



NEW SOUTH WALES
BAR ASSOCIATION

THE NEW SOUTH WALES BAR ASSOCIATION
BAR COUNCIL

MINUTES OF PROCEEDINGS

Thursday 14 August 2014
in the Boardroom of the New South Wales Bar Association
at 4.30 pm

PRESENT: Needham SC; Hutley SC; Moses SC; McHugh SC; Toomey;
Temby QC; Terracini SC; Game SC; Loukas SC; McGrath
SC; Traill; Walker; Healey; Morris; Stone; Khandhar; Callan;
Hunt; Gleeson; Hyde Page; Dobraszczyk

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

The President welcomed Winston Terracini SC to the Bar Council, replacing Alexander Street SC, who had resigned from the Council.

The Council unanimously expressed its thanks to Street SC for his many years of valuable contribution to the work of the Bar Council.

MINUTES

The minutes of the meeting of 10 July 2014 were confirmed.

Minutes of the Executive meeting held on 29 July 2014.

The President advised that these minutes would be amended to show Toomey having been nominated to the Law Council of Australia as a potential member of the reference group and the proposed 'roundtable' being established with the Royal Commission into institutional responses into child sexual abuse.

Minutes of the Executive meeting held on 12 August 2014.

Noted.

PRESIDENT'S REPORT

The President spoke to her tabled report.

She noted in particular her meeting with the Attorney General, along with Moses SC and the Executive Director, to discuss proposed changes to the *Bail Act 2013*; her attendance as a guest at the Ramadan Iftar Dinner; with the Executive Director, the Queensland Bar's annual dinner; and the very successful launch of the Best Practice Guidelines by Lieutenant-General Morrison.

The President raised the matter of her refusal of the two applications for appointment as Senior Counsel that had been received after the close-off time of 5 pm on Friday, 25 July 2014. The correspondence in relation to one of those applications had been made available for Bar Councillors to view prior to the meeting.

The Council noted that, pursuant to clause 17 of the Senior Counsel Protocol, the decision to exercise discretion to accept a late application is a matter for the President.

Toomey and Walker declared an interest in this matter, and left the room. Morris and Healey declared an interest, and took no part in the discussion. Traill advised that she did not believe she had a conflict of interest, and participated in the discussion.

FINANCE

Financial statements for June 2014

The Treasurer spoke to the financial statements. He noted that the budget for 2013-2014 had been brought in slightly better than foreshadowed.

The Treasurer reported briefly on FIAC's consideration of the issue of prudent reserves; a more detailed report will be given at the Council's next meeting.

MEMBERSHIP

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

| | |
|-------------------------|---------------------------------|
| Evangeline Arulrajah | 13 St James Hall Chambers |
| Jonathan Baxter-Wright | Crown Prosecutors Chambers |
| David Chitty | 15 Wardell Chambers |
| Simon Couper QC – B | North Quay, Brisbane |
| Sharon Harris | Crown Prosecutors Chambers |
| Timothy Russell | Ground Floor Wentworth Chambers |
| Debbie Van Den Hoek – B | P G Hely Chambers |
| Simon Walker – B | 9 Selborne Chambers |

Karen Walker-Flynn – B

16 Wardell Chambers

FOR CONSIDERATION

Memorandum to the Bar Council dated 15 July 2014 from the Education Committee – Reform of Statutory List of Tutors

RESOLVED to approve the changes proposed to the Statutory List of Tutors, such changes to come into effect on 1 October 2014 (immediately after the next Bar Practice course).

FOR INFORMATION

Minutes of the Meeting of the Equal Opportunity Committee held on 17 June 2014

Noted.

Minutes of the Meeting of the Practice Development Committee held on 24 July 2014

Noted.

Minutes of the Meeting of the Common Law Committee held on 29 July 2014

Noted.

Common Law Committee 2014 Report

Noted.

Practice Development Committee 2014 Report

Noted.

Family Law Committee 2014 Report

Noted.

Minutes of the Meeting of the Equal Opportunity Committee held on 22 July 2014

Noted.

Letter to the Director, Justice Policy, Department of Justice dated 1 August 2014 from the President – Consultation on the proposed *Crimes (Administration of Sentences) Regulation 2014*

Noted.

Letter to Mr Greg Smith SC MP dated 1 August 2014 from the President – Parliamentary Committee on Independent Commission Against Corruption

Noted.

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

- Email to the Bar Council dated 28 July 2014 from the Deputy Executive Director – Proposed submission on Draft Supreme Court Practice Note – Defamation list
- Email to the Bar Council dated 30 July 2014 from the Deputy Executive Director – Brad Hazzard med rel: Justice Price – new Chief Judge of District Court
- Law Council of Australia – Inquiries & Consultations List – 4 August 2014\
- Email to the Bar Council dated 4 August 2014 from the Deputy Executive Director – Launch of the NSW Bar Association Best Practice Guidelines , Friday 8 August, 5.15pm
- Email to the Bar Council dated 4 August 2014 from the Deputy Executive Director – Media release – commencement of new childcare scheme for the NSW Bar
- Email to the Bar Council dated 5 August 2014 from the Deputy Executive Director – NSW Bar Association release – Bail Laws
- Email to the Bar Council dated 6 August 2014 from the Deputy Executive Director – Bail – transcripts and media
- Email to the Bar Council dated 7 August 2014 from the Executive Director – Bar Council – Resignation of Sandy Street SC

The meeting closed at 6.30pm.

Confirmed as a correct record:

Jane Needham SC

President

Date: