



## Bar Brief goes online

In July 2002 the Bar Association will cease production and distribution of *Bar Brief* in hard copy. The monthly newsletter is destined to become an online journal, although it will retain the familiar masthead, layout and editorial features.

Bar Council decided upon this course of action not only to take advantage of the considerable reduction in the cost of production and distribution, but also to achieve a greater degree of flexibility in the content and design of each edition.

Current recipients of *Bar Brief* will receive from the Association a text-based e-mail alerting them to the publication of a new edition, together with a list of contents. Users simply click on a hyperlink to access the newsletter.

As mentioned above, *Bar Brief* will retain its customary masthead and layout. To achieve this effect, the newsletter will be in what is called 'portable document format' or PDF. As many would be aware, *Bar Brief* has been on the Association's web site in PDF for some years now.

To view publications in PDF, users need to have installed on their computer an Adobe Acrobat Reader. This software is free, and may be downloaded via the Bar Association's web site or direct from Adobe's web site at [www.adobe.com/acrobat](http://www.adobe.com/acrobat)

Electronic distribution of *Bar Brief* is the latest move by the Bar Association to distribute time-critical information to its members via e-mail. In early March 2002, the Association ceased the distribution of circulars by fax.

Given these changes, and the important nature of the information contained in both circulars and *Bar Brief*, it is now imperative that practising members, floor clerks, judges, academics and other recipients advise the Bar Association of any change of e-mail address. Holders of practising certificates can check the Association's e-mail record of their address by looking at their entry using the 'Find a barrister' search facility on the Association's web site ([www.nswbar.asn.au](http://www.nswbar.asn.au))



## Visits to the regional Bars

In recent weeks the Bar Association's President, Bret Walker SC, its Executive Director, Philip Selth and its Director of Studies, Robert Hayes attended meetings with regional Bars, first in Lismore and then Newcastle.

On Saturday, 23 March, fifteen barristers from the Far North Coast attended a dinner at the Fig Tree Restaurant, Ewingsdale. Each of the President, the Executive Director and the Director of Studies outlined matters concerning their respective areas. One topic of discussion was District Court sittings in Coffs Harbour, Armidale, Lismore and Grafton.

Despite the decrease in traditional areas of work, notably in common law matters, the total number of weeks of sittings in the catchment area of the Far North Coast is

increasing. A reflection of the increased work in the region is the decision to create, in effect, a sub-branch of the Bar Association, to be known as the Far North Coast Bar Association. The formalities of this have yet to be attended to.

The next regional visit was on Friday, 5 April at a gathering of members of the Newcastle Bar. During dinner at the Newcastle Club, members of that regional Bar were similarly briefed on the latest developments relating to BarCare, professional indemnity insurance and tort law reform. Local members were also given the opportunity to discuss the Continuing Professional Development Programme and the forthcoming winter conference at Peppers Guest House, Hunter Valley.

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Those who do not have a clerk or access to e-mail will still be able to obtain printed copies at the Bar Association's Library and Reception. Unfortunately, the prohibitive cost mean that it will not be possible for the Association to mail or DX individual copies.

To notify the Association of a change of e-mail address, please contact the Membership Officer on ph: (02) 9229 1740 or e-mail [membership@nswbar.asn.au](mailto:membership@nswbar.asn.au)



## Life membership for John Bennett

At its meeting on 11 April 2002, Bar Council resolved to appoint Dr John Bennett as a Life Member of the Association.

Dr Bennett is the author of *A History of the New South Wales Bar* (Law Book Co. 1969).

Dr Bennett accepted the award 'with gratitude and pride' and described life membership as a 'very great distinction'.

Rule 4.5 of the Bar Association's Constitution, which came into effect on 1 January 2000, provides that life members are appointed for 'exceptional service to the Bar Association or to the profession of the law'.

# Continuing Professional Development Programme

By Robert Hayes, Director of Studies

## Bulletin three: The Bar Association's CPD programme

### Winter conference

The programme commences on 14 June 2002 with the winter conference. The conference will attract eight CPD points for barristers who participate for the entire period. Barristers who chair or deliver papers will receive extra points.

For further information on the conference contact: Chris D'Aeth on ph: (02) 9229 1721 or e-mail conference@nswbar.asn.au. Further information is also available via the web site [www.nswbar.asn.au](http://www.nswbar.asn.au). The registration form is on page 16.

Willis Australia is sponsoring the winter conference, as advertised in this edition. The Director of Willis Australia, Angus McIver, will be speaking at the conference, his subject being 'Professional indemnity for barristers post September 11'. Willis representatives will also be available at the conference.

### Wednesday evening seminar series

The CPD evening seminar series will commence on Wednesday 3 July 2002. It will run as a matter of routine on every first and third Wednesday of each month, except January and February.

The regular venue will be Bar Association conference rooms 1-4.

The liquor bar will be open at 5.00pm. The seminar will begin at 5.30pm. The session will end at 7.00pm.

While there will be many more seminars, workshops, and other CPD events programmed, barristers throughout New South Wales may assume that as a matter of routine, there will invariably be a CPD seminar running at the Bar Association offices in Sydney on the first and third Wednesdays of every month, other than January and February.

### Regions and downtown CBD

Quite obviously, it will be difficult for barristers practising outside the Sydney CBD to attend regularly for seminars conducted by the Bar Association at its premises in Phillip Street. For this reason, the Bar Association will be working with regional Bars, the public defenders, the crown prosecutors, and other barristers practising outside Sydney CBD, in order to determine how the kind of CBD programme which they want can be delivered in locations convenient to them.

The Bar Association is planning two CPD conferences each year, the first being the winter conference at Peppers in the Hunter Valley. Regional and downtown CBD practitioners would be able to accumulate the bulk of their CPD points at this one weekend.

What follows is an outline of the unfolding programme for the early months of CPD, commencing 3 July 2002. As will readily be apparent, seminars and events are also timetabled for dates additional to the first and third Wednesday of each month.

The Bar Association staff will be seeking the views of regional Bars, the public defenders, and the crown prosecutors, in relation to the Wednesday evening seminar series as it has been so far developed. One question to be asked is whether it would assist these groupings to have parts of the Wednesday evening series in which they might have a particular interest presented in locations convenient to them. A high degree of reciprocity will be sought. Both the public defenders and the crown prosecutors, for example, conduct excellent programmes for barristers working within or associated with their organisational and professional orbit, and through the education department's regional and downtown CBD liaison officer, we will be seeking to ensure that barristers from all around New South Wales, but in particular, from Sydney central, are able to link themselves into such programmes.

### Programme for Wednesday evenings

A word about the Wednesday evening series as it has developed to date. The following timetable reveals that the seminars planned for the first three months, July through to September, focus mainly on issues in the management strand of CPD. It is important that all barristers have the opportunity of receiving the message, advice, and basic information provided to all professional and community groups by the Australian Taxation Office, through its tax education and seminars section. Having absorbed the ATO's message, barristers might like, if they wish, to hear from experienced Chartered Accountants about how cash management principles apply to barristers in relation to their tax responsibilities and how an experienced accountant might view issues relevant to the barrister's

practice. The programme then provides a seminar in advanced taxation for barristers.

In these initial months of CPD, Willis Australia, through its professional risks practice, will be providing basic risk management information in a seminar on Monday 12 August 2002, which will then be repeated on Tuesday 13, Wednesday 14, and Thursday 15 August.

A registration form for the Willis seminars is available from Chris D'Aeth at [cdaeth@nswbar.asn.au](mailto:cdaeth@nswbar.asn.au).

The ATO seminars and the Willis risk management workshops can be provided in the regions and in downtown CBD. Barristers who have undertaken organisational and liaison responsibility for CPD within the regional Bars, within the public defenders, and within the crown prosecutors, are requested to contact the education department's regional and downtown liaison officer: Meagan Phillips on [mphillips@nswbar.asn.au](mailto:mphillips@nswbar.asn.au), so that the necessary arrangements can be made.

### Comments requested

I would be very grateful to receive comments on the unfolding CPD programme, as it appears below.

### CPD routine

Finally, a message to barristers who are very preoccupied and very busy. Enter in your diary for the first and third Wednesday evening of each month a date with CPD, in the Bar Association premises from 5.00-7.00pm. You will be guaranteed an interesting and practical seminar directly relevant to your practice needs at those times.

## Bar Association Liquor Bar

**The liquor bar no longer runs a credit system.**

**A cash system and credit card/EFTPOS machine (Amex, VISA, Mastercard and Bankcard accepted) are available for your convenience.**

## The CPD Programme Commences on 14 June 2002 with a Winter Conference

June	Topic	Speaker
Friday 14 - Sunday 16 Winter Conference	See the Association's web site	See web site and display ad in these pages

The Bar Association is providing a fortnightly Wednesday evening seminar series on the *first and third Wednesday of each month*, except January and February, commencing on Wednesday 3 July 2002.

Regular venue: Conference rooms 1-4

5.30 pm seminar begins

7.00 pm seminar ends

Seminars programmed to date are as follows:

July - September 2002 will mainly be devoted to management (practice, risk and personal). This is strand one of the four strands of CPD. Barristers must obtain points in each strand. Seminars and events are also timetabled for dates additional to the first and third Wednesday of each month.

For arrangements for regional Bars and downtown CBD, including public defenders and crown prosecutors, contact the Bar Association's regional and downtown liaison officer: Meagan Phillips on mphillips@nswbar.asn.au

July	Topic	Speaker
Wednesday 3	An introductory view of appellate practice	Geoff Lindsay SC
Wednesday 10	Barrister's record keeping	Tax education section of ATO
Wednesday 24	How cash management principles apply to barristers in relation to their tax responsibilities	Tax education section of ATO and Dennis Robertson CPA
Wednesday 17	Appointment of silks	TBA
August	Topic	Speaker
Wednesday 7	Legal research online	Law Library
Monday 12	Risk management	Willis Australia
Tuesday 13	Risk management	Willis Australia
Wednesday 14	Risk management	Willis Australia
Thursday 15	Risk management	Willis Australia
Wednesday 21	Legal research online	Law Library
September	Topic	Speaker
Wednesday 4	Advanced taxation for barristers	TBA
Wednesday 11	Accountant's view of issues relevant to barrister's practice	David Hall, Senior Manager, Fleming Moynihan & Kay Pty Ltd, Chartered Accountants
Wednesday 18	Intellectual disabilities and the criminal justice system	William J Edwards, Deputy Public Defender, Los Angeles Public Defenders
October	Topic	Speaker
Wednesday 2	Regulation of the profession	TBA
Wednesday 16	Sir Maurice Byers Lecture	Emeritus Professor Leslie Zines
November	Topic	Speaker
Wednesday 6	Ethics 1	TBA
Wednesday 20	Ethics 2	TBA
December	Topic	Speaker
Wednesday 4	Ethics 3	TBA
Wednesday 18	Ethics 4	TBA

*continued on page...4*

# Continuing Professional Development Programme

continued from page...3

There will be no seminars in January and February 2003.

Strand 4 of the four strands of CPD is 'Advocacy, and mediation, and other barrister's skills'.

March - May 2003 will mainly be devoted to this strand.

March	Topic	Speaker
Wednesday 5	Mediation	Workshop: Robert Angyal
Wednesday 12	A session aimed particularly at assisting clerks. Barristers are invited to attend.  'Behaviour and boundaries, drugs and alcohol, professionals and colleagues, roles and responsibilities'	Dr Olav Nielsen, psychiatrist  Commentary from GPs and psychologists involved in the Bar Association's BarCare programme: TBA.



## Criminal Law Update

By S J Odgers SC (Chair, Criminal Law Committee)

### *Crimes Amendment (Self Defence) Act 2001*

This Act amends the Crimes Act by introducing a new Division, entitled 'Self-defence' in Part 11. Sections 418 - 420 substantively reproduce the common law test. Section 418(2) makes it clear that the test for determining the circumstances to which the person is responding is completely subjective. Section 422 makes it clear that the defence is not lost merely because the conduct to which the person responded was lawful. Most important, sec 421 creates a partial defence to murder of excessive self-defence, thereby overturning the High Court judgment in *Zecevic* (1987) 162 CLR 645. In general terms, it applies if the force used was not a reasonable response in the circumstances as perceived but the person believed it was necessary in self-defence.

### *Review of sec 474B Crimes Act 1900*

The Criminal Law Review Division of the Attorney General's Department is reviewing the procedures relating to petitions for review. The Bar Association has made a submission to the CLRD on this issue.

### *Legal Aid panels of solicitors and barristers for children's crime matters in specialist courts*

The Bar Association has made a submission to the Legal Aid Commission on this issue.

### *Expert witness conferences*

The Supreme Court is considering an amendment to the Rules which would apply to criminal trials the rules which presently provide for directing expert witnesses to confer in advance of civil trials. The Bar Association has made a submission to the Supreme Court on this issue.

### *Crimes (Sentencing Procedure) Amendment (General Sentencing Principles) Bill 2001*

This Bill will add a new section entitled 'General Sentencing Principles' to the *Crimes (Sentencing Procedure) Act 1999*. Based on the Commonwealth Crimes Act, it lists a number of matters which the sentencing court must take into account. It is expressly stated that other matters 'required or permitted to be taken into account by the court under this Act or any other law' may be taken into account.

### *Evidence Legislation Amendment Act 2001*

The *Evidence Act 1995* has been amended in relation to the taking of oaths and warnings to a jury in respect of children's evidence. The Bar Association supported the amendments relating to the taking of oaths. However, it opposed the amendments which create new sections 165A and 165B and which significantly circumscribe the circumstances in which a judge may warn a jury about the evidence of children.

### *Police Powers (Drug Detection Dogs) Act 2001*

This legislation commenced on 22 February and authorises the use of sniffer dogs in random searches.

### *Children (Criminal Proceedings) Amendment (Adult Detainees) Act 2001*

This Act creates the general rule that a juvenile offender must serve the sentence in a prison after turning 21, or after 18 if convicted of a 'serious indictable offence' (unless the sentencing court finds special circumstances).

### *Criminal Legislation Amendment Act 2001*

This Act makes a number of amendments to the Crimes Act. It amends the *Crimes (Sentencing Procedure) Act 1999* to statutorily confirm the jurisdiction of the Court of Criminal Appeal to give guideline sentencing judgments. It amends the *Criminal Appeal Act 1912* and other legislation in a number of ways.



## Room for License

3rd Floor  
Selborne Chambers

For further enquiries, please contact:

The Clerk  
Michelle Hedger  
9223 4010

# Practice areas on 'Find a barrister'

The list of practice areas contained on the Association's 'Find a Barrister' web page has recently been reviewed by the Bar Council. The rationalised list, set out below, has been developed for consistency and to ensure that the 'Find a Barrister' search facility remains a useful searching tool for the use of solicitors and members of the public looking for a barrister to brief for their particular circumstances. With this in mind, the proposed practice areas below have been described in a way that the general public might understand what is likely to be included under each area.

The Association has run a 'find and replace' program based on the earlier areas advised, to automatically update members' areas of practice.

All members are asked to check their areas of practice in the 'Find a Barrister' search facility on the Association's web site, located at [www.nswbar.asn.au](http://www.nswbar.asn.au). If you wish to vary the areas of practice listed, please contact Barrie Anthony, the Bar Association's Membership Officer, at e-mail [membership@nswbar.asn.au](mailto:membership@nswbar.asn.au), or fax (02) 9221 1149. Please note that all members will also be sent a list of their practice areas for approval with the 2002/03 practising certificate renewal form.

## The approved list of practice areas is:

Administrative  
Alternative Dispute Resolution (Arbitration/Mediation/  
Evaluation)  
Appellate  
Banking  
Bankruptcy/Insolvency  
Building and Construction  
Civil & Human Rights/Discrimination  
Commercial  
Communications/Media  
Conflict of Laws  
Constitutional  
Contracts  
Criminal  
Customs  
Defamation  
Dust Diseases  
Equity  
Family Law  
Industrial/Employment  
Inquests, Royal Commissions and Statutory Tribunals  
Insurance  
Intellectual Property  
International  
Liquor Licensing  
Local Government/Environmental Law  
Local Courts  
Medical Negligence  
Migration  
Motor Accidents  
Native title  
Personal Injury  
Professional Negligence  
Property  
Tax  
Trade Practices and Competition  
Transportation Law (Aviation/Maritime)  
Wills and Probate  
Workers Compensation

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# Bar Library Bulletin

## New Books

**B31/LIE/2000** Lief, Caldwell and Bycel (eds), *Ladies and gentlemen of the jury : greatest closing arguments in modern law*, New York : Touchstone, 2000

**C330/AUS/2000** Aust, *Modern treaty law and practice*, Cambridge : Cambridge University Press, 2000

**N10/CAR/2002** Carter & Harland, *Contract law in Australia*, 4<sup>th</sup> ed, Chatswood : Butterworths, 2002

**N33.33/JAC/2002** Jackson and Powell on *professional negligence*, 5<sup>th</sup> ed, London : Sweet & Maxwell, 2002

**N266/MIL/2002** Miller's annotated *Trade Practices Act*, 23<sup>rd</sup> ed, Pyrmont : LAWBOOK Co, 2002

**M31/PHI/2002** O Hood Phillips and Jackson : *Constitutional and administrative law*, 8<sup>th</sup> ed, London : Sweet & Maxwell, 2002-04-09

**N390.5/FRE/2002** Freckelton & Selby, *Expert evidence : law, practice, procedure and advocacy*, 2<sup>nd</sup> ed, Pyrmont : LAWBOOK Co, 2002

**R146/RED/2001** Redfern Legal Centre *Handbook Law handbook*, 8<sup>th</sup> ed, Sydney : RLCP, 2001

## College of Law Papers

**CLE01/57**, *Conveyancing law update : Access to Neighbouring Land Act 2000 (NSW), Conveyancing Amendment (Law of Support) Act 2000 (NSW)*, CLE Department : College of Law, 2001

**CLE01/59**, *Trade practices refresher*, CLE Department : College of Law, 2001

**CLE01/61**, *Notarial practice*, CLE Department : College of Law, 2001

**CLE01/62**, *Advanced family law*, CLE Department : College of Law, 2001

**CLE01/65**, *Occupational health and safety*, CLE Department : College of Law, 2001

**CLE01/66**, *Copyright essentials*, CLE Department : College of Law, 2001

**CLE01/70**, *Day in land and environment and local government*, CLE Department : College of Law, 2001

**CLE01/71**, *Workers compensation : the new regime*, CLE Department : College of Law, 2001

**CLE01/72**, *Practical problems in will drafting*, CLE Department : College of Law, 2001

**CLE01/73**, *GST and property*, CLE Department : College of Law, 2001

**CLE01/74**, *Migration law*, CLE Department : College of Law, 2001

**CLE01/77**, *Issues affecting older clients and their families*, CLE Department : College of Law, 2001

**CLE01/78**, *Commercial litigation*, CLE Department : College of Law, 2001

**CLE01/80**, *Family law : child kidnapping and relocation cases*, CLE Department : College of Law, 2001

**CLE01/83**, *Overview of the Commonwealth Criminal Code*, CLE Department : College of Law, 2001

**CLE01/85**, *Federal Court practice*, CLE Department : College of Law, 2001

**CLE01/86**, *New privacy regime*, CLE Department : College of Law, 2001

**CLE01/87**, *Banking, finance and securities*, CLE Department : College of Law, 2001

**CLE01/88**, *Home Building Act 1989 and its year 2001 amendments*, CLE Department : College of Law, 2001

**CLE01/91**, *Introduction to costs recovery*, CLE Department : College of Law, 2001

**CLE01/93**, *Criminal law day*, CLE Department : College of Law, 2001

**CLE01/96**, *Sale and purchase of private companies*, CLE Department : College of Law, 2001

**CLE01/98**, *Building and engineering law*, CLE Department : College of Law, 2001

**CLE01/99**, *Emerging trends in the duty of care and causation in medical negligence cases*, CLE Department : College of Law, 2001

**CLE01/100**, *Criminal law : committal proceedings*, CLE Department : College of Law, 2001

## Legal Research Quiz

Last month's question has been cancelled due to lack of interest...

This month's question is one of statutory interpretation.

In the

*Road Transport (Driver Licensing) Regulation 1999 (NSW)*

Part 5 Expiry, surrender and cancellation of driver licences.

4A) A notice to suspend a person's driver licence under clause 38 (1A) may not be withdrawn except on the order of a Local Court in respect of an appeal under clause 6 of the Road Transport (General) Regulation 1999.

Please explain 'an appeal under clause 6 of the Road Transport (General) Regulation 1999'

## Web Watch

### American Legal Ethics Library

<http://www.law.cornell.edu/ethics/>

This library, part of the Legal Information Institute, contains both the codes or rules setting standards for the professional conduct of lawyers and commentary on the law governing lawyers, organised on a state by state basis.

Major law firms and legal academics from 17 jurisdictions have contributed narratives, (see below the scope of New York materials available). It also includes the codes of professional responsibility for those jurisdictions, an additional 8 states for which narratives are in progress, and the European Community. More jurisdictions will be added as they are completed.

The American Bar Association's ethics materials are included in the library.

### New York Legal Ethics Materials

*Professional Rules and Commentary:*  
American Legal Ethics Library Narrative  
Lawyer's Code of Professional Responsibility

Proposed Amendments to the Lawyer's Code of Professional Responsibility

Rules of Conduct of Appellate Division, First Department

Rules of Conduct of Appellate Division, Second Department

*Disciplinary Procedures:*

Disciplinary Rules of the Code of Professional Responsibility



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Rules and Procedures of the Disciplinary Committee of the Appellate Division, First Department

*Ethics Opinions:*

Ethics Opinions (Sept. '91 - present)

*Bar Admission:*

Admission Rules of the Court of Appeals

Admission Rules of the Appellate Division, First Department

Admission Rules of the Appellate Division, Second Department

*Judicial Conduct:*

Rules Governing Judicial Conduct

State Commission on Judicial Conduct

Commission Operating Procedures and Rules

Rules for Review of the Commission's Determinations

*Other:*

Joint Rules of the Appellate Divisions Governing Clients' Rights

Court Decorum Rules of Appellate Division, First Department

Court Decorum Rules of Appellate Division, Second Department

Guide to Attorney Disciplinary Procedures

How to Complain about Lawyers and Judges in New York City

Lawyers' Fund for Client Protection

State Bar Association Report on Uncivil Conduct in Depositions

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## Chambers renamed

**Level 43 Edmund Barton Chambers has officially changed its name to William Deane Chambers.**

William Deane Chambers  
Level 43 MLC Centre  
Corner King & Castlereagh Streets  
Sydney NSW 2000  
Ph: (02) 9231 0077 • Fax: (02) 9235 1492  
DX 1300 Sydney

## BarCare update

Further to the article published in the March edition of *Bar Brief* by Mr David Goldman, clinical psychologist, there were some other issues raised at the seminar held on 18 February.

With the benefit of the practical experience gained over the last nine months David Goldman and Dr Alan Skapinger, both members of the panel of specialists who are available for consultation by members of the Bar, made the following observations:

- i. In order that sufficient time can be set aside for a consultation, it is important for barristers to identify themselves as being part of the BarCare arrangement when making an appointment.
- ii. Barristers need to be reminded that only the cost of the initial consultation will be met by the Bar Association. Where the referral is to a doctor, Medicare will reimburse 85 per cent of the scheduled fee.
- iii. Some barristers using the service to date have had unrealistic expectations about instant cures.
- iv. Those seeking medico-legal reports should not be using BarCare. Apart from anything else, there are problems with confidentiality.
- v. Clerks and senior members of chambers were encouraged to assist barristers in apparent difficulty and to refer them to BarCare where appropriate.

For further information contact the BarCare information line (02) 9230 0433 or visit the Association's web site [www.nswbar.asn.au](http://www.nswbar.asn.au)

## Request for details of fees owed to counsel

In March 2002, pursuant to sec 114B of the *Legal Profession Act 1987 (NSW)*, Andrew Brown was appointed Manager of the following solicitors' practices, all of which have been closed:

Malcolm Henry Hansen, Solicitor (practising as Hansen and Co. Solicitors)

Irfan Yusuf, Solicitor (practising as Sydney Lawyers)

Gregory Michael Barter, Solicitor (practising as Greg Barter, Solicitor) (deceased)

Counsel with outstanding fees should contact Mr Brown as soon as possible. Whilst Mr Brown cannot guarantee fees outstanding will be paid in total or recover of any fee due from any source, he has advised that he will do his best to assist counsel owed fees.

Mr Brown may be contacted on ph: (02) 9926 0321, fax: (02) 9926 0166 or via e-mail: [asb@lawsocnsw.asn.au](mailto:asb@lawsocnsw.asn.au)



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**BARCARE**

BarCare is designed to guide barristers through emotional and stress related problems including family or marital problems, drug or alcohol dependency and practice pressures. The Bar Association will cover costs associated with the initial consultation with the BarCare counsellor.

For further information contact the BarCare information line (02) 9230 0433 or visit the Association's website [www.nswbar.asn.au](http://www.nswbar.asn.au)

# In Brief

## Bar charity 2001-2002

The New South Wales Breast Cancer Institute at Westmead Hospital was jointly selected as the Bar Association Charity for 2001-2002.

Chris Sinclair, Organisational Development and Education Manager at the NSW Breast Cancer Institute, recently informed *Bar Brief* that they have processed a total of 30 donations, amounting to \$10,885 from members of the Association.

The NSW Breast Cancer Institute promotes the development and application of best practice in screening, treatment, research, information, diagnosis and education for women who are at risk or have a diagnosis of breast cancer. More than 9,950 women are diagnosed with the disease each year, making it the most common cancer diagnosed in women. At its Westmead Breast Centre, the Institute has developed a protocol for multi-disciplinary, coordinated breast cancer care that will serve as a model for other programmes and centres in NSW. More information may be gained from the Institute's web site at [www.bci.org.au](http://www.bci.org.au).

## Appointments

### Federal Court of Australia

Garry Downes AM QC has been appointed as a Federal Court judge, effective 2 April 2002. He has also been appointed to act as President of the Administrative Appeals Tribunal for a period of 12 months, effective 2 April 2002.

### Supreme Court of New South Wales

The Hon Acting Justice Mathews has been reappointed to act as a judge and a judge of appeal of the Supreme Court of New South Wales, effective 16 April 2002 to 15 April 2003.

His Honour Judge O'Meally AM RFD has been appointed as an acting judge, effective 6 May 2002 to 31 May 2002.

His Honour Judge Taylor AM RFD has been appointed as an acting judge, effective 6 May 2002 to 28 June 2002.

### Crown prosecutors

Luigi Lamprati has been appointed as a Deputy Senior Crown Prosecutor, effective 17 April 2002.

Gregory Smith has been appointed as a Deputy Director of Public Prosecutions, effective 18 April 2002.

[www.TasmaniaPersonalizedTours.com.au](http://www.TasmaniaPersonalizedTours.com.au)

# Speeches

Address at the formal opening ceremony, Court of Criminal Appeal at Dubbo, by the Hon J J Spigelman AC, Chief Justice of New South Wales, 8 February 2002. The Chief Justice applauded the ceremony's beginning with a welcome from the traditional Indigenous owners. He said it was important that the Court travel so as not to lose touch with a significant part of the community, partly to inform people what judges actually do, and the constraints under which they operate in upholding the principal of equality of justice in outcomes, rather than just the more publicised sensational cases and aberrant sentences. A copy of the speech is available at [www.lawlink.nsw.gov.au/sc](http://www.lawlink.nsw.gov.au/sc), and also from the Bar Library.

\* \* \* \*

'Law firms and justice in Australia,' address at the Australian Law Awards by the Hon Justice Michael Kirby AC CMG, 7 March 2002. Pointing out that all the High Court justices were Commonwealth scholarship students, Justice Kirby noted that the lawyers who would be receiving these awards worked in a very different world from his day, when fees and salaries were modest, clients were mixed and fees often waived. He stressed the importance of the pro bono scheme now when law is so profit-oriented and warned that the growing army of self-litigants shows that the delivery of legal services is failing. Pro bono cases remind lawyers what the law is for: to right wrongs, redress discrimination and protect the underdog, and is the least lawyers can do to maintain their credibility and that of the justice system. Justice Kirby suggested that, while these awards are worthy, every lawyer should strive to win 'the most precious award of all', that of the 'the respect and gratitude of the ordinary client.' A copy of the speech is available at [www.hcourt.gov.au/speeches](http://www.hcourt.gov.au/speeches), and also from the Bar Library.

\* \* \* \*

State of the Nation address to Tenth National Family Law Conference, by the Hon Daryl Williams AM QC MP, 18 March 2002. Whilst the Attorney-General felt that Australian Family Law was 'basically in good shape', putting the needs of children first, he stressed that the government is committed to its improvement. The *Pathways* report has identified many

problems in what has developed as a fragmented and hard-to-navigate system that does not always reach those who need it, and with unnecessary litigation and adversarial behaviour. Some areas being addressed are developing agreements and ongoing parenting plans, accreditation processes and codes of practice guidelines for family lawyers, superannuation assets in divorce, 'approved arbitrators' and the primary dispute resolution provisions, which he described as a 'hotch-potch'. A copy of the speech is available at [www.ag.gov.au/ministers/attorney-general](http://www.ag.gov.au/ministers/attorney-general) and also from the Bar Library.

\* \* \* \*

'The challenges to justice in a plural society,' address to the Commonwealth Lawyers' Association Judicial Conference, Kuala Lumpur, Malaysia, by the Hon Justice Michael Kirby AC CMG, 4 April 2002. Justice Kirby noted the differences in how British Law was applied in its colonies, as sole law, or in conjunction with 'indirect rule', and thus legal pluralism, depending on the apparent stage of 'civilisation' of the Indigenous race. Australia, unlike the Malay peninsular, was deemed virtually uninhabited and certainly uncivilised. He summed up the recent struggles towards a new legal regime where Aboriginal law and rights are recognised, and went on to assess our history in dealing with the problems of differences in race, gender, religion, sexuality and HIV status. Justice Kirby concluded that 'judges have a vital role in a pluralist society to make sure that diversity is respected and the rights of all protected.' A copy of the speech is available at [www.hcourt.gov.au/speeches](http://www.hcourt.gov.au/speeches), and also from the Bar Library.

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# 2002 practising certificate fees

By Tom Bathurst QC

Treasurer

At its meeting on 11 April 2002 the Bar Council reviewed its draft budget for the year commencing 1 July 2002. As a consequence it resolved that subject to the approval of the Attorney General fees for practising certificates for that year would be as follows:

Category	Fee for 2002-2003
<b>Silk</b>	
Sydney	\$4,471.00
Regional	\$3,128.00
Crown prosecutors, public defenders, parliamentarians	\$1,056.00
<b>Junior (7 + yrs seniority)</b>	
Sydney	\$1,940.00
Regional	\$1,356.00
Crown prosecutors, public defenders, parliamentarians	\$ 746.00
<b>Junior (5-7 yrs seniority)</b>	
Sydney	\$1,015.00
Regional	\$ 713.00
Crown prosecutors, public defenders, parliamentarians	\$ 725.00
<b>Junior (2-5 yrs seniority)</b>	
Sydney	\$ 725.00
Regional	\$ 505.00
Crown prosecutors, public defenders, parliamentarians	\$ 725.00
<b>Junior (1-2 yrs seniority)</b>	
Sydney	\$ 225.00
Regional	\$ 169.00
Crown prosecutors, public defenders, parliamentarians	\$ 225.00
<b>Academic</b>	
	\$ 336.00

The fees levels represent an increase of 12.5 per cent over current levels. Fees have not been increased for the last three years and the level of the increase is in line with increase in the consumer price index over that period.

The Council recognises that any increase in fees, even in line with inflation, could be substantially burdensome for many members. As a consequence, prior to resolving on any increase we gave consideration as to the manner in which the increase could be minimised without a major diminution in the level of services to be provided to members.

After all cost savings were taken into account the budget without any fee increase produced a deficit of \$363,000. The only way the deficit could be funded was by an increase in practising certificate fees. The additional income earned from such an increase does no more than cover the deficit. In these circumstances the Council determined that acting responsibly it had no option but to impose the increase.

It is the intention of the Council over the ensuing year to look at ways of increasing income without raising practising certificate fees. The Council would welcome any suggestions as to how this could be done.



## 2002 Sir Maurice Byers Address

This year's address will be given by  
Emeritus Professor Leslie Zines, Visiting Fellow, Research  
School of Social Sciences, ANU

Wednesday, 16 October 2002 at 5.00pm

Bar Association Common Room

# New mentoring scheme for personal injury barristers

A series of legislative changes has seen an erosion in the role of the courts and hence the work of the Bar in areas ranging from motor accidents to medical negligence to industrial injuries.

The Bar Association, through the Personal Injuries Litigation Committee, is setting up a pilot scheme in which barristers with practices in common law and workers compensation will be mentored by senior practitioners in other areas of practice, giving them assistance and practical experience to enable them to redeploy their skills.

The scheme will initially be offered for twelve months to barristers who have been admitted for five to ten years. If successful it will be expanded.

If you are eligible and interested please contact Anna Katzmann SC at a.katzmann@mauricebyers.com or call her on ph: (02) 8233 0301 for further information.



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# Bar Council business for March

## President's report

### Tort reform

The President referred to media reports on the so-called 'public liability crisis'. Unfortunately, Mr Hockey's generalised and inaccurate allegations that the legal profession was the major cause of substantial increases in public liability insurance premiums continued to be copied by the media, insurance industry, councils, parliamentarians and others, many of whom should – or did – know better.

The President noted that in an article originally prepared for the *Daily Telegraph* (which was eventually published in an abbreviated form in the *Australian Financial Review* on 8 March), he had set out some basic principles he believed should underpin any tort law reform. In particular, people of modest income and modest claims should not be excluded from being able to have those claims considered at a reasonable cost. These were not 'silly' claims; they were important to the individuals concerned. So long as a civil wrong is recognised- and actionable – in law, then a person should not be prevented from seeking compensation for that wrong done to them. Artificial 'caps' on damages and thresholds would not assist the injured and less fortunate.

The President noted that there are court and Barristers' Rules sanctions against barristers running frivolous claims and that 'community standards' with respect to liability would best be maintained through the use of civil juries.

The President noted that a Heads of Australian Governments meeting would be held on 27 March to address the issue. A structured package of reforms may have some impact on the current (mainly ill-informed) debate.

There was a general discussion as to possible areas of tort law reform. The underlying premise for the discussion was that 'fault liability' is a basic social principle, and that compensation should be the remedy.

The President and Bar Council discussed 'spec' briefs. The Council was firmly of the view that this 'access to justice' vehicle must be defended and explained to the public. It is the only way many injured persons can ever have an opportunity to be compensated. Spec briefs are in the

finest traditions of the Bar (and wider legal profession).

The President noted that the possibility of the restriction of non-compensatory monetary damages, e.g. exemplary damages, or the possible adoption of the German scheme whereby a lawyer's costs were a proportion of the damages in very small claims, were on the table.

While not very hopeful that they would do so, Bar Council noted that it was essential to an informed debate that the insurers provide specific cases where they believe the court had wrongly awarded damages.

The President thanked Bar Council for their excellent responses and ideas for possible tort law reform. The comments received formed the basis for a consultation paper that would greatly assist him in discussions with governments and others.

### Senator Bill Heffernan's allegations against Justice Michael Kirby

The President thanked the Vice-President, Harrison SC, for speaking to the media about this issue when it first arose. The President had been appearing before the High Court and so unable to speak publicly at that time.

The President referred to a number of his statements to, and interviews with, the media.

Senator Heffernan had made serious allegations under privilege, and in a manner which avoided the Senate's rules preventing criticism of the judiciary. His statements in the Senate were not a 'last resort' to have an issue investigated, given that the 'information' had apparently been investigated and rejected by both the NSW Police and Wood Royal Commission. The Senator's speech clearly made it impossible for Justice Kirby to respond appropriately. The fact that Senator Heffernan wrote to the police requesting the case be reopened again the morning after he made those comments in Parliament meant it was not a last resort.

This was an administration of justice issue. The Senator had deliberately by-passed the criminal justice system, and in so doing had made any proper investigation (and, if appropriate, prosecution) difficult if not impossible. The idea of a Senator undertaking inquiries about young male prostitutes at Darlinghurst would be funny if it wasn't such a threat to the proper police investigation and prosecution system.

Senator Heffernan's reference to the NSW Director of Public Prosecution's 'technical guidelines' as being a reason for the non-prosecution of Justice Kirby was a misrepresentation of the police and DPP's prosecution policy and processes.

The Prime Minister and the Commonwealth Attorney General had failed to prevent, and then to respond appropriately, to this misuse of parliamentary privilege and of the bypassing of the criminal justice system.

It was unfortunate that the Attorney-General was refusing to speak out on this issue; others, including the Bar Association, thus needed to educate the media and public (and parliamentarians) about such issues as the presumption of innocence, independence of the judiciary, and the administration of the justice system.

The President discussed the aftermath of the Senator Heffernan/Justice Kirby affair and the differing views that have emerged for a protocol to govern the receipt and investigation of complaints against federal judges.

As President of the Law Council of Australia, the President had in 1998 raised with both the Prime Minister and the Attorney-General the need for a system to handle complaints against federal judges. The Australian Law Reform Commission in its report *Managing justice* (Report No. 89), recommended that Parliament develop and adopt a protocol governing the receipt and investigation of serious complaints against federal judicial officers. The Government had failed to act on this recommendation, yet now was claiming the issue required urgent attention. The President was of the view that the Bar Council should support the recommendations of the ALRC which distinguishes between the High Court and the other federal courts. Parliament should retain its sec 72 of the Constitution responsibility, with a standing joint committee that is activated as necessary; the secretariat should be provided by the Parliament, not the Executive.

The ALRC's report on this issue would be provided to Bar Councillors so that they might consider what formal position should be adopted by the Bar Council. This was an important matter and one that could not be considered on the run. The adoption of the wrong model by the Government and Parliament could easily lead to the new

procedures becoming 'an engine of oppression' and politicise the High Court.

One view is that the New South Wales Judicial Commission model should apply. In this model the Executive would play a large role in the receipt and investigation of complaints whereby *ad hoc* tribunals are set up consisting of retired judges. The President indicated that he opposed this model. The President believed that the best way to deal with complaints against judges is through a joint parliamentary committee with a set process for receiving complaints.

The President noted that in New South Wales a large number of complaints are made against magistrates. It could be expected that under a federal judicial complaints system there would be a large number of complaints against not only Federal Court judges but Family Court judges and the Federal Magistrates Service as well. This problem will no doubt cause real opposition to the establishment of a complaints system. The President however expressed the view that the problem could be overcome by implementing an effective triage system for dealing with complaints.

#### National practice

The President informed Bar Council that on 16 March 2002 he and the Executive Director attended a meeting in Canberra of the Law Council of Australia. A major issue discussed was the decision by Commonwealth and State attorneys-general to implement as quickly as possible processes to assist the development of a national legal profession. Uniform indemnity insurance, fidelity funds and trust accounts were key issues for resolution.

The President had been appointed to the Law Council of Australia's reference group being established to approve policy positions from Law Council of Australia working groups being submitted to the governmental process. The Executive Director had been appointed to the Admissions and Legal Education Working Group, and would be working with other working groups considering issues of importance to the Bars.

#### Meeting with the DPP, public defenders and senior members of the criminal Bar

The President informed Bar Council that on 20 March 2002 he and the Executive Director met with officers of the New South Wales Director of Public Prosecutions, crown prosecutors, the Legal Aid Commission, the Law Society of NSW, public defenders and the senior criminal

Bar to discuss listings in the New South Wales Court of Criminal Appeal.

The President convened the meeting because the Chief Justice had expressed his concern about the difficulty the Court is experiencing with setting matters down for early hearing in the Court of Criminal Appeal. The Chief Justice advised that over the past three years the number of cases fixed for hearing on December 31 has declined from 235 cases in 1999 to 111 cases in 2001. In the second half of last year the Court was forced to cancel hearing days because there was not enough cases ready to take a date. The same pattern has occurred this year and the Chief Justice would like to solve the problem.

#### Meeting with the New South Wales Attorney General

The President informed Bar Council that on 20 March 2002 he, the Vice-President and the Executive Director met with the New South Wales Attorney General. While the meeting was held to primarily discuss possible tort law reforms, there had been a lengthy and wide-ranging discussion of issues of interest to the Bar.

#### Personal Injury Bar Pilot Mentoring Scheme

The President informed Bar Council that on 21 March 2002 he, the Executive Director, the Director of Studies and Katzmann SC met to discuss the proposed Personal Injuries Bar Pilot Mentoring Scheme.

The President reported that considerable progress has been made in setting up the Scheme. Katzmann SC advised that about a dozen senior members of the Bar have already agreed to be a mentor.

#### Meeting with Francis Wilkins, *Lawyers Weekly*

The President informed Bar Council that he and the Public Affairs Officer met with Francis Wilkins on 25 March 2002. Wilkins had recently written two articles in *Lawyers Weekly* on 'What solicitors think about barristers' and 'What barristers think about solicitors'.

#### Indigenous Barristers Trust – the Mum Shirl Fund

Bar Council considered the pros and cons of challenging in the Federal Court the Commissioner of Taxation's decision not to endorse the Mum Shirl Fund as a deductible gift recipient. The Council gave careful consideration to the implications of an appeal.

Bar Council resolved that an appeal against the Australian Taxation Office's decision be instituted in the Federal Court of Australia.

#### Law Access – Revision of LARS' Guidelines

Bar Council resolved that the guidelines of the Legal Assistance Referral Scheme be amended by adding the following additional exclusions to paragraph three as follows:

- in respect of matters which are not the subject of current court proceedings or proposed litigation;
- in matters to overcome *Dietrich*-type problems;
- as a substitute for legal aid;
- for long trials; and
- where applicants have been refused assistance by the Sydney Regional Aboriginal Legal Corporation Pro Bono Referral Scheme.

**Note:** Because of the confidentiality provisions in the *Legal Profession Act 1987* (s171P), the Bar Council's deliberations on professional conduct matters cannot be noted in these summaries. Matters discussed by the Bar Council reported elsewhere in *Bar Brief*, too, are omitted from these summaries.



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# Conferences

## **16th International Symposium on the Forensic Sciences, National Convention Centre, Canberra, 13-17 May 2002.**

The Australian and New Zealand Forensic Science Society, in affiliation with the Australian and New Zealand Forensic Medicine Society and the Australian Society of Forensic Dentistry, presents 'Forensic Sciences: Outcomes for Society'. For further information, visit the conference web site at [www.nifs.com.au/ANZFSS/Symposium2002.html](http://www.nifs.com.au/ANZFSS/Symposium2002.html). A conference information and registration brochure is held at the Bar Association's Reception.

## **5th AIJA Tribunals Conference, The Chifley on Flemington, Melbourne, 6-7 June 2002.**

The theme of the conference is 'Developing a best practice' and topics will include: 'The establishment of a Council of Australian Tribunals', 'The current status of judicial review' and 'Apprehended bias by reason of pre-judgment and other conduct - pitfalls for tribunals and tribunal members'. A conference information and registration form is held at the Bar Association's Reception. For further information, contact the AIJA Secretariat on ph: (03) 9347 6600, fax: (03) 9347 2980, e-mail: [c.crawford@unimelb.edu.au](mailto:c.crawford@unimelb.edu.au) or visit the AIJA web site at [www.aija.org.au](http://www.aija.org.au)

## **AIJA Indigenous Cultural Awareness Committee National Conference 2002, Rydges Plaza Hotel, Alice Springs, 12-14 June 2002.**

This conference will explore the effectiveness of past cultural awareness programmes, conducted or sponsored by the AIJA, from both an Indigenous and judicial perspective. It will also examine ways of strengthening the judiciary's understanding of indigenous issues. The keynote speaker will be Patrick Dodson. For further information, contact Kathy Jarrett at the AIJA Secretariat on ph: (03) 9347 6600, fax: (03) 9347 2980 or via e-mail: [k.jarrett@unimelb.edu.au](mailto:k.jarrett@unimelb.edu.au)

## **Australasian Law Reform Agencies Conference, Darwin, 19-21 June 2002.**

The conference will examine the role of law reform agencies in providing recommendations and how they should be differentiated from proposals provided by academics, the bureaucracy and members of parliament. For further information, contact the conference secretariat, Convention Catalysts International on ph:

(08) 8981 1875, fax: (08) 8941 1639 or e-mail: [convention.catalysts@norgate.com.au](mailto:convention.catalysts@norgate.com.au)

## **2002 National Administrative Law Forum, Notre Dame University, Fremantle, Western Australia, 4-5 July 2002.**

The conference, organised by the Australian Institute of Administrative Law, will examine the performance of regulatory agencies, the question of damages claims against regulators, as well as the effectiveness of FOI, judicial review and oversight by ombudsmen. For further information about the conference programme, contact the Conference Director, Michael Barker QC on ph: (08) 9220 0517, fax: (08) 9325 9894 or e-mail: [chooper@iinet.net.au](mailto:chooper@iinet.net.au). For registration and other enquiries, contact Kathy Malcolm at the AIAL secretariat on ph: (02) 6251 6060, fax: (02) 6251 16324 or e-mail: [ipaa@bigpond.com](mailto:ipaa@bigpond.com)

## **20th AIJA Annual Conference, Stamford Plaza, Brisbane, 12-14 July 2002.**

The conference will feature presentations and workshops in a wide range of areas relevant to the improvement of access to justice. It will have as its objective the development of a plan for further action in this important area of administration of justice. For further information, contact the Conference Secretariat at Intermedia Convention and Event Management, PO Box 1280 Milton QLD 4064, ph: (07) 3858 5582, fax: (07) 3858 5510 or via e-mail: [aija02@im.com.au](mailto:aija02@im.com.au). Alternatively, visit AIJA web site at [www.aija.org.au](http://www.aija.org.au)

## **XVIth Congress of the International Academy of Comparative Law, University of Queensland, Brisbane, 14-20 July 2002.**

Confirmed speakers include His Excellency Gilbert Guillaume, President of the International Court of Justice, The Chief Justice of France, The Hon. Professor Guy Canivet and the Chief Justice of Queensland, the Hon. Paul de Jersey. Further information regarding the congress, including the academic programme and the registration brochure, may be obtained from the Congress Secretariat, C/- Brumfield Bird and Sandford (BBS) Public Relations, ph: (07) 3221 6711, fax: (07) 3229 8704 or via e-mail: [info@bbscom.com.au](mailto:info@bbscom.com.au) Information may also be obtained from the conference web site at [www.law.uq.edu.au/congress](http://www.law.uq.edu.au/congress)

# Separate fees for practising and for membership

On 10 April the *Legal Profession Amendment (National Competition Policy Review) Bill 2002* was introduced into the Legislative Assembly.

The object of this Bill is to amend the Legal Profession Act 1987 in connection with national competition policy reform. It provides for, among other things, separate practising certificate and membership fees to be imposed on barristers and solicitors, with only the practising fee being compulsory.

A copy of the Bill, together with the second reading speech, may be obtained from State Parliament's web site at [www.parliament.nsw.gov.au](http://www.parliament.nsw.gov.au)



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# Media briefing

Media releases issued by the New South Wales Bar Association

*Cop killers: mandatory life sentences are not the answer*, 8 April 2002.

Recent interviews given members of Bar Council

Michael Slattery QC, interviewed by Sally Loane, regarding discovery and destruction of documents, 2BL, 12 April 2002.

Bret Walker SC, interviewed by Philip Clark, regarding mandatory life sentences for criminals who murder police officers, 2GB, 8 April 2002.

Media releases issued by the Law Council of Australia

*Terrorism Bills are excessive*, 18 April 2002.

Recent submissions by the Law Council of Australia

*Inquiry into the Border Security Legislation Bill 2002*, 16 April 2002.

*Inquiry into the Security Legislation Amendment (Terrorism) Bill 2002 [NO. 2] and related Bills*, 16 April 2002.

*Mandatory detention of asylum seekers*, 27 March 2002.

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[sickacc@nswbar.asn.au](mailto:sickacc@nswbar.asn.au)

## 2002 Centenary Bench & Bar Dinner

<b>Date:</b>	Friday, 31 May 2002
<b>Venue:</b>	The Westin Hotel, No 1 Martin Place, Sydney
<b>Time:</b>	7.00pm for 7.30pm
<b>Guest of Honour:</b>	The Hon Murray Gleeson AC, Chief Justice of Australia
<b>Mr Senior:</b>	David Jackson QC
<b>Mr Junior:</b>	Andrew Bell
<b>Ticket price:</b>	\$160 per ticket / \$130 Under 5s
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Name	Address	Phone/Fax	E-mail
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Rob O'Neill	Lachlan Macquarie Chambers 16 George Street Parramatta NSW 2150	ph: (02) 9635 1000 fax: (02) 9891 1989	<a href="mailto:ro'neill@lacmac.com.au">ro'neill@lacmac.com.au</a>
Bill Walsh	William Owen Chambers 121A Byng Street Orange NSW 2800	ph: (02) 6361 7959 fax: (02) 6361 7921	
Geoff Radburn	Lismore Chambers 32 Molesworth Street Lismore NSW 2480	ph: (02) 6621 2854 fax: (02) 6621 3898	<a href="mailto:radburn@nor.com.au">radburn@nor.com.au</a>
Stewart Austin	Chambers 30 Church Street Newcastle NSW 2300	ph: (02) 4926 2844 fax: (02) 4926 2841	<a href="mailto:sca371@ozemail.com.au">sca371@ozemail.com.au</a>

## Registration Form

### **New South Wales Bar Winter Conference Friday 14 – Sunday 16 June 2002 Peppers Guest House, Hunter Valley**

The conference fee is only \$290 (early bird registration, \$220)  
this includes conference dinner  
To include a partner at the dinner is an extra \$60

#### **Peppers conference and accommodation package includes:**

- ◆ Conference registration for one delegate on Saturday and Sunday, including morning and afternoon tea and conference luncheon
  - ◆ 5 course Hunter Gourmet Dinner on Saturday night for you and your partner
  - ◆ Friday night and Saturday nights accommodation for two people on site at Peppers Guest House, including breakfast on Saturday and Sunday
- Total package cost \$900**

#### **Peppers conference and twin share accommodation package includes:**

- ◆ Conference registration for two barrister delegates sharing a room on Saturday and Sunday, including morning and afternoon tea and conference luncheon
  - ◆ 5 course Hunter Gourmet Dinner on Saturday night for both delegates
  - ◆ Friday night and Saturday nights accommodation for two people on site at Peppers Guest House, including breakfast on Saturday and Sunday.
- Total package cost \$1,010, ie \$505 each**

#### **Conference only package includes:**

- ◆ Conference registration for Saturday and Sunday, including morning and afternoon tea and conference luncheon
  - ◆ 5 course Hunter Gourmet Dinner on Saturday night (delegate only)
- Note: This package does not include accommodation – see below**

#### **Alternative accommodation, partner programmes, additional information:**

- ◆ For details on a complete range of alternative accommodation in the area, at specially negotiated discount rates, or to book additional nights at Peppers Guest House, please contact:
  - [conference@nswbar.asn.au](mailto:conference@nswbar.asn.au)
  - Chris D'Aeth, Education Officer on 9229 1721
  - or visit the website, [www.nswbar.asn.au](http://www.nswbar.asn.au)

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Please reply to the New South Wales Bar Association,  
 DX 1204 Sydney OR Selborne Chambers, 174 Phillip Street Sydney NSW 2000

Name (please print) \_\_\_\_\_

Member / Non Member \_\_\_\_\_

Chamber / Firm \_\_\_\_\_

Address \_\_\_\_\_

DX \_\_\_\_\_

Telephone \_\_\_\_\_

E-mail \_\_\_\_\_

Special Dietary Requirements \_\_\_\_\_

(please state) \_\_\_\_\_

**Note: A range of alternative accommodation is available  
 You do not have to stay at Peppers, the conference venue.**

	Please tick	Cost Incl. GST
Peppers Accommodation and Conference package	<input type="checkbox"/>	\$ 900
My partner will also be attending (package includes accommodation and conference dinner)	<input type="checkbox"/>	
<b>OR</b>		
Peppers Conference and Twin share accommodation package	<input type="checkbox"/>	\$ 1010
<b>OR</b>		
Conference only – Early bird (prior to 10 May 2002)	<input type="checkbox"/>	\$ 220
Conference only – Regular (after 10 May 2002)	<input type="checkbox"/>	\$ 290
My partner will attend the conference dinner	<input type="checkbox"/>	\$ 60
I understand that this does NOT include accommodation. Please contact me to assist with alternative accommodation bookings and to take advantage of specially negotiated rates in the area.	<input type="checkbox"/>	

Total payment required \_\_\_\_\_

I enclose a cheque for: \_\_\_\_\_ \$  
 (made payable to **The New South Wales Bar Association**)

**OR**  
 Please debit credit card for: \_\_\_\_\_ \$  
 Mastercard       Visa       Bankcard       AMEX  
 Account Number \_\_\_\_\_  
 Expiry Date \_\_\_\_\_

Signed \_\_\_\_\_

Registration closes on Friday 31 May 2002. Conference cancellations made up to 1:00 PM on Friday 31 May 2002 will incur a 50% cancellation fee. Cancellations after that will not receive any refund. Cancellation of alternative accommodation must be negotiated with the individual provider.

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