

Regional practice in 2018

By Alexander H Edwards and Ting Lim (Bar Association)

It is possible to spend a career as a barrister in New South Wales without venturing beyond the stretch of city joining the Supreme Court to the Downing Centre. It is possible to sit on Macquarie Street in the afternoon and feel

that one is in the leafy extremities of the bar. Yet there is a world beyond.

There are, according to the most recent statistics collected by the New South Wales Bar Association, 134 barristers practising

in chambers located outside of the Sydney CBD. This figure does not include public defenders with primarily regional practices, and it does not reflect the number of those with chambers in Sydney who regularly travel the state for hearings.

The significance of the regional bar is inestimable. A client in need of the services of a barrister in Newcastle, in Wagga Wagga, in Bathurst, should not be expected to travel to Sydney in order to conference in person. Geography is the first frontier of gaining access to justice. If representation and legal advice cannot be physically accessed, people's ability to know their rights and assert them fall short of the concept that there is justice for all. Further, a barrister who understands a community, their values and the fabric of the regional community, may be a more accessible legal resource than one with chambers in Wentworth Selbourne for reasons beyond that of location.

Having determined to prepare an article along these lines, one of the authors of this article had by coincidence the privilege of appearing in hearings in the beautiful towns of Orange and Lismore this year. Photographs taken during that travel have been used to illustrate this article. By further coincidence, in Orange, his opponent was Mr Walsh, author (with Mr Nash) of an article in the *Bar News* of Winter 2011 entitled 'The development of the regional criminal bar'. It is a fantastic reflection on the role of courts, media and the bar to regional New South Wales to which the reader is commended.

The primary object of this article is to capture the face of the regional bar in 2018. It is hoped that anyone at the Sydney bar considering a sea change (or tree change) will find something in the remarks of our interviewees to encourage them. There is much there. Beyond these preliminary remarks, the authors do not pretend to be able to capture the experience of the regional bar. We recommend that you attempt to experience it for yourself. However, it is hoped that the reader will receive from the following exchanges a picture of a practice that reflects positive developments in the broader bar and the continued importance of the regional bar to NSW.



NEWCASTLE CHAMBERS	TOTAL	MALE	FEMALE	SILK	JUNIOR	BAR ASSOCIATION MEMBERS
Mackinnon	2	2	0	0	2	2
Evatt	2	2	0	0	2	2
Newcastle	14	11	3	1	13	14
James Dowling	9	8	1	0	9	9
Hunter Street	14	11	3	1	13	14

PARRAMATTA CHAMBERS	TOTAL	MALE	FEMALE	SILK	JUNIOR	BAR ASSOCIATION MEMBERS
Arthur Phillip	12	5	7	0	12	12
Lachlan Macquarie	30	25	5	0	30	30

OTHER REGIONAL CHAMBERS	TOTAL	MALE	FEMALE	SILK	JUNIOR	BAR ASSOCIATION MEMBERS
Lismore (2 Chambers)	11	8	3	1	10	11
William Owen (Orange)	2	2	0	0	2	2
Hargrave (Wollongong)	5	4	1	0	5	5
Papayanni Chambers (Wagga Wagga)	3	2	1	1	2	3



Heydon Miller

Called to the bar in 2009 - Orange

*'I heard a solicitor say,
"fantastic, we've got
someone local.'"*

How have you come to be practising where you are?

A few things came together. Much of practice relates to tax and taxation disputes.

I was thinking about a tree change and I reflected that there might be a need for a tax barrister in the regions. I hadn't heard of anyone with a similar practice having setting up in Orange.

What is the best part of basing your practice outside of the Sydney CBD?

Interpersonal relationships and professional networks are easier to develop and more meaningful in a regional community. Plus, Orange is a great town with a whole range of sport, food and cultural events. In practical terms, because it is well served by a regular and short flight, being based here allows me to maintain a commitment to traditional city based clients.

What are the challenges of practice in the regional areas?

The largest challenge has been my own attitude. I keep thinking that solicitors based in Orange and surrounds won't want to brief a barrister who isn't in chambers on Phillip Street. But my experience so far has proven me wrong. I heard a solicitor say, 'fantastic, we've got someone local'.

How has technology changed the way you practice?

Email and so on we take for granted. But the way legal work is carried on has made it possible to practise anyway. Travel is easier too. Being based in Orange means my practice might require me to travel relatively large distances to other places in the state. Being able to travel without reams of physical documents is helpful.

What would you suggest to a barrister who was considering moving their practice to the regions?

Do it. There are lots of opportunities for the bar outside Sydney. It's also important for Sydney barristers not to underestimate the quality of other professionals (for example, solicitors and accountants) who may contribute a significant source of work. From my experience, it would be a real mistake to think that another professional will be less exacting or sophisticated because they are not based in Sydney.



Shanna Mahony

Called to the bar in 2015 - Parramatta

'In joining chambers in Parramatta at Lachlan Macquarie, I have enjoyed the great benefit of both interlocutory and hearing work on a regular basis together with the opportunity to conduct circuit work in regional areas of Western NSW.'

How have you come to be practising where you are?

My practice before coming to the bar was primarily in Western Sydney. I elected to join chambers in Parramatta at Lachlan Macquarie to enjoy the collegiality of a smaller bar and to reduce my travel and seek to achieve a work/life balance.

What is the best part of basing your practice outside of the Sydney CBD?

The variety of work available to new members of the bar at Parramatta appears to me to be greater. I have enjoyed the great benefit of both interlocutory and hearing work on a regular basis together with the opportunity to conduct circuit work in regional areas of Western NSW.

Describe the culture of the chambers and the practice of law in the regions.

Lachlan Macquarie is a supportive and welcoming chambers with a variety of barristers willing to share their experience. We have a wide range of experience across vast areas of practice that allows new members of the bar an opportunity to learn and gain valuable experience to develop their own practice.

How often do you travel for your work?

I am fortunate to receive regular work in the Dubbo and Orange circuits of the Federal Circuit Court. I travel on average for one week every two months to complete circuit work in these regional areas.

Which courts/jurisdictions do you commonly appear in?

I commonly appear in the Family Court and Federal Circuit Court in both property and parenting family law matters and the Childrens Court, District Court and Supreme Court in child welfare matters.

What is the place of the regional bar to the NSW community in 2018?

The regional bar is in my view an essential part of ensuring access to justice for the wider community across NSW. The Parramatta bar allows greater access to representation for the ever increasing western Sydney population by providing services close to their homes and employment and close to the Court Registry within which their matter is listed.



Belinda Epstein

Called to the bar in 2017
- Newcastle - Sydney

‘The best things about practising outside of the Sydney CBD are the collegiate and friendly legal community, the pace of life and not having to fight Sydney traffic.’

How have you come to be practising where you are?

I grew up primarily in Newcastle and after a period overseas and in Sydney, have lived here for the last 12 years. However, a lot of my work as a solicitor was conducted in Sydney, hence my decision to continue this by having chambers in both locations. For my reading year I have also had a tutor in each city, which has been excellent.

When you came to the bar, did you ever consider practising in the Sydney CBD? If so, why did you choose to practise regionally?

With three children a (8, 10 and 12) already in school in Newcastle, it wouldn’t be practical to uproot everyone. While Sydney certainly offers a broader range of opportunities, tribunals and jurisdictions and great proximity to events, Newcastle offers a wonderful lifestyle and a collegiate and friendly legal community. It’s also only two hours from Sydney, so quite manageable for a day trip or overnight. It’s amazing how much reading you can achieve on the train between the two cities.

Describe the nature of your practice.

I have only been at the bar 11 months so am keeping a very open mind at the moment about the type of work I do. As a solicitor I practised in various areas, primarily in civil litigation. For the last 5 years I have practised principally in health law and medical negligence. This is an area which I love and in which I am busy now at the bar.

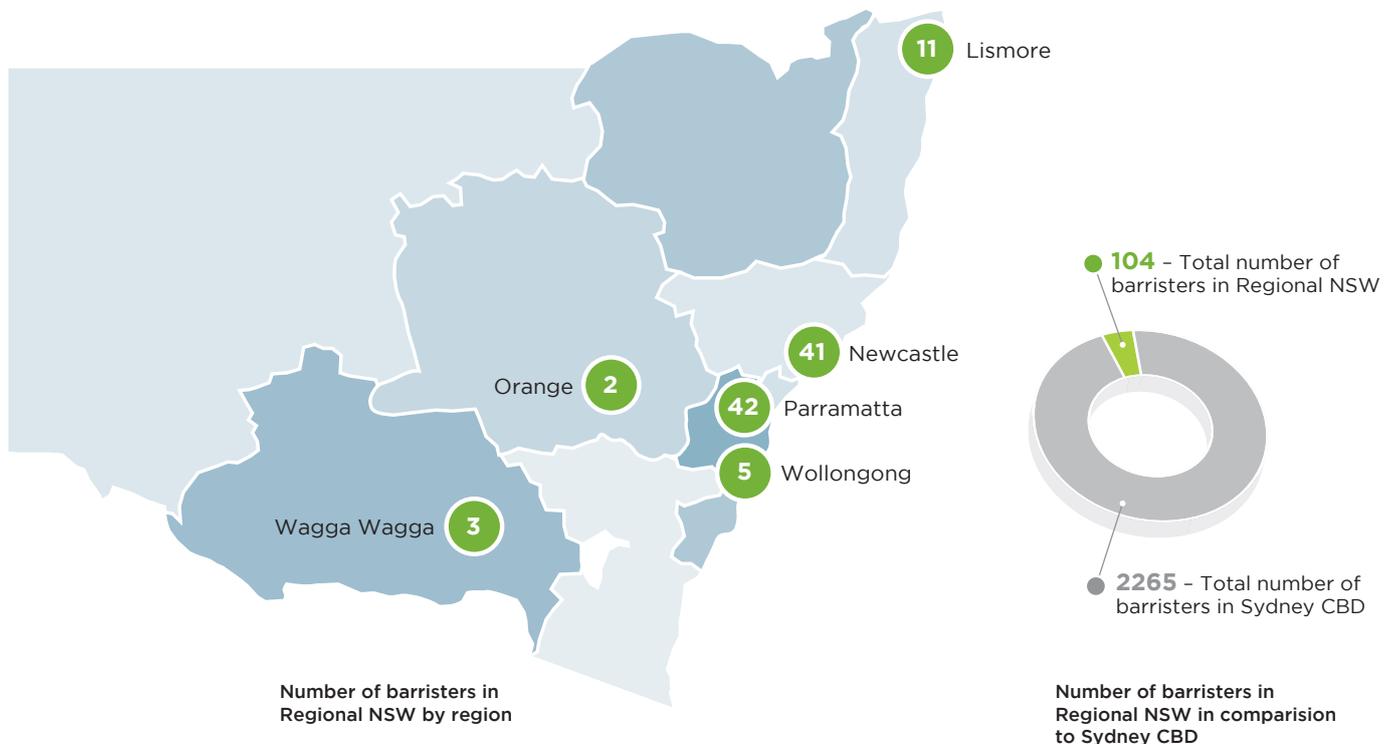
My chambers in Newcastle – Hunter Street Chambers – has a very friendly and warm culture, with members supporting each other and happily giving advice and assistance. Chambers is also five minutes’ walk from beautiful beaches, plenty of cafes, restaurants and the harbour.

What would you suggest to a barrister who was considering moving their practice to the regions?

I would encourage them. I think practising in ‘the country’ is fantastic.

What is the place of the regional bar to the NSW community in 2018?

It has an important place. Regional courts require skilled practitioners, just as city courts do. The community expects this.





Sophie Anderson

Called to the bar in 2014 - Lismore

'I choose to practise regionally because practice is diverse, varied and at a high volume.'

How have you come to be practising where you are?

After initially practising in Sydney CBD and for the Redfern ALS, I left the city when I was a junior lawyer and went West to the Western Aboriginal Legal Service in Dubbo. I had an amazing early experience as a young lawyer with fantastic mentors, and loved the regional practice which offered a diversity of work at high volume. I then moved to the coast, to Lismore ALS and found my home. After the ALS I worked in private practice, and then after 15 years of being a solicitor, decided to go to the bar.

Practicing in Lismore and Byron Bay areas seemed a natural transition as I had lived and worked in this area for over 10 years. I now have chambers here in the Far North Coast.

When you came to the bar, did you ever consider practising in the Sydney CBD? If so, why did you choose to practise regionally?

I guess I contemplated it, but not in any real depth. I love regional practice and all that it means. And it's hard to replace the quality of life, but I haven't ruled out commuting to Sydney from the North Coast.

I choose to practise regionally because practice is diverse and varied. If I need to go to a city, Brisbane is a stones throw away, and Sydney is an hour by plane. It's possible to have a fulfilling career here, while living the charms of a regional life.

What is the best part of basing your practice outside of the Sydney CBD?

I think for me it's the work/ life balance and the strong collegiate bar. I am able to manage that balance more or less, and still enjoy a very busy practice with other colleagues who are like minded and well regarded. I also have an excellent chance to develop close relationships with other practitioners in this region and work closely with them.

Describe the nature of your practice.

The majority of the work I do is criminal trial work; with some limited civil litigation and personal injury work; employment law, industrial relations and coronial work.

I am lucky to be situated in a chambers with eight other barristers who all have varied practices from family law, equity, commercial, civil and construction, and some crime. It's a lively and very busy chambers with a supportive atmosphere.

How has technology changed the way you practice?

Enormously, as I'm sure for many barristers. E-briefs these days are a very quick and efficient way of receiving large volumes of documents. There are also pitfalls of course, and I am a bit old fashioned in that regard because I like a paper brief to mark up. But I can see the way technology has changed the way practice works, and I hope in the future this leads to more improvements and greater access to justice for people.

What would you suggest to a barrister who was considering moving their practice to the regions?

Come and check it out first, see if you like it. It is not for everyone of course, and it helps to have some roots down in the community to make sure that you get work but it's very rewarding, and if anyone was contemplating a move to the north coast I'd be more than happy to share my knowledge and time.

What is the place of the regional bar to the NSW community in 2018?

I think the regional bar is a very important community asset. It assists in a resilient and robust regional community and allows people access to legal advice without the expense and travel to larger cities if that doesn't suit them.

