



## APPOINTMENT OF SENIOR COUNSEL – 2019

### TO ALL MEMBERS OF THE OUTER BAR

I invite applications for appointment as Senior Counsel for 2019. The principles governing selection and appointment of Senior Counsel are set out in the Senior Counsel Protocol, a copy of which is available on the Bar Association's website:

Senior Counsel will be selected by a committee comprising the President and the Senior Vice-President (both ex-officio), Julian Sexton SC, Katrina Howard SC, Liz Collins SC, Garry Rich SC, The Hon Carolyn Simpson QC and Bunja Smith (Chair, Aboriginal Legal Service (NSW/ACT)). Once the Selection Committee has settled on the most suitable candidates, I will consult the Chief Justice and then announce the appointments.

Applications should be made as follows:

1. On or after **1 July 2019**, but before **5pm on 31 July 2019**, applicants should lodge a completed Senior Counsel Application Form online which will be available at the Bar Association's website <http://www.nswbar.asn.au>. Applicants may also provide any additional particulars they wish the Selection Committee to take into account.

Applicants should include in their application notice of any matter or circumstances, either past or anticipated, which may adversely affect their fitness and propriety to hold appointment as Senior Counsel. Applicants are required to give their consent to the Selection Committee making inquiries of the Legal Services Commissioner or any other regulatory body about such matter or circumstances. They are also required to be bound by the Senior Counsel Protocol.

**Applications must be lodged online by 5.00pm on Wednesday, 31 July 2019. Late applications or those received in hard copy will not be accepted or considered.**

#### *Confidentiality*

2. The collection of information relating to appointment of Senior Counsel is governed by Australian Privacy Principle 6 and will not be used or disclosed for a purpose other than the selection of Senior Counsel and the giving of counselling by the President by unsuccessful applicants.
3. In accordance with Australian Privacy Principle 11, to protect the confidentiality of the material it gathers, the Bar Association will destroy or permanently de-identify all documentation in its possession in relation to the selection process as soon as practicable after the appointments are announced.
4. All applicants for appointment of Senior Counsel are asked to acknowledge that information collected by the Bar Association in conjunction with their application, including information obtained from third parties, is confidential information in terms of Australian Privacy Principle 12.3(b). Specifically, information obtained about the applicant from other parties will be kept confidential between the Selection Committee and those third parties. Further, information produced by the Selection Committee will be kept confidential to the Selection Committee. This

information will not be made available to persons outside the Selection Committee and its secretariat.

5. In the event that an applicant declines to provide such an acknowledgement, the application will not be rejected but that fact will be communicated to all persons who may be consulted about that application.
6. Limited information from each application will be distributed to a consultation group during the selection process. It will therefore be impossible to keep confidential the fact that the application has been made and the basic details of applications that are sent out in the consultation process. The Consultation Group does not receive the full application lodged by each applicant. That information is only available to the Selection Committee.
7. I shall retain a list of applicants. This list is not available for general circulation.
8. An email acknowledging the receipt of applications will be sent to each applicant. Any applicant who has not received an email acknowledging his or her application by Thursday, 1 August 2019, should contact Ms Michelle Nisbet at The New South Wales Bar Association (9232 4055) or [mnisbet@nswbar.asn.au](mailto:mnisbet@nswbar.asn.au).
9. Some additional guidance about the selection process is provided on the Bar Association's website ([www.nswbar.asn.au](http://www.nswbar.asn.au)). If, after consulting the website, a prospective applicant has difficulty with any aspect of the application process, he or she should contact me or Michelle Nisbet at the Association on 9232 4055 or email [mnisbet@nswbar.asn.au](mailto:mnisbet@nswbar.asn.au) before applications close on 31 July 2019.
10. On receipt of the list of applicants, the Selection Committee will consult with members of the Bar, the Bench and solicitors in accordance with the Senior Counsel Protocol.
11. It is intended the names of successful applicants will be announced on or before the first Friday in October 2019.

*T. A. Lane*

1 July 2019