

VICTORIAN BAR COUNCIL



ANNUAL REPORT

1980 - 81

ANNUAL REPORT OF THE VICTORIAN BAR COUNCIL 1980 — 1981

To be presented at the Annual General Meeting of the Victorian Bar to be held on Monday, 21st September, 1981 at 5 p.m. in the Essolgn Club premises, Owen Dixon Chambers, 205 William Street, Melbourne.

THE BAR COUNCIL

Elections: In the Annual Elections in September 1980 the following persons were elected:—

Counsel of not less than 12 years' standing:

Messrs. H.C. Berkeley Q.C., G.R.D. Waldron Q.C., J.J. Hedigan Q.C., J.E. Barnard Q.C., P.A. Liddell Q.C., B.J. Shaw Q.C., J.H. Phillips Q.C., G. Hampel Q.C., F. Walsh Q.C., P.D. Cummins Q.C. and A.B. Nicholson Q.C.

Counsel of not less than 6 nor more than 15 years' standing:

Messrs. H.R. Hansen, A. Chernov Q.C., J.D. McArdle and B.A. Murphy.

Counsel of not more than 6 years' standing:

Messrs. T.A. Hinchliffe, M.A. Adams and J.L. Bannister.

Ex Officio Member: The Honourable H. Storey Q.C., M.L.C. (Victorian Attorney-General).

Officers of the Bar Council:

Chairman — Mr. H.C. Berkeley Q.C.

Vice-Chairman — Mr. B.J. Shaw Q.C.

Honorary Treasurer — Mr. F. Walsh Q.C.

Assistant Honorary Treasurer — Mr. A. Chernov Q.C.

Honorary Secretary — Mr. D.L. Harper

Assistant Honorary Secretary — Mr. D.J. Habersberger

Executive Officer — Miss D.M. Brennan

DIRECTORS OF BARRISTERS' CHAMBERS LTD.

Mr. S.E.K. Hulme Q.C. (Chairman), Messrs. J.M. Batt Q.C. (to September 1980), J.D. Phillips Q.C. (from September 1980), N.H.M. Forsyth Q.C., F.G.A. Beaumont, Dr. R.A. Sundberg, Messrs. M.J. Strong, A.J. Myers and J.L. Bannister. Secretary — Mrs. P.M. Butler.

YOUNG BARRISTERS' COMMITTEE

Messrs. Cummins Q.C. (Chairman), Bannister, P.J. McGuinness, D.E. Curtain, Mrs. Rizkalla, Messrs. W.E. Stuart, N.T. Robinson, A.J. McDonald, Mrs. S.E. Brown, Messrs. G.J. Maguire, Vaughan and Miss Politis. In March 1981 elections were held for five vacancies. The present members (following the subsequent resignation of Mrs. S.E. Brown) are: Messrs. D.E. Curtain, Kellam, N.T. Robinson, W.E. Stuart (Secretary), Miss Kominos, Mrs. Rizkalla, Messrs. A.J. McDonald, A.A. Nolan, Vaughan and Miss Politis. Mr. Kennon attends meetings as an observer.

ADMINISTRATIVE COMMITTEES

Executive Committee: Messrs. Berkeley Q.C. (Chairman), Shaw Q.C., Waldron Q.C., Barnard Q.C., Hedigan Q.C., Walsh Q.C., Harper and Habersberger. (Secretary).

Area of responsibility:

(a) **Joint Standing Committees**

Joint Standing Committee of Bar & Law Institute

Messrs. Berkeley Q.C. and Shaw Q.C.

Joint Standing Committee of Bar, Law Institute and A.M.A.

Mr. Hulme Q.C.

Joint Standing Committee of Bar & Law Institute on Remand Conditions

Messrs. D.M. Bennett Q.C., Thomas and Champion.

Joint Standing Committee of Bar, Law Institute on Town Planning

Messrs. Buckner Q.C. and H. McM. Wright.

(b) **Standing Committees**

Bar Staff Committee

Messrs. Waldron Q.C. (Chairman) and M.A. Adams from Bar Council and Messrs. Hulme Q.C. and Forsyth Q.C. from Barristers' Chambers Ltd.

Bar Standards of Practice Committee

Messrs. Graham Q.C., Black Q.C., Monteith & Shwartz.

Police-Lawyers Liaison Committee

Messrs. Gaibally Q.C., Walker Q.C., Crossley, Hinchliffe and Howard (as alternative member).

Victorian Bar News — Editorial Board

Messrs. D.M. Byrne (Chairman), D.J. Ross, Coldrey, Howard, Gunst and Mrs. R. Weinberg.

Bar Clerking Committee

Messrs. Hampel Q.C. (Chairman) and B.A. Murphy (Secretary and Convenor). One representative of the Committee of each Clerking List.

Bar Clerking Fund — Trustees

Messrs. Walsh Q.C., Cummins Q.C. and A.J. Myers.

Bar Fees Committee

Messrs. Nicholson Q.C. (Chairman), Dalton Q.C., Kendall Q.C. and Watkins.

Legal Education Advisory Committee

Messrs. Goldberg Q.C., Nash, Rowlands and Burnside.

Bar Library Committee

Messrs. Ormiston Q.C. (Chairman and Bar Librarian), M.A. Adams, T.S. Lynch, Tribe, Derham and T.P. Murphy.

Functions & Catering Committee

Messrs. Walsh Q.C., Cummins Q.C., Dove Q.C., Crossley, M.A. Adams, Loftus and McInerney.

First Aid Committee

Mr. Willee and Mrs. McIntosh.

Bar Centenary Committee (1984)

Messrs. Berkeley Q.C. (Chairman from 14/5/81), Hulme Q.C., Nicholson Q.C., Crossley and Justin St.J. Judd.

Readers' Practice Course Committee

Messrs. J.H. Phillips Q.C., Dowling Q.C. and D.J. Ross.

Bar Computer Committee

Messrs. Levin (Chairman), Cummins Q.C., Jolson and Burnside.

(c) **Bar Appointees**

Executive of Law Council of Australia

Mr. Hampel Q.C.

Council of Australian Bar Association

Messrs. Berkeley Q.C. (President) and Shaw Q.C.

Victorian Council of Professions

Messrs. O'Sullivan Q.C. (to February 1981), Fricke Q.C. and Uren (from February to March 1981).

Chief Justice's Committee for Religious Observances

Mr. R.M.C. Nankivell

Legal Aid Committee

Messrs. Fox Q.C., Winneke Q.C., J. Kaufman and A.E. Hooper.

Legal Aid Commission

Mr. Barnard Q.C.

Joint Committee with Law Institute on Legal Aid

Messrs. Barnard Q.C., Dove Q.C., L.J. Hill, I.G. Crisp (to November 1980), J.D. McArdle (from November 1980) and Rose.

Joint Committee with Law Institute on Court Delays

Messrs. Hedigan Q.C., Dove Q.C. and G.A. Lewis.

Joint Committee with Law Institute on Employment

Mrs. J.R. Dwyer.

Appeal Costs Board

Mr. A.E. Hooper.

Law Faculty — Melbourne University

Messrs. Hedigan Q.C. and Cummins Q.C.

Monash University Law Faculty Board

Mr. Goldberg Q.C.

Law Faculty — Monash University

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

LaTrobe University Proctorial Board

Mr. Lloyd Q.C.

Council of Legal Education

Messrs. Goldberg Q.C., Dwyer Q.C. and Coldrey.

Legal Education Committee

Messrs. Goldberg Q.C. and Richter (alternate).

Australian Legal Education Council

Mr. Goldberg Q.C.

Victoria Law Foundation

Messrs. Berkeley Q.C. and Barnard Q.C. (alternate).

Leo Cussen Institute for Continuing Legal Education

His Honour Judge Ogden and Mr. Wild.

Board of Examiners

Messrs. Hedigan Q.C. (to 31/12/83), Dowling Q.C. (to 31/12/82) and Bongiorno (to 31/12/81).

Chief Justice's Supreme Court Library Committee

Messrs. Ormiston Q.C., Graham Q.C. and Phipps.

Superannuation Fund for Supreme Court Librarian — Bar Nominee on Board of Trustees

His Honour Judge Hogg

Supreme Court Listing Committee

Mr. Black Q.C.

Council of Law Reporting

Messrs. Merralls Q.C. and Bradshaw.

Computerised Legal Information Committee

Messrs. Cummins Q.C. and Levin.

(d) Other**Victorian Bar Superannuation Fund Trustees**

Sir James Tait Q.C. (Chairman), Messrs. Walsh Q.C., Forsyth Q.C. (to July 1981), Hayne and Robson (from August 1981).

Directors of Barristers' Nominees Pty. Ltd.

Sir James Tait Q.C., Messrs. Walsh Q.C., Forsyth Q.C., (to July 1981), Hayne and Robson (from August 1981).

Barristers' Benevolent Association of Victoria — Committee of Management

Messrs. Berkeley Q.C. and Walsh Q.C.

Bar Secretariat

Messrs. Berkeley Q.C., Shaw Q.C., Harper, Habersberger and the Executive Officer.

Bar Librarian

Mr. Ormiston Q.C.

Applications Review Committee

Messrs. Liddell Q.C., (Chairman), Hansen, Harper, B.A. Murphy and Habersberger.

Accommodation Policy Committee (name changed to A.B.C. Building Committee — August 1981)

Messrs. O'Callaghan Q.C. (Chairman), Liddell Q.C., Webster and B.F. Miller.

Ethics Committee

Messrs. Waldron Q.C. (Chairman), Barnard Q.C., J.H. Phillips Q.C., Castan Q.C., Mandie (Secretary), B.A. Murphy and Hinchliffe.

Law Reform Committee

Messrs. Chernov Q.C. (Chairman), Heerey, Duggan, Kennon (Secretary) and M.A. Adams.

Area of responsibility:

(a) Joint Standing Committees**Supreme Court Practice Committee**

Messrs. D.M. Ryan Q.C., D.R. Meagher and E.K. Evans.

County Court Practice Committee

Messrs. Wheeler, McArdle, G.A. Lewis and Osborn.

Magistrates' Courts Practice Committee

Messrs. Bannister, M.A. Hammet, Tehan and I.H. Gibson.

(b) Standing Committees**Federal Court & Administrative Appeals Practice Committee — (set up November 1980)**

Mr. Chernov Q.C. (from April 1981), Dr. Griffith, Messrs. D.M. Byrne, Heerey and N.J. Young.

Crime Practice Committee

Messrs. Lennon Q.C. (Chairman), Whiting, P.C. Martin, McLennan and Wraith.

Juries Practice Committee

Messrs. Francis Q.C. (Chairman), Ashley, A. Graham and Riordan.

Causes Practice Committee

Messrs. Ormiston Q.C. (Chairman), Fajgenbaum and Shavin.

Administrative and Constitutional Law Committee

Messrs. Merralls Q.C. (Chairman), Sharp, Hayne and Hocking.

Family Law Practice Committee

Miss Opas (Chairman), Messrs. Kay, R.K. Davis and P.C. Young.

Industrial Law Practice Committee

Messrs. Dalton Q.C., Dowling Q.C. and N.A. Brown.

Town Planning and Local Government Committee

Messrs. Nicholson Q.C. (Chairman), Fagan Q.C., Canavan and Garde.

Liquor Control Commission

Messrs. Bourke (Chairman), McGuinness and Tehan.

Workers Compensation Practice Committee

Messrs. Ellis (Chairman), Magennis, Bingeman, Hansen, Boyes and P.E. Bennett.

Trade Practices Committee

Messrs. Williamson Q.C. (Chairman), Ritter, Callaway and Topham.

Taxation Committee

Dr. Spry Q.C. (Chairman), Messrs. Ahearne, Kennon and N.J. Webb.

Companies Committee

Messrs. Paterson Q.C. (Chairman), Davey, Miss Lewitan and Mr. Ginnane.

Military Law Committee

Messrs. Francis Q.C. (Chairman), D.C. Munro, Ritter and Callaway.

(c) **Special Committees****Joint Committee on Family Law**

Messrs. Monester Q.C., Kay and Mrs. B.M. Hooper.

(d) **Bar Appointments****Chief Justice's Law Reform Committee**

Messrs. Dwyer Q.C., Nash and Kennon.

Law Reform Advisory Council

Mr. Gillard Q.C.

Chief Justice's Rules Committee

Messrs. Ormiston Q.C. and E.K. Evans (observer).

County Court Rules Committee

Mr. Wheeler.

Workers' Compensation Board Standing Committee

Messrs. Magennis, Bingeman, Ashley and Griffin.

Workers' Compensation Consultative Advisory Council

Messrs. Hart Q.C. and R.G. Williams.

Chief Justice's Law Reform Committee

Mr. Monester Q.C.

Attorney-General's Criminal Advisory Committee

Mr. J.H. Phillips Q.C.

(e) **Criminal Bar Association****Executive**

Messrs. J.H. Phillips Q.C. (Chairman), Vincent Q.C. (Vice-Chairman), Hassett (Secretary to May 1981), Neesham (Secretary from May 1981), and Lovitt (Treasurer).

General Committee

Messrs. Francis Q.C., Kayser, J.R. Perry, Dickson, Kirkham, McArdle, van de Weil and Coghlan (Assistant Secretary).

In addition to the above Committees 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:—

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.

COUNCIL MEETINGS

There have been 20 ordinary meetings and 9 special meetings of the Council during the period 1st October 1980 to 31st August 1981. Attendances from the first meeting of the new council in October 1980 to 31st August 1981 have been:—

| | |
|--------------------------------|-----------------------------|
| H.C. Berkeley Q.C. (2) 26 | P.D. Cummins Q.C. 18 |
| B.J. Shaw Q.C. (2) 21 | A.B. Nicholson Q.C. 16 |
| G.R.D. Waldron Q.C. 22 | A. Chernov Q.C. 17 |
| J.E. Barnard Q.C. 25 | H.R. Hansen 21 |
| J.J. Hedigan Q.C. 20 | J.D. McArdle 26 |
| P.A. Liddell Q.C. 19 | B.A. Murphy (ill 3) 18 |
| J.H. Phillips Q.C. (2) 20 | T.A. Hinchliffe 12 |
| G. Hampel Q.C. 20 | M.A. Adams 20 |
| F. Walsh Q.C. 18 | J.L. Bannister (4) 16 |

(#) Leave of absence for number of meetings indicated.

COMMITTEE MEETINGS

During the period 1st September 1980 to 31st August 1981 the following Committee meetings were held:—

| | |
|----------------------------|----|
| Executive Committee | 25 |
| Ethics Committee | 21 |
| Law Reform Committee | 11 |

SUBSCRIPTIONS

Under Rule 39, the Bar Council fixed the following annual subscriptions for members of the Bar for the period 1st September, 1980 to 31st August, 1981:—

| | |
|---|----------|
| Queen's Counsel | \$360.00 |
| Over 10 years' standing | 240.00 |
| Over 3 but under 10 years' standing | 150.00 |
| Over 1 but under 3 years' standing | 90.00 |
| Under 1 year's standing | 60.00 |
| Interstate Queen's Counsel | 35.00 |
| Interstate Juniors | 25.00 |
| Solicitor-General and Attorney-General | 60.00 |
| Crown Prosecutors and Parliamentary Counsel | 60.00 |
| Other Official Appointments | 60.00 |
| Retired Barristers (on Practising List) | 10.00 |

PERSONALIA

DEATHS: His Honour Judge Mornane on the 24th April 1981; the Honourable Sir Percy Joske, C.M.G. on the 25th April 1981 and the Honourable Russell Martin on the 28th April 1981.

APPOINTMENTS: In March 1981 His Honour Judge Nixon was appointed to the County Court Bench and in June 1981 His Honour Judge Tolhurst was also appointed to that Bench.

From 1st January 1981 Mr. Berkeley Q.C. was appointed President of the Australian Bar Association for a second term of twelve months.

WELCOMES: During 1981 His Honour Judge Nixon and His Honour Judge Tolhurst were welcomed to the County Court Bench. On the first occasion the Chairman and on the second occasion the Vice-Chairman made an address of welcome on behalf of the Bar.

TRIBUTE: On the 1st May 1981 members of the Bar attended a Tribute to the late Judge Mornane at which His Honour Chief Judge Whelan spoke.

ROLL OF COUNSEL

Between 1st September 1980 and the 31st August 1981 the following 78 persons, 5 of whom were interstate barristers, signed the Roll of Counsel:—

Miss J.V. Coombs (N.S.W.), Messrs. C.J. Bannon (N.S.W. Q.C.), J.D. Cummins (N.S.W. Q.C.), C.J. Ryan, K.W.S. Hargrave, R.W. Dyer, G.R. Allwood, D.I. Thomas, H.W. Fraser, S. Cooper, D.J. Connell, M.W. Shand, Miss J.M. Garner, Mr. I.S. Gourlay, Mrs. J.C. Miller, Mr. J.P. Brett, Mrs. I. Luke, Messrs. J.A. Magee, A.K. Panna, J.D. Mattin, B.J. Hess, C.W.R. Harrison, I.H. Munro, J. McD. Crowther, C.W. Moyle, Miss C.J. Toop, Messrs. P.G. Lacava, J.P. Hennessy, J.S. Pasricha, L.H. Brear (re-signed), Miss S.E. McInnes, Messrs. James Judd, B.G. Lee, H.A. Burchill, M.J. Sharpley, J.J. Isles, E.G. de Zilwa, Miss S.C. Kenny, Messrs. E.J.S. Szabo, V.M. Gregurek, T.P. Keely, Mrs. L.M. West, Miss F.P. Foster, Mr. R.D. Jonas, Mrs. S.A. Blashki, Messrs. J.T. Finn, P. H. Molony, S. Wartski, B.J. McCullagh, J.P. Dugdale, Misses C.F. McMillan, J.M. Lord, Mr. L.A. Harris, Mrs. G.C. Varley, Messrs. P.M.E. Wischusen, M. David (S.A.), F.W.D. Jones (High Court Registrar, on Masters & Other Official Appointments List), Dr. A. Endrey, Q.C. (re-signed), Messrs. B.G. Walmsley (re-signed), R.J. Bair, D.R.A. Davies, P.A. Reardon, R.W. Hinkley, P.J. Hiland, C. Kay, Mrs. J.A. Bretherton, Messrs. J.A. Gibson, M.P. Green, P.A. Chadwick, G.M. McDermott, J.P. Dickinson, Miss K.A.D. Norman, Messrs. A. Skerlj, W.D. Calanchini, O. Schwarz, G.M. Randall, G.K. Downes (N.S.W.) and L. Glick (re-signed).

Transfer from Masters & Other Official Appointments List to Practising List:

Mr. H.G. Shore.

Transfer to Masters & Other Official Appointments List:

Mr. R.L. Gilbert, Mrs. J.R. Dwyer and Mr. B.G. Hepworth.

Names removed at request of Counsel:

Miss J.A. Campton, Messrs. R.M. Dessau, S.N. Allston (Non-Practising List), J.H. Greenwell (Non-Practising List), H. Segal (Non-Practising List), J.S. Goldstein (N.S.W.), R. Freadman, A.E. Scott, A.J. Ginnane (Non-Practising List), P.L. Horman, A. Acintya-Lovejoy, C.R. Williams, L. Wengrow, R.C. McIntyre, B.J. Hess, J.S. Pasricha, Miss P.M. Power, Miss K.I. Brandt, Messrs. J.F. Fitz-Gerald, R.D. Jonas, W.D. Forrest, A.C.C. Farran, P.J. Turner, B.W. Macaulay, T.M. Sheehan (from 11/9/81).

THE ROLL

| | 1980 | 1981 | Change |
|--|------------|-------------|--------|
| Governors' List | 2 | 2 | — |
| Judges' List | 119 | 120 | + 1 |
| Practising List | 870 | 890 | + 20 |
| Masters & Other Official Appointments List . | — | 20 | |
| | <u>991</u> | <u>1040</u> | + 49 |
| * Counsel in active private practice | 691 | 723 | + 32 |

* 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 1981 to mark the opening of the Legal Year religious services were held at St. Paul's Cathedral, St. Patrick's Cathedral and Temple Beth Israel. At St. Paul's Cathedral the lessons were read by Mr. Christopher Roper, Executive Director of the Leo Cussen Institute and Mrs. Rosemary Howell, Secretary-General of the Law Council of Australia. The sermon was preached by the Reverend Andrew St. John, LL.B., Vicar of St. Mary's Anglican Church, Chadstone.

At St. Patrick's Cathedral the Red Mass was celebrated by His Grace the Archbishop of Melbourne, the Most Reverend Sir Frank Little, D.D., who also preached the occasional sermon.

At the Temple Beth Israel, the address was given by Rabbi J.S. Levin, M.A.

Bar Entertainment

On 1st September 1980 a Cocktail Party was held to open an exhibition of prints.

The Annual Christmas Cocktail Party was held in the Common Room on 12th December 1980 and was well attended by members of the Bench and Bar together with wives and guests.

The first function for 1981 held on 27th February was the Annual Dinner in honour of the Presidents of Country and Suburban Law Associations.

On 6th April 1981 a Cocktail Party was held to mark the opening of James Wigley's art exhibition.

The Chairman held a small luncheon in the Common Room on 7th April when members of the Bar assisted in entertaining Mr. Lester Castle, the 1980 Senior Anzac Fellow from New Zealand.

This year the venue of the Bar Dinner was the Dallas Brooks Hall on 30th May when a record number of 300 members of the Bench and Bar attended and enjoyed a pleasant evening. Our Honoured Guests were the Right Honourable Sir Harry Gibbs, K.B.E., the Honourable Sir Gerard Brennan, K.B.E., the Honourable Sir Kevin Anderson, His Honour Judge Nixon and Sir James Tait Q.C.. Mr. A. Chernov Q.C. was Mr. Junior Silk. Many favourable comments were received about the dinner and it is likely that the 1982 function will again be held at Dallas Brooks Hall.

Following the 21st Legal Convention in Hobart in July overseas visitors stopped off in Melbourne briefly. On 13th July the Chairman held a small Cocktail Party for Professor A.W.R. Wade, Master, Gonville and Caius College, Cambridge.

The highlight of our entertainment in 1981 was a dinner in honour of Lord Lane, Lord Chief Justice of England and Lady Lane which was held in the premises of the Essoign Club, on 15th July. Over 100 people, members of the Bar, their wives and guests enjoyed a happy evening. Mr. E.D. Lloyd Q.C. proposed the toast to our guests — a fitting touch being the passing around of the Loving Cup filled with champagne.

To end a busy round of social functions in that week the Chairman entertained Professor Wolfgang Zeidler, Vice-President of the Federal Court in West Germany, on 17th July at a private dinner at his home.

On 19th August the Essoign Club held a Cocktail Party on its premises on the 13th Floor in honour of the Metropolitan Stipendiary Magistrates. This function gave many young members of the Bar an opportunity to meet the Magistrates in a relaxed atmosphere.

As well as these functions Readers' Dinners were held in October 1980 and March and June 1981 when all masters brought their readers to meet the members of the Bar Council after which the readers signed the Roll then enjoyed a pleasant evening. It has become a tradition to have a judge, either still on the Bench or retired, to speak to the readers to mark the continuity of the Bar between one generation and the next.

Sporting Functions

The annual Cricket and Tennis Matches between the Bench and Bar and the Solicitors were played at the Albert Ground and Kooyong respectively on 22nd December 1980. The cricketers lost the Sir Henry Winneke Cup to the Solicitors and our tennis team had to relinquish the Judge O'Driscoll Cup. Mr. Thomson Q.C. organised the tennis match and Mr. Dove the cricket match.

On 23rd December 1980 the Bench and Bar and the Law Institute held a Fun Run around Albert Park Lake. The race was won by a solicitor Terry Fisher, but the Bar won the Copper Boot Trophy on a points system with 103 points to 82.

The annual Golf Match between the Bench, Bar and the Solicitors was played on 27th February 1981 at Royal Melbourne Golf Club. The Sir Edmund Herring Shield was won by the Bench and Bar.

The annual Golf Match between the Bench and Bar and Combined Services was held at Huntingdale Golf Club on 31st July 1981. Both the Bruche Cup and the McFarlan Cup were won by the Services. Mr. Cashmore organised 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 with respect to other matters it either refers them to the Bar Council together with a recommendation or directs them to one of the Bar Council Committees for consideration. The following are some of the matters of significance or interest dealt with by the Executive Committee or the Bar Council.

1. Optional Juries in Criminal Trials.

The Executive Committee referred this matter to the Criminal Bar Association and the Crime Practice Committee for comment. Mr. T.W. Smith Q.C. was also asked for his views on the matter. The Executive Committee's recommendation was that the Attorney-General be informed that the Bar is in favour of optional juries in criminal cases with proper safeguards and would wish to be heard further if the proposal was to be implemented, was not passed by the Bar Council.

2. Special Retainers.

On the recommendation of the Executive Committee it was resolved that Rule 18 of the Retainer Rules be amended to read:—

“The fee for a Special Retainer shall be negotiated.”

3. Amendments to Counsel Rules.

On the recommendation of the Executive Committee, the Bar Council resolved that certain amendments to Counsel Rules be recommended to the next General Meeting. At a General Meeting of the Bar on 2nd March 1981 the following amendments were passed:—

“39(a) Counsel on the Roll on the 1st September shall before the 1st December in each year pay to the Treasurer as an annual subscription for the year ending the 31st August next such sum as the Bar Council from time to time determines.

(b) Counsel who sign the Roll other than on the 31st August in any year shall pay as an initial subscription for the period to the 31st August next such sum at such time as the Bar Council from time to time determines.

40. Counsel on the Roll whose initial or annual subscription is more than two months in arrears shall not be entitled to vote at any meeting of Counsel on the Roll or in any election of members of the Bar Council or be eligible for election to the Bar Council.”

At a General Meeting of the Bar on 16th March 1981 the following amendment was passed:—

“38A. At any general meeting of Counsel on the Roll if one third or more of the Counsel present at the meeting so request or if the Chairman of the meeting so determines, after debate has concluded and before a vote is taken upon the question, then the determination of any question other than a purely procedural question, shall be determined by holding a ballot of all the Counsel on the Roll eligible to attend and vote at the meeting. The ballot shall be taken within two weeks after the day of the meeting in such manner as the Chairman of the meeting determines and the determination of the question by such ballot shall have the same effect as if it had been the vote of the meeting.”

4. Publication of Attendance At Meetings.

The Bar Council accepted the recommendation of the Executive Committee that the annual report of the Victorian Bar contain a paragraph on attendance at Bar Council Meetings.

5. Professional Indemnity Insurance.

Following a circular soliciting the views of the Bar as to whether professional indemnity insurance should be made compulsory, an amendment to Counsel Rules to that effect was recommended to a general meeting of the Bar by the Bar Council. The motion was not carried by the requisite majority.

6. Town Planning Appeals Tribunal.

The Bar Council resolved that the Chairman convey to the Attorney-General the Bar's opposition to the provisions of s.28(3) of the Planning Appeals Board Bill. Following communication between the Chairman and the Attorney-General, the Bar Council resolved that the Chairman indicate publicly per medium of the press that the Bar is strongly opposed to the attempts to restrict representation of people before the Town Planning Appeals Tribunal or any other Tribunal.

7. Report on “Taken Out of the List” Problems.

On the recommendation of the Executive Committee, the Bar Council resolved that the above report by the Criminal Bar Association be adopted as the Report of the Bar Council and that the report be forwarded to the Attorney-General for his consideration and informing him that it is the intention of the Bar Council to make the Report public after one month.

8. Unreported Decisions.

On the recommendation of the Ethics Committee and the Executive Committee it was resolved that the Bar Council rule as a matter of ethics that it is improper for Counsel who intends to rely upon an unreported decision to fail to bring to his opponent's notice at the earliest opportunity the existence of such a decision.

9. Chambers in Canberra.

Following a report to the Executive Committee by the Federal Court and Administrative Appeals Tribunal Committee, the Bar Council resolved that the tenancy of the Chambers leased by the Victorian Bar in Canberra be terminated.

10. Funding of the Australian Legal Aid Office.

The Executive Committee resolved that the Chairman should write to the Commonwealth Attorney-General in strong terms in relation to the shortage of funds, lack of staff and deferral of aid to persons entitled to legal aid.

11. Legal Aid Commission.

With respect to the Legal Aid Commission and s.30(4) of the Legal Aid Commission Act 1978, the Bar Council resolved that:

“the Chairman should advise the Legal Aid Commission that the ethics of the Bar, generally and particularly relating to retainers and advertising —

- (a) make it inappropriate that a member of the Bar should offer himself as available only in self-designated categories of work;
- (b) require that he should be retained by a solicitor whether that solicitor be the Director of the Commission or a private solicitor.

Accordingly, members of the Bar engaged to provide legal services for an assisted person should be engaged from persons on the Roll of Counsel by both a private practitioner and by the Director of the Commission, each of whom should be required to take into account in selecting Counsel who is competent and otherwise appropriate to provide the required services:—

- (a) the choice of the assisted person;
- (b) the interests of the assisted person;
- (c) in the case of the Director, the need for equitable distribution of work amongst counsel; and
- (d) in the case of a private solicitor, any directions of the Commission directed to achieving an equitable distribution of work amongst Counsel.

Further, the Commission should be informed that it is the Bar's view that s.30 was not intended to apply to counsel on the Bar Roll. The ethics of counsel require counsel to accept a brief in the courts in which he professes to practice at a proper professional fee, unless there are special circumstances to justify his refusal to accept a particular brief."

12. Availability of Bar Council Minutes.

It was resolved by the Bar Council that as from 12th March 1981 a copy of the Bar Council Minutes edited by the Chairman of the Bar Council be made available for inspection on request.

RICHARD GRIFFITH LIBRARY

This year the extensive collection of reports, statutes, journals and other material from all parts of the common law world contained in the Richard Griffith Library on the 13th Floor of Owen Dixon Chambers has been joined by the Sir Edmund Herring collection of law reports, statutes and journals in Rooms 13 and 16 on the 5th Floor of Four Courts Chambers. The history of this supplementary library, which is intended especially for the use of barristers in Four Courts Chambers, was described in last year's Report. However, after obtaining two suitable rooms in Four Courts Chambers, it was not until early this year that the book shelving and table and chairs were installed so as to enable it to be open for use by members of the Bar. Under the supervision of M.A. Adams, it has already proved to be a useful addition to the Bar's resources.

Neither part of the Library has any professional staff, so that it is absolutely essential that members of the Bar comply with the rule requiring them to replace all books on the shelves after use in their correct position. Failure to do so creates unnecessary work for others and makes each Library difficult to use.

There have been a number of donations this year, for which we are very grateful, including the Australian Dictionary of National Biography given by the Bar Council. In addition K.H. Gifford, Q.C. has kindly donated a number of works which he has written or edited on Local Government in Victoria, South Australia and Western Australia as well as his recent edition of Legal Profession Law and Practice in Victoria together with its necessary supplement. The third edition of Collins and Meaden's Local Government Law and Practice, edited by Gifford, will be completed when published. Finally the Leo Cussen Institute for Continuing Legal Education has presented the Library with a large number of books and pamphlets published by it on a number of practical legal topics.

We are grateful to Mrs. Judith Neale for her work in recording and placing in the Library new reports, journals and other material.

REPORT OF STANDING COMMITTEE ON ACCOMMODATION

Evaluation of the various submissions from developers interested in developing the ABC site was deferred until early 1981 in order that one developer, Hansen & Yuncken Pty. Ltd., could submit a more detailed submission than it had previously.

It was the view of the Standing Committee that the submissions it had received should not be finally evaluated until the purchase of the ABC site had been finalised. Barristers' Chambers Limited, having paid a deposit only and borrowed the balance, was having to meet high interest charges which were not adequately supplemented by the rents received from the present tenant of the building on the site. The Bar Council accorded with this view and a General Meeting of the Bar was called to consider a resolution that the Bar Council be authorised to require all members to take up a Debenture for \$2,000 in Barristers' Chambers Limited at an interest rate of 8.5% for three years and thereafter at 10.5%.

The meeting was held on the 16th March and the resolution passed by a narrow margin.

Concern over the closeness of the vote and the fact that a number of members did not attend the meeting resulted in a request from members of the Bar for a fresh General Meeting to rescind the March 16 motion and to refer the question of the Debenture to ballot. At that General Meeting, held on the 11th May, both questions were referred to ballot. The ballot determined to rescind the original motion and to refer the Debenture issue to referendum.

The referendum closed on the 19th June. In the result, of the membership of the Bar only 367 members voted, 210 in favour of the Debenture and 157 against.

This issue having been determined, the Accommodation Committee was then in a position to proceed to have the various submissions evaluated. To this end the Bar Council at the recommendation of the Accommodation Committee authorised Barristers' Chambers Limited to retain a firm of independent consultants, the McLachlan Group. The consultants are to —

Report on and make recommendations concerning the comparative feasibility of constructing accommodation on the ABC site as against that of obtaining leasehold accommodation elsewhere;

Make recommendations as to the appropriate form and size of the building to be constructed on the ABC site;

Prepare a critical comparison of the various proposals for the construction of the new building that have been submitted;

Prepare a financial analysis for the proposed project including the various financing options which may be available.

Initially the consultants were to report by the 31st October, 1981. However, the sudden need for evaluation of space in other buildings for the purpose of meeting the immediate accommodation needs of the Bar has occupied their time in recent weeks and their report on the ABC site development cannot be expected until the end of November, at this stage.

Once the report is at hand, the Accommodation Committee will be in a position to make recommendations to the Bar Council regarding the building and financing alternatives for the development of the ABC site.

YOUNG BARRISTERS' COMMITTEE

The Young Barristers' Committee was established by resolution of the Victorian Bar Council on 3rd August 1972, consequent upon Young Q.C. (as he then was) tabling a Report of a Committee on the Structure of the Bar Council. In its Report that Committee expressed the reasons for the formation of a Young Barristers' Committee as being "chiefly to improve communication between the Bar Council and the junior Bar and to increase the involvement of the junior Bar in the affairs of the Bar and the Bar Council". Since that time, with the further growth of numbers of young counsel, and in particular with the development of chambers outside Owen Dixon Chambers and in which tenants are exclusively young counsel, the function of the Young Barristers' Committee should have been seen to have developed further significance. Unfortunately, and for a variety of reasons, by the end of the 1970s the Young Barristers' Committee had fallen into a degree of disuetude. A number of meetings had failed for want of a quorum and at the March 1980 elections for half of the Committee, only two nominations were received for the five positions vacant. With the approval of the Bar Council and as a consequence of that election, from March 1980 an active policy of encouragement of interest in the Committee has been pursued. That policy has been successful.

At the 1981 elections sixteen candidates stood for the five positions vacant. Committee meetings are held monthly, are very well attended and are vigorous and spirited in debate. Additionally, there have been special full Committee meetings on specific problems, such as accommodation. Between monthly Committee meetings, sub-Committees meet on a regular basis. Also, from time to time ad hoc sub-committees have been formed to investigate and report on specific matters.

Present sub-committees and a summary of their work are as follows:—

The Accommodation sub-committee has recently conducted a survey to ascertain the accommodation needs of junior counsel. Among other things, this survey has shown that there is a strong preference for suite style accommodation, and interest in sharing facilities.

The sub-committee on Fees and Clerking has produced a preliminary report on Computerisation of Barristers' Accounts. This report has been distributed to the Bar Council and all the List Committees. Once all the necessary statistical information is gathered this sub-committee will prepare a final report. It has also been investigating the possibility of fees for Magistrates' Courts appearances being paid within one month.

The Courts sub-committee is at present involved in a continuing review of the new civil procedures in the Magistrates' Courts and investigating complaints about the lack of facilities at some of those Courts. The Practice Advisory sub-committee is available to assist junior counsel with everyday problems (other than ethics) that they may encounter in their practice.

The Reading & Social sub-committee is concerned with the new Readers' Course and arranging an evening for junior counsel to meet in an informal atmosphere.

REPORT OF THE TRUSTEES OF THE BAR CLERKING FUND

1. At the commencement of the current year there were in existence guarantees of the overdraft accommodation of Mr. Bloomfield to the extent of \$20,000.00 and Messrs. Duncan & Stone to the extent of \$10,000.00 each.

2. On the 1st day of September 1980 Mr. R.J. Howell commenced in active practice as a Barristers' Clerk. Negotiations with the Commonwealth Bank to arrange an appropriate guarantee by way of collateral security in respect of accommodation for him were concluded and the guarantees in respect of the other Clerks were reviewed. In the result the fund is now used to support the overdraft accommodation of Messrs. Bloomfield and Howells to the extent of \$20,000.00 each and Mr. Stone to the extent of \$10,000.00. The guarantee in respect of Mr. Duncan has now been discontinued by mutual agreement.

3. As at the 31st August 1980 the fund was as follows:—

| | |
|---|-------------|
| (a) On deposit with the Commonwealth Trading Bank | |
| — for two years at 9% (due 18/12/81) | \$ 4,400.00 |
| (b) Invested in Australian Savings Bonds | |
| — Series 2 at 9.5% (due 1/11/83) | \$ 5,000.00 |
| — Series 11 at 9% (due 1/9/85) | \$ 9,200.00 |
| (c) Savings Investment Account with the Commonwealth Savings Bank | \$22,644.21 |
| (d) Credit in Current Account — No. 121-208 | \$ 3,544.82 |

4. As at the 31st August 1981 the fund was as follows:—

| | |
|---|-------------|
| (a) On deposit with the Commonwealth Trading Bank | |
| — for two years at 9% (due 18/12/81) | \$ 4,400.00 |
| (b) Invested in Australian Savings Bonds | |
| — Series 2 at 9.5% (due 1/11/83) | \$ 5,000.00 |
| — Series 11 at 9% (due 1/9/85) | \$ 9,200.00 |
| (c) Savings Investment Account with The Commonwealth Savings Bank | \$24,838.11 |
| (d) Credit in Current Account — No. 121-208 | \$ 1,124.00 |

5. The Trustees have continued to hold discussions during the year with each of the three clerks in relation to their accounts, their weekly expenses and their weekly clerking fees, accruals and their respective financial positions generally.

Co-operation has been received from each of the clerks in the provision of bank records and other documents which have been inspected as required. Each of the clerks has consolidated his business and overdrafts have been held at levels which are acceptable to the Trustees.

6. During the past year the trustees have made one advance by way of loan to one of the clerks in order to keep his overdraft account within limits acceptable to the Bank.

ETHICS COMMITTEE — ANNUAL REPORT

1. The first Lay Observer appointed under the Legal Profession Practice Act was Brigadier J.D. Purcell. He retired due to ill-health during the year and the Attorney-General appointed Mr. F. Eyre as the new Lay Observer. Mr. Eyre has attended ordinary meetings and summary hearings of the Committee held since his appointment.

2. During the period from 1st September 1980 to 31st August 1981, the Committee held 8 summary hearings and 21 ordinary meetings. The principal business transacted at ordinary meetings was the consideration of complaints and rulings on ethical matters at the request of Counsel. Of 36 complaints received and investigated, 23 complaints were not upheld, 8 were the subject of a summary hearing and 5 are still pending. The sources of complaints were clients (16), solicitors (10), judges (2), counsel (1) and others (7). Of the 8 complaints referred to a summary hearing, 7 were upheld and 1 is still pending.

3. The results of the 7 summary hearings in which complaints were upheld may be briefly summarised as follows:—

- (i) holding a conference with a client at a suburban Solicitor's office — fine \$750.
- (ii) taking a brief in the Practice Court and a brief in the County Court Reserve List for the same day and failing to appear when the case in the Reserve List was called on — reprimand.

- (iii) appearing for the husband on an undefended divorce application having previously appeared for the wife on earlier custody and access proceedings — reprimand and advice given.
- (iv) failing to respond to solicitor's requests and inquiries concerning completion of a brief — fine \$50; failing to acknowledge receipt of Secretary's letter — fine \$25.
- (v) returning a brief at the hearing and refusing to act for a client without good cause — reprimand and caution against repeating the offence; advice given, inter alia, that Counsel had acted improperly in a professional respect in declining to appear for the client which decision was based on Counsel's personal judgment formed of the client; a genuine belief that Counsel should not appear for the client in the foregoing circumstances was not good cause to return the brief or refuse to act.
- (vi) failing to adhere to an arrangement with a solicitor to accept a brief by taking another brief for the same day — reprimand and caution against repeating offence.
- (vii) misusing Counsel's position as a barrister for private advantage or purposes relating to a motor car accident in a telephone conversation with a layman in which Counsel stated, inter alia, that he was a barrister, in all the circumstances unprofessional conduct amounting to misconduct in a professional respect — fine \$300.

4. The Committee made two recommendations as to ethical rulings to the Bar Council which made the following rulings:—

- (i) "As a matter of Ethics it is improper for counsel who intends to rely upon an unreported decision to fail to bring to his opponent's notice at the earliest opportunity the existence of such a decision."
- (ii) "Save in cases where counsel has no doubt concerning the propriety of his action, counsel should not allow the reduction or elimination of the agreed brief fee without the consent of the Ethics Committee. Counsel may accept a lesser fee on a brief (but not without the consent of the Ethics Committee) where the costs are or are made subject to compulsory taxation and as a result counsel's fees are reduced or disallowed and are, without any neglect or default on the part of the solicitor, not recoverable by the solicitor from the lay client."

5. The Chairman of the Leo Cassen Institute drew to the attention of the Bar Council the case of a barrister who having agreed to deliver a lecture to students at the Institute, failed to do so at short notice and without sufficient cause. The Ethics Committee held that the alleged breach of contract did not have a connection with counsel's practice close enough to make it professional misconduct. However, it is desired to emphasise that the good name of the Bar may be adversely affected if such engagements are not honourably and adequately discharged.

CATERING AND FUNCTIONS COMMITTEE

The Catering and Functions Committee has continued to work towards improvement in the amenities available on the 13th Floor of Owen Dixon Chambers and it remains in existence notwithstanding the formation and extensive membership and activity of the Essoign Club.

Until the 31st May 1981 the Catering and Functions Committee was responsible for the entire 13th Floor. Until that date the main dining room was conducted and open days on the last Friday of each month were held. These continued to be very popular. Details of other social functions conducted by the Bar are set out elsewhere in this report.

Since the 1st June 1981 the Catering and Functions Committee has continued to be responsible for the Lounge area of the 13th Floor and, where necessary, it has arranged with the Committee of the Essoign Club for use of the premises of that Club for a number of special occasions.

The alterations in management which have been effected by the formation of the Essoign Club and its occupation of the Club premises being part of the 13th Floor have been effected without difficulty and it is proposed that the Catering and Functions Committee will continue to operate contemporaneously with the Committee of the Club.

THE ESSOIGN CLUB

The Club was formed by the incorporation of a company limited by guarantee on the 11th May 1981. The Memorandum of Articles of Association of the Club provide for a number of categories of general membership being practising barristers, retired barristers, Judges and official appointees who are on the roll kept by the Victorian Bar Council. Since the formation of the Club the membership has grown to 410 as at the 31st August 1981.

On the 1st June 1981 the Club obtained from Barristers Chambers Limited a lease of its premises. Since that date it has provided meals on each working day and has conducted one major function namely a reception for the Victorian Metropolitan Magistrates which took place Wednesday the 19th August 1981.

The Committee has made the Club premises available for the conduct of a number of functions including a dinner given by the Victorian Bar to Lord and Lady Lane.

Plans and specifications of the premises as proposed to be altered have been prepared and an application has been made by the Club to the Liquor Commission for a Club Licence. This application has been set down for hearing on the 16th September 1981. In the event of a conditional licence being granted the work involved in altering the premises can be commenced immediately and would be expected to be completed within 8 weeks.

There is no entrance fee to join the Club and the annual subscription is \$10.00. Application forms for membership may be obtained from the Club premises, or the registered office on the 12th Floor of Owen Dixon Chambers.

LAW REFORM COMMITTEE

The Law Reform Committee again had a very active year. The Committee met once a month and more often when necessary to deal with urgent business. In comparison with past years more matters were referred to individual members of the Bar with a special interest or expertise in the particular subject referred. The use of the "one man committee" often has the advantage of obtaining a quicker and more straight forward report.

During the course of the year the Law Reform Committee dealt, inter alia, with the following matters:—

Instruments Act — Bills of Exchange Provisions

The Bar Council recommended to the Attorney General that the Instruments Act procedure in relation to summary judgment be abolished.

Costs in the Family Law Court

The recommendations of the Family Law Practice Committee were forwarded to the Bar Council for implementation.

Right to Counterclaim in Magistrates Court

The Committee recommended to the Bar Council that a letter be written to the Attorney-General requesting an amendment to the Rules to enable a counterclaim in relation to all Magistrate Court Summonses.

Appeal Provisions under Income Tax Legislation

The Committee recommended that a report of the Taxation Committee be forwarded to the Law Council of Australia as the submission of the Bar.

Law of Evidence

The Committee assisted Commissioner T.H. Smith of the Law Reform Commission in his reference on the reform of the law of evidence and in particular the hearsay rules. In this regard the Committee arranged a panel of barristers practising in different jurisdictions and at different levels which held several meetings with Mr. Smith.

Law relating to Burden of Proof in Criminal Cases

The Committee recommended that a report by Fricke Q.C. be forwarded to the Senate Standing Committee on Constitutional and Legal Affairs as the submission of the Bar council.

Family Law Definition of De Facto Relationships

The Committee recommended that a report by the Family Law Committee be forwarded to the Law Council of Australia as the views of the Bar's Family Law Committee.

Crimes Classification of Offences Bill

A report by the Criminal Bar Association was forwarded to the Attorney-General for information.

Consultative Council on Review of Mental Health Legislation

The Committee recommended that a comprehensive report by Dwyer Q.C. be forwarded to the Council as the submission of Dwyer Q.C.

Standing in Relation to Town Planning

The Committee recommended that a report by Nicholson Q.C. and Fagan Q.C. be forwarded to the Law Reform Commission as the report of the Town Planning and Local Government Practice Committee.

Standing in Relation to Administrative Law

A report by Merralls Q.C. was forwarded to the Law Reform Commission.

Historic Buildings Bill 1981

Following a report from Buckner Q.C. a letter was written to the Minister for Planning, Victoria, recommending certain amendments to the Bill.

Appeal Costs Fund Act

The Committee recommended to the Bar Council that it supports the amendment to the Act to remove the anomaly in S.14(3)(a) of the Act.

Service & Execution of Process Act

Ginnane prepared a report for the Committee. The Committee recommended to the Bar Council that it supports the view of the Law Institute of Victoria that S.16 of the Act be amended to remove the requirement that leave of the Court be obtained before a subpoena or summons to an interstate witness can be issued.

Costs before Federal Administrative Tribunals

The Committee recommended that a letter drafted by Griffith be forwarded to the Administrative Review Council as the Bar Council submission on the question of costs before Federal Administrative Tribunals.

Provisional Tax

A recommendation by Heerey that in respect of non P.A.Y.E. income earners interest be paid to the Commissioner in lieu of provisional tax is before the Taxation Committee for its consideration and report.

Sequestration and the Family Law Act

The Committee is considering a report by the Family Law Practice Committee on this subject.

THE VICTORIAN BAR
STATEMENT OF RECEIPTS AND PAYMENTS
FOR THE YEAR ENDED 31ST AUGUST, 1981

| | \$ | \$ | \$ | \$ |
|--|-----------------|------------------|------------|------------|
| DEFICIT at 31st August 1980 | | Dr. 1,328.06 | | |
| BALANCE in Savings Bank | 28.96 | | | |
| BALANCE in Savings Investment A/c | <u>1,187.15</u> | <u>1,216.11</u> | | Dr. 111.95 |
| REVENUE RECEIPTS | | | | |
| Annual Subscriptions previous years | | 2,120.00 | | |
| Annual Subscriptions current year | | 126,974.00 | | |
| Annual Subscriptions in advance | | <u>180.00</u> | | |
| | | 129,274.00 | | |
| Dividends on Shares | | — | | |
| Interest: | | | | |
| Commonwealth Bonds | 90.00 | | | |
| Savings Investment Accounts | 114.98 | | | |
| Savings Bank Deposits | 73.22 | | | |
| Short Term Deposits | 2,566.25 | | | |
| Loan to Barristers' Chambers Ltd. - 10% | <u>8,616.44</u> | 11,460.89 | | |
| Sale Sir Gregory Gowans' Book | | 15.00 | | |
| Royalties from Sir Gregory Gowans' Book | | 189.37 | | |
| Readers' Practice Course | | <u>39,553.00</u> | 180,492.26 | |
| REVENUE EXPENDITURE | | | | |
| (a) Administration Expenses | | | | |
| Auditors' Remuneration | 450.00 | | | |
| Bank Charges | 54.50 | | | |
| Floral Tributes | 25.00 | | | |
| General Expenses: | | | | |
| Purchase Trophies & Engraving | 78.16 | | | |
| Framing Picture | 38.52 | | | |
| Special Liquor Licences | 40.50 | | | |
| Printing | 258.75 | | | |
| Law Institute - Supplement L.I. Journal - Howells' List | <u>151.00</u> | 1,096.43 | | |
| (b) Capitation and Affiliation Fees | | | | |
| Australian Bar Association (1980 & 1981) | 3,087.00 | | | |
| Law Council of Australia | 10,752.00 | | | |
| International Bar Association | 93.96 | | | |
| Selden Society | <u>32.00</u> | 13,964.96 | | |
| (c) Travelling Expenses | | | | |
| Fares & Expenses of Representatives at Local, Interstate & Overseas Conferences and Meetings | | 871.40 | | |
| Carried Forward | | <u>15,932.79</u> | 180,492.26 | Dr. 111.95 |

| | \$ | \$ | \$ | \$ |
|--|------------------|-------------------|------------------|---------------------------|
| Brought Forward | | 15,932.79 | 180,492.26 | Dr. 111.95 |
| (d) Functions & Entertainment | | | | |
| For Catering, Hiring, etc. | 19,527.71 | | | |
| For Chairman's Fund | <u>2,500.00</u> | | | |
| | 22,027.71 | | | |
| Less Members' Payments | <u>16,045.00</u> | 5,982.71 | | |
| (e) Counsel's Fees for Litigation | | 1,384.57 | | |
| (f) Compromise of Legal Claim — breach of Copyright | | 100.00 | | |
| (g) Income Tax | | | | |
| 1980/81 year ½ in advance | | 834.00 | | |
| (h) Readers' Practice Course | | | | |
| Co-ordinator's and Instructors Fees | 35,664.00 | | | |
| Purchase Cairns' Civil Procedure | 1,848.00 | | | |
| Printing, Hiring, etc. | <u>1,312.66</u> | <u>38,824.66</u> | <u>63,058.73</u> | |
| Excess Receipts over Expenditure | | | | 117,433.53 |
| CAPITAL RECEIPTS | | | | |
| (a) Sales - "A Multitude of Counsellors" | | 72.50 | | |
| (b) Redemption of Short Term Deposits | | <u>15,000.00</u> | 15,072.50 | |
| CAPITAL EXPENDITURE | | | | |
| Investments: | | | | |
| Short Term Deposits | | 10,000.00 | | |
| Barristers' Chambers Ltd. | | <u>100,000.00</u> | 110,000.00 | |
| Excess Capital Expenditure over Capital Receipts | | | | <u>94,927.50</u> |
| BALANCE of Cash on Hand at 31st August, 1981 | | | | <u><u>\$22,394.08</u></u> |

TRUST FUND

| | | | | |
|------------------------------|--|-----------|--|------|
| Barristers' Benevolent Fund: | | | | |
| Receipts | | 14,406.19 | | |
| Remitted | | 14,406.19 | | Nil. |

ASSETS AT AT 31ST AUGUST, 1981

| | | | | |
|-----|---|---|------------------|----------------------------|
| 1. | Cash in Bank — Savings Account | | 102.18 | |
| | Cheque Account | | 10,989.77 | |
| | Savings Investment Account | | <u>11,302.13</u> | 22,394.08 |
| 2. | Investments at Cost: | | | |
| (a) | 8,150 Ordinary Shares of \$2 each in Barristers' Chambers Ltd. | 16,300.00 ✓ | | |
| (b) | Commonwealth Bonds | 2,000.00 ✓ | | |
| (c) | Short Term Deposits with Commonwealth Bank of Australia | ¹¹⁴ 34 ,000.00 | | |
| (d) | Barristers' Chambers Ltd. — Unsecured Loan - 10% | 150,000.00 ✓ | | |
| (e) | Wine for Bar Centenary 1984 | <u>2,370.00</u> ✓ | | 204,670.00 |
| 3. | Member Debtors | | | 21,100.50 |
| 4. | Liquor at Cost | | | 1,008.00 |
| 5. | Copies of "A Multitude of Counsellors" | | | 701.20 |
| 6. | Honour Board of Past Chairmen of Victorian Bar Council | | | 256.00 |
| 7. | Gifts — Candelabra, etc. insured for | | | 1,276.00 |
| | | | | <u><u>\$229,011.70</u></u> |