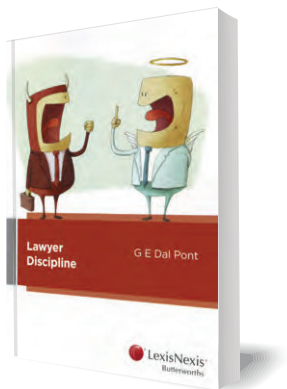


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This month's books cover global ethics and governance, lawyer discipline, property rights and a historical saga.



Lawyer Discipline

GE Dal Pont, LexisNexis, 2020, pb \$168

Gino Dal Pont is an interesting, prolific author. An academic, he delights in examining difficult areas of legal practice, such as lawyers' professional responsibility, the law of costs, laws of confidentiality and powers of attorney. His latest work, *Lawyer Discipline*, examines entitlement to practise, professional misconduct, discipline, readmission, fiduciary breaches and similar areas of legal practice. Significant portions of the work are concerned with Victorian cases and statutes, such as the various Legal Profession Practice Acts, the *Civil Procedure Act*, the Law Institute Acts and the *Victorian Civil and Administrative Tribunal Act*. In canvassing these matters, Dal Pont displays an impressive mastery of detail.

The author explores the way in which changes in popular views on morality and politics have influenced the courts' attitude to discipline and entitlement to practise, such as the fact that in earlier eras, communist beliefs disqualified (American) lawyers from being entitled to practise.

One Victorian case discussed in the book concerned Alex Lewenberg, who had berated a Jewish sexual abuse complainant for having assisted police in a matter rather than pursuing the issue within the Jewish community. The Tribunal considered that his declining to assist in the prosecution of charges of this nature was "truly shocking". It issued a reprimand coupled with a 15 month suspension.

Another interesting case concerned Peter Clyne, who had previously served as a judge, but had then practised as a barrister. He had made what the court described as "an unrestrained and vicious public attack" on the person the subject of committal proceedings. This led to his being struck off the rolls. He appealed to the High Court, which dismissed the appeal.

Graham Fricke, retired County Court judge