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VICTORIAN BAR COUNCIL  
OWEN DIXON CHAMBERS  
205 WILLIAM STREET,  
MELBOURNE 3000

VICTORIAN BAR COUNCIL

# ANNUAL REPORT

1985-86

## ANNUAL REPORT OF THE VICTORIAN BAR COUNCIL

1985/86

To be presented to the Annual General Meeting of the Victorian Bar to be held on Monday, 22nd September, 1986 at 5 p.m.

### BAR COUNCIL

Elections: In the Annual Election held in September 1985 the following persons were elected:

#### Counsel of not less than 12 years' standing —

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

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

Messrs. D.L. Harper, B.A. Murphy, D.J. Habersberger and M.B. Kellam.

#### Counsel of not more than 6 years' standing —

Messrs. J.E. Middleton, A.L. Cavanough and C.J. Ryan.

Mr. N.R. McPhee Q.C. resigned in December 1985 and Mr. B.A. Murphy in February 1986. In a by-election held in March 1986 Mr. R.J. Stanley Q.C. and Mr. M.G. McInerney were elected to fill the casual vacancies.

Mr. S.P. Charles Q.C. resigned in June 1986 and the vacancy on the Council has remained.

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

### Officers of the Bar Council

Chairman — Mr. A. Chernov Q.C.

Vice-Chairmen — Mr. N.R. McPhee Q.C. (to December 1985)

— Mr. P.D. Cummins Q.C.

— Mr. E.W. Gillard Q.C. (from April 1986)

Honorary Treasurer — Mr. D.L. Harper

Assistant Honorary Treasurer — Mr. M.B. Kellam

Honorary Secretary — Mr. P.R. Hayes (to February 1986)

Honorary Secretary — Mr. I.G. Sutherland (from February 1986)

Assistant Honorary Secretary — Mr. I.G. Sutherland (to February 1986)

Assistant Honorary Secretary — Mr. R.A. Brett (from February 1986)

Executive Director — Mr. E.T. Fieldhouse

Executive Officer — Miss D.M. Brennan (to December 1985)

— Mrs. J.A. Smith (from December 1985)

### YOUNG BARRISTERS' COMMITTEE

Messrs. M.J.L. Dowling Q.C. (Chairman) and C.J. Ryan are the Bar Council Nominees.

Following the Annual Election held in August 1986 the following Counsel are now members of the Young Barristers' Committee: Messrs. G.M. Randall (Secretary), A.C. Marshall, P.R. Gibbons, A.J. McIntosh, J.E. Goetz, P.A. D'Arcy, J.F. Carmody and G.B. Thomson. Miss M. Sexton and Mrs. M.M. Williams.

## BAR COUNCIL ADMINISTRATIVE COMMITTEES

### EXECUTIVE COMMITTEE

Messrs. Chernov Q.C., McPhee Q.C. (Vice-Chairman to December 1985), Cummins Q.C. (Vice-Chairman), E.W. Gillard Q.C. (Vice-Chairman from April 1986), Hedigan Q.C., Barnard Q.C., Graham Q.C. (from May 1986), Harper, Sutherland (Secretary to February 1986) and Brett (Secretary from February 1986).

#### Area of Responsibility:

##### (a) Joint Standing Committees

###### **Joint Standing Committee of the Bar and Law Institute**

Messrs. Chernov Q.C. and Barnard Q.C. (Alternate).

###### **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.

###### **Joint Standing Committee on Legal Professional Privilege**

Messrs. Chernov Q.C., Cummins Q.C. and Pagone.

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

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

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

Messrs. Hanlon Q.C. (to May 1986), Kendall Q.C., Stanley Q.C., Shannon Q.C., Bongiorno Q.C., Dove Q.C. and Gorton.

##### (b) Standing Committees

###### **Proposals Committee**

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

###### **Police/Lawyers Liaison Committee**

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

###### **Victorian Bar News — Editorial Board**

Messrs. Byrne Q.C. (Chairman to December 1985), D.J. Ross (to December, 1985), Heerey Q.C. (Chairman from January 1986), Coldrey Q.C., Nash, Elliott and Thompson (from December, 1985).

###### **Bar Clerking Committee**

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

###### **Fee Collection Committee**

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

###### **Bar Clerking Fund — Trustees**

Messrs. Harper (Chairman), A.J. Myers and Kellam.

###### **Bar Fees Committee**

Messrs. D. Graham Q.C. (Chairman), Dalton Q.C. (Vice-Chairman), Balfe Q.C., Shannon Q.C., Lovitt and J.V. Kay (to June 1986).

###### **Bar Library Committee**

Messrs. Phillips Q.C. (Chairman and Bar Librarian), Habersberger, M.A. Adams, Burnside, Derham, T.P. Murphy, R.L. Brear, Pannan, McMillan, D.B.X. Smith and Miss E.M.T. Murphy.

###### **First Aid Committee**

Miss E.M.T. Murphy (S.R.N.) (Chairman).

**Readers' Practice Course Committee**

Mr. Black Q.C. (Chairman), Mr. Justice Hampel, Messrs. Cummins Q.C., Habersberger, Hayes (to February 1986), I.G. Sutherland and R.A. Brett (from February 1986).

**Portraits Committee**

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

**Bar Staff Committee**

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

**Computer Committee**

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

**Legal Aid Committee**

Messrs. Cummins Q.C. (Chairman), Kirkham Q.C., Redlich Q.C., J.V. Kay (to June 1986), Bongiorno Q.C., Garde and M.R.B. Watt.

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

Mr. Chernov Q.C.

**Council of Australian Bar Association**

Messrs. Charles Q.C. (President to July 1986), Chernov Q.C. (Vice-Chairman from July 1986) and Cummins Q.C. (from July 1986).

**Victorian Council of Professions**

Messrs. Dalton Q.C. and P.H. Kearney (to April 1986).

**Chief Justice's Committee for Religious Observances**

Mr. Hansen Q.C.

**Legal Aid Commission of Victoria**

Mr. Kirkham Q.C. (to February 1987). Mr. Dove Q.C. (Alternate from June 1986).

**Legal Aid Committee No. 1**

Mr. Shannon Q.C.

**Legal Aid Committee No. 2**

Mr. Dove Q.C. (Chairman to November 1986)

**Panel of Reserve Members of Legal Aid Review Committees**

Mr. Hansen Q.C.

**Appeal Costs Board**

Mr. Hooper Q.C. (to 30.9.88).

**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. Fajgenbaum Q.C., Nash and Harper.

**Australian Legal Education Council**

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

**Academic Course Appraisal Committee**

Mr. Fajgenbaum Q.C.

**Victoria Law Foundation**

Mr. Chernov Q.C. and 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 31.12.1988) and Bongiorno Q.C. (to 31.12.1987).

**Chief Justice's Supreme Court Library Committee**

Messrs. Phillips Q.C., Phipps and Nettle (from January 1986).

**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 (to November 1987).

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

Mr. Levin.

**Law Council of Australia — Legal Aid Advisory Committee**

Mr. Cummins Q.C. and Mr. Redlich Q.C. (alternate).

**Leo Cussen Institute Consultants Committee**

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

**Commercial Causes Users Committee**

Mr. McDonald Q.C. and Mr. Hayes.

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

Messrs. Chernov Q.C. 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 (to February 1986), C.J. Ryan (from February 1986), I.G. Sutherland, Hayes (to February 1986) and R.A. Brett (from February 1986).

**ETHICS COMMITTEE**

Messrs. Barnard Q.C. (Chairman), Hedigan Q.C., Uren Q.C., Hansen Q.C., Shannon Q.C., B.A. Murphy (to February 1986) and Rozenes. Mrs. Hooper. Messrs. C.J. Ryan (from March 1986) and Colbran (Secretary).

**LAW REFORM COMMITTEE**

Messrs. McDonald Q.C. (Chairman), T.H. Smith Q.C., Heerey Q.C., J.V. Kay (to June 1987), P. Murdoch and 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)
Liversidge	(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 Q.C.	(Administrative Law)
J.V. Kay (to June 1986)	(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**

Mr. Batt Q.C.

**County Court Rules**

Mr. Wheeler and Mrs. Crennan.

**Courts Advisory Council**

Mr. Gillies (from June 1986).

**Attorney-General's Criminal Advisory Council**

Mr. Redlich Q.C.

(c) **Criminal Bar Association:**

**Executive**

Messrs. Lovitt (Chairman), Richter Q.C. (Vice-Chairman), Tovey (Treasurer), Lasry (Secretary) and Papas (Assistant Secretary).

**General Committee**

Messrs. Francis Q.C., Kayser, Langton, Barnett, Shwartz, Rozenes, Kent, Miss L. Lieder and Mr. M.S. Weinberg.

**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. (to December 1985), O'Callaghan Q.C., Shaw Q.C. (from September 1985), Chernov Q.C., Beaumont Q.C. (from September 1985), Harper, A.J. Myers and E.T. Fieldhouse.

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

Messrs. O'Callaghan Q.C. (Chairman), Liddell Q.C., Chernov Q.C., Byrne Q.C., Harper, Woinarski, Phipps, Webster (to December 1985) and Liversidge.

**ACCOMMODATION COMMITTEE**

Messrs. Hansen Q.C. (Chairman), McArdle, Harper and E.T. Fieldhouse.

## HONORARY LIFE MEMBER

The Council records with deep regret the death of Sir Henry Winneke, A.C., K.C.M.G., K.C.V.O., O.B.E., Q.C., an Honorary Life Member of the Victorian Bar. Sir Henry passed away on 28th December 1985.

## COUNCIL MEETINGS

There have been 25 ordinary meetings and 6 special meetings of the Bar Council during the period 1st September 1985 to 31st August 1986. Attendances from the first meeting of the new Council on 1st October 1985 to 31st August 1986 have been:—

A. Chernov Q.C. ....	(1) 26	M.J.L. Dowling Q.C. ....	(2) 22
N.R. McPhee Q.C. (to Dec, 1985) .....	(7) 11	R.J. Stanley Q.C. (from Mar. 1986) .....	7
P.D. Cummins Q.C. ....	19	D.L. Harper .....	24
E.W. Gillard Q.C. ....	(9) 9	B.A. Murphy (to Feb. 1986) .....	4
J.J. Hedigan Q.C. ....	(1) 17	D.J. Habersberger .....	24
J.E. Barnard Q.C. ....	23	M.B. Kellam .....	(6) 19
P.A. Liddell Q.C. ....	24	M.G. McNerney (from Mar. 1986) .....	11
S.P. Charles Q.C. (to June 1986) .....	13	J.E. Middleton .....	20
A.W. McDonald Q.C. ....	(1) 19	A.L. Cavanough .....	25
D. Graham Q.C. ....	23	C.J. Ryan .....	27

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

The following Members of Council attended meetings on behalf of the Bar Council and were unable to be present for some Council meetings: R.J. Stanley Q.C. (3), J.J. Hedigan Q.C. (1), J.E. Barnard Q.C. (2), M.J.L. Dowling Q.C. (1), P.A. Liddell Q.C. (1), D.L. Harper (1) and D.J. Habersberger (1).

R.P. Hayes (Honorary Secretary to Feb. 1986) .....	4
I.G. Sutherland (Honorary Secretary from Feb. 1986) .....	12
I.G. Sutherland (Assistant Honorary Secretary to Feb. 1986) .....	10
R.A. Brett (Assistant Honorary Secretary from Feb. 1986) .....	12

## COMMITTEE MEETINGS

During the period 1st September 1985 to 31st August 1986 the following number of Committee meetings were held:—

Executive Committee .....	22
Ethics Committee .....	24
Law Reform Committee .....	9

## SUBSCRIPTIONS

Under Rule 39, the Council fixed the following annual subscription for members of the Bar for the period 1st September 1985 to 31st August 1986:—

Queen's Counsel .....	\$520.00
Over 10 years' standing .....	345.00
Over 3 but under 10 years' standing .....	230.00
Over 1 but under 3 years' standing .....	145.00
Under 1 year's standing .....	85.00
Interstate Queen's Counsel .....	70.00
Interstate Juniors .....	50.00
Solicitors-General, Attorneys-General, Directors of Public Prosecutions and all other Official Appointments .....	75.00
Crown Counsel, Crown Prosecutors and Parliamentary Counsel .....	80.00
Retired Counsel .....	15.00

## PERSONALIA

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

Alan H. Croxford on 13th November 1985.

Herbert M. Knott on 7th February 1986.

**Judicial Appointments:** In June 1986 the Honourable Mr. Justice Kay was appointed to the Bench of the Family Court of Australia. In March 1986 His Honour Judge Howden was appointed to the County Court. In May 1986 His Honour Judge Hanlon was appointed to the County Court.

**Other Appointments:**

September 1985	Mrs. M.A. Rizkalla — Victorian Stipendiary Magistrate
October 1985	Mrs. S.E. Brown — Victorian Stipendiary Magistrate.
December 1985	Mr. I.T. West - - Victorian Stipendiary Magistrate.
January 1986	Mr. R.C. Webster — First Deputy Director of Public Prosecutions, Commonwealth of Australia.
February 1986	Mrs. Mary Slade — Full time Member Small Claims Tribunal and the Residential Tenancies Tribunal. Mr. R. Barberio -- Victorian Stipendiary Magistrate.
April 1986	Mr. S.R. Molesworth — Senior Member, Planning Appeals Tribunal.
May 1986	Mr. R.G. McIndoe — Victorian Stipendiary Magistrate.
July 1986	Mr. A. Chernov Q.C. — Vice Chairman, Council of Australian Bar Association. Mr. P.H. Mealy - - Victorian Stipendiary Magistrate. Miss L. Dessau - - Victorian Stipendiary Magistrate.

**Queen's Counsel:** The following members of the Bar were appointed Queen's Counsel in November 1985:—

Messrs. M. Shannon, P.C. Heerey, J.A. Strahan, J.I. Fagenbaum, T.H. Smith, B.D. Bongiorno, F.G.A. Beaumont, R. Richter and J. McL. Emmerson.

**Welcomes:** During November 1985 the Honourable Mr. Justice Wilczek was welcomed to the Bench of the Family Court of Australia by the Chairman, Mr. A. Chernov, Q.C. In June 1986 the Honourable Mr. Justice Kay was welcomed to the Bench of the Family Court of Australia by the Chairman, Mr. A. Chernov, Q.C. During February 1986 His Honour Judge Jones was welcomed to the County Court Bench by the Chairman, Mr. A. Chernov, Q.C. In March 1986 His Honour Judge Howden was welcomed to the County Court Bench by the Chairman, Mr. A. Chernov, Q.C. In May 1986 His Honour Judge Hanlon was welcomed to the County Court Bench by the Chairman, Mr. A. Chernov, Q.C. During September 1985 His Honour Judge Higgins was welcomed as a Deputy President of the Accident Compensation Tribunal by the Chairman, Mr. A. Chernov, Q.C. During December 1985 Mr. B. Forrest was welcomed as a Deputy President of the Victorian Appeals Tribunal by the Chairman, Mr. A. Chernov Q.C.

**Farewells:** During November 1985 representatives of the Bar and the Solicitors met to pay tribute to the Honourable Mr. Justice Starke on the occasion of his retirement from the Supreme Court Bench. The Chairman, Mr. Chernov, Q.C., spoke on behalf of the Bar. During April 1986 representatives of the Bar and the Solicitors met to pay tribute to the Honourable Mr. Justice Ashe on the occasion of his retirement as a Senior Judge of the Family Court of Australia to serve as a Judge of the Supreme Court of the Northern Territory. The Chairman, Mr. Chernov Q.C., spoke on behalf of the Bar. During February 1986 representatives of the Bar and the Solicitors met to pay tribute to His Honour Judge Franich on the occasion of his retirement from the County Court Bench. The Chairman, Mr. Chernov, Q.C. spoke on behalf of the Bar.

## ROLL OF COUNSEL

Between 1st September 1985 to 31st August 1986 the following 78 persons, 15 of whom are interstate counsel, signed the Roll of Counsel:—

Mr. B.S.J. O'Keefe Q.C. (NSW), Mr. B.R. St. A. Kendall, Mr. G.J.C. Silbert, Mr. I.D. Temby Q.C. (WA), Miss J.A. Campton, Mr. F.P. Donohoe (NSW), Mr. M.C. Hines, Mr. P.A. O'Connell, Miss L.M. Crockett, Dr. S.R. Davis, Dr. S.R. Derham, Mr. B.N. Caine, Mr. P.G. McDermott, Mr. J. Dounias, Mr. K.J. Andrews, Mrs. K.M. MacMillan, Mr. M. Gland, Miss C.V. Hall, Mr. P.M. Thomasz, Mr. G.L. Rice, Mr. P.D. Freckleton, Mr. L.R. Lethlean, Mr. J.E. Baring, Mr. G.B. Wicks, Miss A.T. Dalton, Mr. M. Gros, Mr. P.W. Lithgow, Mr. L.R. Samuel, Mr. E.C. Batt, Mr. K.F. Sparks, Mr. R. Travers (NSW), Mr. J. Cleworth (NSW), Mr. T.J. Hancock, Mr. J.S. Coombs Q.C. (NSW), Mr. A.D.M. Hewitt (NSW), Mr. R.V. Gyles Q.C. (NSW), Mr. G.T.W. Miller (NSW), Mr. L.H. Webb, Mr. R.F. Margo, Mr. D.A. Trapnell, Dr. I. Hardingham, Mr. M.J. Gibson, Mr. R.J. McInnes, Mr. M.A. Fullerton, Mr. I.N. Brewer, Mr. W.F. Gillies, Miss W.C. Kozica, Mr. R.D. Larkins, Mr. D.J. O'Callaghan, Mr. P.W. Riggio, Mr. M.D. Murphy, Mr. S.E. Marks, Ms. J.B. Brodie, Mrs. M.M. Williams, Mr. M. Bartfeld, Mr. G.J. Barns, Mr. M.T. Lapirow, Mr. C.M. Scerri, Mr. M.A. Strang, Mr. A.D.C. Miller, Mr. C. Moisidis, Mr. C.S. Rosencwajg, Mrs. C.M.J. Osborne, Miss A. Mendes Da Costa, Mr. S.C. Newnham, Mr. P.K. Searle, Mr. A. McL. Jackson, Mr. N.J. Clelland, Mrs. M.L. Mandelert, Mr. J.F. Lo Presti, Mr. M.B. Oakes (NSW), Ms. R.S. McColl (NSW), Mr. G.J. McEwan, Mr. A.W. Street (NSW), Ms. E.M. O'Reilly (QLD), Mr. I.B. Ward (NSW), Mr. N.C. Hutley (NSW), Mr. R.A. Elston (re-signed)



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

Mrs. M.A. Rizkalla  
 Mrs. S.E. Brown  
 Mr. I.T. West  
 Mrs. M. Slade  
 Mr. R. Barberio  
 Mr. S.R. Molesworth  
 Mr. R.G. McIndoe  
 Mr. P.H. Mealy  
 Miss L. Dessau

**Members whose name has been transferred to Division B, Part IV — Solicitors-General and Directors of Public Prosecutions:**

Mr. R.C. Webster

**Members whose names have been transferred to Division C, Part III, Retired Counsel:**

Mr. R.L. Gilbert  
 Mr. N.C.J. Rustomjee

**Names removed at request of Counsel:**

Messrs. P.M. Foley, G.A. Bydder, P.J. Grey, K.L. Chenery and I.R. Miller. Miss C.J. Toop. Messrs. D.I. Findlay, C.P. Bayliss, G.R. Schneider, R.A. Elston, G. Allwood, G.L. Foster, G.B. Powell, W.S. Johnson, H.W. Poulton, M.J.F. Sweeney, J. Crowther, M.A. Hammett, S. Daley, S.L. Stone, C. Duncan, D.H. Denton, R.J. Bair and H. Gillespie. Miss K.A. Symons. Messrs. D. Garnet-Thomas, J. Corker and P. Wilkinson. Miss M. Harding. Messrs. G. Gibson, S.R. Derham, F.A. Casely, T.A. Munro, B.S. Heathershaw and R.C. Travers (NSW).

**THE ROLL**

Division A		
Part I	Victorian Practising Counsel.....	960
Division A		
Part II	Prosecutors for the Queen.....	15
Division A		
Part III	Interstate and Overseas Practising Counsel .....	127
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 .....	5
Division B		
Part V	Masters .....	5
Division B		
Part VI	Magistrates and Full-Time Members of Statutory Tribunals .....	28
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 .....	30
Division C		
Part II	Retired Holders of Public Office other than Judicial Office .....	9
Division C		
Part III	Retired Counsel .....	23

## FUNCTIONS

### Opening of the Legal Year

Services to mark the opening of the Legal Year were held on 3rd February 1986 at St. Paul's Cathedral, St. Patrick's Cathedral, East Melbourne Synagogue and St. Eustathios' Cathedral.

At St. Paul's Cathedral the lessons were read by the Senior Puisne Judge, The Chairman of the Bar Council and the President of the Law Institute of Victoria. The Sermon was preached by The Reverend N. Pritchard, Minister of Scots Presbyterian Church, 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 the East Melbourne Synagogue the address was given by The Reverend S. Link.

At St. Eustathios' Cathedral the Service was conducted by his Eminence Archbishop Stylianos and all Clergy of Melbourne participated.

### Bar Entertainment

On 23rd October 1985 a portrait of The Honourable Sir Murray McInerney Q.C., was hung in Owen Dixon Chambers. Family members of Sir Murray and his guests were entertained by the Chairman of the Bar Council at a reception in the Chairman's room.

On 7th November 1985 the Chairman and members of the Bar Council held a dinner in honour of the Past Chairman, Mr. S.P. Charles Q.C. and retiring members of the Bar Council in both 1984 and 1985.

On 13th December 1985 the Annual Christmas Cocktail Party was held in the Essoign Club. The function was well attended by members of the Bench and Bar together with wives and guests.

On 11th March 1986 members of the Bar entertained at a luncheon in the Essoign Club members of a U.S. Citizens' Ambassador Programme who visited for the purpose of professional exchanges and goodwill.

On 16th April 1986 the Chairman and members of the Bar Council held a reception in the Essoign Club in honour of the President and members of the Bar of Montreal.

On 22nd May 1986 the Chairman, members of the Bar Council and guests entertained the Chief Justice of the High Court, Sir Harry Gibbs at a luncheon in the Essoign Club.

On 31st May 1986 the Annual Bar Dinner was held at the Leonda Function Centre. Members of the Bar and guests attended and heard Mr. Junior Silk, John McLaren Emmerson Q.C. propose the toast to the honoured guests. Speeches in reply were made by His Honour Judge Neesham and His Honour Judge Hanlon.

On 23rd July 1986 the Chairman and members of the Bar Council at a function held in the Essoign Club entertained some 40 Victorian and Interstate Stipendiary Magistrates who were in Melbourne for the Magistrates' Conference.

Readers' Dinners were held in November 1985 and May 1986. Mr. T.W. Smith Q.C. was the guest speaker at the November dinner and in May last Miss M. Kingston addressed the Readers.

Readers were welcomed to the Bar at functions held during September 1985 and March 1986 respectively.

### Sporting Events

Since the last Report, the Bar Hockey team has played two games. It lost to both the Law Institute of Victoria and R.M.I.T. On 29th January 1986 the Annual Cricket Match between the Bar and Bench and the Law Institute of Victoria was played at the Albert Ground. The Bar and Bench scored 155 runs in its innings of 40 overs. In reply the Solicitors scored 174 runs for the loss of 2 wickets and thus retained the Sir Henry Winneke Cup.

On 20th December 1985 the match between the second XI cricket sides of the Bench and Bar/Law Institute was washed out.

The Bar and Bench successfully defended the Sir Edmund Herring Trophy at the Annual Golf match against the Law Institute held at Victoria Golf Club on 31st January 1986.

The Annual Tennis Match between the Bench and Bar and the Solicitors was played at the Albert Ground on the 23rd December 1985 but due to inclement weather was washed out and on the toss of a coin the Bench and Bar regained the O'Driscoll Tennis Cup.

The Annual Golf match between the Bar and the Bench and Combined Services will be held at Kew Golf Club on 28th November 1986.

## CENTENARY OF THE BIRTH OF THE LATE SIR OWEN DIXON

An Oration in honour of the Centenary of the birth of The Late Sir Owen Dixon was held in the University of Melbourne on 28th April 1986. 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 delivered the Oration and the Chairman, Mr. Alex Chernov Q.C. read a Tribute from The Right Honourable, The Lord Hailsham, The Lord Chancellor of the United Kingdom.

## PORTRAIT OF THE HONOURABLE SIR JOHN YOUNG, K.C.M.G. CHIEF JUSTICE OF VICTORIA

On 26th June 1986 the Chairman and members of the Bar attended an unveiling of the portrait of the Honourable the Chief Justice by Sir William Dargie, commissioned by the Justices of the Supreme Court, the Victorian Bar and the Law Institute of Victoria. The unveiling was held in the Supreme Court Library.

### REPORT OF THE CHIEF JUSTICES LAW REFORM COMMITTEE

1. The Committee met on several occasions during the year. The Committee adopted the reports of the sub-committees on Wills of Mentally Disordered Persons and the Prohibition of Publications of Reports of Proceedings in the Supreme Court. These reports have been forwarded to the Attorney-General for consideration.
2. Matters currently under consideration and which in due course will be the subject of a report 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) **Exemption Clauses.**
  - (c) **Competence and Compellability of Witnesses.**
3. The Committee has received a large number of reports from other bodies which will be considered in due course.

### REPORT OF THE LAW COUNCIL OF AUSTRALIA FAMILY LAW SECTION

During its first year of existence, the Family Law Section attracted nearly 1000 members and has become one of the Law Council of Australia's most active sections.

Kay and Watt continued to represent the Victorian Bar on the Section Executive until the former was appointed to the Bench of the Family Court being formally sworn in on 17th June 1986. The vacancy left on the Section Executive by His Honour's appointment has been filled by Malpas. Watt continues to edit the 'Australian Family Lawyer', the Family Law Section's official journal.

Between 26th and 29th June 1986 the Family Law Section, in conjunction with the Family Law Practitioners Association of New South Wales, conducted the Second National Family Law Conference in Sydney. Approximately 475 registrants attended as did a further 160 accompanying persons. The conference was an outstanding success and the Section will continue to organize national conferences on a biannual basis. The next conference is planned for Melbourne in April or May 1988 and Watt heads the conference organizing committee.

### RICHARD GRIFFITH LIBRARY ANNUAL REPORT 1986

Despite a significant re-arrangement of the Library not long ago, the proliferation of reports, especially current Australian series, puts space in the Richard Griffith Library at a premium. It precludes many additions to the collection. But the Bar is most grateful to the Hon. Mr. Justice Kaye for his recent gift of a set of Current Law Year Books.

Plainly facilities for photocopying in the Library are overdue, but while the Library remains in its present location on the 13th floor of Owen Dixon Chambers, it is not practicable to employ professional or permanent staff — and hence the continuing absence of a photocopy machine. With the approaching re-organisation of the Bar consequent upon the occupation of the new building, the future location of the Library will be addressed and the need for more shelf space and the provision of facilities such as photocopying will be matters taken into account.

Meanwhile, misuse of the Library continues. Anstat now attends on a regular basis to annotate the Victorian statutes; but on every occasion, more reprints are found to be missing. Three volumes of the C.L.R. were removed during the Long Vacation, only to re-appear on the shelves some months later. This selfish misuse of the Library by a few is making it difficult for members of the Bar generally to get the full benefit of the substantial collection of reports, statutes and journals which is maintained at the expense of the Bar. Counsel are reminded that only with the consent of the Librarian or a member of the Library Committee can books be removed, even for photocopying.

We are grateful to Mrs. Maureen Brown for her continuing assistance in regularly attending to the receipt of new books, reports and journals and their placing in the Library.

### YOUNG BARRISTERS' COMMITTEE VICTORIAN BAR COUNCIL REPORT

A number of developments during the year 1985/86 have been of particular relevance to the Young Barristers' Committee. The whole Bar has been concerned with the development of Owen Dixon Chambers West but the cost of the new accommodation has been of particular concern to young barristers. Representations made by the Young Barristers' Committee have resulted in the

adoption of a policy that at least 25% of the rooms available be low cost accommodation for standard equivalent to the accommodation in Four Courts Chambers. The Young Barristers' Committee also made representations which have led to Equity Chambers being maintained. The Young Barristers' Committee has considered whether there should be some limits placed on the seniority of counsel in Four Courts and Equity i.e. occupancy be restricted to barristers below a certain level of seniority. No decision has been made on this particular matter and it is proposed that the situation be reviewed after Owen Dixon Chambers West is occupied.

Proposals are under consideration to abolish the set of articles and to replace it with a Leo Cussen course. Those persons intending to practise as solicitors will not be able to immediately obtain full practising certificates but will have to be employed for twelve months. The Young Barristers' Committee proposes that persons be not permitted to sign the Bar Roll unless they are eligible to obtain full practising certificates.

The Young Barristers' Committee has also been closely concerned with the wide number of proposed changes to the Magistrates' Court. Not only is it intended that the jurisdiction be very considerably enlarged but also that new procedures involving conciliation and arbitration be introduced. The Young Barristers' Committee is not opposed to the expansion of the jurisdiction but is concerned that any increases and changes be introduced in orderly manner.

## 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. Some matters not considered of sufficient importance to merit the attentions of the Bar Council are also dealt with; but otherwise all matters, and particularly those which raise questions of policy, are dealt with by the Bar Council.

All members of the Executive Committee are, of course, members of the Bar Council.

The following are some of the matters which have occupied the Executive Committee in the past year.

1. Fees in all jurisdictions.
2. The present Government's 'Motorcare' proposals.
3. The Victorian Bar's relationship with the Law Council of Australia.
4. Matters related to persons coming to or leaving the Bar.
5. Progress of the new Bar building.
6. Financial matters.

## ETHICS COMMITTEE

The Committee has held four summary hearings since the date of the last Annual Report. In one instance it was resolved that no disciplinary offence had been committed by the barrister.

The results of the hearings in which complaints were upheld are as follows:-

1. (a) Failing to provide a Memorandum of Advice after having undertaken to do so — Fine \$200.  
(b) Failing to respond to correspondence from the Ethics Committee when requested to do so — Reprimand.
2. (a) Failing to appear in Court when holding a brief to do so — Fine \$300.  
(b) Failing to return a brief within a reasonable time after the return date for that application — Fine \$200.  
(c) Failing to respond to correspondence from the Ethics Committee when requested to do so — Fine \$100.
3. Improper conduct in a professional respect by conduct tending to impugn the dignity of the profession. The circumstances involved abusive and argumentative behaviour toward a member of the Victorian Police Force and a failure on the part of the barrister to leave the office of a member of the Force when requested by him to do so — Fine \$100.

The following table gives statistics of complaints received, their source and the manner of their disposal during the year covered by this Report and for the previous two years.

	1983-84	1984-85	1985-86
No. of complaints received	32	37	43
No. of complaints under consideration at commencement of reporting period	7	16	21
No. of complaints under consideration at date of report	16	21	26
No. of investigations concluded during the reporting period	23	32	38
Complaints not upheld after preliminary investigation	20	26	33
Summary Hearings during reporting period	12	7	4
Complaints upheld after hearing	7	4	3
Complaints dismissed after hearing	5	3	1
Complaints resulting in charges laid before the Barristers' Disciplinary Tribunal during the reporting period	-	-	1
<b>Source of Complaint</b>			
Clients	23	19	23
Solicitors	6	10	12
Judicial	3	1	2
Counsel	4	2	2
Police	{ 3	{ 5	3
Other			1

During the period covered by this report charges were laid before the Barristers' Disciplinary Tribunal against Justin St.J. Judd and the following statement is published by order of the Tribunal made pursuant to S.14H (c) of the Legal Profession Practice Act 1958. The Tribunal determined that Justin St.J. Judd committed disciplinary offences under S.14B (d) of the said Act in that -

- (a) when apprehended by members of the police in respect of the commission of an offence and asked for his name and address, he gave the name of another member of the Bar and an address which was intended to be the address of his chambers.
- (b) when the other member of the Bar informed him that police had attended his chambers to serve him with a summons, Justin St.J. Judd falsely told the other member of the Bar that he did not know about the matter or of how his name had come to be used.
- (c) he committed an indecent act in a public place.

In respect of each of charges (a) and (b) the Tribunal ordered that the name of Justin St.J. Judd be struck off the Bar Roll. In respect of charge (c) the Tribunal ordered Justin St.J. Judd be reprimanded. He was further ordered to pay the expense of making a transcript of the proceedings.

## REPORT OF TRUSTEES OF BAR CLERKING FUND

- 1 Since 25th March 1985 the Bar has been the guarantor of the account of only one clerk, Mr. P.J. Roberts. That guarantee continues upon terms substantially similar to those that have in recent times been included in the guarantees provided by the Bar in respect of other clerks during the years immediately following their appointment as such.
2. The assets of the Fund as at 31st August 1986 were as follows:

	1985	1986
(a) Invested in Australian Savings Bonds		
- - Series II at 9% (due 27.8.87) _____	9,200.00	15,200.00
— Series 25 at 12.25% (due 1.2.91) _____	5,000.00	5,000.00
(b) Savings Investment Account with Commonwealth Savings Bank _____	41,189.07	48,838.01
(c) Current Account No. 121-208 Credit Balance _____	6,287.36	1,313.47

## REPORT ON OWEN DIXON CHAMBERS WEST

Construction work on the new eighteen storey building at the rear of Owen Dixon Chambers is well advanced. Although the Builder has not been able to maintain the hoped-for progress, it is expected that the first seven floors and the Ground Floor will be handed over to the Bar in late September 1986. The remaining floors and the lower ground floor will be handed over progressively in later stages.

The difficult task of allocating rooms in the new building has been entrusted to a committee under the Chairmanship of Mr. Hansen, Q.C. At this stage some 75% of rooms available for barristers have been taken up.

The Ground Floor has been set aside for Clerks. This means that Clerks, Dever, Foley and Hyland will be located on the Ground Floor of Owen Dixon Chambers and Clerks, Howells, Duncan, Stone, Muir, Roberts and Spurr on the same level but in the new building.

Agreement has been reached with the Attorney-General for County Court Judges and their staff to be accommodated on the Second, Third and Fourth Floors. These floors will be linked to the County Court building by a bridge.

The Building Panel chaired by Mr. O'Callaghan, Q.C., continues to meet regularly to deal with the numerous problems that arise and decisions which must be made in the course of construction. The Panel is greatly assisted by McLachlan Consultants who continue to act as project consultant and by Mr. John Soltau, the Clerk of Works employed jointly by Barristers' Chambers I.t.d. and Schroders Australia, the financiers for the project.

## REPORT OF THE ACCOMMODATION COMMITTEE

Since the last report the Committee has been engaged in the task of devising the principles and procedures to apply in the allocation of chambers in Owen Dixon Chambers West and in managing the actual allocation of rooms. At the time of writing this report the allocation process is still proceeding but already some 75 per cent of the rooms available for barristers have been let. In addition three floors will be leased for use by Judges of the County Court. The response of the Bar to the new building assuredly means that it, along with the present Owen Dixon Chambers, will be the home of the Bar.

In connection with the pending availability of Owen Dixon Chambers West the Bar Council resolved to close down Stawell Chambers, the chambers in the A.N.Z. Building and all chambers in Aickin Chambers save for those on the 27th floor. After anxious consideration no other chambers were closed. These closures were decided on the basis, in part, that while it was desirable to have full occupancy of Owen Dixon Chambers West there had to be a pool of rooms available for letting. Thus, at least for a reasonable time in the future, and so far as one can financially allow, there will not be a shortage of accommodation for barristers.

## REPORT ON THE READERS' COURSE

The September 1985 and March 1986 Courses were attended by 24 and 32 readers respectively. The corresponding numbers for the previous year were 27 and 35.

The general nature of the course has not changed substantially over the past two years. The use of video as a teaching medium is now well established. The Committee is particularly grateful to those members of the Judiciary, and members of the Bar, who acted as judges during the regular video exercises.

Pleading exercises are a long-established part of the course. In the coming year it is proposed to expand the scope of the practical paperwork exercises beyond pleadings to include other paperwork commonly undertaken by counsel.

Once again, the generous contribution of time and effort by many people should be recognized. The number of those who contribute to the course has again increased. 134 people assisted with the last course including 12 members of the Judiciary, the Attorney-General, the Solicitor-General, the Director of Public Prosecutions, 20 Queen's Counsel and over 80 other members of the Bar. Other generous contributions were made by The Leo Cussen Institute, senior members of the Police Force, solicitors, academics, officers of the Legal Aid Commission and persons involved with social welfare work. The Committee is again grateful for the continuing contributions made by Mr. Justice Hampel and Mr. Justice Vincent.

The Committee believes that the Readers' Course has a very important part to play in the work of the Bar and welcomes suggestions about the course from any member of counsel.

## 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 fourth year of operation as a fully licensed Club. There are now 805 members.

Mr. Pat Gilbert was appointed as 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 fifth Annual Meeting of the Club was held on 29th April 1986. The Committee was elected unopposed and consists of Shaw Q.C. (Chairman), M.A. Adams (Vice Chairman), Harper (Treasurer), McInerney (Secretary), Berkeley Q.C., Chernov Q.C. and 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 County Court Judges and the Victorian Magistrates, together with other receptions, drinks and dinners given by members of the Club. The Committee appreciates the work done by John Lee in organising the inaugural Melbourne Cup Calcutta held on 4th November 1985. The Calcutta was particularly successful, and bookings made to date would indicate that this year's Calcutta will be equally so.

An important expansion in Club operations occurred when it took over, with the consent of the Bar Council, responsibility for catering on the 13th Floor. This was brought about by Mr. Michael Christian deciding that he wanted to develop his expertise

elsewhere. The Committee takes this opportunity of recording its appreciation of the efforts made by Michael over the past ten years and wishes him well in his new business.

The Chairman of the Bar Council, on behalf of all members of the Bar, on 27th July 1986 presented Michael with a memento of his time spent in catering for members of the Bar.

We have been fortunate to retain some of Michael's staff and have appointed a new chef and are soon to appoint an apprentice chef. We wish to express our appreciation of the hard work of Pat Gilbert and the abovementioned staff which made the adjustment for the Club so successful. The Committee believes that not only have we been able to maintain the high catering standards set by Michael Christian, but have indeed improved upon them. It is now of utmost importance that all members of the Bar totally support the Club in its areas of responsibility, being the Liquor Servery, Dining Room, Coffee Lounge and Sandwich Bar. Perhaps an indication of the support to date is that the average numbers in the Dining Room for lunch, Monday to Thursday, has now reached 50 persons, with Friday being in the region of 100.

The Committee again expresses its pride in the wine selected by Pat Gilbert which is reflected by the fact that 55% of turnover is accounted for in wine sales. Of these wine sales approximately 70% are take-away sales. At the end of June 1986 the stock of liquor held by the Club amounted to \$39,883.

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 organised by Michael Adams, which the Committee greatly appreciates.

## REPORT OF THE LAW REFORM COMMITTEE

The Chairman, Mr. A McDonald Q.C. and the Committee has been active in responding to Law Reform Proposals and quick to respond to initiatives that may directly or indirectly affect members of the Bar.

The Committee has continued its policy of inviting persons active in the area of Law Reform to meetings of the Law Reform Committee to discuss various issues and problems. In the past year the Committee invited Professor David Kelly, Chairman, Victorian Law Reform Commission and the then Executive Director, Victorian Law Reform Commission, Dr. Clyde Croft. The discussions were very helpful to all concerned and resulted in implementation of procedures whereby there would be greater liaison between the Law Reform Committee and the Victorian Law Reform Commission. One such proposal that has been implemented as a result of the above discussions is a procedure whereby members of the Bar may refer "small Law Reform matters" to the Law Reform Committee. These will be forwarded to the Commission for consideration and if considered desirable implementation.

Some of the matters that have occupied the Committee's time during the year include:—

### **Australian Law Reform Commission — Evidence Reference**

The Committee sent a circular to members of the Bar outlining the topics upon which the Commissioner, Mr. T H. Smith Q.C. requests submissions from members. The Bar Council followed up this initiative and organised several successful seminars to assist the Commissioner ascertain the views of practising barristers on the proposed reforms

### **Matrimonial Property Law Reforms**

In the course of the year Professor Hambly, the Commissioner conducting this reference for the Australian Law Reform Commission visited Melbourne and received submissions from interested members of the Bar.

### **De Facto Relationships**

A detailed response with philosophical comments on a proposal to introduce a law on the above topic similar to that in New South Wales was provided by a Committee member. Legislation on this topic has now been drafted and it appears that it will be introduced into parliament in the next session. A response to the proposed legislation has been forwarded to the State Government.

### **Telecommunications Interception**

The Victorian Bar has received a letter from the Chairman of the Joint Select Committee on Telecommunications Interception of the Parliament of Australia asking the Bar if it wished to make a submission. The Committee has referred this request to various members of the Bar.

### **Law Council of Australia**

The Committee corresponded with the Law Council of Australia in regard to various Law Reform Proposals, particularly those relating to the Trade Practices Bill.

### **Contempt and Contempt in Family Law**

The Committee had corresponded with Professor Chesterman the Commissioner in charge of this Reference for the Australian Law Reform Commission. Professor Chesterman held discussions with interested persons in Melbourne in mid-June to ascertain the response of members of the profession and others to proposals to reform the law of contempt. The Committee members as well as attending these discussions encouraged other members of the Bar to do likewise.

### **Administrative Decisions (Judicial Review) Act 1977**

The Committee forwarded a report to the Administrative Review Council in regard to proposed changes to the above act.

**Health Service Complaints Tribunal**

The Chairman has been particularly active in marshalling the response of the Bar to the proposed Health Service Complaints Tribunal. The Bar Council has made representations to the appropriate Department and Minister and has also communicated with the Victorian Council of Professions on this topic. The Premier has agreed to appoint Finmore Q.C. to look at any proposed legislation.

**Law Reform Commission of Victoria — Land Law References**

The Law Reform Commission of Victoria has been given a series of references on Land Law. The computerisation of the register Book together with the implementation of the Landata system which when fully operational will be able to provide details regarding ownership, zoning, taxation and rates necessitated an enquiry into the Torrent System in Victoria. Two members of the Bar, Wikrama and Hockley have been appointed Honorary Commissioners in regard to this reference.

**Victims of Crime**

The proposal for a "Victim Impact Statement" to be presented to a Judge prior to sentencing was raised before the Committee. The Committee was informed that members of the Criminal Bar Association have attended a meeting of the Legal and Constitutional Committee of the Victorian Parliament to discuss the role of victims in the sentencing process. The representatives of the Criminal Bar Association forcefully presented the view that any such "Victim Impact Statement" was not needed and that a Judge in the normal exercise of Judicial discretion would consider all relevant matters.

Any member of the Bar who would like to assist the Law Reform Committee should contact the Secretary, John Hockley. The Chairman, Mr. A.W. McDonald Q.C. is investigating ways in which members of the junior Bar may become more involved in Law Reform matters.



**VICTORIAN BAR COUNCIL**  
**STATEMENT OF RECEIPTS AND PAYMENTS**  
**FOR YEAR ENDED 31ST AUGUST 1986**

	\$	\$	\$
Cash Balance as at 1st September 1985			79,826.86
<b>Add Receipts for Period:</b>			
Annual Subscriptions (prior years)		30,310.00	
Annual Subscriptions (current year)		251,228.03	
Total Subscriptions Received		281,538.03	281,538.03
Interest Received:			
Short Term Deposits		84,374.81	
Commonwealth Bonds		90.00	
Savings Investment Account		1,393.45	
Savings Bank Deposit		4.43	
Loan to Barristers' Chambers Limited		15,000.00	
Total Interest Received		100,862.69	100,862.69
Sales of Publications			185.50
Readers' Practice Course Income			46,634.50
Redemption of Investments			610,593.28
Repayment of List "C" Expenses			2,315.13
<b>TOTAL FUNDS AVAILABLE</b>			1,121,955.99
<b>Less Payments:</b>			
Auditors' Remuneration	1,025.00		
Bank Charges/Deposit Duty	423.55		
Floral Tributes	253.00		
Insurance	2,237.97		
Printing/Copying	200.25		
Publications	73.70		
Total Administration Expenses		4,213.47	
Income Tax Payment		17,533.65	
Capitation and Affiliation Fees:			
Law Council of Australia (1986/1987)	39,912.00		
International Bar Association	122.42		
Australian Bar Association	6,643.00		
Victorian Council of Professions	350.00		
Lawasia	300.00		
Total Fees Paid:		47,327.42	69,074.54
Excess of Receipts over Payments C/F		1,052,881.45	\$1,052,881.45

	\$	\$	\$
Balance B/F			1,052,881.45
<b>Less:</b>			
Fees - Other		45,766.66	
Functions and Entertainment	31,547.84		
Less Members Payments	<u>15,798.50</u>	15,749.34	
Transcripts		2,635.70	
Readers' Practice Course Expenses		40,417.29	
Centenary Expenses		74.80	
Photography Expense		77.58	
Travelling Expenses		2,684.10	
Share of Lay Observer's Remuneration		1,965.00	
Portrait		2,750.00	
Legal costs		38,750.00	
Sculpture		900.00	
Donations: Angela Taylor Trust	2,500.00		
Third World I.B.A.	<u>750.00</u>	3,250.00	
Purchase of Investments		161,682.16	
Loan to Barristers' Chambers Limited		700,000.00	1,016,702.63
Balance of Cash at Bank - 31st August 1986			<u>\$ 36,178.82</u>

**TRUST FUND**

Barristers' Benevolent Fund:

Received	21,305.00	
Remitted	<u>21,305.00</u>	

**VICTORIAN BAR COUNCIL****ASSETS AS AT 31ST AUGUST 1986**

	\$	\$
1. Cash in Bank - Savings Bank Account	122.79	
Trading Accounts	31,119.78	
Savings Investment Account	<u>4,936.25</u>	36,178.82
2. Investments at Cost:		
(a) 8,150 Ordinary Shares at \$2 cost in Barristers' Chambers Limited	16,000.00	
(b) Commonwealth Bonds	2,000.00	
(c) Barristers' Chambers Limited - Unsecured Loans	850,000.00	
Capital Works Loan	65,000.00	
(d) Centenary Wine	<u>874.65</u>	933,874.65
3. Subscriptions in Arrears		8,923.00
4. List "C" Expenses Prepaid		4,741.49
5. Candelabra and other gifts		1,276.00
6. Honour Board of Past Chairman of Victorian Bar Council		256.00
<b>TOTAL ASSETS</b>		<u>\$ 985,249.96</u>

	\$	\$
<b>ACCUMULATED FUNDS</b>		
Accumulated Funds as at 1st September 1985		807,168.94
Add Net Increase in Assets for Period		<u>178,081.02</u>
Accumulated Funds as at 31st August 1986		<u><u>\$ 985,249.96</u></u>
<b>Net Increase in Assets</b>		
Increase in Investments at Cost		251,043.19
Less: Decrease in Subscriptions in Arrears	(26,999.00)	
Decrease in Cash at Bank	(43,648.04)	
Decrease in List "C" Prepayment	(2,315.13)	<u>(72,962.17)</u>
<b>Net Increase in Assets for period</b>		<u><u>\$ 178,081.02</u></u>