



16 June 2014

Dear Colleague

The Bar Council joins with me in expressing our thanks to Peter Davis QC for his service to the Bar Association over many years and his leadership over recent months in what have been trying circumstances. The course he pursued in recent weeks (other than in resigning) was a course for which he had my support and that of the Bar Council. My deep regret was that I was not able to persuade him to continue as President. In recognition of his service the Council has unanimously adopted the nomination I made, seconded by the Vice President, that at the next general meeting of members Mr Davis QC be made a Life Member of the Association.

The circumstances leading to his resignation have put focus on three things.

First, the proper administration of justice requires that the public have confidence in our institutions, and especially our Courts and their members. Whatever our private views (and the Association's remain now as they were under the former President), public confidence in the administration of justice must be paramount. This Association has as one of its principal concerns that the litigants who come before our Courts, whether they win or lose, have confidence that they are dealt with by a qualified and impartial judicial officer. The preservation of public confidence is not a selfish view of the Association, but an essential requirement of our system of law, which all parties, including the Government must further.

Secondly, we must seek to ensure that any discussions about possible appointments to those courts which involve the Bar Association (through the President) and the Attorney-General are completely confidential. For my part I shall respect that and will expect it to be reciprocated by the Attorney-General and also that appropriate steps will be taken to ensure that confidentiality is protected.

Thirdly, there is a pressing need to explore a different and more structured way of identifying and selecting possible appointees to judicial office to ensure all appointments are made impartially and on the basis of suitability for the particular office. The Bar Association will seek to initiate discussions with the Government and the Courts for the formulation of a protocol for this purpose which, if it receives bipartisan support, can only enhance public confidence in our Courts and their officers.

We recognise the challenge this poses.

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As a result of Mr Davis's resignation, and consequently my becoming President, at the Bar Council meeting this evening, Mr Geoffrey Diehm QC was elected Vice President, and the vacancy on the Council has been filled by Mr Jeffrey Hunter QC. I welcome them both to these new and challenging roles.

Regards

A handwritten signature in black ink, appearing to read 'Shane Doyle', with a long horizontal line extending to the left.

Shane Doyle QC
President