

## Barrister Honoured

On Australia Day, Robert Goot was awarded Membership of the Order of Australia (A.M.). His citation was for "service to the welfare of the Jewish Community".

Since 1972, Goot has held executive positions on the N.S.W. Jewish Board of Deputies, the roof body of Jewish organisations in this State. In 1978, he became its youngest ever President. He has been Senior Vice-President, and is currently Honorary Secretary, of the Executive Council of Australian Jewry.

In a long period of community service for one of his meagre years, perhaps Goot's most notable achievement was as Chairman of the Australian Committee of Soviet Jewry.

The Soviet Government had imposed its Education Tax (the notorious "Ransom Tax"). This required payment by Jewish (but not other) professionals seeking to leave Russia of an impost (upwards of \$A20,000), ostensibly as reimbursement of education expenses.

Goot organised the collection of substantial cash amounts, delivered in bags to the Russian Embassy in Canberra, as payment made on behalf of one well-known prospective emigre.

The payment was refused. This form of protest spread world-wide, and the authorities were forced to abandon the requirement.

Goot motor-cycles to and from the front of Wentworth each day. If not the youngest recipient yet of the A.M., he is surely the first biker to have been so honoured! □

## Travel packages for IBA conference, Buenos Aires, September 1988

The Law Council of Australia has arranged with Ansett International Travel to provide packages for Australian delegates to the International Bar Association's 22nd Biennial Conference in Buenos Aires in September.

The arrangements mean that Australians travelling to Argentina for the conference (25-30 September) can use Ansett International Travel as a 'one-stop' agent for their conference and travel bookings. This includes conference registration, hotel bookings, pre- and post-conference tours and air travel to and from Buenos Aires.

Delegates will be able to make a single payment in Australian dollars for all these services. The arrangements mean there will be no need for delegates to contact London or Buenos Aires direct or to buy overseas currency other than for their personal needs.

Ansett International Travel offices in each State have a comprehensive brochure describing the package arrangements, as well as the IBA conference program and registration brochure.

The Law Council and several of its constituent bodies are members of the IBA, and Australians are amongst the most active participants in IBA work. □

## Law Council of Australia Federal Practice and Litigation Section

The Law Council's Federal Practice and Litigation Section was officially launched at the Legal Convention in Perth in September 1987. The Section Executive Chairman is David Malcolm, QC. Alex Chernov, QC, Malcolm Lee, QC, Anthony Whitlam, QC, Ronald Ashton, John C. Richards, Pat Dalton, QC and Justice Trevor Morling, are also members.

At its inaugural meeting in Sydney, the Executive resolved to accept into the Section several established committees of the Law Council namely, Courts (Federal) Committee, Administrative Law Committee, Industrial Law Committee, Defamation Law Committee and Costs (Federal) Committee.

The Executive feels confident that the Section will develop in such a manner as to provide an appropriate forum where all branches of the legal profession will deal with matters relating to federal practice and litigation. It is expected that the Section will contribute to the programs at Australian Legal Conventions and Section conferences and seminars.

The Executive will look at matters of concern that relate to rules of practice of the High Court and Federal Court; constitutional matters; appointments to the Courts and their functions; video conferencing; industrial legislation; the Administrative Decisions (Judicial Review) Act; costs; defamation and contempt laws.

The Section Executive wishes to encourage solicitors and Barristers involved in federal practice and litigation, to become members of the Section and to give it their support and expertise.

For further information regarding the Section, please contact the Section Administrator at the Law Council Secretariat, PO Box 1989, Canberra or by phone on (062) 47 3788. □

## Law Foundation Travelling Fellowships

The Law Foundation of New South Wales conducts a Travelling Fellowship program to enable persons directly involved in, or concerned with, the administration of the law and the legal system, and the promotion of reforms in the administration of justice, in New South Wales, to undertake short study tours to other countries.

The Fellowships are awarded annually and are tenable during the following calendar year. The Foundation anticipates awarding up to five Fellowships in 1988 which

will be undertaken during 1989. Successful applicants will receive sufficient funds to meet the cost of air travel, ground transport, accommodation and meals.

The target group for the award of Fellowships includes administrators, policy/legal personnel in departments and instrumentalities operating in the areas of the courts, police, prisons, child welfare and other like agencies within New South Wales, legal practitioners and academics.

Advertisements calling for applications will appear in the daily press from 27 April 1988, and applications will close on 31 July 1988. For more information, contact Dawn Wong (Grants Administrator) or Terence Purcell on 29 5621 or DX 984 Sydney. □

## **Australian Young Lawyers Section Bicentennial Young Lawyer of the Year Award.**

Following the excellent response to the 1987 Awards, the Australian Young Lawyers Section of the Law Council of Australia is conducting the Bicentennial Young Lawyer of the Year Awards.

The objectives of the Awards are to encourage and foster young lawyers sections/associations/committees, and individual young lawyers throughout Australia to establish and institute programmes for the benefit and assistance of the profession and/or the community, and to provide recognition of the programmes initiated.

This year the Award has been extended to include recognition of an individual's contribution over a number of years to the profession and/or the community.

Application forms and the rules governing the Awards are available from the Section Administrator, AYLS, Law Council of Australia, GPO Box 1989 Canberra ACT 2601 or DX 5719 Canberra.

Nominations will close on 30 July 1988 and the winners will be announced on 30 August 1988 at the Bicentennial Australian Legal Convention in Canberra. □

## **Changing Rolls**

The following persons have transferred from the Roll of Barristers to the Roll of Solicitors:

### **Friday 6th November 1987:**

Peter Raymond Callaghan  
Thomas Alexander Cunningham  
John D'Arcy Freeman  
Anthony Joseph McCarthy  
Evangelos George Manollaras  
Michael Kevin Minehan  
Paul Anthony Power  
Tyan Razeen Sappideen  
Michael John Sergent

### **Friday 18 December 1987:**

Stephen John Gates  
James Alexander Cameron  
Diana Mary Sharpe  
Christine Mary Moorhouse  
Trevor Kelvin Neill  
Simon Christopher Fisher  
Francesco Fotea  
Alex Gelbart  
Peter John David Hamill  
Malcolm Reeves Gracie  
Gabrielle Mary Hollis  
Christine Patricia Kelly  
Peter Alan Robinson

### **Friday 12 February 1988:**

David Charles Tonge  
John Ramsay Paul Partridge  
Nazzareno Bruni  
Geoffrey Kolterman Kolts  
Margaret Joyce Laurence  
Frank John Oppedisano  
Allan Anforth  
Catherine Mary McKimm  
Stephen Mark Edwards  
Mary Eftimou  
Jeffrey Denis Walsh  
Brian Thomas Muir

### **Friday 8 April 1988:**

William Robert McComas  
Joseph Robert Cleworth  
Kerrie Elizabeth Palmer  
Andrew McKellar Paull  
Jon Richard Watts  
Charles George Roth  
Chandrakant Jamnadas  
Bruce Stephen Horton

## **Private Life — Public Virtue**

Twice recently matters have come to the attention of the Bar Council which suggest it is necessary to remind barristers that their private lives may be relevant to their professional conduct as barristers.

In particular, emotional involvements with clients, spouses of clients or witnesses should be avoided as a matter of common sense and also because they could conceivably lead to the barrister being found to be in breach of Bar Rules 4 (a barrister shall refuse to accept a brief where to do otherwise would render it difficult for him to maintain his professional independence or would otherwise make acceptance thereof incompatible with the best interests of the administration of justice) and 21 (a barrister shall not engage in unprofessional conduct or do anything contrary to the standards becoming a barrister) or to have been guilty of "professional misconduct" under Part X of the Legal Profession Act, 1987. The latter Act defines "professional misconduct" as including "conduct (whether consisting of an act or omission) occurring otherwise than in connection with the practice of law which, if established, would justify a

finding that a legal practitioner is not of good fame and character or is not a fit and proper person to remain on the roll of barristers . . .'. Since the definition is an inclusive one the common law meaning of professional misconduct will continue to apply in addition to the express statutory meanings.

Any barrister who is uncertain what he/she should do in circumstances of this nature can contact a member of the Bar Council or Ethics Committee for advice. The Bar Council publishes a list of the members' names but, in any event, they can be ascertained by contacting the Bar Association. □

## Streamlining Case Preparation

*The Chief Judge of the Commercial Division, Mr Justice Rogers has issued a practice note designed to facilitate the smooth flow of the work in that Division. Although most immediately relevant to solicitors, its existence and terms should be known to all barristers who practise there.*

The attention of practitioners is drawn to a number of measures that are being taken in the Commercial Division to streamline the preparation of cases for hearing. The purpose is to reduce the need for attendance by practitioners at directions hearing with consequent savings of costs. Practitioners are reminded that judges of the Division welcome all suggestions for improvement and that operation of the Practice Note outlining procedures to be followed is regarded very much as a cooperative enterprise. The involvement of practitioners is essential to the speedy and cost effective resolution of commercial disputes.

1. Practitioners need to give more adequate instructions to persons filing summons as to the desirable return date. Experience has shown that inappropriate return dates are allocated because of lack of information as to any anticipated delay in service.

2. Difficulty is sometimes experienced in the service of the summons in adequate time prior to the return date to enable the defendant to formulate its case and sometimes there is a complete inability to serve the summons prior to the return date. In either event, it is open to practitioners to approach the registry and obtain a new and later return date. For this purpose, it is essential to have all sealed copies of the summons available to ensure that there are not sealed summons with different return dates in circulation. An application may be made at any time up to 4.00p.m. on the Wednesday preceding the return date. The matter will then be taken out of the list without the need for an appearance.

3. On occasions matters are adjourned to a later date by consent and in circumstances where the Court would have no objection. For example, it may be that meaningful negotiations between the parties for settlement have commenced. In such circumstances matters may be taken out of the list upon the parties completing a document in the form shown below. It will be noted that the legal representatives of the parties are required to obtain their

client's prior consent to both the proposed adjournment and the fresh date and are required to advise the client of the reason for the adjournment and the fact that the adjournment is at the instance of the parties and not of the Court. The parties are required to specify the reason for the adjournment so that the Court does not lose control of the timetable and adjournments are not arranged inappropriately. The procedure is not appropriate where other orders are required.

The consent adjournment form may be handed to the Associate to Rogers J. (and in his absence Brownie J.) no later than 4.00p.m. on the the Thursday preceding the date when the proceedings would otherwise appear in the list. □

<b>CONSENT ADJOURNMENT FORM</b> (Name and number of matter)	
I request/consent to the adjournment of the abovementioned matter from ..... to ..... I certify that I complied with the requirements of cl (b) of the Usual Default Order. The reason for the adjournment is ..... ..... ..... Solicitor for the Plaintiff	I request/consent to the adjournment of the abovenamed matter from ..... to ..... I certify that I have complied with cl (b) of the Usual Default Order. The reason for the adjournment is ..... ..... ..... Solicitor for the Defendant

## Our Favourite Mention

*"In this matter your Honour I appear for the plaintiff and my learned friend Mr. Smith appears for the defendant. Mr. Smith apologizes that he is unable to be here today and has asked me to mention the matter on his behalf. Would your Honour on his application and over my strong objection adjourn the matter to next Friday for further mention." □*

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*For a Bar Jacket at a very competitive price ring Tuila on 938 2373.*

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## LIBRARY FOR SALE

Commonwealth Law Reports, Australian Law Reports, Halsbury's 4th Edition, Australian Law Journal.  
 Phone: 918 9416