Insight.

Our Open Day

The day was well planned, the weather was kind, and our Open Day was a tremendous success. Thanks to all of you who joined with us to celebrate our re-location to 10-12 Warrandyte Road Ringwood.

For those who could not be with us, this is just a picture of the day: succulent lamb on a spit, large spicy chops cooked over an open oven, entertainment for the children (namely, a jumping castle, face painting, badge making), entertainment for the adults (namely, two talented young guitarists who played gentle jazz throughout the day), prizes for those who were lucky draw winners, coffee, tea or hot chocolate, and even for those young or young at heart, fairy floss!

Specially arranged tours were organised and the majority of people were shown through the building. A number of special guests were able to be with us including Members of Parliament, local Councillors and Dr Widmer. The Hon Ms Jan Kronberg MLC (our local member for the Eastern Metropolitan Region) formally ‘opened’ the day and herald the beginning of our legal service at this new location. Special reference was made to the history of this building as a place of quality

Ancient Wisdom
**‘Unless justice be
done to others, it will
not be done to us’**
– Woodrow Wilson, 28th President
of the United States of America

service to and care for the community (the building was for many years a popular and well regarded medical centre).

So, we are now officially ‘open’ for business; thank you to all of our sponsors and those who contributed to the day including many of our clients. We look forward to serving you in the true sense of what it means to be solicitors!



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If you would like to receive an electronic version of Legal Insight, please:

- call Tristan Tottenham of our office on 9870 9870
- write to us at PO Box 450, Ringwood 3134
- send an email to office@hutchinsonlegal.com.au

In the Driver's Seat

Learning to drive a vehicle, staying in control and observing all the road signs are not easy, a fact which the road toll bears testament. New licensing rules have been implemented by the Victorian government from 1 July 2008, to ensure that young driver's are well prepared for their venture onto our roads. It is also an attempt to slash the road toll statistics so alarmingly high among the 18-25 year olds: more young people die from motor vehicle collisions than from any other cause.

Learner drivers must now be on their learner's permit for a year and need at least 120 hours of supervised driving experience – with a log book to verify that they have done the time – if they apply for their probationary licence before they turn 21 years.

Once 'P-platers' gain their license, they are barred from using mobile phones (even 'hands free'), and are restricted in the types of high-powered vehicles they can drive and the number of passengers they can carry. In addition, alcohol interlocking devices are now fitted to the cars of first-time drink-driving offenders under 26 years old, or those on P-plates.

A two tiered probationary licensing system has begun, extending the probationary license period from three to four years. An improved 50 minute driving test will also be introduced, with the on road component taking 30 minutes. Probationary drivers will have their P1 (red plate) for one year before moving onto their P2 (green plate) for a further three years. A P1 driver will only be allowed to carry one passenger aged between 16-21 years. Probationary drivers who are 21 years or older when first licensed will move directly to a P2 license.

The Victorian government claims there is consistent, scientific evidence that the measures taken will have a positive effect on safety, based on what has previously happened in Victoria, other Australian states, New Zealand, parts of Canada and the US. We support the government in this initiative and trust it achieves its stated objective.



De-Criminalising of Abortion

After hours of debate, abortion has been decriminalised in this state by the Victorian Parliament. The *Abortion Law Reform Bill* 2008 was passed, unamended, by the Legislative Council on the 10 October 2008 with a majority of 23 votes to 17.

The overall purpose of the Bill, introduced as a conscience vote in Parliament by the Premier Mr Brumby (after advice received from the Law Reform Commission), is to remove unlawful abortion as an offence from the *Crimes Act* 1958, abolish common law offences on unlawful abortion and regulate health practitioners performing abortions. Though unlawful abortion existed as a crime prior to the Bill, judicial decisions following the landmark case of *R v Davidson* in 1969 have meant that abortion has been available to women if their physical and mental health was at risk.

While supporters of the Bill have seen this issue as fundamentally a health issue not a criminal one providing women with the choice for an abortion up to 24 weeks gestation without fear of retribution, opponents see the Bill as lamentable (given their understanding that life commences at the point of conception) suggesting that policies should be directed more to supporting women with un-planned and difficult pregnancies rather than treating abortion as simply a medical procedure. Some groups, including Catholic Health organisations, are considering challenging this new law in the Courts. It may be, for example, that the law is contrary to or could be tested against the *Charter of Human Rights and Responsibilities Act* 2006 passed in the Victorian Parliament in July 2006.

Personal News

We celebrate with Edmund Saw in his admission as an Australian lawyer in October 2008. Edmund has been with Hutchinson Legal for over six months having been admitted as an Advocate and Solicitor of the High Court of Malaysia in January 2002 and practicing at his family's law firm in Kuala Lumpur, Malaysia.

At Hutchinson Legal, Edmund remains keen to build on his already strong contribution in general civil and commercial litigation.

Calendars 2009

Given feedback we have received from various readers of Legal Insight, we are pleased to enclose the Hutchinson Legal Calendar for 2009! The artwork is by James Alfred Turner who lived in the Croydon area and painted around this district prior to his death in 1908. Some 46 of his painting were reproduced on postcards, and this painting is one of those reproductions. For those who receive this newsletter by email, if you would like to receive one of the calendars please click on the email address below and forward your mailing address or collect a calendar when you next visit the office.

And Finally

At this time of year I am reminded of the following verse written many years before the first Christmas: "For to us a child is born, to us a son is given, and the government will be on his shoulders. And he will be called Wonderful Counselor, Mighty God, Everlasting Father, Prince of Peace". Despite the worldwide economic developments it is our hope that you and your family will experience this peace.

Thank you for being associated with us at Hutchinson Legal in 2008. We trust you and your families will have a restful and rejuvenating holiday and that the year 2009 will bring every encouragement to you.



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