

List of Authorities

The Bar Council has had brought to its attention the perennial question of exchanging lists of authorities.

The Bar Council does not consider it appropriate to lay down any rules in this area because circumstances of individual cases do differ. It suggests, however, that the following four paragraphs should present a useful guide as to the appropriate etiquette in relation to lists of authorities:

1. Where a barrister provides to a judge's chambers a list of authorities for the purpose of assisting the judge's staff to have the authorities available in court, as a matter of courtesy that barrister ought to provide a copy at the same time to his or her opponent although he or she may exclude from that list cases which he or she is unlikely to cite or which he or she only intends to cite if they are cited by his or her opponent.
2. Paragraph 2 neither obliges a barrister to provide a list of authorities before the close of the evidence in the case nor does it oblige a barrister to provide a list of authorities to a barrister who has indicated that he or she does not intend to provide the first barrister with a copy of the list of authorities which he or she has provided or proposes to provide to the judge's chambers.
3. If counsel who receives a list of authorities intends to supply a list to the judge's chambers but not to supply a copy thereof to his or her opponent, he or she should return any lists supplied to him or her unread. □

T.R. Duchesne, Registrar. 17 February 1992

Policy On Venues

The Bar Council has adopted the following as standing policy:

1. No functions or events organised under the aegis of the Bar Council or the Bar Association of New South Wales, or with their support, shall be held at the premises of any club or other organisation which:
 - (a) has a reputation for discrimination on religious, racial or sexual grounds; or
 - (b) has admission procedures which operate in a way which has the effect of excluding persons from membership, or restricting the admission of persons to membership, on religious, racial or sexual grounds.
2. If any question arises, because raised by any member of the Association or otherwise, as to whether or not this standing policy applies to any venue selected or proposed for any function or event, the House Committee or any others charged with arranging that function or event shall make such enquiries in that regard as may be feasible. In the event that there remains any reasonable doubt about the answer to the said question, the function or event shall not be held at that venue.
3. This policy does not apply to a club or other organisation:
 - (a) membership of which is lawfully open only to persons from a particular group, eg. members or ex-members of the services; and
 - (b) which does not have a reputation for any form of religious, racial or sexual discrimination. □

Federal Court of Australia

Notice to Practitioners

- Listing of Cases in Sydney

1. *Short cases*, those expected to take less than 3 days, may be listed by the Judge presiding at the final directions hearing. Practitioners should attend that hearing with a list of preferred dates. Cases not listed at the final directions hearing will be referred to the List Clerk for a date for hearing.
2. *Long cases*, those expected to take 3 days or more, will ordinarily be placed in the Long Causes list which will be called over on the first Tuesday of each month. Practitioners attending the call-over should have knowledge of the case and of its state of preparation and should attend with a list of available hearing dates.
3. *Admiralty List* - All contested matters arising under the *Admiralty Act* will be placed in the Admiralty list which is under the control of Sheppard J.
4. *Corporations List* - All matters arising under the *Corporations Law* other than winding-up applications will be placed in the Corporations list which is under the control of Lockhart J.
5. *Industrial List* - All matters arising in the Industrial Division of the Court will be placed in the Industrial list which is under the control of Wilcox J.
6. *Intellectual Property List* - Intellectual Property cases, as defined in Order 54B Rule 1 of the Federal Court Rules, will be placed in the Intellectual Property list which is under the control of Gummow J.
7. *Taxation List* - All taxation matters will be placed in the Taxation list which is under the control of Hill J.
8. The Judge in charge of a list may allocate a case to another Judge for directions or for hearing or may grant leave to the parties to approach the List Clerk for a date for hearing or may place the case in the Long Causes list. □

L.J. Gilroy,
District Registrar
May 1992

Robing in the Industrial Court

This practice note determines the procedure to be followed and establishes the practice, procedure and usage of the Industrial Court of New South Wales with respect to the robing in the Court of Judges and Counsel.

The Chief Judge of the Industrial Court, Justice Fisher AO, has issued a practice note advising that robes shall not be worn by Judges or Counsel in or before the Industrial Court of New South Wales.

The practice note does not affect any Judge's decision to wear robes on formal occasions outside the hearing of proceedings in the Court, e.g. at the opening of Parliament, Church services at the Commencement of the Law Year or other formal and appropriate occasions. □