

## **A Statement to members of Queensland Law Society**

14 June 2014

Dear Member,

In resigning as President of the Bar Association of Queensland, Peter Davis QC has raised issues which are of fundamental concern in relation to the administration of justice in Queensland.

I do not propose to address in detail the matters referred to in the Notice circulated to members of the Bar Association. I wish however to make the following clear and unequivocal comments.

It is of critical importance that confidentiality of communications is maintained when consultation is undertaken. There can be no doubt that in the absence of confidence that confidentiality will be maintained, any process of consultation or discussion is fundamentally undermined.

Whilst I cannot and will not comment on the alleged actions of particular individuals, the independence of the profession must be fiercely maintained. We will resist, clearly and unequivocally, any attempts to compromise that independence.

The appointment of judicial officers in Queensland is the prerogative of the Executive branch of government. It has always been, and will always be, the practice of Queensland Law Society to provide frank and impartial feedback if consulted about judicial appointments. There have been occasions where appointments have been controversial. In welcoming appointments, Queensland Law Society has always been acutely aware of the need to ensure that fundamental confidence in the judiciary and our justice system is preserved.

The matters raised by Peter Davis QC are of singular concern as they go to the process of judicial appointment which, if tainted, runs the very great risk of undermining the confidence of the profession and the community in individual appointments which then flows onto the larger institution of the courts. Such an outcome cannot be contemplated.

The issues raised must be addressed if we are to preserve confidence in our system of justice.

Sincerely,

Ian Brown  
President  
Queensland Law Society