



NEW SOUTH WALES
BAR ASSOCIATION

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

MINUTES OF PROCEEDINGS

**Thursday 7 April 2016
in the Boardroom of the New South Wales Bar Association
at 4.30 pm**

PRESENT: Hutley SC; Moses SC; Game SC; Loukas SC; Khandhar; Bell SC; Cunneen SC; Lonergan SC; McHugh SC; Walker; Welsh; Mitchelmore; Shead; Higgins; Hunt; Gleeson; Antipas; Roy; Hutchinson

APOLOGIES: Bennett QC; Mitchelmore; Callan

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

MINUTES

The minutes of the meeting of 17 March 2016 were confirmed.

FOR CONSIDERATION

Establishment of a National Integrity Commission – Draft submission to Law Council prepared by NIC Working Party; Memorandum from the Acting CEO, Law Council of Australia dated 8 March 2016

Bar Council agreed that the submission should be provided to the Law Council of Australia in its current form.

GENERAL BUSINESS

Criminal Legislation Amendment (Organised Crime and Public Safety) Bill 2016

The Bar Council noted that the legislation, which is awaiting debate in the Legislative Assembly when the Parliament returns in early May, raises serious concerns regarding fundamental rights and freedoms and wider issues regarding the role of the Attorney General in the criminal law policy development process. A submission is being prepared by the Junior Vice-President and Sarah Pritchard SC, the Chair of the Human Rights Committee, which will be considered by the Executive prior to the President's meeting with the Attorney General on the issue next week. The Executive would then arrange letters to the Premier and a media release.

Bench and Bar Dinner

The President asked that Bar Councillors who would be happy to be seated at one of the official tables at the Bench and Bar Dinner so advise the Deputy Executive Director.

FOR INFORMATION

Joint letter to Minister Dominello dated 23 March 2016 – Review of the CTP Scheme

The President advised that he would be meeting the Minister on 12 April to discuss issues relating to CTP reform.

Letter dated 23 March 2016 to Joint Select Committee on the Legislative Council Committee System

Noted.

Letter from CEO, Legal Services Council dated 17 March 2016 – Rule 11(d) *Legal Profession Uniform Conduct (Barristers) Rules*

Noted.

Minutes of the meetings of the Common Law Committee held on 15 and 22 March 2016

Noted.

Minutes of the meetings of the Criminal Advocacy Review Committee held on 17 and 31 March 2016

Noted.

Minutes of meeting of the Practice Development Committee held on 16 March 2016

Noted.

The following papers were circulated via e-mail prior to the Council meeting.

- Email to the Bar Council dated 11 March 2016 from the Deputy Executive Director – Additional item for Bar Council agenda_CTP
- Email to the Bar Council dated 16 March 2016 from the Deputy Executive Director – Inclosed Lands, Crimes and Law Enforcement Legislation Amendment (Interference) Bill 2016
- Email to the Bar Council dated 17 March 2016 from the Executive Director – Exams
- Email to the Bar Council dated 20 March 2016 from the Executive Director – Contingency Fee motions before the Law Council of Australia

The meeting closed at 6pm.

Confirmed as a correct record.

Noel Hutley SC
President

Date: