

EXECUTIVE COMMITTEE

MINUTES OF MEETING 22 APRIL 2021

Held by Microsoft Teams commencing at 5.00 pm (AEST)

Participating

Justice Glenn Martin AM (Meeting Chair)
Chief Justice Alan Blow AO
Deputy Chief Magistrate Brett Dixon
Acting Justice Anthony Rafter
Judge Rauf Soulio
Judge Andrew Stavrianou
Justice Michael Walton

Apologies

Justice Michael Baumann AM
Justice John Burns
Magistrate Jan Maclean
Justice Neil McKerracher
Justice Steven Moore

In attendance

Lillian Lesueur (CEO)

1 Minutes of the previous meeting

The minutes of the meeting held on 28 January 2021 were approved.

2 Matters arising from 28 January Executive Committee meeting and 13 March 2021 Governing Council meeting

Actions were discussed under the relevant agenda item.

3 AJOA Financial report

The financial reports were noted.

4 Membership

It was agreed to defer the discussion about ideas on how to make AJOA more relevant to non-members until the June Governing Council meeting.

Projects and Activities

5 Colloquiums

Justice Walton reported that the 2021 Colloquium Sub-Committee was reconfiguring the 2021 program in light of the fact that is not now being held in New Zealand, and to reflect the reduced time frame for the program. In line with previous programs, the 2021 program will commence Friday afternoon and conclude Sunday lunchtime. A full program will be provided to the Governing Council for consideration at the June meeting.

Action: Lillian to ask Conference Design to design the marketing brochure with the view to sending out the draft program to judicial officers and opening it up for registration in the near future.

6 Post-Retirement Income and Restrictions on Practice Sub-Committee

Justice Walton reported that the sub-committee has met and Justices Walton and Jagot are developing a draft paper for consideration by the sub-committee.

Action: The sub-committee to have a draft document on Post-Retirement Income and Restrictions on Practice ready by the end of May 2021 for consideration by the Governing Council.

5.3 Equality of Outcomes in the Courts Sub-Committee

Justice Martin reported that he has spoken with the chair of the sub-committee Chief Justice Kourakis. Chief Justice Kourakis is comfortable to proceed with inviting those who have been proposed to join the sub-committee.

Action: Justice Martin will contact those nominated to sit on the Equality of Outcomes in the Courts Sub-Committee to invite them to join the sub-committee.

7 Federal Court and Family Court representation on the Governing Council

Justice Martin has contacted Chief Justice Alstergren to seek his views on representation of the two courts on the Governing Council. No response has been received as yet.

8 Australian Law Reform Commission Inquiry: Apprehended Bias Report

Justice Martin reported that the sub-committee is preparing a succinct submission for consideration by the Inquiry. The submission is expected to be non-controversial.

9 One Day Conference on Judicial Appointments and Judicial Incapacity

Justice Martin outlined the rationale for the conference and the reason for discussing these two topics together in one conference. It was agreed that the topics fit well together.

Action: Justice Martin to contact Professor Andrew Lynch, UNSW, to seek his views on the proposed conference. The Governing Council to consider at the June meeting how it might best be structured and when it should be held.

10 AJOA Policy on Change of Titles for Magistrates

Action: Deputy Chief Magistrate Dixon to follow up with magistrates on the Governing Council re the preparation of a set of talking points for Council's consideration.

11 Online Course: The Modern Judiciary

Justice Martin reported that he had met with Professor Andrew Lynch, UNSW, to discuss the development of an Australian version of the course. As the program is targeted at senior high school students, academics will not be required to write the content. The Executive Committee agreed that judicial associates could be asked to draft the first cut of the course content.

The Executive Committee approved a budget of \$40,000 for the project. This will cover the cost to engage Andrew Henderson (an ANU College of Law PhD student) to project manage the exercise, as well as other costs associated with the development of the course.

12 President's Report

Justice Martin reported that he has reviewed the recent reports from both Victoria and South Australia on sexual harassment in the legal profession and the judiciary. The Executive Committee agreed that the AJOA does not need to take any action in relation to either report.

Deputy Chief Magistrate Dixon advised that the possibility of a merger between the AJOA and the Association of Australian Magistrates had been discussed at the recent AAM meeting, and that there is interest in discussing the possibility of a merger.

Action: Deputy Chief Magistrate Dixon to ask the Chair of the Association of Australian Magistrates, Magistrate Roger Prowse, to contact Justice Martin to discuss a possible merger between the AJOA and the Association of Australian Magistrates.

Justice Martin recommended that the AJOA reimburse Lillian for the monthly cost of her mobile phone as the phone will be used for AJOA matters. The Executive Committee approved the monthly reimbursement of costs.

13 CEO's Report

Lillian advised that Colton Creative have been engaged to design a new logo, branding guidelines and associated templates for the AJOA.

Action: Lillian to present logo and branding options to the Governing Council at their June meeting.

Lillian reported that she is holding discussions with Insentia regarding our current contract:

- Insentia have advised that their fee will increase from \$1482 per month to \$1500 per month if we wish to allow for an increase from 116 print and online items per month to 250 print and broadcast items per month with unlimited online items. We generally have more than 116 print and online items per month, so it is sensible to pay the small additional amount for the increased number of items.
- Due to copyright constraints exercised by the AFR, the AJOA will no longer be able to distribute the full text of AFR articles for summaries provided by Insentia. The problem cannot be overcome by AJOA taking out a corporate subscription to the AFR as AJOA members are not considered employees and so distribution to members would still be prohibited.
- The current contract with Insentia is for distribution to up to 350 members only. This needs to be increased to reflect the actual number of members.
- Under current copyright constraints, we should not distribute articles from the Fairfax stable (AFR, SMH, the Age, Brisbane Times) to our members. Insentia are holding discussions with Fairfax to see if they will grant us permission to distribute relevant articles. Insentia are reasonably confident that we will be granted permission to continue to distribute the articles.

14 Items for Noting

The items were noted.

15 Any other business

There was no other business.

16 Next meeting

The next meeting of the Governing Council will be held on Saturday 19 June in Melbourne.
Justice Moore has advised that we are able to use the Old High Court Library for the meeting.