

29

Reference use

ROSS N

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



VICTORIAN BAR COUNCIL

Annual Report

1st SEPTEMBER 1990 – 31st AUGUST 1991

ANNUAL REPORT OF THE VICTORIAN BAR COUNCIL FOR THE YEAR ENDED 31ST AUGUST 1991

To be presented to the Annual General Meeting of the Victorian Bar to be held at 5.00 p.m. on Wednesday, 25th September 1991 in the Coffee Lounge of the Essoign Club, 13th Floor, Owen Dixon Chambers East, 205 William Street, Melbourne.

BAR COUNCIL

Election: In the Annual Election held in September 1990 the following members of Counsel were elected:-

Counsel of not less than 12 years' standing -

Mr. J. S. Winneke Q.C.
Mr. A J. Kirkham Q.C.
Mr. H. R. Hansen Q.C.
Mr. B. D. Bongiorno Q.C. (to February 1991)
Mr. R. H. Gillies Q.C. (from April 1991)
Mr. D. L. Harper Q.C.
Mr. P. G. Nash Q.C.
Mr. W. B. Zichy-Woinarski Q.C.
Mr. D. J. Habersberger Q.C.
Dr. C. N. Jessup Q.C.
Mr. R. K. Kent Q.C.
Mr. W. J. Martin Q.C.

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

Mrs. S. M. Crennan Q.C.
Mr. J. T. Rush
Mr. R. A. Brett
Mr. J. E. Middleton

Counsel of not more than 6 years' standing -

Mr. D. F. R. Beach
Mr. G. T. Pagone
Mr. S. M. Anderson
Miss N. M. Feely

CHAIRMAN'S REPORT

It is as well that the Chairman is required to write an annual report to the Bar. If it were not so, the year could pass, in the Chairman's mind at least, as an undifferentiated blur of activity, none of which achieved anything.

In fact, however, analysis quickly reveals that, notwithstanding all the Chairman might or might not have done, the Bar Council, the Executive Committee, the Board of Barristers' Chambers Limited and the numerous committees of the Bar achieved much in 1990/91. The Bar Council grappled with clerking, as it has done since time immemorial and, as has ever been the case, had mixed success. A new List, List G, was established with very little trauma despite the fact that, on the day the list opened for business, no long-term accommodation had been made available. Temporary space was taken up in the Readers' Course area. By March, however, a new Readers' Course was about to commence and the permanent accommodation for List G was not ready. Common sense and a willingness to compromise solved a very difficult problem. Fortunately, Glenda McNaught and Barbara Walsh were left to sort the difficulties out between themselves. That a solution was found is a tribute to both of them. They deserve to be congratulated.

Last year's report predicted that pressures for change would be a recurrent theme of life at the Bar for the foreseeable future. That has proved to be so. Following the publication in May 1990 of an Issues Paper entitled "Access to the Law: The Cost of Litigation", the Law Reform Commission issued in April 1991 a Discussion Paper (No. 22) entitled "Competition Law: The Introduction of Restrictive Trade Practices Legislation in Victoria". That was followed in July by two further Discussion Papers (No. 23 and 24) entitled, respectively, "Access to the Law: Restrictions on Legal Practice" and "Access to the Law: Accountability of the Legal Profession". Taken as a whole, it may be said that the Law Reform Commission favours changes which, if adopted, would destroy the independent Bar in this State. It is not certain whether or not the Law Reform Commission has this end in mind. Be that as it may, the Bar's response to the Discussion Papers will be of crucial importance. The Bar Council has spent and will spend an enormous amount of time in the preparation of a detailed response. Any suggested alterations to the nature of practice at the Bar will be put to the Bar as a whole before final submissions are made.

The Senate "Cost of Justice" enquiry, which began in 1989, continues with no end in sight. Indeed, it was not until April 1991 that the first of its Discussion Papers was published. It was entitled "Cost of Legal Services and Litigation: Introduction to the Issues" and was followed in the same month by Discussion Paper No. 2, entitled "Cost of Legal Services and Litigation: Lawyers' Fees".

Again, the Bar Council is preparing a detailed response. It has been assisted in this, as in the preparation of the responses to the Law Reform Commission, by Connor Q.C. and Michael Crennan. Their work has been of incalculable value. Connor Q.C. has unselfishly agreed to interrupt his retirement for this purpose. We are very fortunate indeed that he has made himself available in this way. He and Crennan have already produced material which will be of great benefit to the Bar not only in preparing the present responses, but also for the foreseeable future.

The burden which, for many years now, has fallen on the Chairman of the Bar, and on the Vice-Chairmen, has become all but intolerable. No-one who has not experienced that burden can appreciate its full magnitude. Fortunately, the positions also offer very considerable rewards and satisfactions. Nevertheless, the present situation can only continue at an unacceptable cost to both the individual office-holders and the Bar generally. Accordingly, steps are now in train to engage an assistant to the Chairman. By the time this report is published, the matter will be under review by the Bar Council.

Anybody who has the slightest acquaintance with the affairs of the Bar Council will know how dependent a Chairman is on the Vice-Chairmen and the Executive. This is not the place to do more than express my formal thanks to Kirkham Q.C., Hansen Q.C. and all the other members of the Executive. The extent of my indebtedness to them all, particularly to the Vice-Chairmen for their

friendship under fire, must be properly articulated elsewhere. No Chairman has been better assisted. This is also true of the Bar Council, and the Bar staff. It has been a privilege to be part of a group which has served the Bar conscientiously and well.

D. L. HARPER
Chairman

OFFICERS OF THE BAR COUNCIL

Chairman - Mr. D. L. Harper Q.C.
Senior Vice-Chairman - Mr. A. J. Kirkham Q.C.
Junior Vice-Chairman - Mr. H. R. Hansen Q.C.
Honorary Treasurer - Mr. D. J. Habersberger Q.C.
Assistant Honorary Treasurer - Mr. R. A. Brett
Honorary Secretary - Mr. A. J. McIntosh
Assistant Honorary Secretary - Mr. J Tsalanidis (from 29th October, 1990)
Executive Director - Mr. E. T. Fieldhouse
Executive Officer - Mrs. A. Whitney

Mr. B. D. Bongiorno Q.C. resigned from the Bar Council on 21st February, 1991 to take up an appointment as Director of Public Prosecutions. His outstanding service to the Bar Council, Executive Committee and other Committees on which he served is formally acknowledged.

Following a by-election for one casual vacancy, Mr. R. H. Gillies Q.C. was elected to the Bar Council on 11th April, 1991.

EXECUTIVE COMMITTEE OF THE BAR COUNCIL

Mr. D. L. Harper Q.C. (Chairman)
Mr. A. J. Kirkham Q.C. (Senior Vice-Chairman)
Mr. H. R. Hansen Q.C. (Junior Vice-Chairman)
Mr. J. S. Winneke Q.C.
Mr. B. D. Bongiorno Q.C. (to February 1991)
Mr. D. J. Habersberger Q.C.
Dr. C. N. Jessup Q.C.
Mr. R. K. Kent Q.C. (from March 1991)

ETHICS COMMITTEE

Mr. B. D. Bongiorno Q.C. (Chairman) (to February 1991)
Dr. C. N. Jessup Q.C. (Chairman) (from February 1991)
Mr. D. Graham Q.C. (from March 1991)
Mr. A. G. Uren Q.C.
Mr. H. R. Hansen Q.C.
Mr. P. M. Guest Q.C.
Mrs. S. M. Crennan Q.C.
Mr. P. A. Dunn
Mr. G. G. Hicks
Mr. T. D. Wood
Mr. B. A. Keon-Cohen
Mr. M. J. Colbran
Ms. M. Sloss (Secretary)
Mr. J. O'Bryan (Assistant Secretary)

BARRISTERS' CHAMBERS LIMITED - BOARD OF DIRECTORS

Mr. G. S. H. Buckner Q.C. (Chairman)
Mr. P. J. O'Callaghan Q.C.
Mr. H. R. Hansen Q.C.
Dr. J. McL. Emmerson Q.C.
Mr. A. J. Myers Q.C.
Mr. R. A. Finkelstein Q.C. (to June 1991)
Mr. D. J. Habersberger Q.C.
Mr. M. B. Kellam
Mr. M. J. Colbran

BARRISTERS' NOMINEE PTY. LTD. - BOARD OF DIRECTORS

Mr. H. R. Hansen Q.C.
Mr. K. M. Hayne Q.C.
Mr. J. A. Magee

***BARRISTERS' BENEVOLENT ASSOCIATION OF VICTORIA
— COMMITTEE OF MANAGEMENT —***

Mr. D. L. Harper Q.C.
Mr. D. J. Habersberger Q.C.

VICTORIAN BAR SUPERANNUATION FUND - TRUSTEES

Dr. I. C. F. Spry Q.C. (Chairman)
Mr. K. M. Hayne Q.C.
Mr. D. J. Habersberger Q.C.
Mr. R. McK. Robson Q.C.

NEW BARRISTERS' COMMITTEE

Bar Council Nominees -
Mr. W. J. Martin Q.C. (Chairman)
Mrs. S. M. Crennan Q.C. (Alternate)
Mr. S. M. Anderson (Representative)
Mr. D. F. R. Beach (Alternate)

Elected Members -

Mr. R. L. Moore
Mr. R. J. Pithouse (Secretary)
Mr. J. A. Ribbands
Mr. M. J. Campbell
Ms. A. E. L. MacTiernan
Mr. A. G. Hooper
Mr. G. A. Cazalet
Mr. T. J. Walker
Mr. S. J. Martin
Mr. M. D. Wyles

CRIMINAL BAR ASSOCIATION

Office Bearers -

Mr. R. K. Kent Q.C. (Chairman)
Mr. W. H. Morgan-Payler (Vice-Chairman)
Mr. R. A. D'Arcy (Treasurer)
Mr. R. C. Webster (Secretary)

Committee -

Mr. P. C. Dane Q.C.
Mr. B. Kayser
Mr. P.A. Dunn
Mr. F. W. Hender
Mr. A. Schwartz
Mr. R. F. Punshon
Mr. W. R. Ray
Mr. B. G. Walmsley
Mr. M. E. Dean
Ms. M. E. Sexton
Mr. G. J. C. Silbert

COMMON LAW BAR ASSOCIATION

Office Bearers -

Mr. A. W. Adams (Chairman)
Miss E. M-T. Murphy (Treasurer)
Mr. T. Wodak (Secretary)

Committee -

Mr. C. H. Francis Q.C.
Mr. J. P. Keenan Q.C.
Mr. D. E. Morrow
Mr. M. J. Casey
Mr. R. N. J. Young
Mr. M. B. Kellam

FAMILY LAW BAR ASSOCIATION

Office Bearers -

Mr. P. M. Guest Q.C. (Chairman)
Mr. M. R. B. Watt (Vice-Chairman)
Mrs. B. M. Hooper (Vice-Chairman)
Miss C. E. Molyneux (Treasurer)
Miss E. A. Davis (Secretary)

Committee-

Mr. W. M. Pinner
Mr. C. C. Ham
Mr. J. W. St. John
Mr. G. R. Atkinson
Mr. R. N. Hault

STANDING COMMITTEES OF THE BAR COUNCIL

Academic Committee

Mr. Byrne Q.C. (Chairman)(to August 1991), Mr. Francis Q.C., Mr. Fajgenbaum Q.C., Mr. Forsyth Q.C., Mr. Black Q.C. (to December 1990), Mr. Harper Q.C., Mr. Nash Q.C., Dr. Jessup Q.C., Mrs. Crennan Q.C., Mr. Willee, Mr. Turley, Mr. Cavanough, Mr. Pagone and Dr. Hardingham.

Advocacy Training Course Committee

Mr. Kirkham Q.C., Mr. Kent Q.C. and Mr. Ray.

Applications Review Committee

Mr. Kirkham Q.C. (Chairman), Mr. Costigan Q.C., Mr. Shannon Q.C., Mr. Kent Q.C., Mr. I. D. Hill, Mr. R. A. Brett, Mr. J. E. Middleton, Miss Wiener, Mr. P. J. Cosgrave, Mr. A. J. McIntosh and Mr. Tsalanidis (Secretary).

Bar Library Committee

Mr. M. A. Adams (Chairman and Bar Librarian), Mr. R. M. Downing (Deputy Chairman), Mr. Murdoch Q.C., Mr. Derham, Mr. Brear, Mr. Panna, Ms. C. McMillan and Mr. Denton.

Bar Staff Committee

Mr. Harper Q.C. (Chairman), Mr. Buckner Q.C., Mr. Kirkham Q.C., Mr. Hansen Q.C., Mr. Bongiorno Q.C. (to February 1991), Mr. Habersberger Q.C., Mr. M. A. Adams, Mr. Kellam (from December 1990) and Mr. McIntosh.

Car Parking Controller

Mr. Balfe Q.C.

Case Transfer Committee

Mrs. S. M. Crennan Q.C. (Chairman), Mr. Stanley Q.C., Mr. Gillies Q.C. and Mr. J. T. Rush.

Clerking Committee

Mr. Bongiorno Q.C. (Chairman) (to February 1991), Mr. Zichy-Woinarski Q.C. (Chairman) (from March 1991), Mr. Sutherland Q.C., Mr. McArdle (Secretary & Convenor), Mr. Shand, Mr. Pagone and Miss Wiener.

Chairman for the time being of each List Committee:

List "A" - Mr. H. McM. Wright Q.C., List "B" - Mrs. A. Moshinsky Q.C.,
List "D" - Mr. B. R. Dove Q.C., List "F" - Mr. J. S. Winneke Q.C.,
List "G" - Mr. A. Chernov Q.C., List "H" - Mr. G. W. Colman Q.C.,
List "M" - Mr. N. A. Moshinsky Q.C., List "P" - Mr. A. N. Bristow,
List "R" - Mr. P. F. McDermott, List "S" - Mr. W. J. Martin Q.C. and List "W" - Dr. C. N. Jessup Q.C.

Company Law Committee

Mr. Charles Q.C. (Chairman), Mr. Chernov Q.C., Mr. Finkelstein Q.C., Mr. Young Q.C., Mr. Baker and Ms. Sloss (from December 1990).

Default List Committee

Mr. Harper Q.C. (Chairman) and Mr. Kirkham Q.C.

Fees Committee

Mr. Winneke Q.C. (Chairman), Mr. Dalton Q.C. (Vice-Chairman), Dr. Jessup Q.C., Mr. Lovitt Q.C., Mr. Wraith, Mr. D. E. Curtain, Mr. R. I. Rosenberg, Mr. Watt, Mr. Maxted, Mr. J. A. Magee, Mr. Lacava, Mr. Colbran and Miss Sexton.

First Aid Committee

Ms. A. E. L. MacTiernan.

Human Rights Committee

Mr. Costigan Q.C. (Chairman), Mr. Fajgenbaum Q.C., Mr. Harper Q.C., Mr. Zichy-Woinarski Q.C., Mr. North Q.C., Mr. Kayser, Mr. Dunn, Mr. Hender, Mr. T.J. Casey, Mr. Maguire, Mr. Trevorah, Mr. Monti, Mr. Salek, Mr. Gillespie-Jones, Mr. Maidment, Miss Wiener, Mr. R. L. Gibson, Mr. McInnes, Mr. Denton, Mr. Di Lallo, Mr. Fehring, Mr. Coburn, Mr. Condliffe, Mr. Howse, Mr. A. G. Hooper, Mr. Hands, Mr. Cazalet, Mr. Bailey and Mr Poynder.

Land Development Committee.

Mr. Byrne Q.C. (Chairman)(to August 1991), Mr. Phipps Q.C. and Mr. Levin.

Law Reform Committee

Mr. Zichy-Woinarski Q.C. (Chairman), Mr. N. A. Moshinsky Q.C. (Deputy Chairman), Mr. Francis Q.C., Mr. Wright Q.C., Mrs. Crennan Q.C., Mr. Ahearne, Mr. Collis, Mr. Golombek, Mr. R. H. Miller, Mr. T. J. Casey, Mr. Kennon, Mr. Just, Mr. Morgan-Payler, Mr. I. D. Hill, Mr. Digby, Mr. Priest, Mr. Keon-Cohen, Mr. Pagone, Ms. Warren, Mr. P. D. Santamaria (Secretary), Mr. Holley, Ms. F. I. O'Brien, Dr. K. A. Petersen, Mr. Smale and Mr. I. R. Jones.

Law Reform Committee Panel

Administrative Law - Mr. Fajgenbaum Q.C., Causes Practice - Mr. Hansen Q.C., Companies - Mr. Archibald Q.C., Constitutional Law - Mr. Merralls Q.C., County Court Practice - Mr. Corrigan, Crime Practice - Mr. Walker Q.C., Family Law - Mr. Guest Q.C., Federal Court - Mr. Chernov Q.C., High Court - Mr. Uren Q.C., Industrial Law - Dr. Jessup Q.C., Juries Practice - Mr. G. Lewis, Liquor Control - Mr. B. J. Bourke, Magistrates' Court Practice - Mr. Liversidge, Military Law - Mr. Morrow, Supreme Court Practice - Mr. Larkins Q.C., Taxation - Mr. Beaumont Q.C. Town Planning and Local Government - Mr. Wright Q.C., Trade Practices - Dr. Hardingham and Workers' Compensation - Mr. V. F. Ellis.

Legal Aid Committee

Mr. Gillies Q.C. (Chairman), Mr. Bryne Q.C.(to August 1991), Mr. Kirkham Q.C., Mr. Redlich Q.C., Mr. Garde Q.C., Mr. Willee, Mr. Watt and Mr. Morgan-Payler.

Legal Resources Committee

Mr. Davey (Chairman), Mr. Loewenstein, Mr. Bevan-John, Mr. Maclean and Ms. Wentworth.

Magistrates' Court Committee

Mr. Nash Q.C. (Chairman), Mr. Higham, Mr. C. J. Ryan, Mr. D. F. R. Beach, Mr. M. J. Campbell, Miss Feely and Mr. S. R. Horgan.

Overdue Fees Committee

Mr. Uren Q.C. (Chairman), Mr. Ruskin and Mr. Wicks.

Readers' Practice Course Committee

Mr. Charles Q.C. (Chairman), Mr. Justice Hampel and Mr. Justice Vincent, Mr. Black Q.C. (to December 1990), Mr. Kent Q.C., Mr. Burnside Q.C. (from February 1991), Mr. W. R. Ray, Mr. R. A. Brett (Secretary), Mr. Priest, Mrs. F. Hampel, Mr. P. J. Davis, Miss Wiener, Ms. Symon and Ms. D. Bryant.

Security Committee

Mr. Kirkham Q.C. (Chairman), Mr. Dane Q.C., Mr. Tatarka and Miss Wiener.

Structure of the Bar Council Committee

Mr. Zichy-Woinarski Q.C. (Chairman), Mrs. Crennan Q.C., Mr. Middleton and Mr. D. F. R. Beach.

Victorian Bar Dispute Resolution Committee

Mr. Heerey Q.C. (Chairman) (to December 1990), Mr. Phipps Q.C. (Chairman) (from February 1991) and Mr. Martin Q.C. (Convenor).

Victorian Bar News - Editorial Committee

Mr. Heerey Q.C. (Editor) (to December 1990), Mr. Nash Q.C. (Editor) (from February 1991), Mr. P. D. Elliott (Editor), Mr. Bongiorno Q.C. (from June 1991), Mr. G. P. Thompson and Mr. Devries (from February 1991).

JOINT STANDING COMMITTEES

Accident Compensation Committee

Mr. Dove Q.C. (Chairman), Mr. Stanley Q.C. (Vice-Chairman), Mr. Kendall Q.C., Mr. Shannon Q.C., Mr. R. P. Gorton Q.C., Mr. Kellam and Mr. D. F. R. Beach.

Administrative Appeals Tribunal: Consultative (Heavy Users) Committee

Mr. Canavan Q.C. (Costs), Mr. Wright Q.C., Mr. Rose and Mr. Cavanough.

Administrative Law Committee

Mr. Hooper Q.C., Mr. N.A. Moshinsky Q.C., Mr. Wright Q.C., Mr. Kemelfield, Mr. I. Miller, Mr. Austin, Mr. Rose, Mrs. Weinberg, Mr. Hurley, Mr. Cavanough, Mr. Tracey, Mr. Green and Mr. B. Spittle.

Bar, Law Institute and AMA

Mr. Kirkham Q.C. and Mr. Dane Q.C.

Bar and Law Institute Committee on Long Trials

Mr. Stanley Q.C. and Mr. Kent Q.C.

Committee on Remand Conditions

Mr. Redlich Q.C., Mr. Dane Q.C., Mr. Dunn and Mr. Morgan-Payler.

Committee on Town Planning

Mr. Buckner Q.C., Mr. Hooper Q.C. and Mr. Wright Q.C.

Joint Standing Committee on Legal Professional Privilege

Mr. Chernov Q.C. and Mr. Pagone.

Police/Lawyers Liaison Committee

Mr. Morrish Q.C., Mr. Rozenes Q.C., Mr. Dunn, Mr. Hicks, Mr. Ray, Ms. Douglas, Mrs. Hampel and Miss Feely.

BAR APPOINTEES

Academic Course Appraisal Committee

Mr. Fajgenbaum Q.C.

Advisory Council of State Licence Information

Mr. Levin.

Appeal Costs Board

Mr. Hooper Q.C. (to 30th September, 1991).

Attorney-General's Court Monitoring Committee

Mr. Kendall Q.C. and Mr. Ruskin

Attorney-General's Criminal Advisory Committee

Mr. Redlich Q.C.

Board of Examiners (Appointed by Chief Justice)

Mr. Hedigan Q.C. (Chairman) (to December 1990), Mr. Goldberg Q.C. (Chairman) (from February 1991), Mr. J. E. Middleton (Deputy), Mr. Barnard Q.C., Mr. Costigan Q.C. (Deputy), Mr. Dowling Q.C., Mr. Black Q.C. (Deputy to)(January 1991) and Mr. Strahan Q.C. (Deputy) (from February 1991)

Chief Justice's Civil Lisiting Committee

Mr. Stanley Q.C.

Chief Justice's Committee for Religious Observances

Mr. Hansen Q.C.

Chief Justice's Law Reform Committee

Mr. Francis Q.C., Mr. Dwyer Q.C. and Mr. Zichy-Woinarski Q.C.

Chief Justice's Supreme Court Computer Committee

Mr. Burnside Q.C.

Chief Justice's Supreme Court Library Committee

Mr. R. A. Brett, Mr. Nettle and Mr. R. M. Downing.

Chief Justice's Supreme Court Rules Committee

Mr. Hayne Q.C.

Chief Magistrate's Committee for New Rules

Mr. S. R. Horgan.

Commercial Causes Users Committee

Mr. Chernov Q.C., Mr. Burnside Q.C. and Mr. S. K. Wilson.

Commonwealth A.A.T. - L.A.C.V. Liaison Committee

Mr. Rose.

Council of Australian Bar Association

Mr. Harper Q.C., Mr. Kirkham Q.C. and Mr. Habersberger Q.C. (Treasurer - Appointed by ABA)

Council of Law Reporting

Mr. Merralls Q.C. (to November 1992) and Mr. Gunst (to November 1992)

Council of Legal Education

Mr. Dowling Q.C., Mr Fajgenbaum Q.C. and Mr. Nash Q.C.

County Court Computerisation Committee

Mr. Levin.

County Court Rules Committee

Mr. Corrigan and Mr. Turley (Alternate).

Executive of Law Council of Australia

Mr. Harper Q.C. and Mr. Kirkham Q.C. (Alternate).

Family Violence Committee

Ms. F. McNiff.

La Trobe University Proctorial Board

Mr. Hedigan Q.C. (to December 1990) and Mr. Costigan Q.C. (from February 1991)

Law Council's Legal Aid Committee

Mr. J. T. Rush.

Law Faculty - University of Melbourne

Mr. Forsyth Q.C. and Mr. Byrne Q.C. (to August 1991)

Lawyers Engaged in Alternative Dispute Resolution (LEADR)

Mr. Harper Q.C. and Mr. McIntosh.

Legal Aid Commission of Victoria

Mr. Dove Q.C. (to 13/2/92), Mr. Bongiorno Q.C. (Alternate) (to February 1991) and Mr. Gillies Q.C. (Alternate) (from April 1991).

Leo Cussen Institute for Continuing Legal Education

Mr. Justice Hampel (Chairman - to March 1992), Mr. Kent Q.C., Mr. Nash Q.C. (Alternate) and Dr. Hardingham (Alternate).

Monash University Law Faculty Board

Mr. Willee and Mr. Rozenes Q.C. (Alternate)

Salvation Army Correctional Service Committee

Mr. Whiting

Supreme Court of Victoria Building List Users Committee

Mr. Phipps Q.C. and Mr. Levin.

Victorian Judicial Council Steering Committee

Mr. Harper Q.C.

Victorian Law Foundation

Mr. Harper Q.C.

Victorian Council of Professions

Mr. Dalton Q.C. (to December 1990), Mr. Strahan Q.C. (from December 1990) and Mr. Digby (Secretary).

GENERAL MEETINGS OF THE BAR

In the year under review there have been two General Meetings of the Bar. The first being held on Tuesday, 23rd July, 1991 and the second on Monday 19th August 1991.

COUNCIL MEETINGS

There have been 23 ordinary meetings and 2 special meetings of the Bar Council from the first meeting of the new Bar Council on 1st October, 1990 to 31st August, 1991.

Attendances have been as follows:

Mr. D. L. Harper Q.C. (Chairman)	23
Mr. A. J. Kirkham Q.C. (Senior Vice-Chairman)	20
Mr. H. R. Hansen Q.C. (Junior Vice-Chairman)	24
Mr. J. S. Winneke Q.C.(3)	18
Mr. B. D. Bongiorno Q.C. (to February 1991)	9
Mr. R. H. Gillies Q.C. (from 11th April, 1991)	10
Mr. P. G. Nash Q.C.	23
Mr. W. B. Zichy-Woinarski Q.C.	22
Mr. D. J. Habersberger Q.C.	24
Dr. C. N. Jessup Q.C.	22
Mr. R. K. Kent Q.C.(2)	19
Mr. W. J. Martin Q.C.(1)	24
Mrs. S. M. Crennan Q.C.	18
Mr. J. T. Rush	19
Mr. R. A. Brett	20
Mr. J. E. Middleton	24
Mr. D. F. R. Beach	23
Mr. G. T. Pagone	20
Mr. S. M. Anderson	24
Miss N. M. Feely	19
(Leave of absence for stated number of meetings is indicated in brackets)	
Mr. A. J. McIntosh, Honorary Secretary	23
Mr. J. Tsalanadis, Assistant Honorary Secretary (from 29th October 1990)	20

COMMITTEE MEETINGS

During the period 1st September, 1990 to 31st August, 1991 the following number of Committee Meetings were held:

Executive Committee	21
Ethics Committee	27

SUBSCRIPTIONS

Under Rule 39, the Bar Council fixed the following annual subscription for members of the Bar for the period 1st September, 1990 to 31st August, 1991:-

Queen's Counsel	\$700.00
Over 10 years' standing	\$465.00
Over 3 but under 10 years' standing	\$305.00
Over 1 but under 3 years' standing	\$185.00
Under 1 years' standing	\$100.00
Readers (March 1991)	\$45.00
Crown Prosecutors	\$105.00
Interstate Queen's Counsel	\$160.00
Interstate and Overseas Juniors	\$125.00
Ministers of the Crown and Members of Parliament	\$105.00
Solicitors-General and Directors of Public Prosecutions	\$105.00
Crown Counsel and Parliamentary Counsel	\$105.00
Other Official Appointments	\$105.00
Academics	\$105.00

PERSONALIA

Obituary:

The Bar Council records with deep regret the deaths since its last Report of the following members:-

The Honourable Sir Douglas MacFarlane Little Q.C. on 30th November, 1990

The Honourable Sir Richard Moulton Eggleston Q.C. on 16th January, 1991.

Mr. Brian William Nettlefold Q.C. on 20th January, 1991.

Mr. Keith Thomas Smith, A.O. on 24th June, 1991.

Mr. Norman Good on 27th June, 1991.

Mr. O. M. (Michael) Kiernan on 15th August, 1991.

On 20th February, 1991 a Tribute was held at Monash University in memory of the Late Sir Richard Eggleston Q.C. and Mr. D. L. Harper Q.C., Chairman, Victorian Bar Council, spoke on behalf of the Bar.

Judicial Appointments:

This year was notable for the fact that Professor C. G. Weeramantry of the Bar and whose name appears in Division B, Part II – Judges, was on 6th February 1991, sworn in as a Member of the International Court of Justice.

The Bar congratulates His Excellency Judge Weeramantry on his appointment as a Member of the International Court of Justice.

On 1st January, 1991 The Honourable Chief Justice Black was appointed Chief Justice of the Federal Court of Australia. On 17th December, 1990 the Honourable Mr. Justice Heerey was appointed to the Bench of the Federal Court of Australia. On 30th January, 1991 the Honourable Mr. Justice Hedigan was appointed to the Bench of the Supreme Court of Victoria. On 19th February, 1991 the Honourable Mr. Justice Coldrey was appointed to the Bench of the Supreme Court of Victoria. On 20th August, 1991 the Honourable Mr. Justice Byrne was appointed to the Bench of the Supreme Court of Victoria. On 26th October, 1990 the Honourable Mr. Justice Mushin was appointed to the Bench of the Family Court of Australia.

Other Appointments:

On 22nd September, 1990 Sally E. Brown was appointed as the Chief Magistrate of Victoria. On 19th February, 1991 Mr. B. D. Bongiorno Q.C. was appointed Director of Public Prosecutions. On 8th November, 1990 Mr. D. K. Reynolds was appointed a Victorian Magistrate. On 16th July, 1991 Mr. P. Goldberg was appointed a Victorian Magistrate. On 14th August, 1991 Mrs. S. A. Blashki was appointed a Victorian Magistrate. On 4th May, 1991 Mrs. M. A. Rizkalla was appointed as the President of the Equal Opportunity Board for a three year term. On 8th September, 1990 Mr. A. Chernov Q.C. was appointed President of the Law Council of Australia.

Queen's Counsel:

On 27th November, 1990 the following members of the Bar were appointed Queen's Counsel:

Mr. R. P. Gorton Q.C., Mr. G. M. Eames Q.C. (South Australia), Mr. P. Y. Rattray Q.C., Mr. P. B. Murdoch Q.C., Mr. M. B. Phipps Q.C., Mr. P. C. Dane Q.C., Mr. I. G. Sutherland Q.C., Mr. L. Lasry Q.C., and Mr. N. J. Young Q.C.

Welcomes:

At a Ceremonial Sitting of the Federal Court of Australia held on 1st February, 1991 to mark his appointment as Chief Justice of the Federal Court of Australia, the Honourable Chief Justice Black was welcomed to the Bench of the Federal Court of Australia by Mr. D. L. Harper Q.C., Chairman, Victorian Bar Council, who spoke on behalf of both the Victorian Bar Council and the Australian Bar Association. On 19th December, 1990 the Honourable Mr. Justice Heerey was welcomed to the Bench of the Federal Court of Australia by Mr. D. L. Harper Q.C., Chairman, Victorian Bar Council. On 31st January, 1991 the Honourable Mr. Justice Hedigan was welcomed to the Bench of the Supreme Court of Victoria by Mr. D. L. Harper Q.C., Chairman, Victorian Bar Council. On 22nd February, 1991 the Honourable Mr. Justice Coldrey was welcomed to the Bench of the Supreme Court of Victoria by Mr. A. J. Kirkham Q.C., Senior Vice-Chairman, Victorian Bar Council. On 22nd August, 1991 the Honourable Mr. Justice Byrne was welcomed to the Bench of the Supreme Court of Victoria by Mr. D. L. Harper Q.C., Chairman, Victorian Bar Council. On 26th October, 1990 at a Ceremonial Sitting of the Full Court of the Family Court of Australia, the Honourable Mr. Justice Mushin was welcomed to the Bench of the Family Court of Australia by Mr. D. L. Harper Q.C., Chairman, Victorian Bar Council.

Farewells:

On 7th February, 1991 representatives of the Bar and Law Institute met to pay tribute to the Honourable Mr. Justice Kaye, A.O. on the occasion of his retirement from the Bench of the Supreme Court of Victoria. Mr. D. L. Harper Q.C., Chairman, Victorian Bar Council, spoke on behalf of the Bar. On 12th February, 1991 representatives of the Bar and the Law Institute met to pay tribute to The Honourable Mr. Justice King on the occasion of his retirement from the Bench of the Supreme Court of Victoria. Mr. D. L. Harper Q.C., Chairman, Victorian Bar Council, spoke on behalf of the Bar. On 12th November, 1990 representatives of the Bar and the Law Institute met to pay tribute to His Honour Judge Harris on the occasion of his retirement from the Bench of the County Court of Victoria. Mr. D. L. Harper Q.C., Chairman, Victorian Bar Council, spoke on behalf of the Bar. On 21st September, 1990 at a farewell extended by the legal profession to the retiring Chief Magistrate, Mr. John M. Dugan, the Chairman of the Bar Council, Mr. D. L. Harper Q.C. spoke on behalf of the Bar.

ROLL OF COUNSEL

Between 1st September, 1990 and 31st August, 1991 the following 134 persons, 19 of whom are Interstate Counsel, signed the Roll of Counsel.

Mr. S. W. Tilmouth (SA-QC)	Ms. A. C. Pepper	Mr. D. W. Parker
Mr. A. J. Bellanto (NSW-QC)	Mr. T. S. Cohen	Mr. P. M. O'Shannessy
Mr. A. J. Meagher (NSW)	Mr. W. S. Mosley	Mr. G. D. Keil
Mr. M. A. Pembroke (NSW)	Ms. C. Lee	Ms. B. A. Cosgrave
Mr. R. S. Hulme (NSW-QC)	Ms. C. M. Morfuni	Ms. K. M. Parkinson
Mr. D. C. Mitchell (TAS)	Mr. D. A. B. Munz	Ms. T. Giannoukos
Mr. M. L. Brabazon (NSW)	Ms. L. Gyfteas	Mr. C. G. Wallis
Mr. S. Kapnoullas	Ms. J. P. Downing	Mr. D. H. Colman
Mr. H. R. Rapke	Ms. D. Weybury	Mr. L. Storey
Ms. J. Gibson	Mr. D. C. Dealehr	Ms. D. M. Farlow
Mr. M. A. Robins	Mr. B. T. Sweeney	Mr. M. A. Sargent
Mr. J. Nayar	Mr. S. M. Wilson	Mr. B. Guzzo
Mr. S. K. E. Anger	Mr. G. D. Forrester	Ms. P. L. Shiff
Mr. D. C. Lockington	Mr. R. J. Webb (NSW)	Mr. J. Wadsley
Mr. H. R. Streager	Ms. S. V. MacCallum	Ms. S. P. Lobez
Ms. K. A. McIntyre	Mr. P. J. Hanks	Mr. C. G. J. Sexton
Ms. D. Bye	Mr. J. T. Gleeson (NSW)	Ms. M. Mangan
Ms. W. Boddison	Mr. A. J. H. Morris (QLD)	Mr. G. R. Fraser
Ms. M. Abriola	Mr. B. A. M. Connell (NSW)	Ms. K. R. Rees
Mr. R. Meier	Mr. R. T. A. Waddell	Mr. K. C. Oliver
Mr. J. G. Rutherford	Mr. R. J. Ellicott (NSW-QC)	Mr. M. R. Pearce
Mr. R. A. Lawson	Mr. J. E. Dunn (SA)	Mr. R. A. F. Saunders
Mr. G. J. Burns	Mr. T. L. Buddin (NSW)	Ms. M. D. Chapman
Mr. M. F. Wheelahan	Ms. P. A. Bergin (NSW)	Mr. J. R. Birrell
Mr. P. J. Ginnane	Ms. M. J. Beazley (NSW-QC)	Mr. R. A. Augustin
Mr. T. R. Messer	Ms. R. E. Carlin	Mr. M. D. Purvis
Mr. K. H. Stanton	Mr. D. J. Lane	Mr. D. R. Cafari
Ms. J. H. Reuben	Ms. C. A. Pollard	Mr. D. P. Martin
Mr. A. F. A. Lindeman	Mr. E. A. Burrows	Mr. B. G. Cohen
Mr. J. P. M. De Koning	Mr. M. A. Gamble	Mr. L. M. Schwarz
Mr. D. Masel	Mr. A. J. Watson	Mr. G. M. Berkovitch
Mr. R. D. Strong	Mr. M. D. Dean	Mr. G. Halikopoulos
Mr. J. G. Samargis	Mr. T. J. Scott-Young	The Hon. W. M. Hodgman
Ms. S. L. Harmer	Mr. N. P. Jones	(TAS-QC)
Mr. M. Cahill	Mr. M. S. Goldblatt	Mr. E. B. M. O'Sullivan
Mr. G. N. Holden	Mr. A. Combes	Mr. N. R. Cowdrey (NSW-QC)
Ms. L. E. Kennett	Mr. S. J. McK. Sutherland	Limbo
Ms. C. E. Kirton	Dr. E. A. Shanahan	Mr. D. F. Jackson (NSW)
Mr. P. E. L'Estrange	Mr. D. J. Williams	Mr. J. A. Murphy (Re-signed)
Mr. W. F. Dwyer	Ms. C. H. Sparke	Mr. G. P. Long
Mr. I. R. Jones	Ms. C. Randazzo	Mr. M. D. A. Maurice (NSW-QC)
Mr. N. C. Poynder	Mr. B. J. Schultz	
Mr. T. S. Nqayi	Mr. A. J. Ryan	
Ms. L. Zaghet	Mr. A. Telman	
Mr. G. J. Moloney	Mr. P. J. Booth	
Ms. D. Bryant	Ms. J. J. Batrouney	
Ms. S. Lindsey	Mr. P. Bingham	

Member whose name has been transferred from Division A, Part II (Prosecutors for the Queen) to Division A, Part I (Victorian Practising Counsel):

Mr. I. W. Heath

Members whose names have been transferred from Division A, Part III (Overseas and Interstate Counsel) to Division A, Part I (Victorian Practising Counsel):

Mr. M. Gelbert and Mr. R. Murugason

Member whose name has been transferred from Division A, Part I (Victorian Practising Counsel) to Division A, Part II (Prosecutors for the Queen):

Mr. S. M. Cooper

Members whose names have been transferred from Division A, Part I (Victorian Practising Counsel) to Division A, Part III (Overseas and Interstate Counsel):

Ms. P. M. Hogan, Mr. J. W. Hardy, Mr. E. G. Bassett, Ms. H. B. Carter and Mr. C. A. Sweeney Q.C.

Members whose names have been transferred from Division A, Part I (Victorian Practising Counsel - Queen's Counsel) to Division B, Part II (Judges):

The Honourable Mr. Justice Heerey, The Honourable Mr. Justice Black, The Honourable Mr. Justice Hedigan and The Honourable Mr. Justice Byrne.

Members whose names have been transferred from Division A, Part I (Victorian Practising Counsel) to Division B, Part II (Judges):

The Honourable Justice Mushin and His Excellency Judge Weeramantry

Member whose name has been transferred from Division A, Part I (Victorian Practising Counsel - Queen's Counsel) to Division B, Part IV (Solicitors-General and Directors of Public Prosecutions):

Mr. B. D. Bongiorno Q.C.

Member whose name has been transferred from Division A, Part I (Victorian Practising Counsel) to Division B, Part III (Ministers of the Crown and Members of Parliament):

Mr. K. J. Andrews, M.P.

Members whose names have been transferred from Division B, Part II (Judges) to Division C, Part I (Retired Judges and other Judicial Officers):

His Honour Judge Harris, The Honourable Mr. Justice King, The Honourable Mr. Justice Kaye, A.O., The Honourable Sir Nigel Bowen, AC, KBE. and His Honour Judge Read.

Member whose name has been transferred from Division B, Part III (Ministers of the Crown and Members of Parliament) to Division A, Part I (Victorian Practising Counsel):

Mr. R. F. Shipton

Members whose names have been transferred from Division A, Part I (Victorian Practising Counsel) to Division B, Part VI (Magistrates and Full-Time Members of Statutory Tribunals):

Mr. D. K. Reynolds, Mr. P. Goldberg and Mrs. S. A. Blashki.

Member whose name has been transferred from Division A, Part II (Prosecutors for the Queen) to Division B, Part VI (Magistrates and Full-time Members of Statutory Tribunals):

Mr. R. L. Langton

Member whose name has been transferred from Division B, Part IV (Solicitors-General and Directors of Public Prosecutions) to Division B, Part II (Judges):

The Honourable Mr. Justice Coldrey

Member whose name has been transferred from Division B, Part VII (Crown Counsel and Parliamentary Counsel) to Division A, Part III (Overseas & Interstate Counsel):

Mr. K. J. Oderberg

Member whose name has been transferred from Division B, Part VII (Crown Counsel and Parliamentary Counsel) to Division B, Part IV (Solicitors-General and Directors of Public Prosecutions):

Mr. L. W. Flanagan Q.C.

Member whose name has been transferred from Division B, Part VII (Crown Counsel and Parliamentary Counsel) to Division B, Part VIII (Other Official Appointments):

Mr. J. Wolters

Member whose name has been transferred from Division B, Part VII (Crown Counsel and Parliamentary Counsel) to Division C, Part II (Retired Holders of Public Office other than Judicial Office):

Mr. F. P. Donovan

Member whose name has been transferred from Division A, Part I (Victorian Practising Counsel - Queen's Counsel) to Division C, Part III (Retired Counsel):

Mr. F. G. Fitzgerald Q.C.

Members whose names have been transferred from Division A, Part I (Victorian Practising Counsel) to Division C, Part III (Retired Counsel):

Mr. D. W. McLeod, Mr. D. R. Cross and Mr. J. A. O'Brien

Members whose names have been transferred from Division A, Part I (Victorian Practising Counsel) to Division D, Part I (Academics):

Mr. J. H. Telfer, Ms. D. S. Mortimer, Mr. E. Wajsbrem, Mr. J. E. Baring, Dr. K. A. Petersen, Mr. E. J. Tanner and Mr. A. Herzberg

Member whose name has been transferred from Division D, Part I (Academics) to Division A, Part I (Victorian Practising Counsel):

Mr. B. M. Dwyer

Names removed at request of Counsel:

Ms. J. E. Williams, Mr. I. C. Dallas, Mr. W. M. Toohey, Mr. M. D. Cosgrave, Mr. C. Delaney, Mr. D. I. Cassidy (NSW), Mr. A. T. Zilinskas, Mr. S. Kapnoullas, Mr. T. E. Johansson, Mr. P. V. Guggenheimer, Mr. J. R. Weir, Mr. A. G. Lyons, Mr. J. C. Finemore, A.O., O.B.E., Q.C., Mr. S. P. Kennedy, Mr. R. Murugason, Ms. A. T. Dalton, Mr. A. J. Shaw, Dr. E. A. Shanahan and Mr. S. A. Rosenzweig.

THE ROLL

DIVISION A, PART I

Victorian Practising Counsel	107
Queen's Counsel.....	1123
Junior Counsel.....	

DIVISION A, PART II –

Prosecutors for the Queen	15
---------------------------------	----

DIVISION A, PART III

Overseas and Interstate Counsel	228
---------------------------------------	-----

DIVISION B, PART I

Governors	1
-----------------	---

DIVISION B, PART II

Judges.....	124
-------------	-----

DIVISION B, PART III

Ministers of the Crown and Members of Parliament	6
--	---

DIVISION B, PART IV

Solicitors-General and Directors of Public Prosecutions	5
---	---

DIVISION B, PART V

Masters.....	7
--------------	---

DIVISION B, PART VI

Magistrates and Full Time Members of Statutory Tribunals.....	47
---	----

DIVISION B, PART VII

Crown Counsel and Parliamentary Counsel	15
---	----

DIVISION B, PART VIII

Other Official Appointments	4
-----------------------------------	---

DIVISION C, PART I

Retired Judges and other Judicial Officers.....	36
---	----

DIVISION C, PART II

Retired Holders of Public Office other than Judicial Office	7
---	---

DIVISION C, PART III

Retired Counsel.....	24
----------------------	----

DIVISION D, PART I

Academics.....	14
----------------	----

TOTAL	1763
--------------------	-------------

FUNCTIONS

Opening of the Legal year

Religious Observances for the Legal Profession for the opening of the Legal Year were held on Tuesday, 29th January, 1991. The Services were held at St. Paul's Cathedral, St. Patrick's Cathedral, St. Eustathios' Cathedral and Temple Beth Israel.

Social Functions.

At a function held in the Essoign Club on 3rd September, 1990 Readers were welcomed to the Bar.

At a function held in the Essoign Club on 9th October, 1990 the Chairman and Members of the Victorian Bar Council in association with The Sir Robert Menzies Memorial Foundation hosted the Sixth Menzies Lecture which was given by Emeritus Professor William B. Spong, Jr. Following the Lecture guests were entertained at a dinner in the Essoign Club.

At a dinner held in the Essoign Club on 1st November, 1990 the Chairman and Members of the Bar Council entertained retiring members of the Bar Council.

On 17th November, 1990 the Chairman and Members of the Bar Council held a dinner at the Essoign Club in honour of the Presidents of the Country and Suburban Law Associations.

A Readers' Dinner was held in the Essoign Club on 29th November, 1990 and the guest speaker was Mr. John M. Dugan, former Chief Magistrate.

On 14th December, 1990 the Bar's Annual Christmas Cocktail party was held in the lobby of Owen Dixon Chambers West. The Function was well attended by members of the Bench and Bar together with spouses and guests.

At a dinner held in the Essoign Club on 6th February, 1991 the Chairman and members of the Bar Council entertained the former Lord President of the Supreme Court of Malaysia, Tun Mohamed Salleh bin Abas. The former Lord President spoke on Judicial Power in the Malaysian Constitution.

On 4th March, 1991 at a function held in the Essoign Club, Readers were welcomed to the Bar.

At a dinner held in the Essoign Club on 4th April, 1991 the Chairman and members of the Bar Council entertained Mr. E. W. Gillard Q.C., the Immediate Past Chairman of the Bar Council and Mr. B. D. Bongiorno Q.C., a member of the Bar Council until his appointment in February, 1991 as Director of Public Prosecutions - Victoria.

On 30th May, 1991 a Readers' Dinner was held in the Essoign Club and the guest speaker was the Honourable Mr. Justice Coldrey.

The 1991 Annual Dinner of the Bar was held at Leonda-by-the-Yarra on 1st June, 1991. The Dinner was extremely well attended by Members of the Bench and Bar together with guests of the Bar. Honoured guests were the Honourable Chief Justice Black, The Honourable Mr. Justice Ashley, The Honourable Mr. Justice Mushin, The Honourable Mr. Justice Heerey, The Honourable Mr. Justice Hedigan, The Honourable Mr. Justice Coldrey, His Honour Judge Gordon Lewis, Dr. G. Griffith A.O., Q.C., Mr. B. D. Bongiorno Q.C., D. P. P. and Master C. W. G. Wheeler. His Excellency Judge C. G. Weeramantry was unable to attend and tendered his apology.

On 24th July, 1991 the Chairman and members of the Bar Council held a reception in the Essoign Club for the Victorian Magistrates. The Function was well attended by Magistrates and members of the Bar.

On 21st August, 1991 the Chairman and members of the Bar Council held a reception in the Essoign Club for Judges of the High Court of Australia, Supreme Court of Victoria, Federal Court of Australia, Family Court of Australia, County Court of Victoria and Accident Compensation Commission. The function was well attended by members of the Judiciary and the Bar.

On 29th August, 1991 the Chairman and members of the Bar Council held a dinner in honour of Sir Robert Johnson, a Judge of the High Court of England and Wales and Lady Johnson. Other guests included a number of Judges from the Family Court of Australia, together with members of the Family Law Bar Association.

Sporting Events

Hockey: On 18th October, 1990 at a hockey match held at the State Hockey Centre Arena for the Scales of Justice Cup, the Bar played the Law Institute team with the result of the game being 6 goals all.

Golf: On 8th October, 1990 the Bar's golf team comprising Gavan Rice (Captain), Mick Casey, Bryan Keon-Cohen and Colin Moyle played in the Victorian Council of Professions Golf Tournament held at Yarra Yarra. The Bar's team was victorious in this event and won the Victorian Council of Professions Golf Shield.

The annual competition for the Sir Edmund Herring Trophy between the Law Institute and Bench and Bar was conducted on the east course of the Royal Melbourne Golf Club on 18th December, 1990. The Bench and the Bar retained the trophy for the third successive year.

Cricket: During November, 1990 a cricket match was held at Romsey between enthusiasts from Latham Chambers and Owen Dixon Chamber West. The match was used as an occasion to raise funds for the Chris Spence Fund administered by John Dever. It is anticipated another match will take place in November, 1991 when the Owen Dixon Chambers West team will try to reverse the result of their loss.

On 17th December, 1990 the Bar's one day annual cricket matches were played against the 1st XI and 2nd XI of the Law Institute of Victoria. The 1st XI game was played at the Albert Ground and the 2nd XI game at Old Scotch Oval. In the senior game, the Institute was successful in winning and retained the Sir Henry Winneke cup. Final scores were Law Institute 7-190 and the Bar 118 all out. In the 2nd XI game the Institute was also successful in winning in dismissing the Bar for 181 and passing that score with wickets in hand.

On 17th February, 1991 the Bar's 1st and 2nd XI cricket team played teams from Malleson Stephen Jaques. The Bar's teams won both games. Scores in the senior game were the Bar 191 and Malleson Stephen Jaques 138; in the seconds game the Bar scored 179 and Malleson Stephen Jaques 139.

On 11th March, 1991 the annual cricket match between the New South Wales Bar and the Victorian Bar was played at the Acron Oval at St. Ives. The match resulted in a narrow win to the Victorian Bar.

Tennis: On 17th December, 1990 the annual tennis Tournament between members of the Bench and Bar and the Law Institute of Victoria for the "O'Driscoll Cup" was held at the Albert Ground. The Tournament was won by the Law Institute of Victoria who retained the "O'Driscoll Cup"

Other Sports: In March, 1991 volleyball and netball matches were played between the Bar and Malleson Stephen Jaques and in August, 1991 the Bar football teams played against teams from Malleson Stephen Jaques.

ANNUAL REPORT OF THE FAMILY LAW BAR ASSOCIATION

The Family Law Bar Association was established in 1984 and at that time had approximately 20 members; since then the Association has grown to 120 paid-up members for the financial year of 1990 and has become a cohesive group which is heard on important matters relating directly to the practice of Family Law and its allied areas.

Over the past year major changes have taken place in the practice of Family Law relating to administrative reviews, Case Management Guidelines together with amendments to the enforcement of Family Law Rules. The Family Law Bar Association has been directly involved in the following activities:

- consideration of waiting fees and reporting back to the Bar Council the views of the Association;
- consideration of fees associated with the preparation of chronologies and reporting to the Bar Council. The Association's recommendation was then passed onto the Family Court;
- the consideration of multiple briefing and the Association's recommended policy relating thereto;
- meeting with the Judges of the Family Court on Case Management Guidelines and general listing procedures;
- meeting with Justice Evatt, the President of the Australian Law Reform Commission on Multiculturalism and Family Law;
- Liaising with the Family Court of Australia in respect to proposed amendments to the Crimes (Family Violence) Act 1987. The concern of the Association to be involved in respect of any proposed amendments to the legislation was drawn to the attention of the Family Violence Protocols Committee;
- The Association has received correspondence on and considered matters relating to the Family Mediation Pilot Project;
- considered general matters relating to Family Court Administration Procedures eg. changes to circuit arrangements;
- received correspondence on and considered changes to the Defence Service Homes Scheme insofar as it touched on matters relating to Family Law; and
- has recently met with Judges of the Family Court to discuss and consider important matters such as court counselling practice and procedure.

The Family Law Bar Association has also held evening seminars conducted by the Association and has addressed the members on important matters such as child support and pleadings in the Family Court. In addition members of the Association have actively participated in the Victorian Bar Readers' Course in segment relating to Family Law and Judges of the Family Court have also been involved in the introduction of this segment of the course to the Readers.

The Family Law Bar Association holds regular general meetings for its members and its Executive Committee meets once per month to discuss current topics. The Committee is presently considering matters relating to the Parliamentary Committee of Enquiry, Family Mediation in Australia, Guidelines for Legal Aid Funding, and the possible representation of the Family Law Bar Association at the quarterly meeting of the Family Law Council to be held in Melbourne in August 1991.

ANNUAL REPORT OF LIBRARY COMMITTEE

This has been a rather troublesome year for the Library. The continuing lack of space has resulted in serious overcrowding of our collection.

The Committee is concerned that the collection is badly under utilised and is presently considering what direction should be taken for the future. In order to determine the general use by the Bar of the collection, the Librarian for three months allowed the Library to be not up-dated. It was only after six weeks that any complaint was communicated to the Librarian. To test further reaction all the loose leaf parts were then stacked on Library tables. This provoked four complaints and strenuous representations from the Senior Vice-Chairman of the Bar Council. The Committee is disappointed with the general lack of interest or care at the Bar for the Library.

The Bar Council appointed a Legal Resources Committee under the Chairmanship of Fred Davey which, in a preliminary report, recommended the establishment of a library along the lines of that operated by the New South Wales Bar. That recommendation is still under consideration. To implement it will require entirely new space and increased resources including qualified staff.

The Committee once again wishes to express its disappointment that the users of the Library do not observe the courtesy of replacing books after use. This results in needless work for members of the Committee.

We particularly wish to express our thanks to Richard Brear for his efforts with the Library this year. Richard has spent an enormous number of hours in trying to keep the Library in a satisfactory state for its users. Often this has been a thankless task because of the failure of members to comply with the Library Rules. We are grateful to Richard for his energy and patience. We also wish to thank Daphne Christopherson who has worked tirelessly on the production of a computer record of our collection.

ANNUAL REPORT OF LAW REFORM COMMITTEE 1990/91

During the course of the year the Law Reform Committee has experienced a change both in its Chairmanship and its membership. Mr. C. H. Francis Q.C. who retired from the Bar Council during 1990 stepped down from the Chairmanship and Mr. W. B. Zichy-Woinarski Q.C. assumed the position. A further ten members accepted appointment to the Committee.

With the influx of new members and the ever-increasing numbers of reports received from the various law reform bodies of the Commonwealth, Victoria and other States, the Committee has attempted to delegate the initial consideration of reports into working groups of members with particular expertise or interest in the areas covered in the reports. This approach has been particularly successful in respect of reports and proposals relating to the criminal law. Impressive work has already been completed on Opening Statements and "Full and Free Discovery" by the Crown in criminal trials.

Among other matters considered by the Committee this year have been the Discussion Paper on Competition Law prepared by the Victorian Law Reform Commission, the Community Protection (Amendment) Bill, the Sentencing Bill and the Administration and Probate (Amendment) Bill (No. 2).

The Committee expresses its regret that one of its valued members, Mr Christopher Spence, has been precluded by illness from taking part in the workings of the Committee this year.

ANNUAL REPORT OF THE NEW BARRISTERS' COMMITTEE (formerly Young Barristers' Committee)

For the purposes of identification, it is to be reported that the New Barristers' Committee is the new title of the previously named Young Barristers' Committee. The Committee represents those barristers under 6 years' call which now number 475 of the 1230 practising members of Counsel.

During the previous year, R. K. Kent Q.C. after 3 years as Chairman was succeeded by W. J. Martin Q.C. The whole Bar should be grateful for the many hours of work done by Bob Kent for which little recognition or thanks is normally received. The present Committee thank him sincerely for his work.

The new Chairman was complemented by the election in February of 5 new Committee members, Russell Moore, John Ribbands, Anthea MacTiernan, Andrew Hooper and Michael Wyles.

The role of the Committee has become more specific due to the establishment of the Magistrates' Court Committee. Meetings occurred virtually every month and dealt with a number of issues including perennial problems of quantum of fees and overdue fees, accommodation for new barristers, and the more recent issues of the implementation of the new Magistrates' Court Act, Rules and Procedures, Legal Aid Commission funding problems and proposed changes to the Childrens' Court Clinic.

The previous success of the organisation of interstate admissions has been continued again with the organization of Queensland admissions, which was availed of by many members of Counsel, from silks down to many of the Committee's own constituents.

The Committee is energetic and keen to represent the cause of barristers under 6 years' call. Counsel should approach the Committee on any topic, and business is welcomed.

Annual Report of the Victorian Bar Council Executive Committee

While the Chairman, Vice-Chairmen, Honorary Secretary and Assistant Honorary Secretary meet each morning in the Chairman's Room, the full 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 with urgent matters which do not require the making of final policy determinations. Some matters not considered of sufficient importance to merit the attention of the Bar Council are also dealt with; but otherwise all matters, and particularly those which raise questions of policy, are referred to the Bar Council.

All members of the Executive Committee, of course, are members of the Bar Council. The following are some matters which have occupied the Executive Committee in the past year -

1. Clerking.
2. The provision of accommodation for the Bar.
3. Matters of Law Reform in Victoria.
4. Courts administration and the need for more judges, especially Supreme Court judges.

Each month the members of the Executive Committee meet with the Executive of the Law Institute of Victoria to discuss matters of mutual interest.

Annual Report of the Ethics Committee

Since the last Annual Report the Ethics Committee has held ten summary hearings (concerning ten barristers) pursuant to section 14E of the Legal Profession Practice Act. The Committee found that disciplinary offences had been committed by six of the ten barristers concerned.

The first summary hearing concerned a complaint made by a solicitor that a member of counsel had failed to return a brief with terms of settlement enclosed, in circumstances where the matter in dispute had been settled between counsel but the complainant solicitor was not aware of the precise terms on which it had been settled. The Committee dismissed the complaint but found that the barrister had failed to respond to correspondence from the Ethics Committee and fined him \$300.00.

The second summary hearing involved the hearing of three complaints that had been made against a barrister. The first of these complaints, made by a member of the public, was that the barrister had made untrue and offensive statements about him in the precincts of a suburban bank branch. The second complaint, made by a member of counsel, concerned the conduct of the barrister towards the complainant member of counsel in proceedings where the subject barrister appeared as a party rather than as counsel. The third complaint was made by two solicitors (who had no professional relationship with the subject barrister) about the abusive conduct of the barrister, in public, towards the proprietor of a coffee shop frequented by members of the legal profession. The Committee found the barrister guilty of professional misconduct in respect of each of the three complaints. The Committee sought and obtained from the barrister an undertaking that he would continue to take prescribed medication as and when advised and the Committee ordered that the barrister be reprimanded.

The third summary hearing concerned a complaint made by a firm of solicitors that counsel whom they had briefed withdrew from the brief prior to the conclusion of the hearing. Counsel withdrew because the client did not accept his advice as to the way the case should be conducted. The Committee found that in withdrawing from the brief, in the circumstances that he did, the barrister had committed a disciplinary offence of misconduct being an offence of a serious nature. The Committee ordered that the barrister be counselled as to his professional responsibilities.

The fourth summary hearing concerned a complaint made by a member of counsel (appearing for the plaintiff) that his opponent had conspired with his client (the defendant) to create false evidence so as to mislead the Court. The complaint was withdrawn shortly prior to the hearing.

The fifth summary hearing concerned a complaint made by a country solicitor against a member of counsel whilst on circuit. The solicitor complained that the barrister had left the court and returned to Melbourne without the authority of the solicitor while there remained a need to appear before the court to obtain orders. The Committee found the barrister guilty of a disciplinary offence of misconduct and reprimanded him. The barrister undertook to reimburse the solicitor the sum of \$574.00 being costs and expenses occasioned by the summary hearing.

The sixth summary hearing concerned a complaint made by a solicitor that a member of counsel had criticised his instructing solicitor in open court and had misled the court. After hearing the matter the Committee dismissed the complaint of misleading the court, and, in relation to the complaint of criticising the instructing solicitor in open court, formed the view that in the circumstances, the barrister was justified in making the comment which he did, and that there was no conduct which would meet the description of "professional misconduct" or "improper conduct in a professional respect". Accordingly the latter complaint was dismissed.

The seventh summary hearing concerned a complaint made by a solicitor that counsel briefed by her had disclosed confidential information to the legal representatives of the opposite parties without the consent of his instructing solicitors and further that he had sworn an affidavit setting out that information. The Committee found the barrister guilty of a disciplinary offence in relation to each complaint and fined him \$750.00 on each offence.

The eighth summary hearing concerned a complaint made by a member of the public, who appeared in person, that the barrister had misled her as to whether or not she was required to be present when the case was called on for hearing, and also as to the barrister's intention not to seek costs against her. The Committee found that the complainant had failed to discharge the burden of proof and dismissed the complaint.

The ninth summary hearing concerned a complaint made by a member of the public who had been granted legal aid. The substance of the complaint was that the barrister briefed to appear on his behalf had accepted a fee on the brief from his instructing solicitors which exceeded the amount of the fee the Legal Aid Commission had agreed to pay, contrary to the provisions of section 32 of the Legal Aid Commission Act. The barrister pleaded guilty to having committed a disciplinary offence in breach of the provisions of the Legal Aid Commission Act and was reprimanded by the Committee.

The tenth summary hearing concerned a matter which was investigated by the Committee of its own motion. John Salamanca had been convicted of an offence under section 29B of the Crimes Act by reason of him understating his professional income and overstating deductions in his income tax return on 5 August 1991. The Committee found Salamanca guilty of a disciplinary offence as defined in section 14B(d) of the Legal Profession Practice Act constituted by the circumstances leading to his conviction of an offence under section 29B of the Crimes Act on 15 May 1991 and ordered that in consequence of that finding he be suspended for a period of two months. In fixing this period of suspension the committee had regard to the fact that Salamanca had voluntarily undertaken not to practice from 15 May 1991 during the period of his three month's suspended sentence imposed by the court. The Committee also ordered that there be published in The Annual Report of the Victorian Bar Council the barrister's name, the above particulars and the order made.

In addition to the ten summary hearings, four matters were heard by the Barristers' Disciplinary Tribunal. At the time of writing this report there is one further matter before the Barristers' Disciplinary Tribunal for which the substantive hearing has not yet commenced.

The first matter heard by the Tribunal was an appeal from a decision made by the Committee. It concerned a complaint made by a plaintiff in a civil case against counsel for the defendant alleging in effect first, that the barrister had acted in a manner intimidatory to him and, secondly, that the barrister had acted in a manner which might have interfered with the evidence to be given by an independent witness. The Committee's decision was that, on the first matter, it was not satisfied that a disciplinary offence had been committed and on the second matter, it was satisfied that a disciplinary offence had been committed. The Committee ordered that, having regard to the barrister's expressions of intent regarding his future conduct, the barrister be cautioned against persisting in or repeating the disciplinary offence. On appeal by the barrister, the Tribunal ordered that the appeal be dismissed and further ordered that the barrister be cautioned against repeating the offence.

The second matter proceeded by way of a charge laid against D. B. X. Smith of counsel that, whilst appearing on the hearing of a taxation of costs, he conducted himself in a manner which was intimidatory and bullying towards the opposite party, who was a member of the public appearing in person, and further that he had failed to respond to correspondence from the Ethics Committee. The Tribunal reprimanded Smith and ordered that he pay the whole costs and expenses of the hearing before the Bar Tribunal and that a statement of the barrister's name together with the charge and order for costs be published in the Annual Report of the Victorian Bar Council.

The third matter was heard by the Tribunal because the barrister notified the Committee that he objected to the matter being dealt with summarily, pursuant to section 14F(2) of the Legal Profession Practice Act. Accordingly, the Committee laid a charge before the Tribunal that the barrister, appearing for the defendant at the relevant time, had interfered with the administration of justice in that he received the plaintiff's hospital records which were the subject of a subpoena (obedience to which had been intercepted by the barrister's instructing solicitor) and retained them, inspected them and then used them in cross-examination of a witness without the Trial Judge first determining whether the Court should receive and permit inspection of those records. The Bar Tribunal expressed its disapproval of the interception of the subpoena by the solicitor, but was not satisfied, to the degree necessary, that the barrister had been involved in the commission of a disciplinary offence.

The fourth matter concerned the hearing of a charge laid by the Committee that Dr. C. L. Pannam Q.C. had committed a disciplinary offence in that he did, contrary to section 29B of the Crimes Act, impose upon the Commonwealth by understating his professional income in his taxation returns with a view to obtaining a benefit by avoiding the payment of income tax. The barrister admitted to having committed the disciplinary offence and was suspended from practice from the date of hearing (11 June 1991) until 1 October 1991. In fixing this period of suspension the Tribunal had regard to the fact that Dr. Pannam Q.C. had voluntarily undertaken not to practice from 18 March 1991 during the period of his six month's suspended sentence imposed by the court. The Tribunal also ordered that he pay the costs and expenses incurred by the Bar Council and the Tribunal in the proceedings and that his name, the particulars of the charge and the order of the Tribunal be published in the Annual Report of the Victorian Bar Council.

From 1 September 1990 until the time of this report the Ethics Committee, under the chairmanship of Hansen Q.C. (until 1 November 1990), Bongiorno Q.C. (1 November 1990 – 21 February 1991) and Jessup Q.C. (since 21 February 1991) has conducted 27 meetings (excluding summary hearings). On 7 December 1990 the Committee published its first Professional Conduct Bulletin.

The following tables give statistics of complaints received, their source and the manner of their disposal during the year covered by this Report and the previous three years.

	1/9/87 31/8/88	1/9/88 31/8/89	1/9/89 31/8/90	1/9/90 31/8/91
No of complaints received	24	40	35	52
No. of matters investigated by the Committee of its own motion	–	–	–	3
No. of complaints under consideration at commencement of reporting period	20	17	16	18
No. of complaints under consideration at date of report	16	16	18	26
No. of investigations concluded during the reporting period	27	41	33	47
Complaints not upheld after preliminary investigation	25	34	29	36
No. of complaints where Committee resolved (pursuant to section 14E(a)) to take no further action	–	–	–	1
Summary hearings held during reporting period	4	7	10	10
Complaints upheld after hearing	2	5	5	6
Complaints withdrawn at hearing	–	–	–	1
Complaints dismissed after hearing	2	2	3	3
Complaints scheduled for summary hearing but not commenced at time of report	–	–	2	2
Complaints resulting in charges laid before the Barristers' Disciplinary Tribunal during reporting period	1	1	1	3
Decisions of the Committee appealed against to the Barristers' Disciplinary Tribunal during the reporting period	–	–	–	1
Complaints heard by the Barristers' Disciplinary Tribunal at the request of the barrister (pursuant to section 14F(2))	–	–	–	1
Complaints scheduled for hearing by Barristers' Disciplinary Tribunal but not commenced at time of report	–	–	–	1
Source of Complaint				
Clients	8	21	12	31
Solicitors	6	10	11	12
Judicial	3	3	–	–
Counsel	2	1	6	5
Police	1	4	–	2
Other	4	1	6	5

CRIMINAL BAR ASSOCIATION ANNUAL REPORT FOR THE YEAR ENDED AUGUST, 1991

Uniform Australian Criminal Law

The Society for the Reform of the Criminal Law conducted a seminar in Brisbane during April. The seminar was chaired by Malcolm C. J. of the Supreme Court of Western Australia. The seminar considered progress reports of the Gibbs Committee which has been commissioned to draft a Commonwealth Criminal Code. The discussion was aimed at attempting to reach agreement in principle upon the principles of criminal responsibility and the definition of major criminal offences. Considerable support was expressed for the development of a uniform Australian Criminal Law. The preferred method of establishing such uniformity was the adoption of a Criminal Code. This will be a major issue which will require consideration by the Association as the move for the adoption of a Code increases.

Issues

Throughout the year many issues have been and are still being considered by the Association. These included the Sexual Offences Bill, Penalties and Sentences Bill, the abolition of remissions, The Public Drunkenness (Decriminalisation) Bill, Dangerous Offenders legislation, the Bureau of Crime Research and Statistics, Confiscation of Assets, Alternative to committals in serious fraud cases and the Bail Act. Many of the above matters were referred to the Association by the Bar Council and others came directly to it. Reports have been made to the Bar Council and discussions have taken place with the Attorney-General, the Shadow Attorney-General and the Director of Public Prosecutions.

The presentation of complex prosecutions

The Chairman of the National Crime Authority conducted a seminar under the above title which was attended by a number of members of the Association. The result of this seminar so far has been the establishment of a liaison between the Association and the Police Computer Graphics Group with a view to assist members in developing an understanding of the benefits and processes of computer aided court presentations. It is obvious that members will need to develop computer skills in order to deal with the complex matters which will confront them in the future. As advocates we must not be left behind in this area.

Executive and Committee

At the Annual Meeting the following executive was elected:-

Robert Kent Q.C. — Chairman
Bill Morgan-Payler — Vice-Chairman
Robert Webster — Secretary
Paul D'Arcy — Treasurer

The following were appointed to the committee of the Association –

P. C. Dane Q.C., Boris Kayser, Phillip Dunn, Aaron Schwartz, Bruce Walmsley, Frank Hender, Roy Punshon, Ross Ray, Mark Dean, Meryl Sexton and Gavin Silbert

The Committee thanks and congratulates Colin Lovitt Q.C., Lex Lasry Q.C., and Nick Papas for their service to the Association as Chairman, Secretary and Treasurer respectively. Lovitt Q.C. has kept up his work as organizer of dinners and a most successful and enjoyable dinner was held with Sally Brown C.M. as guest speaker.

ANNUAL REPORT OF THE ESSOIGN CLUB LIMITED

This has been a most satisfactory year for the Club, which is now in its tenth year of operation. Membership has increased since our last report, there now being 962 members.

The hard work put in by the Committee and our staff over the last nine years has now provided the membership with a settled and very well run Club that in our opinion has no peer. We are most grateful to our Manager, Patrick Gilbert, for his devotion to duty and his persistence with solving problems which has produced the sustained success of the Club.

The Treasurer's report demonstrates the efficiency with which the Club has been run resulting in a profit which is represented in stock of the highest quality.

In November 1990, the Executive of the Bar Council requested the Committee to give consideration to improving the atmosphere in the Club by way of redecoration. I am pleased to report that both the dining room and coffee lounge have now been re-furnished and re-carpeted and we hope that this will go a long way towards assuring another ten years of successful operation for the Club.

On behalf of the Committee I wish to thank all of our staff and acknowledge the invaluable honorary services of both Ed Fieldhouse and Anna Whitney.

On a personal note, I wish to thank the members of my Committee for their contribution over the first year of my Chairmanship. Each has done a splendid job and I am very grateful for their support, encouragement and hard work.

ANNUAL REPORT ON THE READERS' COURSE

Two Readers' Courses, each of approximately twelve weeks duration, have been conducted since the last Annual Report. Fifty-three readers attended the Course beginning in September 1990. In March 1991 the numbers attending the Course were fifty-seven.

The Bar and its Readers have continued to benefit from the generous contributions of time and effort to the Readers' Course by practising members of the Bar, members of the judiciary and many others also. More than 180 people assisted with each of these intakes, a number which indicates the consistency of the level of assistance received for the Readers' Course over the last few years. The Course has maintained the high standard of previous years and many of the contributors have assisted on numerous occasions and for lengthy periods.

The connection between the Victorian Bar and the profession in Papua New Guinea has been maintained with the attendance of Young Wadau and Karl Yalo in September 1990 and Moses Murray, Robert Mugarenang and David Manoka in the last intake. The Course Committee welcomes the fact that Wemin Boi from Papua New Guinea will participate in the September 1991 intake.

During 1990, it became necessary to limit numbers for the Course, because of deteriorating conditions both for readers and those engaged in teaching and the conduct of the Course. The Bar Council and Barristers' Chambers Limited gave generous support to the Course, resulting in a substantial improvement in the area available for Course facilities and in the quality of accommodation. Consequently the Course was able to accept increased numbers, resulting in 110 readers passing through in 1990-91, as against 85 in the preceding year. The Course Committee records its gratitude both to the Victorian Bar Council and Barristers' Chambers Limited.

We were visited by Phillip Greenwood of the New South Wales Bar and Michele Goodwin, (Education Officer of the New South Wales Bar), by Associate Professor John de Groot from Queensland University and Michael Hill Q.C. of Gray's Inn, who all came to observe our Course and discuss our methods.

The Course Committee believes 1990-91 has been a good year and faces the future with great optimism.

Once again it must be said that such efficiency and success as we have achieved is largely due to the Course Co-ordinator, Ms. Barbara Walsh.

*VICTORIAN BAR COUNCIL
STATEMENT OF RECEIPTS AND PAYMENTS
FOR YEAR ENDED 31ST AUGUST, 1991*

1990				
\$		\$	\$	\$
25,904.70	Cash Balance as at 1st September, 1990			56,647.93
	Add Receipts for Period:			
2,084.29	Annual Subscriptions (prior periods)		45.00	
400,284.73	Annual Subscriptions (current period)		452,042.28	
940.00	Annual Subscriptions (prepaid)		500.00	
<u>403,309.02</u>	Total Subscriptions Received			452,587.28
	Interest Received:			
98.91	Short Term Deposits	-	-	-
<u>98.91</u>	Total Interest Received			-
37.50	Sales of Publications		27.50	
-	Repayment of List "C" Expenses		304.69	
235,000.00	Loan Repayment —			
	Barristers' Chambers Limited		273,000.00	
73,096.10	Readers' Course Income		78,040.67	
129.37	Miscellaneous Income		2,477.66	
<u>308,262.97</u>	Total Other Income			353,850.52
<u>737,575.60</u>	Total Funds Available			863,085.73
	Less Payments for Period:			
3,350.00	Audit and Accounting Fee		2,820.00	
1,740.96	Bar News		1,064.30	
690.90	Bank Charges and Deposit Duty		1,225.38	
590.20	Floral Tributes		155.00	
3,031.89	Insurance		4,171.76	
20,931.40	Printing		12,390.20	
7,940.84	Publications, Newspapers and Journals		4,365.89	
<u>101,185.47</u>	Salaries, Payroll Costs and Superannuation		112,823.95	
<u>139,461.66</u>	Total Administration Expenses			139,016.48
	Capitation and Affiliation Fees			
73,467.50	Law Council of Australia — 1991/1992		86,530.00	
600.00	Lawasia		600.00	
11,200.00	Australian Bar Association		14,300.00	
174.01	International Bar Association		196.69	
475.00	Victorian Council of Professions		475.00	
<u>85,916.51</u>	Total Capitation and Affiliation Fees			102,101.69
<u>225,378.17</u>	Sub total of payments			241,118.17
512,197.43	Balance carried forward			621,967.56

1990				
\$		\$	\$	\$
512,197.43	Balance brought forward			621,967.56
	Less:			
10,930.00	Senate Cost of Justice Inquiry		31,272.00	
125.00	LEADR Subscription		25.00	
69,470.79	Entertainment and Functions	93,356.78		
(35,942.25)	Members' Payments	(46,936.40)	46,420.38	
4,372.25	Transcripts		8,397.76	
265,000.00	Loans to Barristers' Chambers Limited		300,000.00	
68,418.87	Readers' Course Expenses		80,351.03	
15,696.79	Travelling Expenses		20,751.16	
7,630.67	Share of Salary — Lay Observer		7,498.76	
5,862.24	Professional Fees		24,905.70	
135.00	Corporate Affairs Commission		192.00	
25,000.00	Donation — Monash University Law Society		—	
2,692.09	Bar Memento, Portraits and Photographs		—	
5,158.05	Fees Other		4,225.60	
11,000.00	Purchase of Other Assets (Sound Equipment)		1,292.00	
—	Archival Expenses		4,575.00	
—	Costs of Law Reform Submission		34,480.00	
—	Commonwealth Lawyers' Association		813.80	
—	Selden Society		42.00	
<u>455,549.50</u>				<u>565,242.19</u>
<u>56,647.93</u>	Cash Balance as at 31st August, 1991			<u>56,725.37</u>
	Trust Fund:			
	Barristers' Benevolent Fund —			
11,151.00	Amounts Received	12,975.00		
<u>11,151.00</u>	Amounts Remitted	<u>12,975.00</u>		

VICTORIAN BAR COUNCIL
ASSETS AS AT 31ST AUGUST, 1991

1990			
\$		\$	\$
	1. Cash in Bank Accounts		
56,647.93	Trading Accounts		56,725.37
<u>56,647.93</u>			
	2. Investments at Cost:-		
16,300.00	(a) 8,150 Ordinary shares at \$2 each		
	in Barristers' Chambers Limited	16,300.00	
1,285,000.00	(b) Barristers' Chambers Limited		
	— Unsecured Loans	<u>1,312,00.00</u>	
<u>1,301,300.00</u>			1,328,300.00
—	3. Subscriptions in Arrears		4,555.00
2,581.45	4. List "C" Expenses Prepaid		2,276.76
23,001.25	5. Candelabra, Photographs, Portraits,		
	Lecturn and Computers		24,293.25
256.00	6. Honour Board of Past Chairman of		
	Victorian Bar Council		<u>256.00</u>
<u>1,383,786.63</u>	TOTAL ASSETS		<u>1,416,406.38</u>
	ACCUMULATED FUNDS		
1,310,501.31	Accumulated Funds as at 1st September, 1990		1,383,786.63
<u>73,285.32</u>	Net increase in Funds		<u>32,619.75</u>
<u>1,383,786.63</u>	Accumulated Funds as at 31st August 1991		<u>1,416,406.38</u>
	NET INCREASE IN FUNDS		
	Represented by:-		
—	Subscriptions in Arrears	4,555.00	
30,743.23	Increase in Cash at Bank	77.44	
30,000.00	Increase in Investments (at cost)	27,000.00	
<u>13,692.09</u>	Portraits, Photographs and Equipment	<u>1,292.00</u>	
74,435.32		<u>32,924.44</u>	
	Less decreases:-		
—	"List C" Prepaid Expenses	(304.69)	
(1,150.00)	Subscriptions in Arrears	—	
<u>73,285.32</u>	Net increase in Funds	<u>32,619.75</u>	