

# Queensland Government Gazette

## Extraordinary

### **REINSTATEMENT OF THE OFFICE OF QUEEN'S COUNSEL**

The following arrangements for the appointment of Queen's Counsel and the transition of Senior Counsel to Queen's Counsel have been settled in consultation with the Chief Justice of Queensland and the Bar Association of Queensland:

#### **New Applicants**

1. The Bar Association of Queensland (the Association) will annually invite applications from barristers seeking appointment as Queen's Counsel.
2. The protocol for the recommendation of Queen's Counsel (as agreed by the Association and the Chief Justice from time to time) and the application procedure will be published on the Association's website.
3. The Bar Association of Queensland is entitled to determine the process for the appointment of Queen's Counsel so far as that process precedes the recommendation of the Chief Justice to the Attorney-General referred to below. The key elements of this process presently involve:
  - a. The Council of the Bar Association of Queensland (the Bar Council) appointing a Consultation Group to consider the applications received;
  - b. The Consultation Group consulting with other barristers, judiciary and any person whom they consider appropriate;
  - c. The Consultation Group providing to the President of the Bar Council a list of those applicants it considers suitable for consideration for appointment;
  - d. The President of the Bar Council giving to the Chief Justice a list of all applicants (together with their applications) and the list provided by the Consultation Group; and
  - e. The Chief Justice consulting with the judiciary and any other persons the Chief Justice considers appropriate.
4. The Chief Justice will then write to the Attorney-General providing a list of barristers who are recommended by the Chief Justice for appointment as Queen's Counsel.
5. The Attorney-General will cause an Executive Council minute to be prepared for consideration by the Governor recommending the issuing of letters patent to each of the applicants whom the Chief Justice recommends and only those applicants.

### **Existing Senior Counsel**

6. Existing Queensland Senior Counsel who were appointed with that title by the Chief Justice of Queensland between 1994 and 2012, will be invited to apply, through the Association, for appointment as Queen's Counsel.

7. The President of the Bar Council will provide a list of such existing Senior Counsel who have applied for appointment as Queen's Counsel to the Chief Justice.

8. The Chief Justice will then write to the Attorney-General providing the names of existing Senior Counsel who are recommended by the Chief Justice for appointment as Queen's Counsel.

9. The Attorney-General will cause an Executive Council minute to be prepared for consideration by the Governor to give effect to the recommendations of the Chief Justice.

10. Existing Senior Counsel appointed as Queen's Counsel will have their seniority preserved according to their original appointment as Senior Counsel.

### **Members of the judiciary**

11. Members of the judiciary including retired members of the judiciary who have been appointed with the title of Senior Counsel by the Chief Justice of Queensland between 1994 and 2012 will be eligible to apply for appointment as Queen's Counsel on their retirement or resignation from office or, if he or she be already retired, upon invitation through the Association.

12. Their applications would be transmitted to the Chief Justice through the President of the Bar Council.

13. The Chief Justice will provide his written recommendations to the Attorney-General.

14. The Attorney-General will cause an Executive Council minute to be prepared for consideration by the Governor to give effect to the Chief Justice's recommendations.

15. Post-judicial applicants for appointment as Queen's Counsel will have their seniority preserved according to their original appointment as Senior Counsel.

Jarrod Bleijie MP

Attorney-General and Minister for Justice

Date: 3 May 2013