



NEW SOUTH WALES
BAR ASSOCIATION

THE NEW SOUTH WALES BAR ASSOCIATION
BAR COUNCIL

MINUTES OF PROCEEDINGS

Thursday 28 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; Hunt;
Gleeson; Dobraszczyk

APOLOGIES: Callan

NON-ATTENDANCE: Hyde Page

IN ATTENDANCE: Executive Director; Deputy Executive Director; Executive
Assistant

MINUTES

Minutes of the Bar Council meeting of 14 August 2014

The minutes of the meeting of 14 August 2014 were CONFIRMED, subject to a minor amendment. Walker declared an interest and took no part in the discussion concerning this item.

Minutes of the Executive meeting held on 22 July 2014

The Council APPROVED the establishment of a Health and Wellbeing Committee, to be chaired by Moses SC.

EXECUTIVE DIRECTOR'S REPORT

Public Purpose Fund

The Executive Director advised that he had met separately with Mr Andrew Cappie-Wood, Secretary, Department of Justice and the Attorney General to discuss problems with the Public Purpose Fund reimbursing the Association for expenditure in relation to professional conduct matters. The Executive Director was confident that these problems would be favourably resolved.

Email lists of Bar Association members

The Executive Director advised that he had received complaints from members about their having received unsolicited emails concerning the meeting that had been by some members of the Bar held to discuss the reversion to the use of the title 'Queen's Counsel'. It had been said that the Bar Association had provided the email contact details to members of the Bar. The Executive Director advised that the Bar Association had only once provided a member with an electronic copy of the email addresses of the Bar, and the use of that list was for a specific purpose only. Email address lists were not generally available to members of the Bar, or to any other person or organisation.

FINANCE

Financial Statements for July.

Noted.

The New South Wales Bar Association – Annual Financial Report for the period ending 30 June 2014

The Bar Council RESOLVED that in their opinion as Directors of The New South Wales Bar Association:

- a. the financial statements and notes as circulated are in accordance with the Corporations Act 2001, including:
 - i. complying with Accounting Standards – Reduced Disclosure Requirements (including the Australian Accounting Interpretations) and the Corporations Regulations 2001; and
 - ii. giving a true and fair view of the company's financial position as at 30 June 2014 and of its performance for the financial year ended on that date; and

- b. there are reasonable grounds to believe that the company will be able to pay its debts as and when they become due and payable.

Bar Council further RESOLVED that the President and the Treasurer sign the Directors Report on page 3 and the Director's Declarations on page 20 on behalf of the Council.

The Bar Council approved the Financial Statements to be included in the Association's Annual Report for 2013-14.

Minutes of meeting of the Finance, Investment & Audit Committee held on 18 August 2014

Noted.

Memorandum to the Bar Council dated 20 August 2014 from the Treasurer – FIAC updated on reserves

RESOLVED that it would be premature to establish a broad policy on fee increases and the use of accumulated funds beyond the current practice (subject to contingencies), to restrict any fee increases to those above 5 years standing and always within the CPI, at least until such time as prudent reserves have been established at which time the matters are to be reviewed.

The matter was stood over for discussion at a future date.

MEMBERSHIP

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

Sophie Anderson	Lismore Chambers
Amelia Avery-Williams	12 Selborne/Wentworth Chambers
Gordon Babe	4 th Floor St James Hall Chambers
Andrew Bailey	4 Selborne Chambers
Ashley Bithrey	Newcastle Chambers
Victoria Cha	16 Wardell Chambers
Luke Chapman	6 th Floor St James Hall Chambers
Alexander Edwards	Level 22 Chambers
Dean Elliott	Seven Wentworth Chambers
Michael Fantin	8 Garfield Barwick Chambers
Geoffrey Farland	University Chambers
Georgia Huxley	6 Selborne/Wentworth Chambers
Jay Lawrence	Trust Chambers
Helena Mann	Seven Wentworth Chambers
Benjamin Mee	5 Wentworth Chambers
Alexander Nelson – B	Quay Central, Queensland

Naomi Oreb
 Rebekah Rodger
 Michael Rose
 Elisa Tringali

Banco Chambers
 Maurice Byers Chambers
 Blackstone Chambers
 11 Garfield Barwick Chambers

FOR CONSIDERATION

Policy Brief – Drug Law Reform

The Bar Council gave extensive consideration to the Criminal Law Committee's Drug Law Reform Policy Brief. It was agreed that the Paper be further considered at the next policy meeting of the Bar Council

Memorandum to the Bar Council dated 27 August 2014 from the President – Senior Counsel Selection Committee

Toomey, Walker and Morris declared an interest and took no part in the discussion of this matter.

RESOLVED to approve the appointment of Hament Dhanji SC in place of Richard Lancaster SC as a member of the 2014 Senior Counsel Selection Committee.

FOR INFORMATION

Letter to Mr A Cappie-Wood dated 18 August 2014 from the President – Review of the *Coroners Act 2009*

Noted.

Legal Aid Committee – Report on activities for the 2014 financial year

Noted.

Human Rights Committee - Report on activities for the 2014 financial year

Noted.

Costs & Fee Committee - Report on activities for the 2014 financial year

Noted.

Transport, Maritime and Air Law Committee Report

Noted.

Letter to Mr A C Evans AO, Chairman of Trustees, Public Purpose Fund dated 5 August 2014 from Deputy Executive Director – Bar Association’s Legal Assistance Referral Scheme – Report on Scheme’s Activities – 1 July 2013 – 30 June 2014

Noted.

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

- Email to the Bar Council dated 15 August 2014 from Executive Director – COMCARE – Advocacy

The meeting closed at 6.35pm.

Confirmed as a correct record:

Jane Needham SC
President

Date: