



NEW SOUTH WALES
BAR ASSOCIATION

THE NEW SOUTH WALES BAR ASSOCIATION
BAR COUNCIL

MINUTES OF PROCEEDINGS

Thursday 15 May 2014
in the Boardroom of the New South Wales Bar Association
at 4.30 pm

PRESENT: Boulten SC; Needham SC; Hutley SC; McHugh SC; Temby QC; Street SC; Game SC; Moses SC; McGrath SC; Traill; Walker; Healey (by phone); Morris; Stone; Khandhar; Callan; Hunt; Gleeson; Dobraszczyk

APOLOGIES: Toomey; Hyde Page

IN ATTENDANCE: Executive Director; Deputy Executive Director; Director, Professional Conduct (for professional conduct matters); Executive Assistant; Odgers SC (for Drug Law Reform item)

MINUTES

The minutes of the meeting of 1 May 2014 were confirmed.

BAR COUNCIL- OUTSTANDING ACTIONS AS AT 7 MAY 2014

Noted.

PRESIDENT'S REPORT

Noted. The President noted the success of the Bench and Bar Dinner held on 2 May and congratulated Moses SC and Callan for their respective speeches as Mr Senior and Ms Junior on the night. Bar Council expressed its thanks for the excellent work done by Association staff Katie Retford and Kirsten Pearce in organising the event.

The President also noted that he and the Executive Director had attended the Australian Bar Association Council meeting held in Sydney on 3 May. The ABA is sponsoring a session at

the Malaysian Bar Conference to be held in Kuala Lumpur in September, which will focus on the expertise of Australian practitioners in international arbitration matters. The 2015 ABA Conference will be held in Boston.

EXECUTIVE DIRECTOR'S REPORT

Noted.

FINANCE

Noted. The Bar Council in particular noted expenditure on consultants for the Association's 2014 mentoring programme, and that the success of the programme would be closely monitored and a report prepared for Bar Council consideration.

MEMBERSHIP

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

Peter Aitken	7 th Floor Garfield Barwick
Thomas Buterini	11 St James Hall
Sebastian Hartford-Davis	Banco Chambers
Karen Jones	Level 22 Chambers
Brendan Lim	Eleven Wentworth
Natalie Vogel – B	Owen Dixon Chambers (Melbourne)
Jocelyn Williams	12 Selborne/Wentworth
Tony Yeh	Vaucluse, NSW

FOR CONSIDERATION

Policy Brief from the Criminal Law Committee – Drug Law Reform

Stephen Odgers SC, Chair of the Criminal Law Committee, spoke to the Committee's report and answered questions on the proposals from Bar Councillors. Odgers SC withdrew from the meeting before the Bar Council discussion on the policy brief.

The Bar Council thanked Odgers SC, the Committee and the Association's Senior Policy Lawyer, Ms Megan Black, for their work in producing such a far reaching and comprehensive paper.

Bar Council noted that the Association had publicly advanced similar proposals under the Presidency of Handley QC. It was agreed that the previous papers should be provided to Bar Councillors.

RESOLVED that Bar Council give further consideration to the paper at a dedicated meeting to be held in three months' time. Odgers SC and Megan Black will attend the meeting to provide Bar Council with a comprehensive presentation on the paper and its implications.

Memorandum to the Bar Council dated 4 March 2014 from Deputy Executive Director – Library Collection

Noted. The Bar Council expressed its thanks to the Librarian for her comprehensive report and the high quality service provided by the Association's Library.

Memorandum to the Bar Council dated 4 April 2014 from the Chair, Common Law Committee – NSW Bar Association Submission to the Royal Commission into Institutional Responses to Child Sexual Abuse Issues Paper 5 '*Civil Litigation*'.

Needham SC and Hunt declared an interest and took no part in the discussion on this issue.

RESOLVED to defer this issue for additional consideration to enable further dialogue with representatives of the Common Law Committee. McGrath SC and Moses SC agreed to represent the Bar Council in these discussions.

Memorandum to the Bar Council dated 14 April 2014 from the Publications Manager – Social Media Protocol

RESOLVED to approve the Social Media Protocol proposed in the memorandum, subject to the following guidelines concerning "following" other organisations on Twitter:

- '1. In respect of Twitter, the Association should only "follow" organisations such as:
 - (a) Courts and tribunals
 - (b) Peak legal profession organisations
 - (c) Law Reform Commissions
 - (d) Relevant government departments
2. From time to time, the Executive Director can review and amend the list of organisations followed by the Association's social media accounts.
3. Unless the President directs otherwise, the Association's social media accounts shouldn't 'like/favourite', 'comment' or 're-tweets' by other organisations, as this might be construed as endorsement of their views.'

Cover Sheet for Senior Counsel Application – 2014
Appointment of Senior Counsel – 2014 – to all Members of the Outer Bar
Appointment of Silk in NSW – 2014 – Guide to Practical Aspects
Senior Counsel Protocol – as at 16 May 2013

Noted.

Memorandum to the Bar Council dated 6 May 2014 from the President – Proposed discontinuation of Health, Sport and Recreation Committee

RESOLVED to discontinue the Health, Sport and Recreation Committee from 1 July 2014.

FOR INFORMATION

ADR Committee Report to the Bar Council – Committee Activities 2013 – 14

Noted.

Costs & Fee Committee Report to the Bar Council on Activities from 1 July to 31 December 2013

Noted.

Legal Aid Committee Report to the Bar Council on Activities from 1 July to 31 December 2013

Noted.

Human Rights Committee Report to the Bar Council on Activities from 1 July to 31 December 2013

Noted.

Common Law Committee Report to the Bar Council on Activities from 1 July to 31 December 2013

Noted.

Practice Development Committee Report to the Bar Council on Activities from 1 July to 31 December 2013

Noted.

Minutes of Meeting of the Common Law Committee held on 1 April 2014

Noted.

Memorandum to the Bar Council dated 15 April 2014 from Chris Ronalds SC, Chair, Indigenous Barristers' Strategy Working Party - Report on Activities from 2013 – 2014

Noted.

Minutes of Meeting of the Practice Development Committee held on 16 April 2014

Noted.

Family Law Committee Report to the Bar Council – 2014 Report

Noted.

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

- Law Council of Australia – Inquiries & Consultations List – 5 May 2014
- Email to the Bar Council dated 6 May 2013 from the Executive Assistant – Agenda from ABA Meeting of 3 May 2014 and ABA Council Meeting and AGM Minutes from the Meeting on 3 February 2014

The meeting closed at 6.30 pm.

Confirmed as a correct record:

Jane Needham SC
President

Date: