



Judicial Conference of Australia

## **EXECUTIVE COMMITTEE**

### **MINUTES OF MEETING: 2019/3**

Held by teleconference on **Thursday 18<sup>th</sup> July 2019**  
commencing at 6.00 pm Eastern Standard Time

#### **Participating**

Justice Judith Kelly (President)	in the Chair
Justice Michael Baumann, AM	Treasurer
Chief Justice Alan Blow, AO	
Justice John Burns	
Magistrate Brett Dixon	
Judge Rachelle Lewitan, AM	
Justice Glenn Martin, AM	Vice-President
Justice Steven Moore	
Magistrate Marc Sargent	

#### **Apologies**

Judge Wayne Chivell  
Justice Neil McKerracher  
Justice Michael Walton

#### **In attendance**

Christopher Roper, AM (Secretary)

#### **1 Minutes of the previous meeting**

The minutes of the previous meeting held on 11<sup>th</sup> April 2019 had been circulated.

Resolved:

That the minutes of the meeting held on 11<sup>th</sup> April 2019 be approved.

#### **2 Correspondence received since the April 2019 meeting of the Executive Committee**

A list of correspondence sent and received by the President had been circulated, and was noted.

### **3 President's report**

#### *Standing order direct debits for membership renewals*

The President reported that she had been advised by the Secretary that only three members so far had chosen this additional option for continuing their membership, and that National Australia Bank had advised that the process did not apply to annual payments. The Secretary was asked to enquire further as to whether this was the case and, if it was, then to discontinue the scheme, particularly as it involved an annual fee of \$500.

Magistrate Marc Sargent said that 17 of his members were potentially interested in the prospect of establishing a standing order arrangement for payment of their membership fee.

#### *Representatives on the Governing Council from the Family Court of Australia and the Federal Circuit Court of Australia*

The President noted that there were no representatives from these two courts on the Governing Council, but that under Rule 11(1)(c) of the JCA's Rules it would be possible for the Governing Council to co-opt representatives from these courts. She noted that Justice Baumann had originally been the representative from the Federal Circuit Court as well as holding the office of Treasurer, and that he had continued his membership in the role of Treasurer after his appointment to the Family Court.

Justice Baumann stated that he did not think the lack of representatives was due to any unwillingness to participate in the JCA on the part of the Chief Justice, but simply was due to a heavy work schedule. Justice Martin reported that he would be meeting with Chief Justice Alstergren shortly and would raise the matter with him then.

It was agreed that, unless the Family Court and Federal Circuit Court appointed representatives to the Governing Council before the next Governing Council meeting, the Executive recommend to the Governing Council to exercise its power under Rule 11(1)(c) to co-opt Justice Michael Baumann as the Family Court representative and another suitable and willing candidate as the Federal Circuit Court representative.

It was further agreed to write to Chief Justice Alstergren and let him know what we intended.

It was further agreed not to write to Chief Justice Alstergren, or take any further steps until after Justice Glenn Martin had spoken to Chief Justice Alstergren and advised the Executive of the result.

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 there had been no media releases or letters to the editor issued since the last meeting.

## **5 Financial matters and Treasurer's report**

A profit & loss report for the period 1<sup>st</sup> April to 30<sup>th</sup> June 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 11<sup>th</sup> July 2019 totalled \$596,271.60.

The Treasurer noted that the two term deposits would mature later in the year in September and that it would not be possible then to obtain interest rates at the present levels, and as a result the income from term deposits would be lower in future.

Resolved:

That the Treasurer's report be received.

## **6 Membership matters**

A membership report as at 11<sup>th</sup> July 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.

It was noted that there was still a considerable number of members who had not renewed. The Secretary said that the proportion who had not renewed was about the same as at this time in previous years. The Secretary was asked to send lists of non-renewed members to the relevant Governing Council members with a request that they encourage those on the lists to renew.

The Executive Committee was also asked to consider what the JCA's policy should be in regard to members who, at the time of membership renewals, advised the JCA that they would be retiring in the coming year.

Resolved:

That members who, at the time of membership renewals advised the JCA that they would be retiring during the coming membership year, be permitted to renew by paying the retired members' rate (at present \$50 per annum).

That the membership report be received.

## **7 Secretariat matters**

It was noted that a new administrative assistant would be recruited later in the year.

## **8 Colloquiums**

### *2020 Colloquium*

Justice Martin reported that three quotations for a venue had been received so far, and a fourth was being obtained. He said he would be liaising with Judge Winter in regard to themes, topics and speakers. He said that the Chief Justice of New Zealand would be taking part, and it was agreed that an invitation should be extended to the Chief Justice of the High Court of Australia, although noting that the Colloquium would be held at a time when the Court was sitting.

It was agreed that the Planning Committee should comprise Australian and New Zealand representatives, and that the Australian members be Justice Martin, Judge Rachelle Lewitan and Magistrate Jennifer Atkinson, subject to her acceptance of membership.

Justice Martin noted that Australian delegates would need to travel on Thursday 8<sup>th</sup> October, and he proposed that the Colloquium sessions be on the mornings of Friday 9<sup>th</sup>, Saturday 10<sup>th</sup> and Sunday 11<sup>th</sup> October, with the Friday and Saturday afternoons being free, and travel back to Australia on the afternoon of Sunday 11<sup>th</sup> October.

It was agreed that members be advised of these dates and arrangements in the *JCA News & Media*.

### *Cancellation policy*

Justice Martin briefly reported on the situation in regard to Justice Stevenson. The Executive Committee noted the memorandum that had been circulated and resolved as follows:

#### Resolved:

That the JCA's policy in regard to cancellations for the Colloquium be as follows:

- More than 21 days prior to Colloquium – full refund less a \$100 administration fee.
- Less than 21 days prior to the Colloquium - no refund but the JCA will consider sympathetically a request for cancellation which is due to a situation which has arisen beyond the JCA member's control or clearly requires that the member must attend to other duties.
- Substitute participants are welcome at any time.
- Changes and/or cancellations for registration bookings should be sent to A.M. Meetings Plus P/L by email to [jca20@ammp.com.au](mailto:jca20@ammp.com.au).
- Changes and cancellations to hotel bookings can be made but are subject to group booking conditions at the venue's discretion.

It was agreed that Justice Stevenson should be advised that the JCA had made this change to its policy.

### *Payment of registration fees by JCA members who are speakers*

Justice Martin briefly outlined the situation which arose in regard to Justice Edelman.

#### Resolved:

That, except where a JCA member has registered to attend the whole of a colloquium, no registration fee should be charged to a JCA member who is attending a colloquium to speak at one session only, but that should the member need to be accommodated for one night, the member would usually pay the appropriate accommodation fee.

*Future Colloquiums*

It was agreed that future colloquiums would be held in the following places:

2021	Sydney
2022	South east Queensland
2023	Perth

**9 More effective interaction with the media**

A memorandum prepared by Justice Baumann and Judge Lewitan had been circulated, and the President thanked them for the work they had done. The memorandum was discussed.

In regard to the provision of media training, the President noted that in her case there would be no need as her own court's media officer had offered to provide media training for her. It was noted that this might equally be available in some other courts.

There was some discussion of the use of Twitter and it was agreed that the JCA would follow a number of selected twitterers and respond as appropriate. [See below.]

**10 Media monitoring service**

A discussion paper had been circulated and was extensively discussed. It was reported that although broadcast media could be monitored it would be very expensive to obtain links to the relevant broadcasts. It was also noted that the trial of monitoring social media for one month did not result in anything of which the JCA would have become aware through its existing monitoring.

It was noted that a number of courts obtain daily reports from their own media officers, although those reports were usually confined to items of relevance to the particular court.

There was general agreement that the current arrangements appeared to serve the JCA well.

*Resolved:*

That the current arrangements with iSentia be continued, whereby the print media is followed, both in print and online forms, and not to extend the monitoring to the broadcast or social media.

Accordingly, it was agreed that the proposal from Meltwater to provide an alternative service, not be accepted.

It was further agreed that the JCA would actively follow selected organisations and persons on Twitter, and that the list of those to be followed would be finalised in conjunction with Justice Martin.

It was noted that the JCA could retweet items of interest and relevance to it, and then those following the JCA could become aware of those items as a result of following the JCA. It was agreed that members should be reminded of the ability to follow the JCA on Twitter, and be encouraged to do so.

## **11 Member Benefits Scheme**

Two documents prepared by Member Benefits Australia, *Member Accounts, Communications and Data Confidentiality* and *Member Benefits Suite*, had been circulated, and were adopted.

It was agreed that the Scheme be launched in a high profile way, in particular that an email be sent to all members with details and that that email be sent mid-week so as not to confuse it with the usual email received by members on Friday.

It was further agreed that non-members of the JCA be advised of the Scheme and for this purpose, the Secretariat would send details and the *Member Benefits Suite* document to Governing Council members with a request that they promote the new Scheme to all members of their courts.

## **12 Next meeting**

It was noted that the next meeting would be held on Thursday 7<sup>th</sup> November 2019 at 6.00pm Eastern Summer Time.