



NEW SOUTH WALES
BAR ASSOCIATION

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

MINUTES OF PROCEEDINGS

**Thursday 21 September 2017
in the Boardroom of the New South Wales Bar Association
at 4.30 pm**

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

APOLOGIES: Walker; Executive Director;

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

MINUTES

The minutes of the meeting of 7 September 2017 were confirmed.

**MATTERS ARISING FROM THE MINUTES OF THE MEETING OF BAR COUNCIL
OF 7 SEPTEMBER 2017**

Noted.

OUTSTANDING ACTIONS AS AT 14 September 2017

Noted.

Memorandum to Bar Council dated 14 September 2017 from the Director, Professional Conduct – Delegation – the decision to investigate complaints

RESOLVED pursuant to section 30 of the *Legal Profession Uniform Law Application Act 2014* to delegate to the Director Professional Conduct and the Deputy Directors, Professional

Conduct the power to decide to investigate a complaint under section 282 of the *Legal Profession Uniform Law (NSW)*. The delegation is to be exercised in consultation with a chair of a Professional Conduct Committee.

PRESIDENT'S REPORT

Noted.

EXECUTIVE DIRECTOR'S REPORT

Noted.

FINANCE

Financial statements for August 2017

MEMBERSHIP

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

John Anderson	9 Selborne Chambers
Maurice Baroni	Denman Chambers
Roy Donnelly	Sir Anthony Mason Chambers
Jennifer-Anne Hillier	Elizabeth Street Chambers
Anthony Hopkins	9 Wentworth Chambers
Thomas Liu	7 Wentworth Chambers
Wen Wu	Nigel Bowen Chambers

FOR CONSIDERATION

Memorandum to the Executive dated 6 June 2017 from the Policy Lawyer – Women's Lawyers Association – Career Intentions Project Stage 2

The Bar Council agreed that the Diversity and Equality Committee be asked to prepare a report for its consideration on the merits of the proposed Project and, in particular, the value of the proposal in the light of earlier studies such as the Law Council's National Attrition and Re-engagement Study (NARS).

Memorandum to the Bar Council dated 6 September 2017 from the Chair, New Barristers Committee - New Barristers Committee Luncheon Proposal

The Bar Council agreed that arrangements should be made to hold a light lunch in the Common Room consisting of sandwiches, wine and cheese. The Bar Council indicated its willingness in principle to contribute toward the cost of the event.

Memorandum to the Bar Council from the Executive Director – Compliance: NSW Bar Association report to the Law Council of Australia’s National Model Equitable Briefing Policy

Noted. It was agreed that the report be provided to the Law Council of Australia and published on the Association’s website.

Memorandum to the Bar Council dated 5 September 2017 from the ADR Committee – Recommendation of the BarADR Approved Arbitrators

RESOLVED to accredit the recommended applicants named in the memorandum as arbitrators under the NSW Bar Association BarADR scheme.

ALSO RESOLVED to approve the Committee’s proposal to allow failed applicants to re-submit an arbitral award and still be considered for 2018-19 accreditation pending the results of this assessment.

Proposed Commercial Law Section of the NSW Bar

The Bar Council agreed to the establishment of a Commercial Law Section of the NSW bar and the proposed notice seeking expressions of interest for inclusion in In Brief.

Email to the President dated 14 September 2017 from James Mack, Barrister – Corporate Governance Review and the Committee Structure

Noted. The President advised that a paper was being prepared for the Bar Council’s consideration regarding broad principles to apply to the membership and operation of the Association’s Committees.

Memorandum to the Bar Council dated 18 September 2017 from The Professional Development Department – 2018 National ABA Conference – Cost Breakdowns

Noted.

FOR INFORMATION

Letter to Ian Baker QC dated 6 September 2017 from the President – recognition of 37 years of service to the New South Wales Bar

Noted.

Letter to the Assistant Policy Lawyer, Civil Law Strategy and Policy Branch NSW Department of Justice dated 8 September 2017 from the President – Diversity proceedings amendments – *Civil and Administrative Tribunal Act 2013 (NSW)*

Noted.

Letter to the CEO of the Legal Services Council dated 11 September 2017 from the President, Australian Bar Association – Rule 101(n) of the *Legal Profession Uniform Conduct (Barristers) Rules 2015* (NSW/Vic) – Application to Tribunal Members

Noted.

Submissions in response to the New South Wales Government Consultation Paper in relation to the Civil Litigation recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse

Noted.

2016/2017 Reports from the following Committees:

**Common Law Committee
Practice Development Committee
Family Law Committee
Diversity & Equity Committee
Criminal Law Committee**

Noted.

Letter to the Attorney General dated 13 September 2017 from the President – Funding of Walama Court Proposal

Noted.

Letter to the President (undated) from the Attorney General - Funding of the Walama Court Proposal

Noted.

The meeting closed at 6.45 pm.

Confirmed as a correct record:

Arthur Moses SC
President

Date: