

President's Report 2024

Bar Council

Following election on 25 October 2023, the following members comprised the Bar Council during 2023-2024:

President:	Brahma Dharmananda SC
Vice President:	Julie Taylor SC
Ordinary Members:	Tim Hammond SC (Treasurer) Eric Heenan SC Craig Astill (retired following his appointment to the District Court of WA on 14 November 2023) Geoffrey Bourhill SC (appointed as an Ordinary Member to replace Craig Astill on 28 November 2023 pursuant to clause 41 of the Constitution) Clare McKay Anthony Papamatheos Jennifer Solliss
Members of less than 3 years' standing	Neha Dubey (Secretary) Jennifer Flinn
Non-WA Bar Chambers Ltd Members	Michael Sims SC Neil Morrissey

Bar Council met on 10 occasions for scheduled monthly meetings between November 2023 and October 2024.

I wish to record my sincere thanks to members of Bar Council, the WA Bar's Committees and the many individual members who have worked for the benefit of all members over the last year. Their collective contributions are not only a significant factor in enabling the WA Bar to fulfil its obligations but embody what has been, and should continue to be, an important tradition and feature of practice at the Bar.

General Meetings

Special General meetings were held on 13 March 2024 and 4 July 2024.

The Annual General Meeting will be held on 23 October 2024.

Committees/Co-ordinators/WA Bar Representatives

ABA Advocacy Training Council	Rachael Young SC
Bar Readers' Course	Anthony Papamatheos
Continuing Professional Development	Julie Taylor SC, Eric Heenan SC, Rachael Young SC, Michael Simms SC, Jennifer Solliss, Clare McKay, Long Pham and Varun Ghosh (until his resignation in January 2024)
Disciplinary	Stephen Wright SC, Paul Yovich SC and Alexander Mossop
Diversity	Julie Taylor SC, Elspeth Hensler, Rachel Joseph, Jennifer Solliss, Alexandra Pieniazek, Neha Dubey and Neil Morrissey
Essential Trial Advocacy Course	Rachael Young SC
Law Library Advisory	Eric Heenan SC
Pro Bono	Marina Georgiou, Kate Pedersen, Clinton Russell, Christopher Taylor-Burch and Benjamin Tomasi
Professional Indemnity Insurance	Geoffrey Bourhill SC
Professional Standards Scheme	Brahma Dharmananda SC, Julie Taylor SC, Neil Morrissey (from 2 November 2023), Neha Dubey (from 2 November 2023), Geoffrey Bourhill SC (from 28 November 2023, Jennifer Solliss (until 2 November 2023) and Craig Astill (until 20 November 2023)
Referral Service	Michael Sims SC
Recovery of Outstanding Fees	Tim Hammond SC
Website	Brahma Dharmananda SC, Julie Taylor SC, Tim Hammond SC, Eric Heenan SC and Clare McKay

Diversity

Following a review of the WA Bar's Grievance Procedure undertaken by the Diversity Committee, Bar Council approved amendments to the Grievance Procedure on 16 July 2024. The amendments include deletion of reference to "workplace" to ensure consistency with rule 123(1)(c) of the *Legal Profession Uniform Conduct (Barristers) Rules 2015*, changing the title of "Grievance Stewards" to "Grievance Officers", and some minor cosmetic changes.

Grievance Procedure

The following members are Grievance Officers under the WA Bar's Procedure to Deal with Grievances Concerning Discrimination, Sexual Harassment and Workplace Bullying (Grievance Procedure):

John Hedges SC
Julie Taylor SC
Bettina Mangan SC
David Bayly
Jonathan Davies
Elspeth Hensler
Rachel Joseph
Felicity Maher
Neil Morrissey
Helen Prince
Steven Wong

Bar Care

Funded by the WA Bar and introduced in late 2022, Bar Care remains an important independent free service for members. Whilst the 2023 Annual Utilisation Report indicated a modest uptake of services by members during the first year of operation of Bar Care, Bar Council remains committed to this important initiative and service for members.

Bar Readers' Course

This year's Bar Readers' Course (**BRC**) commenced on 30 April and concluded on 13 June. Twenty new members completed one or more of the modules of the BRC.

A function to mark the closing of the BRC, award certificates and present prizes to the best performed readers was held on 31 July. Congratulations once again to Joy Horwood who was awarded the Chief Justice's prize for the best performed reader in the Ethics and Practice, Evidence and Preparation, and Jurisdiction and Procedure modules, and to Guru Kuganathan and Jennifer Flinn who were awarded the prize for the best performed reader in the Essential Trial Advocacy Courses held in July 2024 and October 2023 respectively.

Many members of the judiciary and senior members of the Bar generously contributed their time and effort as Presenters and/Seminar Coordinators. This support is essential to the ongoing success of the BRC and both the Bar and participants are very fortunate to be beneficiaries of this generosity. On behalf of the Bar, may I again thank the judiciary and members of the Bar for their continued support.

Essential Trial Advocacy Course

The Australian Bar Association's Essential Trial Advocacy Course (**ETAC**) was conducted in Adelaide between 1-5 July 2024, with 14 new members attending.

The Honourable Michael Corboy SC, Paul Yovich SC, Bettina Mangan SC and Rebecca O'Brien participated as coaches in the ETAC.

2024 Autumn CPD Seminar Series

This year's Autumn CPD Seminar Series was held in March with presentations on the following topics:

- *Cost issues for barristers*
- *Closing submissions in civil trials*
- *Addressing cultural sensitivities in dealing with indigenous people and their interactions with the justice system*
- *Working effectively with smaller firms*

2024 CPD Seminar Series

This year, instead of the 'Spring CPD Seminar Series', monthly CPD seminars have been offered with presentations on the following topics:

- *Implications of the High Court's decision in Redlands City Council v Kozik*
- *Equity: Filling Much-Needed Gaps?*
- *Understanding and Preventing Workplace Bullying*
- *Investigative Interviewing: Enhancing affidavit and statement drafting through structured planning and conversation management*

Professional Standards Scheme

In addition to the obligation to submit an *Annual Professional Standards Report* to the Professional Standards Councils – the requirements of which are onerous and involve a considerable amount of time and effort, significant work has been undertaken this year in preparing the WA Bar's third Application for a new Scheme. The WA Bar's second Professional Standards Scheme is in its tenth year of operation and is due to expire on 30 June 2025.

The requirements of the Application process are onerous. A substantial amount of work was done to meet the requirements by Debbie Cole, Kelly Hick (an External Consultant engaged by the WA Bar) and Geoffrey Bourhill SC (in respect to the insurance section of the Application).

As a standing committee of Bar Council, the Professional Standards Scheme Committee assumed overall responsibility for review of the Application and making recommendations to Bar Council for submission of the Application to the Professional Standards Councils.

Pro Bono

In late 2023, the WA Bar formed a Pro Bono Coordination Group (PBCG) whose members assume responsibility, on a rotational basis, for assessing and coordinating pro bono requests received by the WA Bar. The members of the PBCG are: Chris Taylor-Burch, Marina Georgiou, Clinton Russell, Ben Tomasi and Kate Pedersen.

Over the past 12 months, the WA Bar received 7 requests from members of the public which were referred to Law Access and/or other organisations for assessment/further assistance.

In addition, the WA Bar received 14 requests which were assessed as meeting the criteria for pro bono assistance. Requests were circulated to members, and assistance was provided in 9 matters, and in most matters multiple offers of assistance were received from members.

While most requests for pro bono assistance received from individual members of the public are redirected to Law Access for assessment, the WA Bar continues to accept referrals/requests from the Courts and community legal centres.

Representation of Practitioners before the LPBWA and SAT

The WA Bar continues to provide assistance to practitioners through the Referral Service.

Michael Sims SC has assumed responsibility for assessment and referral of requests.

During the past year, the WA Bar received 10 formal requests from legal practitioners seeking assistance in relation to complaints to the LPBWA and/or SAT.

Other requests for assistance are likely to have been received and dealt with informally by members of the WA Bar.

Professional Indemnity Insurance

Bar Council resolved this year to approve policies of professional indemnity insurance offered by the following:

- Arch Underwriting at Lloyd's (Australia) Pty Ltd offered by Marsh;
- Berkley Insurance Australia offered by Pacific Indemnity Underwriting Solutions Pty Ltd;
- AAI Ltd trading as Suncorp Insurance 'Professional Indemnity Insurance Policy for Barristers 2024-2025';
- Insurance Australia Ltd trading as CGU Insurance offered by Aon.

Geoff Bourhill SC kindly assisted with the work and obligations of the WA Bar by assessing and providing advice to Bar Council on the professional indemnity insurance policies. Geoff's efforts, for which we are truly grateful, were of enormous assistance to Bar Council.

Group Life Insurance Scheme

The Group Life Insurance Scheme continues to be available to members and provides cover of \$300,000 for death or diagnosis of a terminal illness, or upon assessment of total and permanent disability.

Website

In June, Bar Council approved the engagement of a consultant to undertake an upgrade of the WA Bar's website. The impetus for the upgrade arose from the need to correct and improve the functionality of the 'Find a Barrister' and 'Members Area' sections of the existing website.

The upgrade will enable online completion of Annual Renewal of Membership, payment of subscription and other invoices, online registration for CPD, and other features for benefit of members in the 'Members Area', including a CPD Library.

Work is well under way on the upgrade project.

Judicial Welcomes and Special Court Sittings

During the year the following special sittings were held:

- Welcome for her Honour Judge Felicity Zempilas, District Court of WA, 25 October 2023
- Special sitting of the High Court of Australia to mark the appointment of the Honourable Stephen Gageler AC as Chief Justice of Australia, 6 November 2023
- Special sitting of the High Court of Australia to mark the appointment of the Honourable Robert Beech-Jones as a Justice of the High Court, 6 November 2023
- Welcome for his Honour Judge Craig Astill, District Court of WA, 5 December 2023
- Special sitting of the Federal Court of Australia to announce and welcome the newly appointed WA Silks, 31 January 2024
- Welcome for his Honour Judge Matthew Curwood SC, District Court of WA, 31 January 2024
- Welcome for Master Sarah Russell, Supreme Court of WA, 1 February 2024
- Welcome for her Honour Judge Genevieve Cleary, District Court of WA, 21 February 2024
- Welcome for the Honourable Justice Kate Glancy, Supreme Court of WA, 23 February 2024
- Welcome for the Honourable Justice Gary Cobby, Supreme Court of WA, 29 February 2024
- Farewell for his Honour Judge Andrew Stavrianou, District Court of WA, 22 March 2024
- Welcome for his Honour Judge Alan Sefton SC, District Court of WA, 15 May 2024
- Special sitting of the Federal Circuit & Family Court of Australia (Adelaide) to welcome his Honour Judge Arran Gerrard, 16 August 2024

Bar and Bench Dinner

The 2023 Bar and Bench Dinner was held on Friday, 10 November 2023 at the Art Gallery of Western Australia. Marking the 60th anniversary of the WA Bar, the dinner was a special and important occasion with 180 members and guests attending. Julie Taylor SC proposed the toast to the Bench. The Honourable Robert French AC proposed the toast to the Bar.

This year's Bar and Bench Dinner will be held on Friday, 15 November at Fraser's Kings Park.

Membership

New Members

The following new Members were elected to the WA Bar:

Claire Frances Bass
Michelle Lee Bennett
Matthew Peter Gearing KC
Joel Kenneth Grincer
Hannah Hofmann
Paula Alison Mary Hudson
Tina Louise Jowett SC
Gurukugan Kugananthan
Philip Lafferty
Andrew Leslie Mason

David Charles McCallum
Briannen Michele Morrow
Shane Michael Murphy
Jonathon Papalia
Sharminie Perera
David Robinson
Brieanne Elisabeth Rogers
Simon James Rogers
Ashlee Marie Taylor
Nicholas Alexander Tiverios
Robert Graham Wilson
Kellie Marie Woods

Honorary Members

The following were elected as Honorary Members:

The Honourable Andrew Beech SC
The Honourable Michael Corboy SC
The Honourable Susan Duncanson
The Honourable Kenneth Martin KC
The Honourable Simon Moncrieff SC
The Honourable Craig Sanderson

Judicial Members

The following were elected as Judicial Members:

Supreme Court of WA

The Honourable Justice Gary Cobby
The Honourable Justice Matthew Howard
The Honourable Justice Michael Lundberg
The Honourable Justice Alain Musikanth

Family Court of WA

The Honourable Justice Steven Jones

District Court of WA

His Honour Judge Craig Astill
Her Honour Judge Genevieve Cleary
His Honour Judge Matthew Curwood SC
His Honour Judge Terence Palmer SC
Her Honour Judge Felicity Zempilas

Staff

On behalf of the WA Bar, may I thank Debbie Cole, our Executive Officer, Karen Knox and Simone North for their tireless and hard work in ensuring that the WA Bar provides the services we as members take for granted.

Debbie Cole, in particular, has a wealth of knowledge and experience. Debbie focuses on each and every issue that arises with great care and diligence. Without Debbie's amazing contribution, my role as President would have been triply more time-consuming and

demanding. Karen Knox works diligently to provide us with a service that is all too easy to take for granted. Simone North has joined the team, working hard, and is well underway in learning from Debbie Cole, so that she can assist in providing seamless executive support and assistance to the WA Bar.

May I also personally thank Debbie Cole, Karen Knox and Simone North for their incredible hard work and assistance.

A handwritten signature in blue ink, reading "B. Dharmananda". The signature is fluid and cursive, with a small flourish at the end.

Brahma Dharmananda SC
President

14 October 2024