



NEW SOUTH WALES
BAR ASSOCIATION

THE NEW SOUTH WALES BAR ASSOCIATION
BAR COUNCIL

MINUTES OF PROCEEDINGS

Thursday 22 February 2018
in the Boardroom of the New South Wales Bar Association
at 4.30 pm

PRESENT: Moses SC; Game SC; Bell SC; Mitchelmore; Gormly SC; Weinstein SC; Nomchong SC; McHugh SC; Morgan SC; Higgins SC; Walker; Khandhar; Williams; Katekar; Rayment; Whittaker; Izzo; Callan; Roy; Ensor; Mack

APOLOGIES: nil

IN ATTENDANCE: Executive Director; Deputy Executive Director; Director, Professional Conduct (for professional conduct matters); Finance Manager (for Budget 2018-19 item); Co-ordinator, Services and Benefits (for Member benefits scheme Item)

MINUTES

The minutes of the meetings of 7 December 2017 and 14 December 2017 were confirmed.

The minutes of the Executive meeting of 6 February 2018 were confirmed.

The President welcomed Ruth Higgins SC to the Bar Council, noting that she was filling the vacancy on Council as a result of the appointment of Chrissa Loukas SC to the ACT Supreme Court.

ELECTION OF OFFICEHOLDERS

The Bar Council noted the resignation of Chrissa Loukas SC as Junior Vice-President, effective on 2018.

The following office bearers were elected:

Junior Vice-President:	Andrew Bell SC
Treasurer:	Anna Mitchelmore
Hon Secretary:	Sophie Callan

MINUTES

The minutes of the meetings of 7 December 2017 and 14 December 2017 were confirmed.

The minutes of the Executive meeting of 6 February 2018 were confirmed.

MATTERS ARISING FROM THE MINUTES OF THE MEETING OF BAR COUNCIL OF 14 December 2017

Noted.

OUTSTANDING ACTIONS AS AT 15 February 2018

Noted.

PRESIDENT'S REPORT

Noted.

EXECUTIVE DIRECTOR'S REPORT

Noted.

FINANCE

NSW Bar Association Budget 2018/2019

Financial statements for December 2017.

Financial statements for January 2018.

Draft letter from the President to the Attorney General together with a draft Breakdown of Fees, for consideration

The Treasurer spoke to the financial statements and to the proposed 2018-2019 budget.

The Bar Council considered the budget presented and discussed a number of line items. The Finance Manager provided further information on certain line items.

At the conclusion of the discussion the Bar Council indicated that it was satisfied with the figures presented and RESOLVED that the practising certificate and membership fees for 2018-2019 for silks and over 5s be increased by 2.2%; there to be no other changes to the fees charged for 2018-2019.

It was also agreed that the Finance Manager should provide Bar Councillors with a future presentation regarding the Association's finances and investments.

MEMBERSHIP

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

Mary Kearney	Frederick Jordan Chambers
Cathryn McConaghy	Sunshine Coast Chambers
Claire Palmer	6 Selborne Wentworth
Karen Petch	New Chambers
Karl Prince	ODPP Sydney
Darren Robinson	ODPP Parramatta

FOR CONSIDERATION

Memorandum to the Bar Council dated 12 February 2018 from Jeremy Gormly SC – Bar Conservatorium Proposal

RESOLVED to refer Gormly SC's proposal to the Wellbeing Committee to examine the costs and practicalities involved and report back to Bar Council.

Memorandum to the Bar Council dated 14 February 2018 from Kim Kemp – Annual Report on the New South Wales Bar Association's Professional Standards Improvement Program

RESOLVED to approve the 2017 Annual Report on the New South Wales Bar Association's Professional Standards Improvement Program and submit the Report to the Professional Standards Council. The Bar Council thanked the Senior Projects Lawyer for her work in preparing the Report.

Memorandum to the Bar Council dated 15 February 2018 from Barrie Anthony – Applications for renewal of practising certificates and registered foreign lawyers

RESOLVED to approve pursuant to section 473 of the Legal Profession Uniform Law (NSW) the application forms for renewal of practising certificates and registration of foreign lawyers for 2018-19, subject to the addition of a specific question in the renewal form regarding compliance with taxation obligations and the inclusion of an additional voluntary question regarding practice in other jurisdictions.

Trial Protocol on Federal Issues Management – Background Paper – from the Law Council of Australia as at February 2018

RESOLVED to agree to the trial of the LCA Protocol on Federal Issues Management.

Register of Delegations
Register of Policies
Risk Profile

Noted. The Bar Council thanked the Executive Director and staff for their work on the Registers and Risk Profile document.

Bar Exam update – Weinstein SC

Weinstein SC briefed the Bar Council on the Bar examinations held on Monday 19 February.

General Business

Corporate Governance Committee – The President noted that the Association’s Strategic Plan provides for the establishment of a Corporate Governance Committee. The President requested that Bar Councillors interested in serving on the Committee notify the Executive Director or Deputy Executive Director.

FOR INFORMATION

Letter from the President dated 21 December 2017 to the Chief Magistrate – Case Management of Civil Proceedings before the Local Court – proposed amendments to the Local Court Practice Note Civ 1

Noted.

Memorandum to the Bar Council dated 31 January 2018 from the Senior Projects Lawyer – Aggregated Claims Data for Period ended 31 December 2017

Noted.

Letter from the President dated 25 January 2018 to the Premier – CTP Reforms data
Letter to the President dated 31 January 2018 from the Minister for Finance, Services and Property – CTP Reforms data

Noted.

Letter from the President dated 31 January 2018 to the Chief Executive Officer, Legal Aid NSW – Early Guilty Plea funding – Counsel Rates

Noted.

Law Council of Australia Proactive and Apprehended Policy Work List dated 25 January 2018
Law Council of Australia Inquiries and Consultation List dated 2 February 2018

Noted.

Letter to the President dated 6 February 2018 from the Junior Vice President – Resignation from Bar Council

Noted.

Letter from the President dated 8 February 2018 to the Executive Director, Justice Strategy & Policy – Report of the Steering Committee on the NSW Public Purpose Fund

Noted.

Letter from the President dated 12 February 2018 to the Chief Justice – Revised Practice Notes in the Common Law Division

Noted.

Letter to the President undated from the Attorney General – Indigenous Impact Statements

Noted.

New South Wales Bar Association – Quality of Working Life Survey dated January 2018

Noted.

The meeting closed at 6.30 pm.

Confirmed as a correct record:

Arthur Moses SC
President

Date: