

15 October 2021

To All Members of the WA Bar Association

Dear Members

Appointment of Senior Counsel in Western Australia

I refer to emails sent by Steven Penglis SC and Geoff Hancy to all members of the Western Australian Bar on 13 October 2021. Steven's email attached a letter from himself to the Chief Justice and others, including me, of 5 October 2021.

As Steven said in his email of 13 October, I referred his letter to Bar Council, which considered it at its last meeting on Tuesday, 12 October.

In light of the fact that these emails and Steven's letter of 5 October have now been sent to all members of the WA Bar, it is important to make two observations.

First, the views expressed in Steven's letter and in the two emails I have mentioned do not reflect the views or position of Bar Council.

Secondly, Bar Council particularly wishes to disassociate itself from the suggestion that the current system is "susceptible to inappropriate and unfair influence by persons outside of those who are referred to in the existing Practice Direction as parties with whom the Chief Justice is to confer". To be clear, Bar Council disagrees with any such suggestion.

Yours faithfully



Martin Cuerden SC
President