



20 November 2017

Dear Member

Re: Election of Practising Members of Bar Council – New Vote Required

The voting papers for the Bar Council elections were mailed to members on Thursday 2 November 2017. On the afternoon of Monday 13 November, I received a complaint from a member that the member's name was missing from the ballot paper.

In response, I have made enquiries, gathered evidence and received a submission from the member.

Under the Bar Association of Queensland Constitution this is a complaint which is to be determined by the Returning Officer under Rule 11.2 (c).

The relief sought by the member was the conduct of a fresh vote for the Practising Members of Council with the member's name included. I have determined to grant the relief sought by the member.

This is because I am satisfied on the evidence that the member had a valid nomination form faxed on the members behalf (by a law firm) to the Bar Association office at about 10.30am on 26 October 2017. The log on the Bar Association's Canon printer/facsimile/photocopy machine records receipt of a facsimile from that law firm at a matching time.

The nomination form never found its way to me as Returning Officer. It has not been located despite the searches conducted last week. It seems to me most likely that the facsimile was inadvertently mixed up with other papers on the machine and ultimately misplaced.

To ensure the complainant member's rights to stand for election are upheld, it is therefore necessary for me to:

- (a) void the voting for Practising Members of Council which has taken place
- (b) refrain from counting the votes on the voided vote
- (c) conduct a new vote for Practising Members of Council with the complainants name added

The conduct of a further vote for Practising Members of Council does not affect the vote for:

Vice President; or
Employed Member of Council

nor does it affect the unopposed election of a new President.

**BAR ASSOCIATION
OF QUEENSLAND**
ABN 78 009 717 739

**Ground Floor
Inns of Court
107 North Quay
Brisbane Qld 4000**

**Tel: 07 3238 5100
Fax: 07 3236 1180
DX: 905**

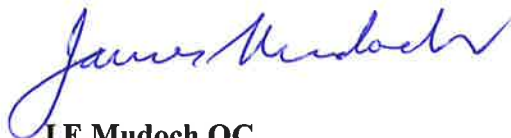
chiefexec@qldbar.asn.au

**Constituent Member of the
Australian Bar Association**

The AGM will proceed on Wednesday 22 November 2017 and the election results for President, Vice President and Employed Member of Council will be declared.

New voting papers for the election of Practising Members of Council will go out later this week.

Fresh nominations will not be called.



J E Mudoch QC
Returning Officer