

## Justice K.R. Handley A.O.

On 30 January 1990, Handley Q.C. was sworn in as a Judge of Appeal of the Supreme Court. His imminent appointment was, as his Honour acknowledged at his swearing in ceremony, one of the worst kept secrets of 1989. During the two years prior to his appointment, his Honour worked tirelessly in the interest of the Bar in his role as President of the Bar Association. After standing down on the expiration of his term in office, his Honour chose not to take a well earned break, but instead, to keep his hand in, travelled to London where he practised for two months as a junior (having been admitted there two or three years ago) at Lincolns Inn. He did chamber work principally, but made one appearance in the High Court seeking to have an aging aristocrat declared a lunatic. He did well, and was invited to return later this year to conclude the case, but events overtook him.

He capped his career immediately prior to appointment by being appointed an Officer in the Order of Australia. □

## Statements from the Bar table

A Professional Conduct Committee has had to consider a complaint made by one Barrister against another about conduct in the course of lengthy, tense and difficult committal proceedings.

During examination-in-chief of a child, numerous objections were made, all of which were ruled upon by the presiding Magistrate. On the following day, before continuing with examination-in-chief, the Counsel examining expressed a wish to, and did, "make a statement" from the Bar. The Barrister then proceeded to make various allegations and complaints about the objections made by the other Barrister. There was a reply made and a subsequent attempt to make a further reply.

The Council, however, considered that members should be aware that statements from the Bar table, whether about evidence or otherwise, are generally inappropriate and may, in certain circumstances, found a complaint relating to professional conduct. Matters relating to the conduct of a hearing and to evidence are matters for the presiding judicial officer. Conduct of opposing Counsel which has evidentiary or other implications for the conduct of a hearing should be the subject of an objection in the normal manner. Questions of conduct, thereafter, may be pursued by complaint to the appropriate professional body and certainly not by statements made from the Bar table. □

## "Citation of Federal Court Reports"

As from the sittings commencing on 3 April 1990 *The Federal Court Reports*, the official reports of the Federal Court, will be required to be cited in the High Court instead of the *Australian Law Reports* for Federal Court cases.

## Workers Compensation

The Bar Council has considered the question of the representation of fund managers and former licensees under the Workers Compensation Act 1987.

Where a respondent's liability may extend over a period which would involve both a former licensee and the fund manager of the same insurance group there is an obvious possibility of a conflict of interest in the conduct of the litigation.

In such circumstances, unless an agreement for division of responsibility has already been arrived at, the former licensee and the fund manager should be separately represented in the proceedings. Separate Counsel should be retained in these circumstances. □

## Queen's Counsel for 1989

The following barristers were appointed Queen's Counsel by the Governor-in-Council, effective from 1 November, 1989.

In order of seniority:

- |        |                                  |
|--------|----------------------------------|
| (Vic)  | 1. SHAW, Brian John              |
| (WA)   | 2. WILLIAMS, Daryl Robert        |
| (QLD)  | 3. GALLAGHER, John Edward        |
| (WA)   | 4. HEENAN, Eric Michael          |
| (Vic)  | 5. HARPER, David Lindsey         |
| (Vic)  | 6. FINKELSTEIN, Raymond Antony   |
| (Vic)  | 7. ROSS, David John              |
| (Vic)  | 8. LOVITT, Colin Leslie          |
|        | 9. CRAIGIE, Rodney Graeme        |
|        | 10. GLEESON, John Nicholas       |
|        | 11. COWDROY, Dennis Antill       |
|        | 12. GARNSEY, John Joseph         |
|        | 13. COLLINS, Bruce Wilkie        |
|        | 14. BEAZLEY, Margaret Joan       |
|        | 15. BRANSON, Christopher Charles |
|        | 16. WEST, John Norman            |
|        | 17. SIMPSON, Carolyn Chalmers    |
|        | 18. CRAIG, Malcolm Graeme        |
| (C.P.) | 19. ROSSER, Paul David           |
| (C.P.) | 20. ROBINSON, Wendy Louise       |

The Annual Conference of the Australian Institute of Judicial Administration is to be held on Saturday and Sunday 18 and 19 August 1990. The Conference is to be held in Melbourne at The Graduate School of Management, 200 Leicester Street, Carlton South.

Details of the programme will be available shortly from the AIJA office, 103-105 Barry Street, Carlton South.