

# MEDIA RELEASE

## WORKING PARTY ON QUEEN'S COUNSEL

15 May 2015



At its meeting last night, 14 May 2015, the Bar Council adopted a resolution that it would work towards giving those counsel appointed Senior Counsel in New South Wales the choice of whether to use the title Senior Counsel or Queen's Counsel. A working party has been formed to further that aim by advancing the work of the Prestley Committee which reported in 2014 (see *InBrief* announcement by then President Phil Boulten SC [here](#)). The working party will be concerned to ensure that there will, in seeking to provide members of the Association with such a choice, no compromise of the independence of the NSW Bar. It will be important to ensure the integrity of the Senior Counsel appointment process, and the restriction of the appointment of QCs to only those persons who have been appointed as Senior Counsel in New South Wales under the Bar Association's Silk Selection Protocol.

The Working Party will meet in the near future and will provide further information about its work and how members may provide input into the process. It will consult widely, and in particular with the Chief Justice who has an integral role in the silk selection process.

The text of the resolutions is:-

The Bar Council resolves that it adopts the policy that there should be a uniform system of titles and styles for Barristers practising in the national legal market, and that, until such time, all Barristers granted practising certificates by the Bar Council under s 41(2) the *Legal Profession Act 2004* or s 44 of the Legal Profession Uniform Law who have been appointed or who in future may be appointed as Senior Counsel in New South Wales in accordance with the protocols established from time to time by the Bar Council, should have the opportunity to choose to accept or participate in a Commission, grant or other arrangement permitting them use of the title Queen's Counsel (or King's Counsel as the case may be), and by a process that is consistent with the continuation of an independent Bar (the Policy).

And the Bar Council resolves that it delegates the task of:

- (a) advancing the Policy;
- (b) addressing any concerns raised in the report to Bar Council dated 16 April 2014 from the Committee chaired by LJ Priestley;

- (c) formulating and advising on a model for regulatory reform to give effect to the Policy;
- (d) gathering and receiving evidence, information and enquiries in relation to the Policy from members, other legal practitioners, and any other third party;
- (e) formulating responses by the Council thereto;
- (f) reporting to the Bar Council from time to time on its work; and
- (g) presenting the Policy through the Chair to the Government of New South Wales and members of Parliament with a view to the introduction of any necessary legislation or regulation to give effect to the Policy,

to Jane Needham SC (Chair), David Bennett AC QC, Paul Menzies QC, Alan Sullivan QC, Jeffrey Phillips SC, Justin Hogan-Doran, Hamish Stitt and such other Councillors as the Council may appoint.

**Jane Needham SC**

**President**

**Media Contact: Alastair McConnachie: 04203143462**