



Judicial Conference of Australia

EXECUTIVE COMMITTEE

MINUTES OF MEETING: 2019/2

Held by teleconference on **Thursday 11th April 2019**
commencing at 5.00 pm Eastern Standard Time

Participating

Justice Judith Kelly (President)
Justice Michael Baumann, AM
Judge Wayne Chivell
Judge Rachelle Lewitan, AM
Justice Glenn Martin, AM
Justice Neil McKerracher
Justice Steven Moore
Magistrate Marc Sargent
Justice Michael Walton

in the Chair
Treasurer

Apologies

Chief Justice Alan Blow, AO
Justice John Burns
Magistrate Brett Dixon

In attendance

Christopher Roper, AM (Secretary)

1 Minutes of the previous meeting

The minutes of the previous meeting held on 31st January 2019 had been circulated.

Resolved:

That the minutes of the meeting held on 31st January 2019 be approved.

2 Correspondence received since the January 2019 meeting of the Executive Committee

No formal correspondence had been received.

3 President's report

Judge Salvatore Vasta

The President reported that she had written to Chief Justice Alstergren by email providing a quite detailed report of the discussion at the Governing Council meeting in relation to his request that the JCA respond to criticisms made of Judge Vasta in a published article. The President had set out the discussions and the conclusion of the Governing Council that no response should be made, giving the reasons. She said that she had not received a reply from Chief Justice Alstergren.

Recent media releases

The President referred to the two media releases and two letters to the editor that had been issued since the last Executive Committee meeting and noted that they had all been considered at the recent Governing Council meeting.

Recent reporting in regard to Judge Maiden

The President noted that the most recent *JCA News & Media* had included a report in the *Sydney Morning Herald* in regard to Judge Maiden which incorrectly stated that the Judicial Commission had found that Chief Judge Price of the District Court of New South Wales had engaged in misbehaviour. This was completely incorrect and the *Sydney Morning Herald* had subsequently issued a correction. This correction had not been forwarded to the JCA by iSentia, its media monitoring service, and therefore had not been included in the weekly *JCA News & Media*. She noted that the correction, having now been received, would be included in the *JCA News & Media* to be distributed on the following day.

Direct debit facility for membership renewals

The President reported that the Secretary had advised her of the processes involved in setting up the direct debit facility with the National Australia Bank and in having members sign up for it. The Secretary reported that the initial setting up cost would be \$545 and thereafter the fee per debit was very low. He said he thought the principal difficulty was that any member wishing to set up a direct debit arrangement for payment of the annual membership fee would need to be sent two NAB documents, one of which would need to be signed and returned to the JCA. He wondered if a sufficient number of members would put themselves through this process to justify the cost and work involved. It was decided that members be given the option of signing up for direct debit and that the two NAB forms be distributed to all members at the time of membership renewals.

Resolved:

That the President's report be received.

4 Media releases and letters to the editor issued since the last meeting of the Executive Committee

The Executive Committee noted the two media releases and two letters to the editor that had been issued since the last meeting, which had been circulated.

5 Financial matters and Treasurer's report

A profit & loss report for the period 1st January to 31st March 2019 had been circulated, and was noted. It was also noted that the balance in the accounts and term deposits at the bank as at 8th April 2019 totalled \$600,502.

Resolved:

That the Treasurer's report be received.

6 Membership matters

A membership report as at 8th April 2019 had been circulated, together with a list of newly appointed judicial officers to whom the President had written and a list of new members, and they were noted.

Resolved:

That the membership report be received.

7 Secretariat matters

2019-20 Budget

The Secretary noted that usually a draft budget would be considered at this meeting of the Executive Committee so that the annual membership fee could be set, ready for the membership renewals process to begin in May. He said that the draft budget was not yet ready as he needed to await the Profit & Loss Report for the period ended 31st March, and this became available only recently. He suggested that a special meeting be called shortly to consider the draft budget.

It was decided that after the draft budget had been considered by the Treasurer it be circulated and, if appropriate, approved by a flying minute, and that a meeting only be held should it become clear that there were aspects of the budget that required discussion.

8 Member Benefits Scheme

Justice Martin reported that this matter had not progressed since the recent Governing Council meeting, but that he would shortly have a meeting with those proposing the possible schemes and the resultant cost would be incorporated into the budget.

9 Colloquiums

Darwin Colloquium

Justice Martin reported that there were, to date, 62 registrations of whom 58 were paying registrants. There was some discussion as to how this number might be increased. It was noted that there were several registrations to come from the Supreme Court of New South Wales. It was also noted that there could hopefully be more registrations from the Northern Territory and the President said she would pursue this.

2020 Colloquium

Justice Martin reported that he had confirmed with Justice Smith of the New Zealand Judges Association that the joint colloquium would be in Rotorua on Friday 9th to Sunday 11th October 2020. It was noted that arrangements in regard to the management of the colloquium and other matters were yet to be decided.

10 More effective interaction with the media

A memorandum had been circulated. Judge Lewitan said that she was collecting material in order to report to the next Governing Council meeting. Justice Baumann said that he would communicate with Judge Lewitan in the coming week in order to contribute to the report to be prepared.

11 Media monitoring service

A memorandum had been circulated. The Secretary briefly outlined that as the media monitoring service is a large part of the JCA's interaction with its members he thought he should refer the unsolicited approach from Meltwater to the Executive Committee for consideration. He said that he thought the two issues were whether the JCA wished to move from its current arrangement which appeared to be working reasonably well, and whether it wished to broaden the scope of its monitoring to social media.

Justice Martin said that he doubted there would be much value in including social media in the JCA's monitoring, as it would be likely to produce a large amount of irrelevant material and dross.

After further discussion it was decided to provide the JCA's current search instructions to iSentia to Meltwater and invite Meltwater to produce some examples of the report it would produce, for further consideration by the Executive Committee.

12 Next meeting

It was noted that the next meeting would be held on Thursday 18th July 2019 at 5.00pm Eastern Standard Time.