

# Craig Laughton

Dunhill Madden Butler

*Sharon Theedar*

Craig Laughton is a second year solicitor at Dunhill Madden Butler. He is also a techno wiz. Mention the word multi media and you'll be lucky to get a word in edgewise while he enthusiastically talks about the net, multi media and cyberspace.

### **So, does techno-wizardry and law go well together?**

Craig's view is "Yes, brilliantly." He seems to have already reached "career Nirvana" since he is one of those rare creatures who has managed to turn a passionate interest into a challenging and fulfilling occupation.

### **What Is Multimedia?**

Multimedia is the implementation of new technologies in the commercial world. For example, email, the internet and intranets are all multimedia products and services. Technically, multimedia is a combination of computer generated and transmitted sounds, images and text.

### **What does Craig do?**

Craig's role as a multimedia lawyer is diverse. He consults with various organisations to assess their information technology risk profile and advise them as to their current and potential legal exposures. One example is assisting clients in establishing protocols<sup>1</sup> which define the bounds of employees usage of the internet within the company (ie to ensure that they do not send obscene, harassing or defamatory emails over the internet!).

Craig's task is to identify any current or potential problems, propose alternative strategies and implement solutions that alleviate risks and improve current system functioning. Craig's advice, which extends to both users and suppliers of technology, involves recommendations as to all aspects of their business, including advice as to possible improvements to the design of a client's web site. Such improvements go beyond the merely cosmetic, as incorrect or poor quality technical design may be susceptible to hackers and pose a security risk.

Craig's role also includes providing advice as to how to achieve optimum results from layout, graphics and home page contents, including security and liability disclaimers.

According to Craig, the relatively new field of multimedia, particularly in its commercial and financial applications, presents a number of current and potential legal problems.

These include privacy, censorship and security and copyright issues. Craig sees the firm's practice as providing a "one stop multimedia shop" that can provide advice on trade practices, privacy and defamation, and technical and business issues.

### **What are some of the main challenges?**

As a young lawyer it was quite a challenge to assist in the creation of a multimedia practice virtually from scratch. Craig's strategy was to identify potential clients' multimedia needs, establish a service to meet those needs, and devise a means of delivery to that market.

To achieve this Craig

gathered together legal expertise from all areas. In Craig's words, he is not "an expert in all the relevant areas, but had to become an expert in gathering together expertise".

Once he developed the product and established the target clients, he created a legal checklist to ensure that he had covered all relevant areas of the law. His current clients include commercial enterprises, small businesses and government departments.

### **Is a degree in computer science or engineering or related field a prerequisite?**

No. Craig has derived much of his own computer experience in his capacity as a director of his own company/consultancy which creates multimedia products. This has enabled him to experience, and take part in the rapid changes in the multimedia industry. However, Craig stresses that multimedia law is an area that can be practised by anyone with the motivation to learn and increase their knowledge through

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# Profile

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experience.

**Do you have to have a comprehensive knowledge of computers to practice as a lawyer in this area?**

Craig says that if you can turn on a computer and send an email, you're well on your way.

## Major Obstacles

According to Craig, there is a need for regulatory reform in this area. Until that occurs, and more certainty can be enjoyed by business, caution is needed. Craig says currently, everyone has to walk around armed with confidentiality agreements and business must implement a whole swag of protocols to reduce risk profile.

As usual, the law has not kept up with the frenetic pace of technical advances and their applications to the commercial world. The law governing the area of on-line technology is largely based on legal concepts developed prior to the information age, and many legal issues remain somewhat untested.

## What are the possibilities for young lawyers?

Craig's eyes lit up as he talked about the possibilities for young lawyers in this boom area. As he sees it, the advantage for young lawyers is that they have grown up with computers and have no fear of them. This familiarity with computers as work, research and communication tools provides a competitive edge over someone who may not be as comfortable with computers or as receptive to exploiting their potential applications.

With the internet becoming more and more widespread in use, there is now a growing demand for lawyers to advise clients in relation to related issues such as negotiation and drafting of multimedia development agreements, interactive video games, electronic commerce, distribution agreements, internet banking, use of electronic signatures, authenticity, integrity and confidentiality of communications.

## Comment

In many areas, Victoria is well ahead of other states in the adoption and application of multimedia. The multimedia future is here and brings with it new opportunities for lawyers, both in establishing new areas of practice and changing the mode of practice in old areas.

*The writer thanks Leonie Brasier for her assistance in writing this article.*

<sup>1</sup> A protocol is an agreement which sets out the accepted standards of an employee and rights and obligations.

# Career Seminars and Lecture Series

The Law Institute of Victoria in association with Leo Cussen Institute present a two part seminar series designed for members of the legal profession, articulated clerks and law students.

Career Planning	Wednesday, 1 October 1997
Career Essentials	Wednesday, 8 October 1997

For further information or to obtain a copy of the brochure, please contact the Young Lawyers' Section on 9607 9389.

## Young Lawyers' Annual Lecture Series

Venue: Snail n' Bottle Restaurant Law Institute of Victoria  
Time: 6.00 pm - 7.00 pm

One hour lectures designed to provide an update on the law and useful practical tips for practitioners.

**Employment Law:** 2 September  
**Unfair Dismissal:** 9 September

## Employment Agreements, Australian Workplace Agreements & Contracts of Service.

For further information, please contact the Section on 9607 9385.

# Social Events

## Gordon Lewis Speaker's Trophy Competition

To be held in October

## Fun Run & Power Walk

To be held in December

## Young Lawyers' Annual Dinner

To be held in December