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BAR COUNCIL
N CHAMBERS
AM STREET,
IRNE 3000

Reference

15

VICTORIAN BAR COUNCIL



ANNUAL REPORT

1976-77

VICTORIAN BAR COUNCIL



ANNUAL REPORT

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ANNUAL REPORT
OF THE
VICTORIAN BAR COUNCIL
1976 – 77

To be presented at the Annual General Meeting of the Victorian Bar to be held on 27th September 1977, at 5 p.m. in the Common Room, Owen Dixon Chambers, 205 William Street, Melbourne.

THE BAR COUNCIL

Elections In the Annual Election in September 1976 the following persons were elected:— Counsel of not less than 12 years' standing: Messrs. K.H. Marks Q.C., J.A. Gobbo Q.C., J.D. Davies Q.C., H.C. Berkeley Q.C., F. Costigan Q.C., G.R.D. Waldron Q.C., J.J. Hedigan Q.C., J.H. Phillips Q.C., S.P. Charles Q.C., G. Hampel Q.C. and F. Walsh.

Counsel of not less than 6 nor more than 15 years' standing: Messrs. E.W. Gillard, A.R. Castan, A. Chernov and P. Mandie.

Counsel of not more than 6 years' standing: Messrs. J.T. Hasset, B.G. Walmsley and R. Richter.

(Note: Mr. K.H. Marks Q.C. resigned in June 1977 following his appointment to the Supreme Court Bench. No By-election was held.)

Officers of the Bar Council

Chairman

October 1976 to June 1977

Mr. K.H. Marks Q.C.

From June 1977

Mr. F. Costigan Q.C.

Vice-Chairman

October 1976 to June 1977

Mr. F. Costigan Q.C.

From June 1977

Mr. H.C. Berkeley Q.C.

Honorary Treasurer

Mr. F. Walsh

Assistant Honorary Treasurer

Mr. A. Chernov

Honorary Secretary

October 1976 to April 1977

Mr. M.B. Phipps

From April 1977

Mr. Rex Wild

Assistant Honorary Secretary

October 1976 to April 1977

Mr. Rex Wild

From April 1977

Mr. P.C. Dane

Executive Officer

Miss D.M. Brennan

DIRECTORS OF BARRISTERS' CHAMBERS LTD.

Sir James Tait Q.C. (Chairman), Messrs. Marks Q.C. (to June 1977), Hulme Q.C., Berkeley Q.C., Walsh, Batt, N.H.M. Forsyth, Sundberg and Strong (from August 1977).

Secretary of Barristers' Chambers Ltd.

Mr. D.E. Edwards.

YOUNG BARRISTERS' COMMITTEE

Messrs. Waldron Q.C. (Chairman), Walmsley, Faris, Rozenes, Webster, Munz, Horgan, Riordan, Beder, Wodak (Secretary), I.G. Crisp (to December 1976) and Miss Sparks (co-opted from May 1977).

ADMINISTRATIVE COMMITTEES

Executive Committee Messrs. Marks Q.C. (Chairman to June 1977), Costigan Q.C. (Chairman from June 1977 and Vice-Chairman to June 1977), Berkeley Q.C. (Vice-Chairman from June 1977), Gobbo Q.C., Davies Q.C., Walsh, Mandie, Phipps (to April 1977), Wild (Secretary to April 1977) and Dane (Secretary from April 1977).

Area of responsibility

(a) Joint Standing Committees

Joint Standing Committee of Bar and Law Institute

Messrs. Marks Q.C. (to June 1977), Costigan Q.C. and Berkeley Q.C., Gobbo Q.C., Davies Q.C., Waldron Q.C., Hedigan Q.C. and Charles Q.C.

Joint Standing Committee of Bar, Law Institute & Australian Medical Association

Hulme Q.C. (appointed July 1977)

Joint Standing Committee on Public Relations

Messrs. Lloyd Q.C., Hansen and Redlich.

Joint Standing Committee on Fees & Costs

Messrs. Waldron Q.C., Hedigan Q.C. and Hampel Q.C.

(b) Standing Committees

Bar Staff Committee

Messrs. Walsh (Chairman), Kimm, Meldrum, Moorhead and Lopes.

Bar Rules Committee

Messrs. Merralls Q.C., Dowling, Hassett and Hayne.

Bar Standards of Practice Committee (set up June 1977)

Messrs. Charles Q.C., Tadgell Q.C., Treyvaud, Redlich, Richter and Horgan.

Victorian Bar News – Editorial Board

Messrs. Castan (Chairman), D.M. Byrne, D.J. Ross and North (Joint Editors), Coldrey and Miss Opas.

Bar Clerking Committee

Messrs. J.H. Phillips Q.C. (Chairman), Charles Q.C., Castan, Mandie and Hassett (Secretary & Convenor). One representative of the Committee of each clerking list.

Bar Clerking Fund – Trustees

Messrs. Walsh, Batt and Castan.

Bar Fees Committee

Messrs. Hedigan Q.C. (Chairman), Hampel Q.C. (Vice-Chairman), Dalton Q.C., K.D. Marks Q.C., E.W. Gillard, Beaumont (Secretary), and O'Keefe.

Overdue Fees Committee

Messrs. Webb Q.C. (Chairman to April 1977), Rendit Q.C. (Chairman from April to July 1977), Monester Q.C. (Chairman from July 1977), Davey, N.H.M. Forsyth, R.J. Johnston, Hassett, Walmsley, G.A. Lewis, Rozenes, Habersberger and H. McM. Wright.

Legal Education Advisory Committee

Messrs. Charles Q.C. (Chairman), Dwyer, Goldberg, Castan, Coldrey, Fajgenbaum, Bongiorno, Golvan, M.A. Adams and Freadman.

Accommodation Committee

Messrs. Berkeley Q.C. (Chairman to June 1977), Liddell Q.C. (Vice-Chairman to June 1977, Chairman from June), N.H.M. Forsyth, Griffith, J.G. Larkins, Hansen, Mandie, Shwartz (Secretary), N. Webb and Freadman.

Bar Library Committee

Messrs. Ormiston Q.C. (Chairman and Bar Librarian), Tadgell Q.C., Black, Ahearne, Bongiorno, Sundberg, Byard, McArde, Harper, G.A. Lewis, Golvan and M.A. Adams.

Functions & Catering Committee

(In December 1976 the Social and Common Room Committee, Catering Committee, Special Catering Committee and the Furniture & Equipment Committee were abolished and the Functions and Catering Committee assumed the jurisdiction of those former Committees).

Messrs. Walsh (Chairman), E.W. Gillard, Castan and M.A. Adams.

Wine Cupboard Committee

Messrs. Tolhurst (Chairman), Dixon and Crossley.

First Aid Committee

Mr. Willee (Chairman) and Miss Opas.

(c) Special Committees

Joint Commercial and Legal Studies Text Book Committee

Messrs. Lloyd Q.C., Archibald and Wajcman.

Joint Committee on Circuit Fees

Messrs. Hedigan Q.C. and D.A. Kendall.

Bar Advisory Committee on Legal Aid

Messrs. Costigan Q.C. (to June 1977), Faris, Richter, D.R. Gibson and L.J. Hill.

(d) Bar Appointees

Executive of Law Council of Australia

Mr. Marks Q.C. (to June 1977), Mr. Costigan Q.C. (from June 1977).

Council of Australian Bar Association

Messrs. Marks Q.C. (to June 1977), Costigan Q.C. and Berkeley Q.C. (from June 1977).

Victorian Council of Professions

Messrs. O'Sullivan Q.C., Kirkham (to November 1976) and Morrow (from November 1976).

Chief Justice's Committee for Religious Observances

Mr. Rendit Q.C. (to July 1977), Mr. Chernov (from July 1977).

Legal Aid Committee

Messrs. Barnard Q.C. (to 7/3/77), Liddell Q.C., Nicholson (to 31/12/76), Kimm (to 30/6/77), O'Callaghan Q.C. (from 8/3/77), J.G. Meagher (from 1/1/77) and Uren (from 1/7/77).

J.G. Meagher (from 1/1/77) and Uren (from 1/7/77).

Appeal Costs Board

Mr. Scurry Q.C.

Law Faculty – Melbourne University

Bar Council Appointees: Mr. Justice McGarvie (to 31/12/76), Messrs. Merralls Q.C. (from 1/1/77) and Tadgell Q.C.

Law Faculty – Monash University

Messrs. Paterson Q.C. and Willee (alternate).

Monash University Law Faculty Board

Mr. Goldberg (from 23/11/76).

La Trobe University, Proctorial Board

Mr. Lloyd Q.C. (Chairman)

Council of Legal Education

Messrs. Charles Q.C., Goldberg & Kay.

Legal Education Committee

Messrs. Goldberg and Richter (alternate).

Leo Cussen Institute for Continuing Legal Education

His Honour Judge Ogden and Mr. Lloyd Q.C.

Board of Examiners

Messrs. Davies Q.C., D.M. Byrne (both to 31/12/79) and Flanagan (to 31/12/80).

Chief Justice's Supreme Court Library Committee

Messrs. Ormiston Q.C., Rendit Q.C. (to July 1977), D. Graham and Archibald (from July 1977).

Council of Law Reporting

Sir James Tait Q.C. and Mr. Bradshaw.

(e) Other

Victorian Bar Superannuation Fund

Sir James Tait Q.C. (Chairman), Messrs. Tadgell Q.C., Walsh and P.R. Jordan. Mr. Stevenson (Honorary Secretary).

Directors of Barristers' Nominee Pty. Ltd.

Sir James Tait Q.C., Messrs. Tadgell Q.C., Walsh and P.R. Jordan. Mr. D.E. Edwards (Secretary).

Barristers' Benevolent Fund Administration Committee

Messrs. Marks Q.C. (to June 1977), Walsh and Costigan Q.C. (from June 1977).

Special Committee on Supreme Court Delays

Messrs. Davies Q.C. (Chairman), Hedigan Q.C. (Vice-Chairman), Waldron Q.C., Chernov and E.W. Gillard (Secretary).

Special Legal Education Committee

Messrs. Goldberg (Chairman), Tadgell Q.C., Charles Q.C., T.H. Smith, Castan, Chernov, Fajgenbaum and Kay.

Bar Secretariat

Messrs. Marks Q.C. (to June 1977), Costigan Q.C., Berkeley Q.C. (from June 1977), Phipps (to April 1977), Wild, Dane (from April 1977) and the Executive Officer.

Bar Employees

The Company Secretary (Mr. Edwards).

The Executive Officer (Miss Brennan).

The Caretaker – (Mr. Brown to July 1977) (Mr. Melbourne from August 1977).

The Stenographer (Mrs. Lambert).

The Clerical Assistant (Miss Hale).

The Junior (Miss Simpson).

Bar Librarian

Mr. Ormiston Q.C.

Co-ordinator of Floor Committees

Mr. E.W. Gillard

Applications Review Committee

Messrs. J.D. Davies Q.C. (Chairman), Berkeley Q.C. (to June 1977) Hassett, Phipps (to April 1977), Wild (from April 1977) and Chernov (from June 1977).

Ethics Committee

Messrs. Berkeley Q.C. (Chairman to June 1977), Charles Q.C. (Vice-Chairman to June 1977 and Chairman from June 1977), Waldron Q.C., Hampel Q.C., Chernov (Secretary,) Mandie (from June 1977) and Walmsley.

Area of Responsibility

(a) Standing Committees

Reading & Lectures Committee

Messrs. Davies Q.C. (Chairman), Charles Q.C. (Vice-Chairman), Cullity Q.C. (to July 1977), Ormiston Q.C., D.R. Meagher, Loewenstein, W.R. White (to 27/5/77), Hobson (Secretary) and North (from July 1977).

(b) Special Committee

Joint Committee on Solicitors' Firms' Use of Barristers' Name

Messrs. Gobbo Q.C. and Hansen.

Law Reform Committee

Messrs. Gobbo Q.C. (Chairman), Phillips Q.C., Castan (Vice-Chairman), E.W. Gillard (Secretary), Mandie, Hassett and Richter.

Area of Responsibility

(a) Joint Standing Committee on Supreme Court Practice and Procedure

Messrs. Davies Q.C., Ormiston Q.C. and Fox Q.C.

Joint Standing Committee on County Court Practice and Procedure

Messrs. Fagan, Porter and Heerey.

Joint Standing Committee on Magistrates' Courts Practice and Procedure

Messrs. Richter, Finkelstein and Osborn.

(b) Standing Committees

Advisory Committee on Civil Law Reform

Messrs. Searby Q.C. (Chairman), O'Callaghan Q.C. (Vice-Chairman), O'Sullivan Q.C., D.A. Kendall, Kimm, R.M. Johnstone, Jolson (Secretary) and Jessup.

Advisory Committee on Criminal Law Reform

Messrs. Thomson Q.C. (Chairman), Mullaly Q.C. (to April 1977) Bourke, Willee, Heliotis, Dunn (Convenor), Lovitt, Hassett, Hinchliffe, Strong (Secretary) and Morfuni.

Committee on Court Procedures Reform

Messrs. O'Sullivan Q.C. (Chairman), Davey, D.R. Meagher, Heerey, Loewenstein, Redlich, McTaggart, and E.K. Evans.

Crime Practice Committee

Messrs. Hampel Q.C. (Chairman), J.C. Walker (Vice-Chairman), Phillips Q.C., Dixon, Kelly, Kayser, D. McLeod, Cummins, Barritt, Coldrey, Kirkham, Lopez, Moorfoot, Faris, Bey, Danos, Rozenes and Hinchliffe.

Juries Practice Committee

Messrs. Thomson Q.C. (Chairman), Francis Q.C. (Vice-Chairman), Colman, Nicholson, Meldrum and P.R. Hayes.

Causes Practice Committee

Messrs. Hulme Q.C. (Chairman), Ormiston Q.C. (Vice-Chairman), Monester Q.C., Lyons Q.C., Dyett, J.G. Larkins and E.K. Evans.

Family Law Practice Committee

Miss Kingston (Chairman), Messrs. Pitcher and Abraham, Miss Opas, Messrs. Kay, P.M. Guest, Gurvich and R.K. Davis.

Industrial Law Practice Committee

Messrs. Keely Q.C. (Chairman to February 1977), K.D. Marks Q.C. (Vice-Chairman to March 1977 and Chairman from March 1977), Dalton Q.C. Dowling, N.A. Brown, D.M. Ryan, Riordan and Jessup.

Town Planning and Local Government Practice Committee

Messrs. Gifford Q.C. (Chairman), Kimm, Porter (Convenor), Heerey, Canavan, Anderson, H. McM. Wright and Jolson.

Liquor Control Practice Committee

Messrs. O'Callaghan Q.C. (Chairman), Walsh, Bourke and Wajsbrem.

Workers' Compensation Practice Committee

Messrs. Rendit Q.C. (Chairman to July 1977), Ellis (Chairman from July 1977), Magennis, Bingeman, Ashley, Boyes, Griffin, Munro and N.G. Ross.

Trade Practices Committee

Messrs. Searby Q.C. (Chairman), Shaw Q.C., P.A. Wilson, Chernov, Lawrence, Kennon and Jolson.

Taxation Committee

Messrs. Hulme Q.C. (Chairman), Davies Q.C., Dr. Spry, Messrs. Ahearne, Castan and N.J. Webb.

Companies Committee

Messrs. Paterson Q.C. (Chairman), Liddell Q.C., Tadgell Q.C., Merralls Q.C., T.H. Smith, Cummins, Buchanan, P.R. Hayes and Jessup.

Military Law Committee

Messrs. Francis Q.C. (Chairman), Blackburn, Nicholson and McLennan.

(c) Special CommitteesJoint Committee and Bar Committee on National Compensation

Messrs. Barnard Q.C. (Chairman), Cullity Q.C. (to July 1977), Bongiorno and R.C. Gillard.

Joint Committee on Family Law

Miss Kingston (Chairman), Messrs. Pitcher and Kay.

Joint Committee on 3rd Party Premiums Inquiry

Messrs. O'Bryan Q.C. (to February 1977), Barnard Q.C., Ormiston Q.C. and Bongiorno.

Magistrates' Courts Rules Committee

Mr. R.M. Read (Chairman), Professor Nash and Mr. McTaggart.

(d) Bar AppointeesChief Justice's Law Reform Committee

Messrs. Gobbo Q.C., Fagan and T.H. Smith.

Law Reform Advisory Council
Mr. Gobbo Q.C.

Chief Justice's Rules Committee
Mr. Davies Q.C., Mr. E.K. Evans (Observer).

County Court Rules Committee
Mr. Heerey.

Attorney-General's Working Party on Magistrates' Courts Act Rules
Mr. R.M. Read.

Workers' Compensation Board Standing Committee
Messrs. Keely Q.C. (to February 1977), Rendit Q.C. (to July 1977), Magennis, Ashley, Bingeman (from April 1977) and Ellis (from July 1977).

In addition to the Committees set out above there have been numerous ad hoc committees set up as well. The Bar Council has also been represented on many committees set up by the Law Council of Australia.

HONORARY LIFE MEMBERS

The following gentlemen are Honorary Life Members of the Victorian Bar:—

The Rt. Honourable Sir Robert Menzies, K.T., A.K., C.H., Q.C.
Sir James Tait Q.C.
His Excellency the Governor, Sir Henry Winneke, K.C.M.G., O.B.E.
The Honourable Sir Edmund Herring, K.C.M.G., K.B.E., D.S.O., M.C., E.D.

MEETINGS

During the period 1st September 1976 to 31st August 1977 the following meetings were held:—

Bar Council	32
Executive Committee	16
Ethics Committee	15
Law Reform Committee	10

SUBSCRIPTIONS

Under Rule 39, the Council fixed the following annual subscriptions for members of the Bar for the period 1st September 1976 to 31st August 1977.

Queen's Counsel	\$165.00
Over 10 years' standing	105.00
Over 3 but under 10 years' standing	70.00
Over 1 but under 3 years' standing	35.00
Under 1 year's standing	15.00
Interstate Queen's Counsel	35.00
Interstate Juniors	25.00
Solicitor-General & Attorney-General	35.00
Crown Prosecutors & Parliamentary Counsel	35.00
Non-Practising List	35.00

PERSONALIA

Deaths Mr. E.V.A. Peers on the 10th September 1976; Senator the Honourable Ivor J. Greenwood Q.C. on the 13th October 1976; the Honourable Mr. Justice Griffith on the 30th November 1976; Mr. D.S. Sonenberg on the 31st March 1977; Mr. C. Turnbull on the 18th April 1977; Mr. R.D. Bristol on the 14th May 1977; the Honourable Mr. Justice Newton on the 2nd June 1977; His Honour Judge O'Driscoll, O.B.E. on the 19th June 1977; and Mr. T.H. Roche on the 15th July 1977.

Appointments In September 1976 the Honourable Mr. Justice (later Sir Keith) Aickin was appointed a Justice of the High Court of Australia. In October the Honourable Mr. Justice Frederico and the Honourable Mr. Justice Goldstein were appointed to the Family Court of Australia. In November His Honour Judge Belson was appointed to the County Court of Victoria. In December the Honourable Sir Nigel Bowen was

appointed Chief Judge of the newly established Federal Court of Australia. In January 1977 the following Judges, who already held commissions, were also appointed to the Federal Court of Australia: Mr. Justice Smithers, Mr. Justice C.A. Sweeney C.B.E., Sir John Nimmo C.B.E., Mr. Justice Connor, Mr. Justice Northrop; in addition the Honourable Mr. Justice Keely, was appointed to that Court. In February 1977 the Honourable Mr. Justice O'Bryan and the Honourable Mr. Justice Brooking were appointed to the Supreme Court of Victoria, the Honourable Mr. Justice Alley to the Australian Conciliation and Arbitration Commission and the Honourable Mr. Justice Adrian Smithers to the Family Court of Australia.

In June His Honour Judge Read was appointed to the County Court of Victoria and the Honourable Mr. Justice Marks to the Supreme Court of Victoria later the same month. In July His Honour Judge Rendit and His Honour Judge Cullity were appointed to the County Court of Victoria, the Honourable Mr. Justice Gray was appointed to the Supreme Court of Victoria having previously been a Judge of the County Court and the Honourable Mr. Justice King was appointed to the Supreme Court of Victoria.

In October 1976 the former County Court Judge Mr. H.T. Frederico Q.C. was appointed to head the Board of Inquiry into the sale of the government-owned Centenary Hall to Vapold Pty. Ltd. In the same month Mr. J.D. Davies Q.C. was appointed a Board of Inquiry into the Liquor Industry in Victoria and Mr. Russell Barton became Chairman of the Environment Protection Appeals Board.

In December 1976 the Honourable J.G. Norris Q.C. was appointed to a Committee to report upon the Recommendations of the Beach Inquiry into allegations against members of the Victoria Police Force.

In March 1977 Sir Esler Barber Q.C., was appointed Chairman of the Bush Fire Inquiry.

In April 1977 Mr. Peter Barker was appointed a Master of the Supreme Court and Mr. P.R. Mullaly Q.C. was appointed Crown Counsel.

In June 1977 Sir John Minogue was appointed Victoria's new Law Reform Commissioner.

In July 1977 Professor Sir Zelman Cowen, C.M.G., Q.C., was appointed Governor-General Designate.

In August Sir Gregory Gowans Q.C., was appointed a Board of Inquiry into Housing Commission Land Deals.

Honours In the Queen's Birthday Honour's List Professor Sir David Derham was created a Knight Commander of the Most Excellent Order of the British Empire and the Honourable Sir Percy Joske, C.M.G. was created a Knight Bachelor. At the same time Mr. C.K. Comans, O.B.E., Q.C. became a Companion of the Order of the British Empire.

Queen's Counsel The following members of the Bar were appointed Queen's Counsel in 1976:

Messrs. P.U. Rendit (now His Honour Judge Rendit), M.N. O'Sullivan, G. Hampel, H.W. Fox, R.P. Dalton, J.S. Winneke, J.F. Lyons, D.A. Hunt (N.S.W.), Keith D. Marks, Dr. C.L. Pannam, Messrs. J.D. Traill (N.S.W.) L.J. Priestley (N.S.W.), M.H. McLelland (N.S.W.) and T. Simos (N.S.W.).

Welcomes During 1976 the Honourable Sir Keith Aickin K.B.E. was welcomed to the High Court, the Honourable Mr. Justice Frederico was welcomed to the Family Court of Australia and His Honour Judge Belson was welcomed to the County Court.

During 1977 the Honourable Mr. Justice Alley, was welcomed as a Deputy President of the Commonwealth Conciliation and Arbitration Commission, The Honourable Mr. Justice Smithers and the Honourable Mr. Justice Walsh were welcomed to the Family Court of Australia. The Honourable Mr. Justice O'Bryan, The Honourable Mr. Justice Brooking, The Honourable Mr. Justice Marks, The Honourable Mr. Justice Gray and The Honourable Mr. Justice King were all welcomed to the Supreme Court of Victoria. The Honourable Mr. Justice Keely was welcomed to the Federal Court of Australia and His Honour Judge Read, His Honour Judge Rendit and His Honour Judge Cullity to the County Court. On each occasion the Chairman made an address of welcome on behalf of the Bar.

Farewells The Chairman and members of the Bar attended farewells on the 1st September 1976 to the Honourable Sir Gregory Gowans, on the 25th February 1977 to the Honourable Sir Esler Barber, on the 10th June to the Honourable Mr. Justice Nelson, on the 29th June to the Honourable Mr. Justice Dunn and on the 22nd July 1977 to His Honour Judge Adams. The Chairman spoke on each occasion on behalf of the Bar.

Tributes On the 16th December 1976 members of the Bar attended a tribute to the late the Honourable Mr. Justice Griffith and on the 6th June 1977 a tribute to the late the Honourable Mr. Justice Newton. Both tributes were in the Supreme Court.

ROLL OF COUNSEL

Between the 1st September 1976 and the 31st August 1977 the following 59 persons, 15 of whom were interstate barristers, signed the Roll of Counsel:—

Messrs. D.M.J. Bennett (N.S.W.), P. Indovino, L.R. Paine, J.T. Rush, K.J. Quinlan, K.L. Chenery, T. Simos (N.S.W. Q.C.), B.M. James (N.S.W.), M.H. McLelland (N.S.W. Q.C.), C.J. McPherson, G.L. Thomas, P.L. Horman, F.M. Robinson (W.A.), R.E. Williams (A.C.T.), I.G. Sutherland (re-signed), B.J. Herron (N.S.W.), R.H. Grace (N.S.W.), E.P. Fennessy, R.D. Bristol (since deceased), J.J. Webster (N.S.W.), M.G. Hugh-Jones C. Gunst, Mrs. M.A. Rizkalla, Messrs. J.F. Bleachmore, G.J. Evans, E.H. Wilson (re-signed), D.M. Austin, P.N. Rose, D.K. Reynolds, R.N.J. Young, B.W. Rayment (N.S.W.), P.F. Tehan, G.J. Davies, R.E. Cook, Mrs. A. Moshinsky, Messrs. J.P. McNamara, M.R. Einfeld (N.S.W.), J.R.V. Williams, A.R. Stockdale, R.M.C. Nankivell, W.M. Toohey, G.A. Crawford (N.S.W.), M.G. McInerney, G.J. McEwen, Mrs. J.I. Rowlands, Messrs. D.A. Stevens, I.R. Miller, B.L. Stafford, R. Greenberger, N. Good, J.J. Garnsey (N.S.W.), Miss R.A. Lewitan, Messrs. F.J. Lory, F.H. Callaway, L.W. King, M. Bloom (N.S.W.), A.D. Vassie, G.E. Fitzgerald (Qld.) and M.S.S. Charlton.

Transfer from Non-Practising List: Messrs. A. Endrey Q.C. and Bruce Coles.

Transfer to Non-Practising List: Messrs. A. Endrey Q.C., P.H.N. Opas Q.C., A.J. Kelly, N.E. Roberts, J.R. Perry, S.Zifcak, M. Strathmore, G.D. Johnstone, P.A. Barker, P.J. Cahill and M. Alexander.

Names removed at request of Counsel: Mr. C.R. Briglia, Miss Judith Pearce, Messrs. D.E. Gray (Non-Practising List), M. Scarfo, Prof. D.E. Allan, C. Turnbull (since deceased), W.K. Nicholl (Non-Practising List), L. Glickfield, W.M. Toohey, L.H. Brear, P.F. McPhee and H.J. Solomon (Non-Practising List).

<u>The Roll</u>	<u>1976</u>	<u>1977</u>
Governor's List	1	1
Judges' List	100	110 + 10
Practising List	654	676 + 22
Non-Practising List	<u>35</u>	<u>38</u> + 3
	<u>790</u>	<u>825</u> + 35
Counsel in active private practice*	558	565 + 8

*i.e. Counsel keeping chambers in Victoria, including all readers, but not including Crown Prosecutors or Parliamentary Counsel.

FUNCTIONS

Opening of the Legal Year

On the 1st February 1977 to mark the opening of the Legal Year religious services were held in St. Paul's Cathedral, St. Patrick's Cathedral and the Temple Beth Israel. At St. Paul's, the lessons were read by the Solicitor-General and the Attorney-General. The sermon was preached by the Very Reverend T.W. Thomas, Dean of Melbourne.

At St. Patrick's Cathedral, the Red Mass was celebrated by His Grace the Archbishop of Melbourne the Most Reverend Francis D. Little, D.D. The Occasional Sermon was preached by the Reverend Father Ross McKenney of St. Bede's North Balwyn.

The Occasional Sermon was preached by the Reverend Father Ross McKenney of St. Bede's North Balwyn.

At the Temple Beth Israel the service was conducted by members of the profession in conjunction with Rabbi Dr. H. Sanger & Mr. D. Kleinman. The address was delivered by Rabbi John Levi.

Bar Entertainment On the 10th September 1976 the Bar Council tendered a Dinner in the Lounge in Owen Dixon Chambers in honour of Mr. Justice McGarvie and Mrs. McGarvie, The Honourable H. Storey Q.C., M.L.C. and Mrs. Storey and His Honour Judge Lazarus and Mrs. Lazarus on the occasion of their respective appointments to the Supreme Court Bench, Attorney-General and County Court Bench. The Bar Council has traditionally entertained its members who are appointed to high office.

On the 21st December 1976 the Christmas Cocktail Party was held in the Common Room and was, as usual, well attended.

On the 11th March 1977 members of the Bar Council entertained Mr. T.W. Smith Q.C. at a late afternoon party in the Chairman's Room to mark his retirement as Law Reform Commissioner earlier this year.

*
On the 10th June 1977 the Bar Council entertained the Presidents of the Country Law Associations and members of the Law Institute of Victoria at dinner in the Common Room. It was a well attended and most enjoyable function.

The Law Institute and the Bar had arranged to hold a joint function following the 19th Australian Legal Convention in Sydney in honour of the Chief Justice of Canada The Right Honourable Bora Laskin and Mrs. Laskin and Mr. I.R. and Mrs. Scott. Dr. Scott is Director of the Institute of Judicial Administration at the Faculty of Law at the University of Birmingham and had held a Seminar at the Law Institute on the afternoon of the 18th July. This function took the form of a dinner on the 20th July in the redecorated Dining Room on the 13th Floor when 34 members of the Bar and Institute entertained our guests.

As well as these dinners a couple of late afternoon functions were held in September and March when the Chief Justice and Justices of the High Court were entertained. As was the case last year the number of like functions was fewer than in years gone by due to escalating costs.

Sporting Functions

The annual Cricket Match between the Bar and Solicitors was played on the 20th December when the Sir Henry Winneke Cup was again retained by the Solicitors.

On the same day the annual Tennis Match was held between the Bar and the Solicitors and the Solicitors retained the Judge O'Driscoll Cup. Mr. Thomson Q.C. organised the Tennis Match and Mr. Dove the Cricket Match.

The annual Golf Match between the Bench and Bar and Combined Services was played at Royal Melbourne Golf Club on the 30th September 1976. The Bruche Cup was won by the Bench and Bar and the MacFarlan Cup by the Combined Services.

On the 29th April 1977 the annual Golf Match between the Bench and Bar and the Solicitors was held at Metropolitan Golf Club. The Sir Edmund Herring Shield was retained by the Bench and Bar. The match was followed by a pleasant dinner in the Clubhouse.

The Bar is indebted to Mr. Cashmore who organises the golf matches on behalf of the Bench and Bar.

EXECUTIVE COMMITTEE

The Executive Committee is responsible for action in respect of matters requiring urgent attention. With respect to routine matters it makes decisions and to others it makes recommendations or reference to the Bar Council.

1. Visit by Chief Justice of Canada
The Right Honourable Bora Laskin, the Chief Justice of Canada, visited Melbourne following the 19th Australian Legal Convention as the guest of the Bar Council and the Law Institute of Victoria and was entertained at a dinner on the 13th Floor.
2. Legal Aid
A joint committee with the Law Institute in relation to Legal Aid was set up, the Bar's representatives being Messrs. Barnard Q.C., Waldron Q.C., Kelly, Hase and Hobson.
3. New South Wales Inquiry into Legal Profession
The Bar has maintained close contact with the New South Wales Bar Association and has received copies of all submissions made by that Association to the Inquiry.
4. United Kingdom Royal Commission into Legal Services
Contact has been maintained with the English Bar both personally and through correspondence. The Bar has received copies of submissions and reports made by or on behalf of the General Council of the Bar to the Royal Commission.
5. Combind Machine
The Bar has purchased a Combind Machine to be used for the spiral binding of reports and submissions and for the use of members of the Bar generally.
6. International Trade Law Seminar
The Bar appointed Mr. Hansen as its representative at the above Seminar organised by the Australian Attorney-General's Department.

7. Criminology – 5th United Nations Congress on prevention of Crime and treatment of Offenders
At the request of the Victorian Attorney-General the Bar Council nominated a representative, Mr. Phillips Q.C., to assist the Law Department and the Law Institute in the preparation of a paper on "Criminal Law, Criminal Procedure and Evidence".
8. Beach Inquiry
At the request of the Chief Secretary the Bar prepared and delivered a submission to the Norris Committee set up by the Government to report on the Beach Recommendations.
9. New South Wales Bar Association Dinner
The Chairman accepted an invitation to attend the Annual Dinner of the New South Wales Bar Association which was held on the 24th June.

RICHARD GRIFFITH LIBRARY

"Following the death of the late Mr. Justice Griffith on the 1st December, 1976 the Bar Council resolved that the Bar Library should be re-named the "Richard Griffith Library", in recognition of his work as Bar librarian from the inception of the Bar Library in 1961 to his appointment to the Supreme Court in June 1975. By his own almost single-handed endeavours the Library was built up from a very modest beginning to the present splendid collection of reports, statutes and journals. Steps have been taken to implement the decision of the Bar Council by placing a plaque on the door to the Library and by other appropriate measures.

Because of its present comprehensive state, there were few additions to the Library this year but the Bar is grateful to Douglas Graham for presenting to the Library Cowen & Carter : Essays on the Law of Evidence and A.P. Herbert's Uncommon Law. In addition, the growing collection of unreported judgments kept at the Bar Library now includes certain judgments forwarded by the Federal Court of Australia. We are again grateful to Mr. E.W. Lawn and to J.V. Kay for their summaries of unreported cases of the Supreme Court and the Family Court respectively.

Finally, it is necessary to remind members of the Bar that there has been far too frequently misuse of the Library by a small minority of its numbers. In particular, members are reminded that it is essential that books be replaced in their correct positions after use and not left lying open on the tables."

ACCOMMODATION COMMITTEE REPORT

1. As in the past, this Committee has been concerned with recommendations concerning both short term accommodation and long term accommodation for members of the Victorian Bar.
2. Short Term Accommodation

Increased numbers of barristers signing the Bar Roll created a further demand for additional accommodation. This Committee recently recommended the leasing of an additional two floors in Four Courts Chambers and this recommendation was implemented by Barristers Chambers Ltd. The result is that there is sufficient accommodation for present needs and adequate provision for those who will finish reading in the near future. The present accommodation is as follows:—

Owen Dixon Chambers	340
Tait Chambers	38
Hooker Building	11
Equity Chambers	32
Hume House (2 floors)	30
Four Courts Chambers (now 7 floors)	<u>112</u>
TOTAL:	<u>563</u>

There are as at 19th August 1977 23 unoccupied rooms available for letting.

3. Long Term Accommodation

There have been no directives since the general meeting of the Bar held on the 13th August 1975 when it was resolved "(a) that the Bar should be housed in the one building and (b) that the Bar approved in principle the Northrock proposal subject to the ascertainment and approval of financial arrangements." The last report of this Committee was to the effect that those recommendations were no longer feasible. The Committee continues to be of the view that although it is desirable that the Bar should be housed in the one building, this is and will continue to be impracticable because there is no existing building of a sufficient size available, and the cost of such a building would be beyond the ability of the Bar to finance.

4. The Committee has examined the possibility of acquiring an additional property on the assumption that the Bar would be retaining Owen Dixon Chambers. The Committee is limited in this regard by the absence of any firm indication of the desire of the Bar to purchase an additional property or its ability to finance such a purchase. Being so limited, the Committee was unable to enter into any serious negotiations with possible vendors even to the extent of ascertaining selling prices. However, the Committee is able to report that there are two and possibly three suitable buildings which could accommodate most of the barristers presently in the five buildings other than Owen Dixon Chambers. The Committee has had many approaches from agents for properties in the area, but in terms of location and size, the Committee feels that only the following three are worthy of investigation namely, (i) Four Courts Chambers, (ii) Hume House and (iii) Goldsborough Mort Building.

5. Four Courts Chambers – 180 William Street.

The Bar presently occupies 7 floors of this building with accommodation for 112 barristers. Annual rental payment is \$150,825. Suitable partitioning has been installed partly at the expense of Barristers Chambers Ltd. The building is owned by the Prudential Insurance Company Limited who, in late 1975, indicated that it would be a willing, but not particularly anxious, vendor should the Victorian Bar desire to purchase the freehold. Obviously it would be necessary to arrange finance before any purchase could proceed.

6. Hume House – 177–185 William Street.

The Bar presently occupies 2 floors of this building. In June 1977 the National Mutual Life Association indicated it would sell the property for \$2,300,000. However, Humes Ltd. has a head lease running until 1983 with an option for a further 5 years, and the indications are that it will remain in occupation until at least 1983.

7. Goldsborough Mort Building – 152 William Street.

The Hammerson Group has offered to develop this building for the purposes of the Bar and to grant a 10 year lease with an option for a further 10 years (details below). The proposal is for approximately 170 suites of varying sizes. The owners have not indicated a selling price for the building in its present condition, due to their preferred alternative of leasing the building to the Bar.

8. This Committee is not comprised of elected representatives of the Bar, and is uncertain as to the current policy of the Bar towards future long term accommodation. Does the Bar as a whole now favour the purchase of an additional building, and if so how is it to be financed? If this Committee is to go beyond advising as to the availability of suitable properties, it will need an appropriate mandate from the Bar Council on these policy matters.

9. The Bar Council is aware that the Chairman of this Committee circularised all members of the Bar to determine the interest in a purchase by individual members of the Goldsborough Mort Building. Approximately 60 barristers replied in writing that they were so interested. If that building is available for purchase, and if the Bar as a whole does not wish or is unable to afford to purchase it, a practical alternative may be for the 60 or so barristers to acquire 2 or 3 floors and the Bar as a whole to acquire and lease the balance.

10. The alternative to the purchase of an additional building for future use is for a long term lease of a large area sufficient to house barristers not in Owen Dixon Chambers. Currently rents are low and there are properties available on this basis. The disadvantage of this alternative is that available leases are subject to rent reviews at relatively short intervals. As an indication of what is available in this regard, the Committee can point to the Goldsborough Mort Building, and Capital Tower. Both of these properties are very suitable in terms of location and size but the Committee defers making any recommendation pending clarification from the Bar Council as to whether it has any and if so what policy on this form of long term accommodation.

REPORT OF TRUSTEES OF BAR CLERKING FUND

1. As at the commencement of the current year the Trustees had executed guarantees of the overdraft accommodation of each of the new clerks to the extent of \$20,000 subject to the provision that the total amount payable by the Trustees in respect of the two guarantees should not exceed \$40,000.00 per annum or the sum available to the Trustees as Trustees from time to time whichever was the lesser amount.
2. As at the 31st August 1976 the state of the Fund was as follows:—
 - (a) On Deposit with the Commonwealth Trading Bank:

— for 3 years at 9.5% p.a. (due 15 Dec. 1978)	\$15,000.00
— for 2 years at 9.25% p.a. (due 18 Dec. 1977)	4,400.00
 - (b) Invested in Australian Savings Bonds Series 2 at 9.5% (due 1st Nov. 1983) 5,000.00
 - (c) In Current Account with Commonwealth Trading Bank 716.45
 - (d) Held by Bar Council for the Trustees 5,830.00
3. As at the 31st August 1977 the fund is as follows:—
 - (a) On Deposit with the Commonwealth Trading Bank:

— for 3 years at 9.5% p.a. (due 15 Dec. 1978)	\$15,000.00
— for 2 years at 9.25% p.a. (due 18 Dec. 1977)	4,400.00
 - (b) Invested in Australian Savings Bonds Series 2 at 9.5% (due 1st Nov. 1983) 5,000.00
 - (c) Savings Investment Account with Commonwealth Savings Bank 9,389.56
 - (d) Credit in Current Account No. 121-208 1,313.06
4. The Trustees have continued to have regular discussions with the two clerks in relation to the state of their accounts, their weekly expenses, their weekly clerking fee accruals, and their financial position generally. Bank records have been made available and inspected regularly. During the year consolidation has taken place of the business of both new clerks and the overdraft of each clerk has been held at a level below the guaranteed limit. No additional subsidies or loans have been necessary during the year but reduction in overdraft has not been sufficiently significant to enable any alteration in the guarantee arrangements.

ETHICS COMMITTEE

Relevant decisions made between 1st September 1976 and 31st August 1977:—

1. Counsel was offered one brief to negotiate on behalf of a relatively large number of plaintiffs who had commenced separate actions against the one defendant (4th October 1976).
The Ethics Committee ruled that since the defendant was considering settling all the claims so brought against it by making one payment to all the plaintiffs, it was proper for Counsel to accept such a brief to negotiate on behalf of those plaintiffs.
2. Counsel accepting brief which would involve him in cross-examining former client (4th October 1976).
Counsel sought a ruling as to whether or not he could continue to act for a person who was charged with a crime in circumstances where that Counsel would be forced to attack the credit of a former client who intended appearing as a Crown witness.
The Committee ruled that in view of Counsel's knowledge of his former client and his idiosyncracies and in view of his obligations to that former client and to his new client, Counsel should not continue to act for the latter.
3. Failure by Counsel to attend prescribed course of lectures during the current year.
The Committee investigated the failure of a number of Counsel to attend the prescribed course of lectures. In most cases explanations given by Counsel for their failure to attend were accepted and the matter was taken no further, but in the case of four Counsel, however, they were charged with and found guilty of having committed disciplinary offences in that they had breached the undertaking given by each of them to attend those lectures.

In the case of two of the Counsel advice was tendered to them by the Chairman, while in the case of the other two, they were fined – one in the sum of \$20 and the other in the sum of \$200.

4. Complaint about Counsel's abusive language in the precincts of a Court. The complaint was made by a lay person against a member of Counsel for having used certain language in the precincts of the Court in a manner which made those comments audible to the members of the public in that area. At the time of making the statement in question Counsel was robed.
The Committee heard evidence in relation to that complaint and ultimately resolved that Counsel's behaviour amounted to improper conduct in a professional respect. He was fined \$100.
5. Permission for Counsel to attend at offices of patent attorneys and solicitors.
 - (a) The Committee considered a request made by a member of Counsel to attend the offices of patent attorneys for the purpose of viewing a film and the operation of a machine which was bolted to a table. The Committee resolved that in the circumstances permission be given to that Counsel to attend the offices of the patent attorney to view the film and the operation of the machine.
 - (b) Counsel was also given permission to attend the offices of his instructing solicitors in order to take part in a telephone conversation with persons in another country where the relevant call had been pre-booked and had to be taken in those offices.
6. Failure to return a brief within a reasonable time of having completed it after being requested so to do.
 - (a) The Committee fined Counsel the sum of \$100 after having resolved that he was guilty of infringing a rule of professional conduct in that he had failed to return a brief in a matter in which he appeared after having been asked to do so by his instructing solicitor.
 - (b) Another Counsel was found guilty of infringing a rule of professional conduct for having failed to return a brief to his instructing solicitors notwithstanding their request that he do so, but in the circumstances of that case Counsel was only cautioned against repeating a similar breach.
7. Entitlement of Counsel to mark brief fee when case not heard.
The Committee resolved that prima facie once a brief is delivered to Counsel he is entitled to mark an appropriate brief fee thereon notwithstanding that the matter is settled either by him or between the solicitors (after delivery of the brief).
8. Failure to respond to communications from the Ethics Committee.
A member of Counsel was found guilty of failing to comply with the ruling of the Bar Council to the effect that failure to respond to communications from the Ethics Committee would amount to a disciplinary offence.
9. Mode of Dress in Court
The Committee recommended to the Bar Council that it make a ruling to the effect that informal or sporting attire is not proper dress for Counsel appearing in Court. Following that recommendation the Bar Council made a ruling to that effect.
10. Discussion of case by barrister directly to the solicitors acting for the other side.
The Committee resolved that once Counsel is briefed to appear in a matter, it is not proper for him to discuss any aspect of his case directly with the solicitors acting for the other side. If the latter wish to communicate with Counsel, they should do so through his instructing solicitors.

SUMMARY OF COMMITTEE'S GENERAL ACTIVITIES

During the year the Committee dealt with approximately 35 requests from members of the Bar for rulings, 11 complaints by lay clients, 6 complaints by solicitors and 7 Summary Hearings.

11. Lectures

The Reading and Lectures Committee arranged the following lectures for readers in the last year:

Ethics	H.C. Berkeley Q.C.
Ethics	F.X. Costigan Q.C.
Procedure -- practical aspects of interrogatories and answers to interrogatories — advice on evidence.	J.A. Gobbo Q.C.
Procedure — pleadings	S.P. Charles Q.C.
Procedure — practical aspects of originating and other process	W.F. Ormiston Q.C.
Relations between barristers and solicitors	N.M. O'Bryan Q.C.
Conduct of proceedings in different jurisdictions — being proceedings before the Practice Court, County Court Chambers, Masters and Magistrates Court.	J.D. Loewenstein
Trial — Opening, Final Address and making a submission	E.D. Lloyd Q.C.
Criminal Trials	J.C. Walker
Trial — Examination and Cross-Examination	N.R. McPhee Q.C.

The Committee has, with the approval of the Bar Council, investigated the possibility of introducing a course of practical training for readers. Byrne, Henshall and Ross have undertaken the task of preparing a course outline for consideration by the Committee.

Loewenstein and North have been appointed a sub-committee to organise lectures and seminars for the continuing education of members of the Bar.

LAW REFORM COMMITTEE

The Law Reform Committee meets on a monthly basis and has as one of its main functions the consideration of all material relating to law reform that is referred to the Bar Council, whether by members of the Bar or by outside bodies such as the Australian Law Reform Commission, the Chief Justice's Law Reform Committee or the Law Council of Australia. The latter body, in particular, refers all those reports from its various standing sub-committees on law reform issues so as to ascertain the views of the Victorian Bar Council, as a constituent body, on various proposals for law reform.

In addition to considering and dealing with many reports in an administrative role, the Law Reform Committee, either itself or through sub-committees of members of the Bar, dealt with the following matters.

Constitution Act 1975

The Statute Law Revision Committee is conducting a review of the Constitution Act 1975 and is inviting the participation of the Victorian Bar Council. A sub-committee headed by Tadgell Q.C. is to put forward a report for possible submission.

Unreported Judgments of Court of Criminal Appeal

Following submissions on this topic by the Bar Council, the following reply was received from the Chief Justice.

“Since writing to you on the 11th October 1976 further information concerning the distribution of Full Court judgments has come to hand and I am now able to say that arrangements will be made for a copy of any judgment of the Court of Criminal Appeal which is distributed to Crown Prosecutors to be placed on the file in the Supreme Court Library. A summary will be forwarded to the Bar Council Librarian.

I think that this should meet the difficulty which counsel appearing in criminal cases seem to have encountered and will be an improvement on the proposal outlined in my letter of 11th October."

The Law Reform Committee is now pursuing a scheme for facilitating the perusal and possible copying of all unreported judgments.

Use of Unreported Judgments

The Law Reform Committee sought an indication from the Ethics Committee as to the use of unreported judgments and whether there was an obligation to notify one's opponent of any such relevant judgments. The Committee whilst agreeing there was no rule of ethics that compelled disclosure of such judgments, agreed with the tenor of a submission from Crown Prosecutor in these terms:

"I have always considered that, as a matter of courtesy between Counsel, one should inform one's opponent, at the earliest opportunity, of unreported binding authority, which determines the issue, either, in favour of, or against that opponent. I do not consider it possible or practical to refine further this general principle.

It must also be appreciated that the courtesy between Counsel of informing the Prosecutor in advance (even outside Court) that one holds the brief for the Defence or for the Applicant, seems no longer to be extended to Prosecutors. Far too frequently a Prosecutor's first knowledge that he has an opponent is when that opponent announces his appearance to the Court. This fact renders difficult any courtesy relating to unreported decisions and, in my opinion, would make any "rule of ethics" on this point quite unenforceable."

Law Reform Commission — Insurance Contracts

Pannam Q.C. and Goldberg were nominated on behalf of the Bar Council as persons prepared to assist the Commission with the reference dealing with insurance contracts.

English Misrepresentation Act 1967

Following representation from the Law Reform Committee, the Attorney General has requested the Law Reform Commissioner to prepare a report on the possible adoption of similar legislation in Victoria.

Australian Institute of Criminology Re Australian Prisons

A letter dated 7th February 1977 had been received from the Australian Institute of Criminology requesting ideas and opinions about standards in Australian Prisons. It was resolved that the letter from the Australian Institute of Criminology be forwarded to the Chairman of the Crime Practice Committee with a request that he form a sub-committee with three of his members to consider the letter and report back to the Law Reform Committee. It was noted that Richter was prepared to assist the members of the Crime Practice Committee.

Lands Acquisition Act 1956 (Commonwealth)

The Australian Law Reform Commission has taken up a reference as to this Act. The Chairman of the Committee discussed Land Compensation statutory provisions in Victoria with Mr. Murray Wilcox, the Commissioner in charge of this reference. A sub-committee of the Bar composed of Fricke, Freadman and H. McM. Wright will consider and report on the working paper of the Law Reform Commission.

Listing of Full Court Business

The Committee through the Chairman of the Bar Council requested the Chief Justice to consider possible improvements in listing of the business of the Court of Criminal Appeal and the Full Court. The Chief Justice has taken up the request and is causing the matter to be investigated.

Matters currently being considered by sub-committees of the Bar, include the following, namely; Reciprocal Disqualification of Motor Vehicle Licences, Law of Privacy, Delegation of Parliamentary Authority and Scrutiny by Parliament of Rules of Court, Priority of Crown Debts and Commonwealth Administrative Appeals Tribunal.

YOUNG BARRISTERS' COMMITTEE REPORT

The Young Barristers' Committee's primary preoccupation in the early part of 1977 was the consideration of a report of a special ad-hoc committee of the Bar Council set up to enquire into the role of the Young Barristers' Committee — a matter which had been the subject of continuing debate within the Young Barristers' Committee during the previous year. After duly considering that report resolutions were passed to put into effect the following:

1. Resolutions or minutes of Young Barristers' Committee proceedings to be published by placing them in the Bar Library or other place of easy access.

2. Meetings of the Young Barristers' Committee to be on a regular basis, not limited in time and open to interested observers from the Bar.
3. A register to be kept of complaints regarding practising problems of the type peculiar to barristers of six years call and under to facilitate the better collation of information for later action.
4. The term of members of the Young Barristers' Committee to be for two years with half the membership coming up for re-election each year in order to maintain continuity. (This has necessitated increasing the size of the elected membership of the Committee from 9 to 10.)

The full effect of these changes is yet to be felt, but it is hoped they will enable the Young Barristers' Committee to better represent the interests of barristers of six years call and under who now comprise more than half the Bar.

In addition a number of sub-committees have been set up:

Accommodation, Clerking Fees, Legal Aid and Public Relations. The Clerking sub-committee is currently considering the problem of the apparent imbalance in work flow between the established and new lists and is exploring once again the arguments for and against rationalising the number of lists by encouraging partnerships between them.

A recent matter of concern to the Young Barristers' Committee (arising from a specific incident which it has referred to the Bar Council) has been the broad issue of the rights of individual barristers to make semi-public or public criticisms of the Bar or sections of it and the right of others to reply thereto. The Young Barristers' Committee sees this as a still unresolved issue.

CATERING AND FUNCTIONS

During the year four committees namely the Social and Common Room Committee, the Catering Committee a special Catering Committee and the Furniture and Equipment Committee were abolished and a Functions and Catering Committee was established to do the work and co-ordinate the activities of those Committees. The major work of the re-constituted Committee has been associated with the termination of the services of the previous caterer, the engagement of the present caterers and a substantial re-organization of the facilities on the 13th floor of Owen Dixon Chambers.

The alterations to the 13th floor are now complete. New facilities include a barbeque and change of decor in the main dining room, a new lounge for the exclusive use of the bar and the conversion of the former lounge area to a dining room available to a wider category of people employed in Owen Dixon Chambers.

The concept of the alterations approved by the Bar Council and now effected includes provision for continuous art exhibitions in both major rooms on the 13th floor. The first exhibition comprises paintings of a number of eminent Victorian artists. Their co-operation in providing the first exhibition together with the co-operation of the art dealers with whom each artist is associated, is here acknowledged. It is proposed to conduct a number of exhibitions of the paintings of individual artists each year.

The Committee intends to make greater use of the new facilities by arranging appropriate social and other functions in conjunction with the display of works of art. It is hoped that this will lead to greater use being made of the available facilities and increased opportunities for members of the Bar to join in activities leading to an improvement in the corporate life of the Bar.

THE VICTORIAN BAR
FINANCIAL STATEMENT FOR THE YEAR ENDED 31ST AUGUST 1977

BALANCE in hand 31st August 1976				6,213.59
REVENUE RECEIPTS:				
Annual subscriptions previous years		1,632.00		
Annual subscriptions current year		43,381.00		
Arrears for past functions		38.85		
Dividend on shares		1,141.00		
Interest:				
Commonwealth Bonds	90.00			
Short Term Deposits	<u>832.61</u>	922.61		
Binder and Copier receipts (net)		1,385.81		
Photographs – past chairmen of V.B.C.		<u>14.00</u>		48,515.27
REVENUE EXPENDITURE:				
(a) Administrative Expenses:				
Auditors' remuneration	255.00			
Bank charges	35.90			
Floral tributes	92.50			
Insurance premiums	843.16			
Postage and Petty Expenses	397.90			
Printing & Stationery	7,278.95			
Salaries	21,485.25			
Travelling Allowance (Staff)	<u>635.00</u>	31,023.66		
(b) Affiliation Fees:				
Australian Bar Association	607.00			
Law Council of Australia	7,284.00			
Victorian Council of Professions	<u>70.00</u>	7,961.00		
(c) Change of caterers – advice			600.00	
(d) Fares and Expenses of representatives at Local and Interstate Assemblies, Conferences and Meetings			765.50	
(e) Functions and Entertainment: (against which \$309.10 is owing)				
For Catering, Hiring etc.	13,671.53			
For Chairman's Fund	<u>1,450.00</u>			
	15,121.53			
Less members' payments	<u>9,160.90</u>	5,960.63	46,855.99	
(f) Income Tax		<u>545.20</u>	<u>46,855.99</u>	
Excess Receipts over Expenditure				<u>1,659.28</u>
				7,872.87
CAPITAL REVENUE:				
(a) Short Term Deposit matured	2,500.00			
(b) Sales (4) "A Multitude of Counsellors"	<u>34.10</u>	2,534.10		
CAPITAL EXPENDITURE:				
"Spinex" binding machine		<u>400.00</u>		
Excess Revenue over Expenditure				<u>2,134.10</u>
				10,006.97

TRUST FUNDS:

Barristers' Benevolent Fund:

Receipts (less \$10 over remitted
previous year) 3,040.00
Remitted 3,040.00

Nil

Bar Clerking Fund:

Balance held 31/8/76 5,840.00
Receipts 1,500.00 7,340.00
Remitted 7,340.00

Nil

BALANCE IN HAND 31ST AUGUST 1977

\$10,006.97

ASSETS AT 31st AUGUST 1977

1.	Cash in bank		8,500.00
2.	Investments at cost:		
	(a) 8,150 Ordinary Shares of \$2 each in Barristers' Chambers Limited	16,300.00	
	(b) Commonwealth Bonds	2,000.00	
	(c) Short Term Deposit with Commonwealth Bank of Australia	<u>4,000.00</u>	22,300.00
3.	Member Debtors		2,396.60
4.	Liquor at cost		4,150.00
5.	"Spinex" Binding Machine		400.00
6.	Copies of "A Multitude of Counsellors" (159)		929.00
7.	Portraits at cost		3,495.00
8.	Honour Board of past Chairmen of the V.B.C.		256.00
9.	Gifts — candelabra etc insured for		1,276.00
			<u>\$43,702.60</u>