

A letter from some Criminal Law Barristers

Dear Colleagues,

For many years the NSW Bar Association has played an important role in public policy advocacy. It has taken strong stands on issues affecting the course of criminal justice. Bar Presidents and spokespersons have influenced the debate about matters such as:

- the right to silence;
- inadequate legal aid funding;
- court funding problems, including listing issues caused by lack of judges;
- attacks on sentencing judges;
- mandatory sentences; and
- human rights issues such as mandatory detention.

It seems this year's Bar Council election will be pivotal as to whether this role continues. Some candidates think that the Bar Association has become "too political". They are critical of the moderate positions taken by the Bar defending the Human Rights Commissioner (a former Dean of the Sydney University Faculty of Law) and the Federal Court from political attack and some aspects of the Bar's advocacy about its Equitable Briefing Policy. They want to tone the Bar down.

We want the Bar Council to continue to lead, to take brave and independent positions when required. This is no time to quieten the legal profession's voice.

The Bar's Criminal Law Committee, comprising defence lawyers and prosecutors, has been at the forefront of policy formulation and public advocacy. Their work needs to continue. Without the respected voice of the legal profession, there would often be no reasoned view in highly-charged law and order debates.

We urge you to vote for candidates who will continue this tradition of advocacy. On 8 October last, 21 candidates wrote a letter to the Bar Association membership expressing their intention to stand for non-block independent decision-making, open

communication with members about issues and maintaining a voice for the Bar in the process of law reform. Their names are reproduced below. They can be trusted to do so. Many have long years of experience working for justice. Others are keen to get in there to help. There are other candidates who fit this description, as well. Please vote for as many people as you can (but no more than 21) to keep the Bar's voice heard on issues of importance to criminal law practitioners.

The following practitioners have endorsed this letter

Ian Barker QC	Tim Gartelmann SC
Phillip Boulten SC	Mark Ierace SC
Ian Bourke SC	Tom Molomby SC
David Dalton SC	John Fitzgerald
Carolyn Davenport QC	Anne Healey
Hament Dhanji SC	Chris O'Donnell
Sally Dowling SC	David O'Neil
	Rebekah Rodger
	Jason Watts

THE CANDIDATES

Noel Hutley SC	Greg Antipas
Tim Game SC	Sophie Callan
Arthur Moses SC	Catherine Gleeson
Andrew Bell SC	Ruth Higgins
Julia Lonergan SC	Warwick Hunt
Chrissa Loukas SC	Lisa-Claire Hutchinson
Michael McHugh SC	Paresh Khandhar
Tony Payne SC	James Mack
Dominic Toomey SC	Anna Mitchelmore
	Julia Roy
	Kara Shead
	Elizabeth Welsh