



NEW SOUTH WALES
BAR ASSOCIATION

**THE NEW SOUTH WALES BAR ASSOCIATION
BAR COUNCIL**

MINUTES OF PROCEEDINGS

**Thursday 27 July 2017
in the Boardroom of the New South Wales Bar Association
at 4.30 pm**

PRESENT: Moses SC; Game SC; Bell SC; Weinstein SC; Nomchong SC;
McHugh SC; Shead SC; Walker; Khandhar; Katekar;
Mitchelmore; Izzo; Higgins; Gleeson; Antipas; Roy;
Hutchinson

APOLOGIES: Loukas SC; Terracini SC; Callan; Welsh; Deputy Executive
Director

IN ATTENDANCE: Executive Director; Director, Professional Conduct (for
professional conduct matters)

MINUTES

The minutes of the meeting of 22 June 2017 were confirmed.

MATTERS ARISING FROM MINUTES OF THE BAR COUNCIL OF 22 JUNE 2017

Noted

PRESIDENT'S REPORT

Noted

EXECUTIVE DIRECTOR'S REPORT

Noted

FINANCE

Financial statements for June 2017.

Noted.

MEMBERSHIP

The following were admitted as Class A – Local Practising Barrister – unless otherwise shown:

Name	Chambers
James Foley	11 St James' Hall
Matthew Howard SC (Class B)	Francis Burt Chambers Perth
Seyi Onitiri (Class B)	Blackburn Chambers ACT
Lucy Saunders	Greenway Chambers

FOR CONSIDERATION

Memorandum to the Bar Council dated 15 June 2017 from the Deputy Executive director – NSW Bar Association Strategic Plan 2017-20

The Bar Council adopted the strategic plan. The strategic plan to be published in In Brief. The President and Executive Director to liaise to determine responsibility for the various strategic initiatives.

Memorandum to the Bar Council dated 29 June 2017 from Senior Vice President and the Executive Director – CPD Conferences February/March 2108

Council agreed to submit a topic for a compulsory paper at the forthcoming CPD conferences. The Executive Director to bring the matter back to Bar Council in one month for finalisation of a topic.

Memorandum to the Bar Council dated 14 July 2017 from the Deputy Executive Director – Judicial Retirement Age

RESOLVED, it was agreed that Bar Council would support a proposal to increase the NSW Judicial retirement age, but that it should be increased to 75 not 74 but this support is contingent on:

- (a) an increase in the judicial pension age to 65;
- (b) the change would be in relation to prospective appointments and would not operate retrospectively.

It was noted by the President that he is to raise the proposal with the Attorney General and the Shadow Attorney General before a public statement is issued in relation to the proposal.

RESOLVED, to support a proposal for the raising of the retirement age of Industrial Relations Commissioners so that it is in line with the judicial retirement age, currently 72.

Discussion paper for the Bar Council meeting on 27 July 2017 from the Indigenous Barristers' Trust including the Deed of Variation to the Indigenous Barristers Trust – Mum Shirl Fund

RESOLVED to accept the proposal and pass the resolutions proposed.

Bar Practice Course – Welcome to Country

The President noted that this matter had been resolved at the Executive that an Acknowledgment of Country would be given at the commencement of the Bar Practice Course by the first speaker which will usually be the President.

FOR INFORMATION

Memorandum to the Bar Council dated 10 July 2017 from the Deputy Executive Director – 2017 NSW Bar Sponsorship/Financial Partnership

Noted.

Letter to the Executive Director dated 26 May 2017 from the Redfern Legal Centre – Thank you for supporting the Redfern Legal Centre's 40th Celebration

Noted.

Letter from the President dated 22 June 2017 to the President of the NSW Civil and Administrative Tribunal – Submission on a proposed amendment to the Civil and Administrative Tribunal Act 2013 (NSW) in response to Burns –v- Corbett [2017] NSWCA 3

Noted.

Letter to Director, Injury Prevention and Rehabilitation dated 6 July 2017 from the President – Draft Soft Tissue and Minor Psychological or Psychiatric Injury Guidelines June 2017

Noted.

Letter to the Executive Director, Motor Accidents Insurance Regulation dated 11 July 2017 from the President of the Law Society of NSW, the President of the NSW Bar Association and the President of the Australian Lawyers Alliance – EY Presentation regarding Cost Regulation costing for motor accidents matters

Noted.

Letter to the Attorney General dated 12 July 2017 from the President – South West Sydney Court Complex/Magistrates' medical retirement scheme

Noted.

Letter to the Chief Magistrate, Local Court of NSW dated 12 July 2017 from the President – Listing of Civil Claims Hearings at the Downing Centre Local Court

Noted.

Letter to the President (undated) from the Attorney General – 2017/18 Court and Tribunal Fee Increases

Noted.

Preliminary Submission to the NSW Law Reform Commission from the NSW Bar Association – Review of Laws relating to Beneficiaries of Trusts

Noted.

Letter to the President dated 17 July 2017 from the Minister for Innovation and Better Regulation – confirming the selection of Mr Steven Finch SC to be on the Professional Standards Council until 31 March 2018

Noted.

Memorandum to the Bar Council dated 10 July 2017 from the Deputy Executive Director
– 2017 NSW Bar Sponsorships/Financial Partnerships – supplementary information
regarding corporate memberships

Noted.

The meeting closed at 7 pm.

Confirmed as a correct record:

Arthur Moses SC
President

Date: