



President's Report to Members

Date: 4 March 2015

It has been a busy start to 2015 with the Silk's dinner in Canberra followed by the Welcome in the High Court for Justice Nettle on 3 February.

I would like to record my sincere thanks to our outgoing President Mark Livesey QC and Treasurer Phillip Boulten SC for their outstanding contribution to the ABA over the past years. I would also like to thank our inaugural Executive Officer Jacqueline Stone for her work last year and in particular her excellent contribution to policy on many areas.

Death Penalty

In the first week I was asked to assist in the plea for clemency for Andrew Chan and Myuran Sukumaran and participated in a Melbourne vigil organised by the Victorian Bar and Law Institute of Victoria. I was pleased to see vigils held in SA and ACT at this time.

The ABA has a long standing position of opposition to the death sentence in all countries for all crimes. The legal profession have a particular influential voice on these matters and our connections with international Bars and the judiciary may be of assistance in these cases.

On 4 March we issued a further press release in light of the transfer of the two to Nusakambangan Island for possible execution. The press release highlighted the fact that sovereignty is subject to the rule of law and asserted that the two should not be executed while they have a legal appeal pending before the Administrative Court of Indonesia.

Human Rights Commission President

Following the release of the *Forgotten Children Report* on children in mandatory detention in Australia, the President Professor Gillian Triggs was the subject of an unprecedented sustained personal attack. Our public statements on this issue were welcomed by many.

Legal Aid

I provided support including media comment on the Commonwealth contribution to legal aid funding in support of issues arising in NSW and the speech of the NT Chief Justice Trevor Riley on this topic to coincide with the meeting of the Expenditure Review Committee. The NSW



Bar campaign appears to have led to a very welcome injection of an additional \$5M to the Cth fund, but no long-term solutions are in place. This will remain an important focus for the ABA.

Conferences

Preparation for Boston and Washington DC conferences are well in hand. The early bird cut off for registrations has been extended to the end of March - details and registrations are available here: <http://www.austbar.asn.au/archives/1873>

Diversity and Equality

All Bars have been invited to participate in the Law Council National Attrition and Re-engagement Study events on 13 March and 8 May. After these events I would like to develop a Bar specific strategy for adoption by the ABA Council including:

- a statement of commitment of the leadership of the ABA Council to support equality and diversity
- an equitable purchasing protocol for adoption by government, corporate and private lawyers
(See for example - <https://www.lawsociety.org.uk/support-services/practice-management/procurement-protocol/>)
- a program of activities to address barriers to participation and progression including mentoring, onboarding, financial relief or underwriting, nurturing of emerging leaders; and
- endorsement of measures to address harassment and bullying. (see for example - <http://www.nswbar.asn.au/for-members/bpg>)

International

Borneo, Singapore, Brunei

The ABA will send two advocacy coaches to Borneo at the end of March to conduct a 'train the trainer' workshop. The Vice President Patrick O'Sullivan QC and Ian Robertson QC of SA have agreed to attend. I will also attend the workshop In order to build on the connections made in Malaysia, Singapore and Hong Kong in January at the Openings of the Legal Year, and pursue the Council's goals of developing links in the region, stopping in Singapore and Brunei to discuss CPD exchanges, rights of appearance of Australian barristers, mutual interests in regional justice systems, Australian judges and convergence of laws projects.



Meeting with CJ India

On 2 March I attended a function at Government House hosted by the Governor General and High Court judges for the Chief Justice of India, Chief Justice Handyla Lakshminarayanaswamy and several Supreme Court justices of India. The Justices are spending some time in discussions with the High Court this week. I met with the party including the Chief Justice and Attorney General Mr Mukul Rohatgi, senior counsel.

Administrative Arrangements

I am very grateful for the ongoing administrative support provided by the larger Bars and in the staff of each Bar office. Without this support the ABA could not function and could not progress the broad goals agreed to by the ABA Council.

Media Releases and Other news appear on the ABA website. I encourage you to check the website from time to time: <http://www.austbar.asn.au> and to follow the ABA on twitter @AustBarAssoc

Fiona McLeod SC
President