



NEW SOUTH WALES
BAR ASSOCIATION

THE NEW SOUTH WALES BAR ASSOCIATION
BAR COUNCIL

MINUTES OF PROCEEDINGS

Thursday 12 May 2016
in the Boardroom of the New South Wales Bar Association
at 4.30 pm

PRESENT: Moses SC; Game SC; Loukas SC; Khandhar; Bell SC;
Bennett AC QC (by phone); Cunneen SC; Lonergan SC;
McHugh SC; Walker; Welsh; Mitchelmore; Shead; Gleeson;
Antipas; Roy; Hutchinson

APOLOGIES: Hutley SC; Higgins; Callan; Hunt

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

In the absence of the President, the Senior Vice-President chaired the meeting.

MINUTES

The minutes of the meetings of 7 and 14 April were confirmed.

The minutes of the meetings of the Bar Council Executive of 5 and 11 April were noted.

PROFESSIONAL CONDUCT

Memorandum to the Bar Council dated 4 May 2016 from the Director, Professional Conduct – Delegation – to close complaint in certain circumstances

RESOLVED, pursuant to section 30 of the *Legal Profession Uniform Law Application Act 2014*, to delegate to the Executive Director the powers and functions contained in section 277(1)(j) of the *Legal Profession Uniform Law (NSW)* only in circumstances where the respondent has died.

Memorandum to the Bar Council dated 4 May 2016 from the Director, Professional Conduct – Delegation – practising certificates

RESOLVED, pursuant to section 30 of the *Legal Profession Uniform Law Application Act 2014* . to delegate to the Executive Director all powers and functions contained in section 74(1) of the *Legal Profession Uniform Law (NSW)*.

FURTHER RESOLVED, pursuant to section 30 of the *Legal Profession Uniform Law Application Act 2014*, to delegate to the Executive Director the powers and functions contained in section 74(2) of the *Legal Profession Uniform Law (NSW)* to vary, suspend or cancel a certificate at the request of the holder.

MEMBERSHIP

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

Penelope Abdiel	Banco Chambers
Nayiri Apkarian	9 Wentworth Chambers
David Birch	Eleven Wentworth
Vanja Bulut	12 Selborne Wentworth
Michael Burke	Forbes Chambers
Diana Costaras – B	Owen Dixon Chambers (Melb)
Matthew Davis	4 Selborne Chambers
Ian Fullerton	Ground Floor Wentworth
Timothy Hackett	10 Selborne/Wentworth
Parisa Hart	2 Wentworth Chambers
Haroon Hassan – B	Castan Chambers (Melb)
Irina Hoskinson	3 Wentworth Chambers
Louise Hulmes	8 Selborne Chambers
Shanaka Jayasuriya	7 Wentworth Selborne
David Keyte	State Chambers
Victor Kline	Crows Nest, NSW
Patrick McCarthy	11 Garfield Barwick Chambers
Paul Madden	H B Higgins Chambers
Peter Mann	Ground Floor Wentworth
Trent March	New Chambers
John McIntosh – B	Local Court Downing Centre
Christopher Mitchell	Banco Chambers
Jonathan Nathan	University Chambers
Philip Santucci	New Chambers
Zaina Shahnawaz	3 St James Hall
Anthony Silva	Arthur Phillip Chambers
Jane Taylor	5 St James Hall

Imogen Thomas – B
Lucy Robb
Victor Wan
Celia Winnett

9 Selborne Chambers
12 Selborne Wentworth
Pitt Street Sydney
6 Selborne Chambers

FOR CONSIDERATION

Memorandum to the Bar Council dated 4 May 2016 from the President – Senior Counsel Selection Committee 2016

RESOLVED that the 2016 Senior Counsel Selection Committee consist of the following:

Noel Hutley SC
Arthur Moses SC
Keith Rewell SC
Sandra Duggan SC
Kylie Nomchong SC
Sally Dowling SC
The Hon Joe Campbell QC (retired judge)
Lindsay Cane (CEO - Royal Far West)

Mary Walker declared an interest and took no part in the consideration of this item.

FOR INFORMATION

Advice from Carol Webster SC dated 21 March 2016 – Council of the New South Wales Bar Association – Legal Profession Uniform Law and Rules – Practising Certificates and Government Lawyers

Noted.

Letter to the President dated 12 April 2016 from The Hon Gabrielle Upton MP, Attorney General – *Courts Legislation Amendment (Civil Juries) Act 2001*

Noted. The Bar Council also noted that members were advised of the Attorney's decision not to proceed with the reintroduction of civil juries by *In Brief* on 13 April 2016.

Memorandum to the Bar Council dated 14 April 2016 from Senior Policy Lawyer – Australia Women Lawyers Conference 2016

Noted.

Report of the Indigenous Barristers' Strategy Working Party for the period 1 July to 30 December 2015

Noted.

ADR Committee Report to the Bar Council for the period July to December 2015

Noted.

Common Law Committee Report to the Bar Council for the period 1 July to 31 December 2015

Noted.

Family Law Committee Report to the Bar Council for the period 1 July to 31 December 2015

Noted.

Criminal Law Committee Report to the Bar Council for the period 1 July to 31 December 2015

Noted.

Legal Aid Committee Report to the Bar Council for the period 1 July to 31 December 2015

Noted.

GENERAL BUSINESS

- (a) Bench and Bar Dinner – The Council noted that the 2016 Bench and Bar Dinner held on Friday 6 May had been very well attended. The Bar Council extended its thanks to the Association’s Events Manager Katie Retford for her efforts in ensuring that the evening was such a great success.
- (b) CTP Reform – The Bar Council, noting that the Association’s submission to the NSW Government’s CTP review had been circulated previously by email, extended its thanks to the Common Law Committee for preparing such a comprehensive response to the Government’s Options Paper.
- (c) LCA Legal Aid Campaign - The Senior Vice-President noted that a further event would be held in Sydney on Thursday 19 April as part of the Law Council of Australia’s ongoing legal aid campaign, and encouraged Bar Councillors to attend.

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

- Email to the Bar Council dated 13 April 2016 from the Deputy Executive Director – *Crimes (Serious Crime Prevention Orders) Bill 2016*
- Email to the Bar Council dated 14 April 2016 from the Deputy Executive Director – Media re serious crime prevention orders legislation
- Email to the Bar Council dated 14 April 2016 from the Deputy Executive Director – Transcript – 702 ABC Sydney, Breakfast, Thursday, 14 April 2016 07:37 AM
- Email to the Bar Council dated 14 April 2016 from the Deputy Executive Director – ABC website story – NSW Bar Association
- Email to the Bar Council dated 2 May 2016 from the Executive Assistant – *Criminal Legislation Amendment (Organised Crime and Public Safety) Bill 2016*
- Email to the Bar Council dated 2 May 2016 from the Executive Assistant – Memorandum – Release of Statutory Review of AML/CTF and Government Response to PC Inquiry
- Email to the Bar Council dated 2 May 2016 from the Executive Director – Announcement of Fifth Judge for the ACT

The meeting closed at 5.10pm.

Confirmed as a correct record:

Noel Hutley SC
President

Date: