

VICTORIAN BAR COUNCIL

ANNUAL REPORT

1984-85

**ANNUAL REPORT OF THE
VICTORIAN BAR COUNCIL
1984-85**

To be presented to the Annual General Meeting of the Victorian Bar to be held on Monday, 23rd September, 1985 at 5.00 p.m. on the 2nd Floor, Four Courts Chambers, 180 William Street, Melbourne

THE BAR COUNCIL

Elections: In the Annual Election held in September 1984 the following persons were elected: -

Counsel of not less than 12 years' standing -

Messrs. N. R. McPhee Q.C., J. E. Barnard Q.C., P. A. Liddell Q.C., S. P. Charles Q.C., D. Graham Q.C., P. D. Cummins Q.C., M. J. L. Dowling Q.C., E. W. Gillard Q.C., A. Chernov Q.C., R. K. J. Meldrum Q.C. and J. A. Coldrey Q.C.

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

Messrs. D. L. Harper and B. A. Murphy, Miss Rachele Lewitan and Mr. M. B. Kellam.

Counsel of not more than 6 years' standing:-

Miss E. H. Curtain and Messrs. K. M. Liversidge and J. E. Middleton.

Ex Officio Members: The Honourable L. F. Bowen, M.P. (Federal Attorney-General).
The Honourable G. J. Evans Q.C., M. P. (Federal Attorney-General to December 1984).
The Honourable J. H. Kennan, M.L.C. (Victorian Attorney-General).

Note: Mr. J. A. Coldrey Q.C. resigned in November 1984 upon his appointment as Director of Public Prosecutions Victoria. In a by-election held in December 1984, Mr. J. J. Hedigan Q.C. was elected to fill the casual vacancy.

Officers of the Bar Council

Chairman - Mr. S. P. Charles Q.C. (to March 1985)
Mr. A. Chernov Q.C. (from April 1985)
Vice-Chairmen - Mr. N. R. McPhee Q.C., Mr P. D. Cummins Q.C. (from April 1985)
and Mr. A. Chernov Q.C. (to April 1985)
Honorary Treasurer - Mr. D. L. Harper
Assistant Honorary Treasurer - Mr. M. B. Kellam
Honorary Secretary - R. A. Finkelstein (to May 1985) Mr. P. R. Hayes (from May 1985)
Assistant Honorary Secretary - Mr. P. R. Hayes (to May 1985), Mr. I. G. Sutherland (from June 1985)
Executive Director - Mr. E. T. Fieldhouse
Executive Officer - Miss D. M. Brennan

YOUNG BARRISTERS' COMMITTEE

Messrs. M. J. L. Dowling Q.C. (Chairman) and K. M. Liversidge (Bar Council Nominees), C. J. Ryan, M. W. Shand, Miss F. P. Foster, Messrs. G. M. Randall, A. N. Bristow, P. D. Trevorah, T. V. Hurley, H. A. Burchill, J. J. Isles and Miss R. Deborah Wiener.

The Annual Election for the Young Barristers' Committee will be held later in the year possibly during the month of October, 1985

BAR COUNCIL ADMINISTRATIVE COMMITTEES
EXECUTIVE COMMITTEE

Messrs. Charles Q.C. (Chairman to March 1985), McPhee Q.C. (Vice-Chairman), Chernov Q.C., (Vice-Chairman to March 1985, Chairman from April 1985), Cummins Q.C. (Vice-Chairman from April 1985), Hedigan Q.C. (from May 1985), Gillard Q.C., Harper, Finkelstein (to May 1985), Hayes (Secretary to May 1985) and I. G. Sutherland (Secretary from June 1985)

Area of Responsibility:

(a) Joint Standing Committees

Joint Standing Committee of the Bar and Law Institute

Messrs. Charles Q.C. (to March 1985), McPhee Q.C. and Chernov Q.C. (from May 1985).

Joint Standing Committee of the Bar and Law Institute on Remand Conditions

Messrs. Redlich Q.C., B. J. Bourke and Dunn.

Joint Standing Committee of the Bar and Law Institute on Town Planning

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

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

Messrs. Hulme, Q.C. and Stanley Q.C. (from April 1985).

Joint Standing Committee on Legal Professional Privilege

Messrs. Cummins Q.C. and Dove Q.C.

Joint Standing Committee of the Bar and Law Institute on Legal Aid

Messrs. Cummins Q.C., Kirkham Q.C., Redlich Q.C., Bongiorno, Tovey and M. R. B. Watt.

Joint Standing Committee of the Bar and Law Institute on Accident Compensation

Messrs. Hanlon Q.C., Kendall Q.C. Hart Q.C. (to March 1985), Stanley Q.C., Shannon, R. G. Williams, Bongiorno and McArdle.

(b) Standing Committees

Proposals Committee

Messrs. Gillard Q.C. (Chairman), Mandie Q.C., Harper and Jessup (Secretary).

Police/Lawyers Liaison Committee

Messrs. Morrish Q.C. (Chairman), James, Dunn, Rozenes and Tribe (emergency).

Victorian Bar News – Editorial Board

Messrs. Byrne Q.C. (Chairman), Cashmore, Henshall, D. J. Ross, Gunst, P. D. Elliott, Liversidge and Mrs. Crennan.

Bar Clerking Committee

Messrs. Meldrum Q.C. (Chairman) and McArdle (Secretary and Convenor) and the Chairman for the time being of each List Committee.

Fee Collection Committee

Messrs. Chernov Q.C., Uren Q.C., M. A. Adams, Champion, C. J. Ryan and Shavin.

Bar Clerking Fund – Trustees

Messrs. Chernov Q.C. (Chairman to April 1985), Harper (Chairman from April 1985), A. J. Myers and Kellam (from April 1985).

Bar Fees Committee

Messrs. McPhee Q.C. (Chairman to June 1985), D. Graham Q.C. (Chairman from June 1985), Dalton Q.C. (Vice Chairman), Balfe Q.C., Kirkham Q.C., Shannon, R. P. Gorton, Barnett, Watkins, Kellam and M. R. B. Watt.

Bar Library Committee

Phillips Q.C. (Chairman and Bar Librarian), Habersberger, M. A. Adams, T. S. Lynch, Tribe, Derham, T. P. Murphy, R. L. Brear and Panna.

First Aid Committee

Miss E. M. T. Murphy (S.R.N) (Chairman) and Miss L. J. Evans (S.R.N.)

Readers' Practice Course Committee

Mr. Black Q.C. (Chairman), Mr. Justice Hampel. Messrs. Chernov Q.C. (to April 1985), Cummins Q.C., Habersberger, Finkelstein (to May 1985), Hayes and I. G. Sutherland (from June 1985).

Portraits Committee

Mr. Justice Hampel, Messrs. Shaw Q.C. and M. A. Adams.

Bar Staff Committee

Messrs. Hulme Q.C., Chernov Q.C., Harper and A. J. Myers, (Messrs. Hulme Q.C. and A. J. Myers represent Barristers' Chambers Limited).

Bar Liaison Committee

Messrs. Cummins Q.C. and Dowling Q.C. (Chairmen), B. A. Murphy, Miss E. H. Curtain, Messrs. Liversidge and J. E. Middleton.

Computer Committee

Messrs. Meagher Q.C. (Chairman), McLennan, Willee, Burnside, Emmerson and Levin.

Legal Aid Committee

Messrs. Cummins Q.C. (Chairman), Kirkham Q.C., Redlich Q.C., J. V. Kay, Bongiorno, Garde and Liversidge.

(c) Bar Appointees**Executive of Law Council of Australia**

Mr. Chernov Q.C.

Council of Australian Bar Association

Messrs. Charles Q.C. (President from August 1985) and Chernov Q.C.

Victorian Council of Professions

Messrs. Dalton Q.C. and P. H. Kearney.

Chief Justice's Committee for Religious Observances

Mr. Hansen Q.C.

Legal Aid Commission of Victoria

Mr. Kirkham Q.C. (to February 1986).

Legal Aid Committee No. 1

Messrs. Dove Q.C. (to 30/4/85) and Shannon (to 30/4/86).

Legal Aid Committee No. 2

Messrs. Hooper Q.C. (to 30/4/85) and Dove Q.C. (to 30/4/86).

Appeal Costs Board

Mr. Hooper Q.C. (to 30/9/85).

Law Faculty – University of Melbourne

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

Monash University Law Faculty Board

Messrs. Williamson Q.C. and Willee.

LaTrobe University Proctorial Board

Mr. Lloyd Q.C. (Chairman).

Council of Legal Education

Messrs. Nash, Fajgenbaum and Harper.

Australian Legal Education Council

Mr. Goldberg Q.C. (nominee of Law Council).

Academic Course Appraisal Committee

Mr. Fajgenbaum.

Victoria Law Foundation

Mr. Charles Q.C. (to May 1985), Mr. Chernov Q.C. (from May 1985). Mr. Dowling Q.C. (acts as alternate).

Leo Cussen Institute for Continuing Legal Education

His Honour Judge Ogden and Mr. P. G. Nash.

Board of Examiners

Messrs. Hedigan Q.C. (to 31/12/1986), Dowling Q.C. (to 31/12/1985) and Bongiorno (to 31/12/1987).

Chief Justice's Supreme Court Library Committee

Messrs. Phillips Q.C., D. Graham Q.C. and Phipps.

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

His Honour Judge Hogg.

Council of Law Reporting

Messrs. Merralls Q.C. and Gunst (both for a period of five years from November 1982).

Attorney-General's Advisory Committee on Computerised Legal Information Retrieval

Mr. Meagher Q.C.

Leo Cussen Institute Consultants Committee

Messrs. Liddell Q.C. and Merralls Q.C., Mr. Hayes (acts as alternate).

(d) Other**Barristers Benevolent Fund – Committee of Management**

Messrs. Charles Q.C. (to March 1985), Chernov (from March 1985) and Harper.

Victorian Bar Superannuation Fund Trustees

Dr. Spry Q.C. (Chairman), Messrs. Hayne, Q.C., Harper and R. Mck. Robson.

Directors of Barristers' Nominee Pty. Ltd.

Messrs. Hansen Q.C., Hayne Q.C., A. J. Myers and J. A. Magee.

Applications Review Committee

Messrs. Liddell Q.C. (Chairman), Hansen Q.C., B. A. Murphy, Finkelstein (to May 1985), Hayes and I. G. Sutherland (from June 1985).

ETHICS COMMITTEE

Messrs. Barnard Q.C. (Chairman), Hedigan Q.C., Uren Q.C., Hansen Q.C., Miss L. Opas Q.C. (to March 1985), Messrs. B. A. Murphy, Rozenes, Mrs. Hooper (from April 1985), Messrs. Vickery (Secretary) and Liversidge.

LAW REFORM COMMITTEE

Messrs. D. Graham Q.C. (Chairman), T. H. Smith, Heerey, J. V. Kay, P. Murdoch, Miss R. Lewitan, Messrs. Hockley (Secretary), M. J. F. Sweeney and Colbran.

(a) Law Reform Committee Panel

Ryan Q.C.	(Supreme Court Practice)
Wheeler	(County Court Practice)
Bannister (to April 1985)	(Magistrates' Courts Practice)
Castan Q.C.	(High Court)
Chernov Q.C.	(Federal Court)
Walker Q.C.	(Crime Practice)
Francis Q.C.	(Juries Practice)
Hansen Q.C.	(Causes Practice)
Merralls Q.C.	(Constitutional Law)
Fajgenbaum	(Administrative Law)
Opas Q.C. (to March 1985)	(Family Law)
Dalton Q.C.	(Industrial Law)
Wright H. McM	(Town Planning Local Government)
Bourke, B. J.	(Liquor Control)
Ellis	(Workers' Compensation)

Williamson Q.C.	(Trade Practices)
Castan Q.C.	(Taxation)
Paterson Q.C.	(Companies)
Francis Q.C.	(Military Law)

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

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

Chief Justice's Rules Committee

Messrs. Batt Q.C. and McDonald Q.C. (Observer).

County Court Rules

Mr. Wheeler, Mrs Crennan (from July 1985). Mr. Hayes (alternate) (from July 1985).

Workers' Compensation Consultative Advisory Council

Messrs. Hart Q.C. (to March 1985), Hanlon Q.C. (from April 1985) and R. G. Williams.

Attorney-General's Criminal Advisory Council

Mr. Redlich Q.C.

Shorter Criminal Trials Committee

Mr. Vincent Q.C. (Later Mr. Justice Vincent) (Bar Representative).

(c) Criminal Bar Association:**Executive**

Messrs. Vincent Q.C. (Chairman) to May 1985, Lovitt (Vice-Chairman to June 1985 and Chairman from June 1985), Richter (Vice-Chairman from June 1985), Lasry (Secretary) and Tovey (Treasurer).

General Committee

Messrs. Francis Q.C., Kayser (from July 1985), Langton, Barnett, Shwartz, Leckie, M. S. Weinberg and Miss E. H. Curtain, Messrs. Maidment and Papas.

Ex-officio: The Honourable J. H. Kennan M.L.C., Attorney-General.

BARRISTERS' CHAMBERS LIMITED**Directors of Barristers' Chambers Limited:**

Messrs. Hulme Q.C. (Chairman), McPhee Q.C., O'Callaghan Q.C., Chernov Q.C., Harper (from April 1985), A. J. Myers and E. T. Fieldhouse.

**OWEN DIXON CHAMBERS EXTENSION
DEVELOPMENT SUB-COMMITTEE**

Messrs. O'Callaghan Q.C. (Chairman), Liddell Q.C., Chernov Q.C., Byrne Q.C., Harper, Phipps, Webster and Liversidge.

ACCOMMODATION COMMITTEE

Messrs. Chernov Q.C. (Chairman to April 1985), Hansen Q.C. (Chairman from April 1985), McArdle and Harper (from April 1985).

HONORARY LIFE MEMBER

Sir Henry Winneke, K.C.M.G., O.B.E., Q.C.

COUNCIL MEETINGS

There have been 25 ordinary meetings and 7 special meetings of the Bar Council during the period 1st September 1984 to 31st August 1985. Attendances from the first meeting of the new Council on 11th October 1984 to 31st August 1985 have been:-

A. Chernov Q.C. (2) 24	E. W. Gillard Q.C. 24
N. R. McPhee Q.C. (10) 14	R. K. J. Meldrum Q.C. (1) 10
P. D. Cummins Q.C. 20	J. A. Coldrey Q.C. (to Nov. 1984) 1
J. E. Barnard Q.C. 25	D. L. Harper 22
J. J. Hedigan Q.C. (from Dec. 1984) 12	B. A. Murphy 13
P. A. Liddell Q.C. 21	Rachelle Lewitan (18) 9
S. P. Charles Q.C. (8) 17	M. B. Kellam 27
D. Graham Q.C. (2) 22	Miss E. H. Curtain 19
M. J. L. Dowling Q.C. 19	K. M. Liversidge 22
	J. E. Middleton 20

(Leave of absence for number of meetings is indicated in brackets.)

R. A. Finkelstein (Honorary Secretary to May 1985)	12
P. R. Hayes (Honorary Secretary from May 1985)	8
P. R. Hayes (Assistant Honorary Secretary to May 1985)	12
I. G. Sutherland (Assistant Honorary Secretary from June 1985)	5

COMMITTEE MEETINGS

During the period 1st September 1984 to 31st August 1985 the following Committee meetings were held:-

Executive Committee	27
Ethics Committee	30
Law Reform Committee	8

SUBSCRIPTIONS

Under Rule 39, the Council fixed the following annual subscription for members of the Bar for the period 1st September 1984 to 31st August, 1985:-

Queen's Counsel	\$495.00
Over 10 years' standing	330.00
Over 3 but under 10 years' standing	220.00
Over 1 but under 3 years' standing	140.00
Under 1 year's standing	80.00
Interstate Queen's Counsel	65.00
Interstate Juniors	45.00
Solicitors-General, Attorneys-General, Directors of Public Prosecutions and all other Official Appointments	70.00
Crown Counsel, Crown Prosecutors and Parliamentary Counsel	75.00
Retired Barristers	15.00

PERSONALIA

Obituary: The Council records with deep regret the deaths since the last report, of the following members:-

The Honourable Frank Nelson Q.C.	His Honour Judge Dermot Corson
John L. Bannister	Fay Daly
Sir David Derham, K.B.E., C.M.G., M.B.E.	

Judicial Appointments: In November 1984 and April 1985 respectively the Honourable Mr. Justice Phillips and the Honourable Mr. Justice Vincent were appointed to the Supreme Court Bench. In December 1984 His Honour Judge Duggan was appointed to the County Court. On 21st March 1985, 25th March 1985 and 28th March 1985 respectively His Honour Judge Hart, His Honour Judge Crossley and Her Honour Judge Schifftan were appointed to the County Court. On 14th August 1985 His Honour Judge Neesham was appointed to the County Court.

Other Appointments:

November 1984	Mr. J. A. Coldrey Q.C. - Director of Public Prosecutions, Victoria Mr. D. P. D. Grace – Full time Member, Veterans' Review Board.
February 1985	Miss E. H. Curtain – Member of the Administrative Appeals Tribunal of Victoria.
March 1985	Messrs. W. O'Day, H. Hallenstein and R. Crisp – Victorian Stipendiary Magistrates. Mr. J. H. Morrissey Q.C. - Senior Prosecutor for the Crown.
April 1985	The Honourable F. X. Connor Q.C. - Chairman, Australian Law Reform Commission.
July 1985	Their Honours Judges Forrest, O'Shea, Fricke, Fagan and Schiffan were appointed part time Deputy Presidents of the Administrative Appeals Tribunal.
August 1985	Mr. S. P. Charles Q.C. – President of Australian Bar Association. Mr. T. S. Lynch – Lord Mayor of City of Melbourne.

Queen's Counsel: The following members of the Bar were appointed Queen's Counsel in November 1984:–

Messrs. J. A. Coldrey, J. H. Morrissey, G. R. G. Crossley, A. Graham, Dr. R. A. Sundberg, Mr. H. R. Hansen, Miss L. R. Opas, Dr. P. Buchanan, Messrs. K. M. Hayne and R. F. Redlich.

Welcomes: During November 1984 The Honourable Mr. Justice Phillips was welcomed to the Supreme Court Bench by the Vice-Chairman, Mr. A. Chernov Q.C. In May 1985 the Honourable Mr. Justice Vincent was welcomed to the Supreme Court Bench by the Chairman, Mr. A. Chernov Q.C. During December 1984 His Honour Judge Duggan was welcomed to the County Court Bench by the Chairman, Mr. S. P. Charles Q.C. During March 1985 His Honour Judge Hart, His Honour Judge Crossley and Her Honour Judge Schiffan were welcomed to the County Court Bench by the Chairman, Mr. S. P. Charles, Q.C. During August 1985 His Honour Judge Neesham was welcomed to the County Court Bench by the Chairman, Mr. A. Chernov Q.C.

Farwells: During February 1985 representatives of the Bar and the Solicitors met to pay tribute to Their Honours Judges Vickery and Forrest upon the occasion of their retirement from the County Court Bench. The Chairman, Mr. Charles, Q.C. spoke on behalf of the Bar.

ROLL OF COUNSEL

The signing of the Roll of Counsel by Mrs. M. Slade, in November 1983 was not reported in the Annual Report for 1983/84

Between 1st September 1984 and 31st August 1985 the following 81 persons 10 of whom are interstate Barristers, signed the Roll of Counsel: -

Messrs. D. E. Grieve(N.S.W., Q.C.), V. T. Thamoheram and P. J. Lanigan(N.S.W.), Sir Reginald R. Sholl (re-signed)(Retired Judges List), Messrs. C. M. Maxwell, G. S. Clarke, C. J. Blanden, D. F. R. Beach, A. J. Moore, T. J. Ryan, V. J. Perton, J. S. Glover, P. V. Guggenheimer, K. McG. Henderson, L. C. Robson, A. D. Mazzone, J. M. Cranston and Mrs P. Antonov and Miss J. Loren. Messrs. B. S. Heathershaw, R. H. Smith, H. W. Poulton, P. A. Smith and G. M. Giudice. Miss N. H. Hartnett and Mrs. J. Lanzer, Messrs. P. M. Bornstein, V. A. Tallarida, M. K. Connolly, D. J. Findlay, Dr. Gillian D. Triggs and Mrs S. M. B. Morgan. Messrs. J. F. Styring, T. M. Jucovic (N.S.W.), D. I. Findlay, (re-signed), E. B. Wajsbrem (re-signed), J. E. Harrison, G. T. Pagone, P. N. Waye (S.A.) and J. S. Hilton (N.S.W.). Misses E. M. Gaynor and J. G. Richter. Messrs. T. J. McLean, A. J. McIntosh, N. Lucarelli, M. T. Settle, G. E. Sturgess and Mrs E. A. Harbour. Messrs. G. J. Sala, C. J. Delany and Miss M. E. Sexton. Messrs. R. L. Gibson and D. J. McKenzie. Miss G. R. Rutman, Messrs. D. J. Burnett and K. G. Gilligan, Ms M. F. Brenton and Miss J. A. H. Sutherland, Messrs K. H. Bell, J. A. Murphy, J. F. Desmond, B. F. Kissane and G. D. Bloch. Misses S. A. Miller and M. L. Warren. Messrs. N. R. Bird, J. A. Smallwood, J. Ferwerda, S. P. Kennedy, P. R. Byrne, C. R. Priestley and D. G. Robertson. Miss K. A. Symons. Messrs. M. J. Poynton, K. Baker, R. J. Burbridge (N.S.W., Q.C.), J. A. Farmer (N.S.W.), F. L. Harrison (Qld., Q.C.), C. S. C. Sheller (N.S.W., Q.C.), J. A. Logan (re-signed) and A. M. Gleeson (N.S.W. Q.C.)

Members whose names have been transferred to Division B, Part V – Masters, Magistrates and Full-Time Members of Statutory Tribunals

D. P. D. Grace
W. J. G. O'Day
H. R. Hallenstein
R. L. Crisp

Member who has retired from Active Practice

L. W. King

Names removed at request of Counsel:

Messrs. F. J. Brennan, D. M. Bennett Q.C., M. L. Rutherford (N.S.W.), B. J. Sutherland, G. J. McEwen, J. A. Logan, P. A. H. Furness (Masters and Other Official Appointments List), B. R. StA. Kendall and N. S. Fowler. Miss D. M. Fagan. Messrs. D. G.

Doane, R. F. Egan and C. J. McLennan. Miss J. M. Garner. Messrs C. D. N. Griffin, D. A. Stevens, A. Loftus, A. H. Croxford (Division C - Part II), H. M. Knott, C. R. Briglia, P. J. Hiland, P. D. Grant, B. A. McCarthy, C. Kay, and G. Rees Jones. Miss F. A. F. Young. Messrs A. J. Bull and I. M. White

THE ROLL

Division A		
Part I	Victorian Practising Counsel	945
Division A		
Part II	Prosecutors for the Queen	14
Division A		
Part III	Interstate and Overseas Practising Counsel	113
Division B		
Part I	Governors.	1
Division B		
Part II	Judges	108
Division B		
Part III	Ministers of the Crown	1
Division B		
Part IV	Solicitors-General and Directors of Public Prosecutions	4
Division B		
Part V	Masters	5
Division B		
Part VI	Magistrates and Full-Time Members of Statutory Tribunals	17
Division B		
Part VII	Crown Counsel and Parliamentary Counsel	9
Division B		
Part VIII	Other Official Appointments, e.g., Registrar of Titles, Commissioner for Corporate Affairs, Public Trustee and the like	1
Division C		
Part I	Retired Judges	28
Division C		
Part II	Retired Holders of Public Office other than Judicial Office	10
Division C		
Part III	Retired Counsel	18

FUNCTIONS

Opening of the Legal Year

On 4th February, 1985 to mark the opening of the Legal Year, religious services were held at St Paul's Cathedral, St. Patrick's Cathedral, Temple Beth Israel and St. Eustathios' Cathedral.

At St. Paul's Cathedral the lessons were read by His Excellency the Governor and the Chief Justice. The sermon was preached by The Most Reverend David J. Penman, Archbishop of Melbourne.

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 Temple Beth Israel the address was given by Rabbi John S. Levi.

At St. Eustathios' Cathedral the Service was conducted by his Grace Bishop Ezekiel. All Clergy of Melbourne participated.

Bar Entertainment

On 20th September 1984 the Chairman and members of the Bar Council held a dinner in honour of the High Court Justices who sat in Melbourne on that date.

On 17th October 1984 the Chairman and members of the Bar Council at a function held in the Essoign Club entertained some 33 Victorian Stipendiary Magistrates.

On 5th November 1984 the Chairman and Vice-Chairmen entertained at lunch in the Essoign Club, the Honourable Sir Walter Campbell, the Chief Justice of the Supreme Court of Queensland and on 9th November 1984 the Chairman and members of the Bar Council entertained at a lunch in the Essoign Club a delegation from the Chinese Ministry for Justice.

On 28th November 1984, 16 Supreme Court Judges and 10 Federal Court Judges were entertained by the Victorian Bar.

The Annual Christmas Cocktail Party was held in the Essoign Club on 14th December, 1984. The function was well attended by members of the Bench and Bar together with wives and guests.

On 26th March 1985 the Victorian Bar entertained 29 County Court Judges at a Function held in the Essoign Club.

The Annual Bar Dinner was held on 8th June 1985 at the Leonda Function Centre. Members of the Bar and guests attended and heard Mr. Junior Silk, Robert F. Redlich Q.C. propose the toast to the honoured guests. Speeches in reply were made by The Honourable Mr. Justice Vincent, Her Honour Judge Schiffan and J. A. Coldrey Q.C., Director of Public Prosecutions. The Honourable Mr. Justice Starke on behalf of the Justices of the Supreme Court of Victoria presented to the Victorian Bar on the occasion of its Centenary year, three jury boxes which were probably first used in the first sitting of the Supreme Court at Maryborough in 1861.

On 29th June 1985 the Presidents of the Country Law Associations, the Suburban Law Associations together with the President of the Law Institute of Victoria and their spouses were the guests of the Bar Council at a dinner held in the Essoign Club.

On 8th August 1985 the Bar Council held a dinner at the Essoign Club at which local and overseas dignitaries who attended the 23rd Australian Legal Convention held in Melbourne were entertained.

Readers' Dinners were held in November 1984 and May 1985. Sir Kevin Anderson was the guest speaker at the November dinner and in May last Sir George Lush addressed the Readers

Readers were welcomed to the Bar at Functions held during September 1984 and March 1985 respectively.

Sporting Functions

On 3rd October 1984 the Bar hockey team led by Balfe Q.C. defeated the Law Institute side.

In September 1984 the Annual Golf Match between the Bench and Bar and Combined Services was held at the Commonwealth Golf Club. The Bench and Bar won the Bruche Cup and the Combined Services retained the MacFarlan Trophy.

In February 1985 the Annual Golf Match between the Bench and Bar and the Solicitors was held at the Metropolitan Golf Club. The Bench and Bar won the Sir Edmund Herring Cup and the trophy was accepted on behalf of the Bench and Bar by His Honour Judge Dyett.

The Annual Tennis Match between the Bench and Bar and the Solicitors was played at the Albert Ground on 17th December 1984. The Solicitors were successful in winning and retained the O'Driscoll Tennis Cup

On 17th December 1984 the Annual Cricket Match between the Bench and Bar and the Solicitors was played at the Albert Ground. The Solicitors retained the Sir Henry Winneke Cup, the scores being Law Institute First XI – 8/145 – Bench and Bar First XI – 7/140 c.c.

On the same day at the Ross Gregory Ground the Bench and Bar Second XI played the Solicitors Second XI and the Law Institute team was successful.

On 3rd March 1985 a "Senior Bar Eleven" played a "Junior Bar Eleven" at the Fitzroy Cricket Ground. The match was won by the "Senior Bar Eleven"

During the Labour Day Long Weekend the Annual Cricket Match between the Victorian Bar and the New South Wales Bar was played at the Primary Club Oval, Wyong, N.S.W. The Victorian Bar was successful and regained the Trophy which was presented to Bill Gillard Q.C. by Roger Gyles Q.C. The Victorian Bar scored 3/161 and the New South Wales Bar scored 10/159 c.c.

In August 1985 the Annual Golf Match between the Bench and Bar and Combined Services was held at Kew Golf Club. The Bench and Bar lost the Bruche Cup and the Combined Services retained the MacFarlan Trophy.

BAR CENTENARY

The Bar Centenary Dinner was held at the Moonee Valley function centre on the 5th November 1984. Considered a great success, the dinner was addressed by His Honour the Chief Justice of the High Court of Australia, Sir Harry Gibbs. Other speeches were given by Sir Guy Green, the Chief Justice of Tasmania, Charles Q.C. and Hayne Q.C. A good and memorable night was had by all the 1,000 who attended.

At the Bar Dinner held on 8th June 1985 three jury boxes were presented to the Victorian Bar by the Justices of the Supreme Court of Victoria on the occasion of the Bar's Centenary. The presentation was made by The Honourable Mr. Justice Starke on behalf of the Justices of the Supreme Court of Victoria. The jury boxes were probably first used at the first sitting of the Supreme Court at Maryborough in 1861 presided over by Mr. Justice Barry. They were also used by the County Court sitting at Maryborough.

On 22nd July 1985 the President of the Law Institute of Victoria Mr. Frank Paton, presented to the Victorian Bar on behalf of the Members of the Institute, a silver salver to mark the Centenary of the Victorian Bar. The Chairman, Mr. A. Chernov Q.C. accepted the gift on behalf of the Victorian Bar.

On 5th August 1985 His Excellency The Right Honourable Sir Ninian Stephen, A.K., G.C.M.G., G.C.V.O., K.B.E., Q.C., Governor-General of the Commonwealth of Australia, accompanied by Lady Stephen, unveiled a plaque commemorating the Centenary of the Victorian Bar and the naming of the new Owen Dixon Chambers.

REPORT OF THE CHIEF JUSTICE'S LAW REFORM COMMITTEE

1. The Committee met on several occasions during the year. The Committee adopted the report of sub-committee, chaired by Mr. Justice Fullagar on the subject of the execution of non-privileged Wills. This report was forwarded to the Attorney-General for consideration.

2. Matters currently under consideration and which in due course will be the subject of a report both by a sub-committee and the Chief Justice's Law Reform Committee are as follows: -
 - (a) **Supreme Court Act** 1958, ss. 142 - 159 (Foreign Attachment).
 - (b) **Wills for Mentally Disordered Persons.**
 - (c) **Competence and Compellability of Witnesses.**
 - (d) **Prohibition of Publication of Reports of Proceedings in the Supreme Court.**
3. The Committee has received from other bodies a large number of Reports which will be considered in due course.

REPORT OF THE VICTORIAN BAR COUNCIL AND AIJA COMMITTEE ON DELAYS IN CRIMINAL TRIALS SHORTER TRIALS COMMITTEE

In August 1982 the Victorian Bar Council set up the Shorter Trials Committee. The task of the Committee was to recommend ways of shortening the time taken by criminal trials and committals and lessening their expense. A report has been completed in relation to criminal trials and was launched in August 1985 by the Chief Justice, the Honourable Sir John Young. Those who also spoke at the launching (in turn after Sir John Young) were the Acting Chief Judge of the County Court, Judge O'Shea, the Secretary of the Law Department (representing the Attorney General), Professor St. Kelly, Mr. Peter Sallmann (who wrote the report), the Chairman of the Committee, Mr. Justice McGarvie, and the Chairman of the Bar Council, Mr. A. Chernov Q.C. The launching was attended by members of the Judiciary and the Bar and the media.

The Committee has deferred a decision as to what work on committals should be undertaken until after it has examined a report by the Attorney-General's Committals Advisory Committee convened by the Director of Public Prosecutions, Mr. John Coldrey Q.C. on the purposes of committal proceedings.

REPORT OF THE LAW COUNCIL OF AUSTRALIA FAMILY LAW COMMITTEE

Two major events highlighted the year to the 31st August 1985. The 1st Commonwealth Family Law Convention was held at Hobart in November 1984 attracting over 150 delegates. An unfortunate attack on the profession by the Principal Registrar delivering a paper on behalf of the Chief Judge ensured a controversial start to the proceedings.

As a result of the restructuring of the Law Council the Family Law Committee was replaced in April by the Executive of the Family Law Section. Kay and Watt continued to represent the Victorian Bar as foundation Executive members.

The Section Executive met in Queensland in April and Bowral (New South Wales) in June. The Queensland meeting included a one day seminar conducted jointly with the Queensland Council of Legal Education.

Major topics dealt with and submissions made by the Committee and the Section Executive included -

- (a) The Family Law Rules;
- (b) The introduction of Registrars' powers; and
- (c) Specialization and Accreditation.

In June the Family Law Section published its first quarterly edition of the Australian Family Lawyer under the editorship of Watt. Of the 550 members of the Section, approximately 25 are from the Victorian Bar. All members of the Bar practising in the Family Law jurisdiction are urged to join the Section.

Plans are now well under way for the 2nd Commonwealth Family Law Convention to be held in Sydney in June 1986.

RICHARD GRIFFITH LIBRARY ANNUAL REPORT 1985

For many years now, the Library has had a substantial collection of reports, statutes and journals, and as far as Australian material is concerned, it is very comprehensive. Although last year some re-organisation occurred which provided much needed space, both in Owen Dixon chambers and in Four Courts, it is not practicable to add any significant number of new series. However, subscriptions have been taken to the new Federal Court Reports and Administrative Appeal Reports. Subscriptions to the Australian Bar Review and the journal, Building and Construction Law, are under consideration.

During the year an arrangement was made with the Honourable the Chief Justice of the Supreme Court whereby amendments to the Rules of that Court will be made available promptly to the Supreme Court Library, the Library of the Law Institute and the Victorian Bar Library. In our case, two copies are provided and one of these is placed on the table in the Library in Owen Dixon Chambers. The other copy remains with the Librarian where it is available upon request for photocopying.

Also during the year, the Registrar of the Administrative Appeals Tribunal of Victoria, kindly offered to make available transcript copies of the Tribunal's rulings as and when made. Steps will be taken shortly to place these too in the Library in Owen Dixon Chambers. A trial subscription has been taken to the Victorian Judgements Bulletin and a decision will be made as to whether or not that should be made available through the Library.

One of the problems that must be addressed and resolved is the means whereby unreported material and the like can be made available through the Library in such a form that it will remain there for use by all. It continues to be the case that a few

members of the Bar make selfish use of the Library by removing what they want and not returning it, at least for some time if not for ever. A recent example is volume 2 of the 1983 Victorian Reports which was on the shelves for less than 2 weeks. It is not practicable to employ professional or permanent staff.

The installation of a photocopy machine has been deferred for the time being because of practical difficulties in its operation, without staff. Counsel are reminded that it is essential that they comply with the rules relating to the replacement of books on the shelves and the absolute prohibition on removing books from the Library, for any purpose whatsoever. Only with the consent of the Library or a member of the Library Committee can books be removed, even for photocopying. Only by this means can the Library be kept available for all.

REPORT OF THE YOUNG BARRISTERS' COMMITTEE

The Young Barristers' Committee met on ten occasions, the Chairman of the Committee being Dowling Q.C. Many of the matters considered by the committee were matters which had been raised with Committee members by young barristers. Other matters considered were as a result of a direct reference to the Committee by the Bar Council.

Accommodation

The question of accommodation was one that occupied some part of almost every meeting. The overriding concern of the Young Barristers' Committee was that there be low cost accommodation for young barristers. It was this concern that led to representations which in turn led to the Bar Council resolving to direct that Barristers' Chambers Limited ensure that there is accommodation for not less than 25% of barristers on the Bar Roll which can be described as low rental accommodation, that is to say, accommodation of a standard and rental equivalent to Four Courts Chambers. The question of sharing chambers and the location of chambers were also matters discussed by the Young Barristers' Committee. The Young Barristers' Committee resolved that the Debenture and Unsecured Note contributions should commence immediately upon the conclusion of reading rather than when accommodation is obtained.

Civil Justice Committee Report

The Committee was active in considering the recommendations of the Civil Justice Committee especially insofar as those recommendations related to the Magistrates' Court Jurisdiction. A position paper was prepared and referred to the Bar Council.

Telephones in Magistrates' Courts

The Committee members undertook a survey of public telephone facilities at suburban Magistrates' Courts and made representations to Telecom in an endeavour to have additional telephones installed at certain courts.

Magistrates' Court Closures

The Committee was opposed to some of the Magistrates' Courts closures implemented by the Law Department.

Delays in Magistrates' Courts

The Committee noted that the delays in business varied greatly on a regional basis. Material on these delays is being collated and a report prepared for the Bar Council.

County Court Chambers

The Committee complained about delays in the County Court Chambers and provided material to demonstrate those delays. The appointment of a County Court master has considerably alleviated the problem.

County Court Civil Business Listing Procedure

The Committee is of the opinion that the current system of reserve lists in the County court is not working and has resulted in many members of counsel attending Court when there has not been the slightest prospect of the matter being heard. Details of the County Court procedures and a comparison with the Supreme Court proceedings have been referred to the Bar Council.

Social

A cocktail party was organised and held at the Essoign Club for the purpose of enabling young barristers to get together in an informal and inexpensive way. The response was not encouraging and amply demonstrated the proposition that members of counsel do not read circulars placed in their pigeonholes.

The Committee hosted a breakfast for interstate and international young lawyer representatives at the Melbourne Legal Convention in August 1985.

EXECUTIVE COMMITTEE

The Executive Committee meets fortnightly and sometimes more frequently when necessary. It is responsible for overseeing the implementation of the decisions of the Bar Council and dealing with urgent matters which do not require the making of final policy determinations. There are daily meetings of some members of the Executive to deal with urgent matters and matters of day to day routine. Otherwise, all matters and in particular, matters which raise questions of policy, are dealt with by the Bar Council. The following are some of the matters of significance or interest that have been dealt with by the Executive Committee in the past year.

1. There were continued discussions with the Attorney General and where appropriate the Chief Judge of the County Court regarding fees.

2. Much time was spent concerning a proposal by the Legal Aid Commission to employ in-house counsel. Many other matters involving the Legal Aid Commission came before the Executive.
3. The attitude of the Victorian Bar Council to the Law Council and in particular to individual membership and a number of matters referred from the Law Council of Australia to the Bar Council were dealt with by the Executive.
4. A number of arrangements relating to the construction of the new Owen Dixon Chambers were considered.
5. The Chairman's response to "The Age" article concerning the "Wade case" led to a letter from the Chairman of the Bar Council to The Age newspaper, the longer version of which was published in the Bar News.
6. Steps were instigated by the Executive to enforce the ethical ruling requiring all practising barristers to hold professional indemnity insurance.
7. Arrangements were made to mount and display the gift from the Supreme Court judges to the Victorian Bar as part of the Bar's Centenary celebrations.

ETHICS COMMITTEE ANNUAL REPORT

Acting on the suggestion of the Lay Observer the Ethics Committee now maintains a "Register of Complaints" and gives a separate number to each complaint to enable the Lay Observer and it to more easily monitor the investigation of complaints.

During the year the Ethics Committee held a summary hearing to hear a complaint concerning conduct in relation to litigation in Victoria, against an interstate counsel whose name is on the Roll kept by the Victorian Bar Council. Following a complaint from interstate concerning the conduct of Victorian counsel outside Victoria the Executive has requested the Ethics Committee to report to the Bar Council on the present situation with regard to jurisdiction over ethical offences by interstate counsel and to make recommendations to the Bar Council.

The statistics of complaints and the manner of their disposal in the past year and the two prior years are set out below:

	1982-83	1983-84	1984-85
Number of complaints	32	32	37
Complaints not upheld	15	20	26
Hearings	10	12	7
Complaints dismissed after Summary Hearing	5	5	3
Complaints upheld after Summary Hearing	5	7	4
Under investigation	7	16	21
Source:			
Client	18	23	19
Solicitor	7	6	10
Judicial	1	3	1
Counsel	2	4	2
Other	4	3	5

The result of the summary hearings where complaints have been upheld are briefly summarised as follows:—

- (a) Failing to provide advice within a reasonable time; failing to respond to phone messages from an instructing solicitor and failing to comply with submissions made to the instructing solicitor – Fine \$100.
- (b) Acting for a client in Court proceedings without the intervention of an instructing solicitor, but without fee – reprimand and fine of \$200.
- (c) Unreasonable delay in the preparation of submissions required by counsel's leader for the purposes of a case – Reprimand.
- (d) Three charges of professional misconduct arising out of language used in speaking to members of the Victoria Police on three separate occasions – Fine \$500 on each charge.

General rulings of the Ethics Committee by the Bar Council have included:—

That the ruling of 28th June, 1984 (set out in the last annual report) relating to barrister's business cards and "With Compliments" slips be amended to include barrister's letterheads – Bar Council Minutes 28th March, 1985.

The committee has had 23 ordinary meetings and has conducted 7 summary hearings during the relevant period.

REPORT OF TRUSTEES OF BAR CLERKING FUND

1. Mr. Howells has continued to pay off the loan which was made to him by the Bar when he commenced acting as Clerk "R".
2. The Bar continues to guarantee Mr. Roberts' overdraft upon terms substantially similar to the guarantees that have in recent times been provided by it in respect of other clerks when they commenced acting as clerk.
3. The guarantee of Mr. Howells' overdraft was cancelled on 28th March 1985 and, accordingly, the Bar is no longer a guarantor of that account.

4. The assets of the Fund as at 31st August 1985 were as follows:

	1985	1984
(a) Invested in Australian Savings Bonds		
– series 11 @ 9% (due 1/9/85)	9,200.00	9,200.00
– series 25 @ 12.25% (due 1/2/91)	5,000.00	5,000.00
(b) Savings Investment Account with Commonwealth Savings Bank	41,189.07	31,816.87
(c) Credit in Current Account – No. 121-208	6,287.36	4,541.23

REPORT ON OWEN DIXON CHAMBERS EXTENSION

Since the signing on 7th September, 1984 of the Development Contract between Barristers' Chambers Limited and Leighton Contractors Pty. Ltd. construction work on the project has reached Level Seven. The builder is still confident that the Owen Dixon Chambers Extension will be ready for handover on the dates set out in the Development Contract.

The Building Panel under the Chairmanship of Mr. O'Callaghan Q.C. meets at least once per week to transact formally all business that arises.

The builder prepares and presents a Monthly Report to the Building Panel and a site inspection by Panel members follows such monthly report presentation.

The Building Panel is assisted by the McLachlan Group of Companies who act as project consultant for Barristers' Chambers Limited.

Contracts for the fit-out works have been awarded and fit-out works will be similar to those shown in the prototype erected earlier this year and which was available for inspection by members of the Bar and their secretaries.

REPORT OF THE ACCOMMODATION COMMITTEE

There are now 945 counsel in active practice (an increase of 55) and 25 readers are expected to commence reading in September 1985. To cater for the increased number of barristers further accommodation was obtained, Stawell Chambers in October 1984 and in a building located on the corner of Queen Street and Little Lonsdale Streets in April 1985. In addition chambers were obtained in Dandenong in conjunction with practice by certain barristers at the Family Court.

Tait Chambers was lost in December 1984, as foreshadowed in the last Annual Report.

The Bar is now housed as followed –

Building	No. of Chambers
Owen Dixon Chambers	341
Equity Chambers	53
Latham Chambers	92
Four Courts Chambers	142
Seabrook Chambers	19
Stawell Chambers	22
Aickin Chambers	149
A.N.Z Building (Queen & Lonsdale Sts)	20
	838

There are still some untenanted chambers in Aickin Chambers and the A.N.Z. Building.

The apparent shortfall between the number of barristers in practice and those in chambers, seems to be catered for by the present policy of the Bar Council permitting sharing and subletting of chambers.

The completion of the new Owen Dixon Chambers will provide 512 new chambers for barristers, although it is possible that two floors will be leased for use by Judges of the County Court. It's also possible that some area on the ground floor will be taken up by the clerks. Subject to that it is anticipated there will be available for barristers 110 "A" size rooms, 179 "B" size rooms and 223 "C" size rooms.

The Committee is presently considering the method of allocating chambers in the new building. The Bar will be advised in time to make arrangement for the move. The building is to be handed over for occupation as follows – Ground Floor to Floor 4 in April 1986, Floors 5-9 in May 1986, Floors 10-14 in July 1986 and in August 1986 the Basement, Lower Ground Floor and Floors 15-18.

REPORT ON THE READERS' COURSE

The September 1984 and March 1985 Courses were attended by 27 and 35 readers respectively.

The general content and nature of the Courses did not change during the past 12 months but there were innovations, particularly in the use of video equipment as a teaching aid. Regular video exercises were conducted as part of the last Course and the use of video as a teaching medium will be continued and developed.

The generous contribution of time and effort by a large number of people should be recognised. Over 130 people contributed to the last Course, including 8 judges, the Attorney-General, the Director of Public Prosecutions, 22 Queen's Counsel and over 80 other members of the Bar. Other generous contributions were made by senior members of the Police Force, members of

the Legal Aid Commission, academics, solicitors and persons involved with social welfare work. The Committee is particularly grateful for the continuing contributions made by Mr. Justice Hampel and Mr. Justice Vincent.

The Committee welcomes suggestions in relation to the Courses from members of the Bar and invites further suggestions.

THE ESSOIGN CLUB LIMITED

The Essoign Club, which was incorporated on 11th March, 1981 and obtained a Club licence on 26th April, 1982 has now completed its third year of operation as a fully licensed Club. There are now 766 members.

Mr. Patrick Gilbert was appointed the Club's nominee on 3rd January, 1985. The hours of trade of the Club on each week day, except Fridays, are between 12.30 p.m. and 2.30 p.m. and 4.30 p.m. and 7.30 p.m.; Fridays are from 12.30 p.m. to 8.30 p.m.

Members may introduce visitors (in accordance with the rules) on any evening and at any time on a Friday.

The fourth Annual General Meeting of the Club was held on 30th April, 1985. The Committee was elected unopposed and consists of Shaw Q.C. (Chairman), M. A. Adams (Vice-Chairman), Harper (Treasurer), McInerney (Secretary), Berkeley Q.C., Charles Q.C. and J.W. Lee.

The Club has continued to conduct special functions on the premises. Functions may be held on any night other than Thursday or Friday (these nights being retained for use of Club members only).

There have been receptions for the Supreme Court, Federal Court and County Court Judges and the Metropolitan Magistrates, together with other receptions, drinks and dinners given by members of the Club.

The Committee of the Club is particularly proud of the wines being selected by Mr. Gilbert and this is reflected in the fact that 55% of turnover is now accounted for in wine sales. Of those wine sales, approximately 70% are take-away sales. At the end of June, 1985 the stock of wine held by the Club amounted to \$33,500.

The average numbers in the Dining Room for lunch is 45 persons, with Friday being in the region of 80-90. These figures reflect the high standard of food and wine which is provided, and it is hoped that the patronage by members of the Bar of the Club will continue to increase.

The Policy of the Club remains that of providing its services at the cheapest possible prices. The annual subscription remains at \$10. All funds accumulated are put back into the purchase of wines and the improvement of facilities for the general benefit of all members.

The enjoyment of the facilities offered by the Club is regularly enhanced by the art exhibitions organized by Michael Adams, which the Committee greatly appreciates.

REPORT OF LAW REFORM COMMITTEE

The Law Reform Committee of the Bar has had an active 12 months.

The Chairman, Mr. D. Graham Q.C. and his committee have worked diligently to obtain reports from members of the Bar to the various Law Reform proposals.

The Committee has instituted a policy of inviting persons interested in Law Reform to meetings of the Law Reform Committee to discuss various issues and problems. In the past year the following persons have been invited to Committee meetings.

Professor Sandford Clark,

Executive Director, Victoria Law Foundation;

Dr. Clyde Croft,

Senior Advisor to the Secretary, Law Department; and

Mr. K. O'Connor,

Director, Policy Research, Attorney-General's Department.

The discussions provided a forum at which there could be an interchange of views upon various law reform proposals. All of the guests who attended the Committee meetings expressed the view that the discussions had been worthwhile and that there was now a better understanding of what members of the Bar could do in regard to the various Law Reform proposals. The Committee intends to continue this dialogue as it is seen as a channel of communication and a means of "opening-up" the Bar to outsiders and outside organisations.

One of the matters raised in discussions which has subsequently been taken up by the Law Reform Committee is the possibility of barristers acting as Arbitrators. The Law Reform Committee has written to the Executive Committee of the Bar requesting a ruling on whether barristers may become Arbitrators allowing them to place their name in a book published by the Institute of Arbitrators. If Barristers are allowed to become Arbitrators then the range of Arbitrators available to sit on International Arbitrations and the new National Arbitration Centre in the World Trade Centre in Melbourne will be expanded considerably. Members of the Law Reform Committee have been active in assisting the State Government to establish the Centre and to see that it has the best possible Arbitrators available. It seems that the New South Wales Bar Association is willing to allow its members to sit as Arbitrators at a proposed International Arbitration Centre to be established in Sydney. It would indeed be a pity if International Arbitrations were directed away from Melbourne to Sydney for the reason that at the Sydney Centre the calibre of the Arbitrators was higher in that barristers were allowed to sit as Arbitrators.

Any member of the Bar who would like to assist the Law Reform Committee should contact the Secretary, John Hockley. Some of the matters dealt with the Committee over the last 12 months include:-

Privilege for Media for publishing informations supplied by Police

The Committee wrote informing the Attorney-General that it agreed to a form of a protection to be given in defamation cases to the media:-

- (a) in respect of a publication made at the request of an officer of Police of the rank of Inspector or above;
- (b) in respect of Ministerial Statements made in the public interests, in circumstances where such a statement is reasonably necessary.

Statutory immunity should not be given to the informant who provided the information. The immunity afforded to the media is to cover a full and accurate summary of the information provided as well as the situation where the information is published verbatim.

Such immunity should only be qualified and will be defeated by proof of malice.

Legal Implications of Frangible Polls

A letter from Mr. Judd Epstein of Monash University in regard to the above topic was forwarded to the Personal Injuries Bar Association for comment and report.

Admiralty Jurisdiction

The Committee has been assisted by the efforts and enthusiasm of Mr. F. H. Callaway in regard to commenting critically on the Australian Law Reform committee's reference on Admiralty Jurisdiction.

Abolition of Unsworn Statements

The committee has responded to the Shadow Attorney-General, Mr. Chamberlain M.L.C., indicating that it would be desirable to wait until the reports of Professor Waller and the A.L.R.C. on the above topic are at hand before any action is taken on this matter.

Family Law — Reference of Powers

A proposed draft bill raised several issues:-

- (1) Reference of certain matters relating to children
- (2) Reference of certain matters relating to property of husbands and wives.

The Law Reform Committee referred the above Bill to several members of the Bar and after a study of their reports the Committee was able to have one member of the Bar compile a composite report and forward this to the State Attorney-General.

Details of the Bar's submission appeared in the Winter Edition of the Victorian Bar News 1985.

Several other matters are currently under discussion by the Committee including:-

- (a) Human Rights Committee Bill (Bill of Rights);
- (b) Red Light Cameras — the Committee is concerned with several aspects of this Bill including the requirement that the owner must "dob in" another person: the reversal of the onus of proof: and the exemption for cars owned by companies;
- (c) The A.L.R.C. Discussion Paper No. 22 on Matrimonial Property Law;
- (d) Child Welfare Practice Legislation Review Committee — The Carney Committee; and
- (e) Legal Representation before tribunals. The Committee has been corresponding with Mr. O'Connor of the Policy and Research Division, Attorney-General's Department in an attempt to try and have an automatic right of legal representation before all tribunals incorporated in all future legislation rather than "By Leave Provisions" or the absence of the right of legal representation.

VICTORIAN BAR COUNCIL
STATEMENT OF RECEIPTS AND PAYMENTS
FOR YEAR ENDED 31ST AUGUST, 1985

	\$	\$
Cash Balance as at 1st September 1984		89,543.00
Add Receipts for Period:		
Annual Subscriptions (previous years)	19,639.00	
Annual Subscriptions (current year)	201,357.00	
Total Subscriptions Received		220,996.00
Interest Received:		
Short Term Deposits	28,393.20	
Commonwealth Bonds	90.00	
Savings Investment Account	3,133.97	
Savings Bank Deposit	4.28	
Loan to Barristers' Chambers Ltd.	15,000.00	
Total Interest Received		46,621.45
Sales of Publications		75.35
Readers' Practice Courses –		
Income for Period	29,045.75	
Pre-paid September 1985	9,700.00	
Total Readers' Course Income		38,745.75
Repayment of List "C" Expenses		17,691.57
Sale of Prints		40.00
Legal Costs Recovered		9,344.63
Miscellaneous Income		39.00
TOTAL FUNDS AVAILABLE		423,096.75
Less Payments:		
Auditors Remuneration	905.00	
Bank Charges/Deposit Duty	271.83	
Publications	98.00	
Floral Tribute	124.00	
Insurance	876.70	
General Meeting	412.25	
Total Administration Expenses		2,688.58
Income Tax Payment		18,476.84
Capitation & Affiliation Fees:		
Law Council of Australia (1985/86)	35,188.00	
International Bar Association	87.07	
Victorian Council of Professions	350.00	
Lawasia	300.00	
Total Fees Paid:		35,925.07
Excess of Receipts over Payments C/F		366,006.26

	\$	\$	\$
Balance			366,006.26
Less:			
Unveiling Ceremony		398.26	
Travelling Expenses		4,595.30	
Functions and Entertainment	33,055.81		
Less Members Payments	<u>16,387.20</u>	16,668.61	
Transcripts		1,149.80	
Consultancy Fees		3,364.53	
Share of Lay Observer's Remuneration		2,620.00	
Law Institute of Victoria – Motor Accident Scheme		2,310.00	
Purchase – Centenary Wine		971.84	
Centenary Dinner		5,282.09	
Brass Plaque		70.00	
Purchase of Investments: C.T.B. Bill		149,559.62	
C.T.B. Term Deposit		50,000.00	
Readers' Course Expenses		<u>49,189.35</u>	286,179.40
Balance of Cash at Bank – 31st August 1985			<u>\$ 79,826.86</u>

TRUST FUND

Barristers' Benevolent Fund			
Received	22,430.44		
Remitted	<u>22,430.44</u>		

VICTORIAN BAR COUNCIL**ASSETS AS AT 31ST AUGUST, 1985**

	\$	\$
1. Cash in Bank – Savings Bank Account	118.36	
Trading Accounts	45,299.58	
Savings Investment Account	<u>34,408.92</u>	79,826.86
2. Investments at Cost:		
(a) 8,150 Ordinary Shares at \$2 cost in Barristers' Chambers Limited	16,300.00	
(b) Commonwealth Bonds	2,000.00	
(c) Short Term Deposits with Commonwealth Bank of Australia	299,000.00	
(d) Bank Bill with Commonwealth Bank of Australia	149,559.62	
(e) Barristers' Chambers Limited – Unsecured Loan – 10%	150,000.00	
Capital Works Loan	65,000.00	
(f) Centenary Wine	<u>971.84</u>	682,831.46
3. Member Debtors		35,922.00
4. List "C" Expenses Prepaid		7,056.62
5. Candelabra and other gifts		1,276.00
6. Honour Board of Past Chairmen of Victorian Bar Council		<u>256.00</u>
Total Assets		<u>\$807,168.94</u>

ACCUMULATED FUNDS

Accumulated Funds as at 1st September 1984	646,824.58
Add Net Increase in Assets for Period	<u>160,344.36</u>
Accumulated Funds as at 31st August 1985	<u>\$807,168.94</u>

Net Increase in Assets

Increase in Investments at Cost	198,161.46
Increase in Member Debtors	<u>3,652.00</u>
	201,813.46
Less: Decrease in Cash in Bank	(9,716.14)
Decrease in List "C" Prepayment	<u>(31,752.96)</u>
	(41,469.10)
Net Increase in Assets	<u>\$160,344.36</u>