



NEW SOUTH WALES  
BAR ASSOCIATION

THE NEW SOUTH WALES BAR ASSOCIATION  
BAR COUNCIL

MINUTES OF PROCEEDINGS

Thursday 10 September 2015  
in the Boardroom of the New South Wales Bar Association  
at 4.30 pm

**PRESENT:** Needham SC; Moses SC; Hogan-Doran; Doyle Gray;  
Menzies QC; Sullivan QC; Phillips SC; Game SC; Cunneen  
SC; Khandhar; Toomey; Wood; Stitt; Antipas; Sethi

**APOLOGIES:** Hutley SC; Bennett AC QC; Walker; Hughes; Callan; Hyde  
Page

**IN ATTENDANCE:** Executive Director; Deputy Executive Director; Manager,  
Professional Conduct (for professional conduct matters)

MINUTES

The minutes of the meeting of 27 August 2015 were confirmed.

MEMBERSHIP

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

Adam Baker – B	Owen Dixon Chambers (Melb)
Ali Cheema	6 Windeyer Chambers
Tracy Flintoff	Newcastle Chambers
Ian Fraser	Frederick Jordan Chambers
Gina Guirguis	Ada Evans Chambers
Rebekah Haylock	James Dowling Chambers
Natalie Hickey – B	Owen Dixon Chambers (Melb)
Matthew Kalyk	12 Selborne/Wentworth
Rory McIvor – B	Owen Dixon Chambers (Melb)
Vikram Misra	Blackstone Chambers

Linton Teoh  
Georgia Turner

Greenfield Park, NSW  
ODPP Parramatta

## FOR CONSIDERATION

**The New South Wales Bar Association – Annual Financial Report for the period ending 30 June 2015; memorandum from the Treasurer to the Bar Council dated 10 September 2015, ‘Draft Annual Financial Statements of the NSWBA and the BBA presented to Council on 10 September 2015’.**

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

- a. the financial statements and notes set out on pages 5 to 21 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 2015 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 and the Directors’ Declaration on behalf of the Council.

The Bar Council approved the Financial Statements to be included in the Association’s Annual Report for 2014-15.

The Bar Council extended its thanks to the Treasurer, Finance Manager and the Association’s auditors for their work on the financial statements.

## **Barristers’ Benevolent Association of NSW – Annual Financial Report for the period ending 30 June 2015**

The Bar Council RESOLVED that in their opinion as the Committee of Management of the Barristers’ Benevolent Association of New South Wales:

- a. the financial statements and notes as set out on pages 1 to 10 are in accordance with the *Australian Charities and Not-For-Profits Commission Act 2012*, including:

- i. complying with Accounting Standards – Reduced Disclosure Requirements and the Australian Charities and Not-For-Profits Regulation 2013; and
  - ii. presenting fairly the Association’s financial position as at 30 June 2015 and its performance, as represented by the results of its operations, changes in accumulated funds and cash flows, for the financial year ended on that date; and
- b. there are reasonable grounds to believe that the Association will be able to pay its debts as and when they become due and payable.

FURTHER RESOLVED that Jane Needham SC and Justin Hogan-Doran sign the Committee of Management Declaration.

The Bar Council, acting as the Committee of Management of the Barristers’ Benevolent Association of New South Wales, approved the Financial Statements to be included in the Association’s Annual Report for 2014-15.

#### **GENERAL BUSINESS**

- (a) Search committee for the new Executive Director – The Bar Council noted its earlier resolution from 25 June 2015 that a committee of the Bar Council be established consisting of five Bar Council members to oversee the establishment of a process for the appointment of a new Executive Director. The Bar Council agreed that Alan Sullivan QC and Sophie Callan should serve on the committee as additional members alongside the Senior Vice-President, Junior Vice-President and the Treasurer.
- (b) Reintroduction of Civil Juries in New South Wales – The Junior Vice-President advised that a further paper on this issue would be prepared for consideration at the next meeting of Bar Council.

#### **FOR INFORMATION**

**Minutes of meeting of the Finance, Investment & Audit Committee of Wednesday 26 August 2015**

Noted.

**Criminal Law Committee Report on Activities 2014-15**

Noted.

**Minutes of meeting of the Practice Development Committee of 26 August 2015**

Noted.

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

- Email to the Bar Council dated 25 August 2015 from the Deputy Executive Director – NSW Bar Association Media Release – District Court criminal delays
- Email to the Bar Council dated 26 August 2015 from the Deputy Executive Director – Transcript – 702 ABC Sydney, 07:00 News, Wednesday, 26 August 2015 07:06AM
- Email to the Bar Council dated 27 August 2015 from the Deputy Executive Director – Gabrielle Upton media release New Judge for the District Court
- Email to the Bar Council dated 28 August 2015 from the Deputy Executive Director – President’s comments in *Australasian Lawyer*
- Email to the Bar Council dated 31 August 2015 from the Deputy Executive Director – NSW Bar Association media release – Local Court Judicial Resources

The meeting closed at 5.30pm.

*Confirmed as a correct record:*

Jane Needham SC  
President

Date: