

**MINUTES OF THE
ANNUAL GENERAL MEETING
OF THE LAW SOCIETY OF WESTERN AUSTRALIA
MONDAY, 29 OCTOBER 2012 COMMENCING AT 5.24 PM
LEVEL 36, QV1 BUILDING, 250 ST GEORGES TERRACE, PERTH**

PRESENT:

Dr Christopher Kendall	Robert Scales	William Sloan
Clinton Russell	Smily Clarke	Chau Savas
Anthony Kay	Kailee Brown	Darren South
Brian Lauri	Anika Blackman	Timothy Mason
Elizabeth Needham	Scott Ivey	The Hon Michael
Felicity Waters	Catherine McCormish	Murray QC
Caitlin Kelly	Stewart McWilliam	Derreck Goh
Natasja Pollenans	John Prior	Ronald Bower
Simon Yamchikov	Belinda Lonsdale	Sian While
Matthew Keogh	Richard Klimek	James Healy
Grahame Young	Craig Slater	Darc Dorbierer
Dr Eric Heenan	His Excellency	Emma Cavanagh
Patrick Hughes	Malcolm McCusker AC	Sophie Chan
Gregory Boyle	CVO QC	Susan Goodman
Hayley Cormann	David Bruns	Hayley Ellison
John Young	Elizabeth Heenan	John Gillett
Ted Sharp	Peter Lochore	Tim Donisi
Michelle Guy	Denis McLeod	Caroline Teo
Erica Lampropoulos	Robert O'Connor	Jo Deligeorges

IN ATTENDANCE:

David Price – Executive Director
Andrea Lace - Executive Manager Policy and Professional Services
Dominique Hansen – Executive Manager Community Services
Aine Whelan – Executive Manager Professional Development
Kelly Hick – Executive Manager Member Relations and Business Development
Sue Langmaid – Personal Assistant to Executive Director and President
Leanne Alberghini – Media and Communications Advisor
Lillian Makinda – Senior Policy Lawyer
Francesca Giglia – Executive Support Officer/QPS Coordinator
Leanne Follows

APOLOGIES:

The following apologies were noted:

The Hon Wayne Martin AC	Steven Penglis
The Hon Daryl Williams AM QC	Gray Porter (proxy provided)
Peter Jooste QC	Dudley Stow
Rebecca Lee	Konrad de Kerloy
Alain Musikanth	Brendan Ashdown
Hylton Quail	Adam Ebell
Maria Saraceni	David Blades
David McKenna	Pamela Hass

CHAIR:

Dr Christopher Kendall, as President of the Society, chaired the meeting pursuant to Rule 43 of the Society's Constitution.

The President welcomed members and staff to the Annual General Meeting. The President extended a very special welcome to His Excellency Malcolm McCusker AC CVO QC, the Governor of Western Australia and the Honourable Michael John Murray QC and thanked them for attending the Annual General Meeting.

1. CONFIRMATION OF MINUTES

Motion 1: The Minutes of the Annual General Meeting of the Law Society of Western Australia held on Monday 31 October 2011 were confirmed as a true and correct record of that meeting.

Moved: Matthew Keogh

Seconded: Denis McLeod

Carried

2. MATTERS ARISING FROM MINUTES OF THE MEETING HELD 31 OCTOBER 2011

There were no matters arising from the minutes.

3. PRESIDENT'S REPORT, FINANCIAL ACCOUNT AND ANNUAL REPORT

The President advised that the 2012 Financial Accounts and the Annual Report have been distributed and that the Annual Report is available to members on the Law Society's website.

Motion 2 The financial accounts of the Law Society of Western Australia Inc for the year ending 30 June 2012 be adopted.

Moved: Anthony Kay

Seconded: Clinton Russell

Carried

Motion 3 The Annual Report of the Law Society of Western Australia Inc for the year ending 30 June 2012 be adopted.

Moved: Anthony Kay

Seconded: Clinton Russell

Carried

4. NOMINATION FOR LIFE MEMBERSHIP

The President advised that there would be four new Life Members. Life Membership is extended to those Society members whose exceptional contribution to the Society, the legal profession and the broader community make them particularly worthy of recognition for all that they have done throughout their legal careers. On behalf of the Society and its membership, the President extended his sincere appreciation to the Society's newest Life Members.

His Excellency Malcolm McCusker AC, CVO, QC – Governor of Western Australia

Malcolm James McCusker became the 31st Governor of Western Australia on 1 July 2011.

His Excellency joined the Law Society upon his admission to legal practice on 23 December 1961. He has been an active supporter of the Society since that time and has always made himself available to assist the Society with its educational and public service activities. For that and all that he has done, we are all extremely grateful.

His Excellency served as Chairman of the Legal Aid Commission of WA from 1983 to 2011, the longest serving of any Commissioner in Australia. He was also the inaugural Parliamentary Inspector of the WA Corruption and Crime Commission, serving a term of 5 years from 2004 to 2008.

In 1993, His Excellency was appointed Chair of the WA Constitutional Committee, a group of 12 prominent Western Australians, charged with conducting a series of seminars throughout WA and producing papers on the State and Federal constitutional issues relevant to the day. The committee produced a report which led to the establishment of the WA Constitutional Centre, for the specific purpose of furthering community understanding of, and education, in constitutional matters. His Excellency was the first Chairman of the Centre and remained its Chairman from 1997 to 2011. In 1998 he was also appointed WA member of the Australian Constitutional Centenary Foundation.

His Excellency was made an Officer of the Order of Australia for his service to law and the community in 2005 and a Companion of the Order of Australia for service to the people of WA, particularly providing access to legal support, for sustainable development and education, philanthropy for a range of medical research, youth and arts organisations in 2012; he was awarded WA Citizen of the Year for the Professions in 2005; Civil Justice Award from the Australian Lawyer's Alliance in 2007; Honorary Degree of Doctor of Laws from the University of Western Australia in 2008; Honorary Doctorate of the University at Edith Cowan University in 2009; WA Citizen of the Year for Community Service in 2010; WA Australian of the Year in 2011 and Honorary Doctorate of the University at Murdoch University in 2011. Her Majesty the Queen appointed the Governor as a Commander of the Royal Victorian Order in October 2011.

His Excellency is also Chairman of the McCusker Charitable Foundation, which distributes substantial funds each year to worthy charitable bodies, principally, but not exclusively, supporting medical research.

The President is delighted that the Society has seen fit to recognise all of the work that His Excellency has done for the Society.

Motion 4

His Excellency Malcolm McCusker AC CVO QC is elected as a Life Member of the Law Society of Western Australia Inc.

Moved: Dr Eric Heenan

Seconded: Belinda Lonsdale

Carried

His Excellency Malcolm McCusker AC CVO QC responded by saying he is greatly honoured to have this appointment. He noted that he has been a member of the Law Society for 51 years and thanked the Society for its support and for all the work that it has done and continues to do.

The Honourable Wayne Martin AC, Chief Justice of Western Australia

The President advised that Chief Justice Martin extends his apologies, as he is out of the city and thus unable to attend the Annual General Meeting.

Chief Justice Wayne Stewart Martin AC was appointed Chief Justice of Western Australian on 1 May 2006.

His Honour graduated from the University of Western Australia with a Bachelor of Laws with First Class Honours in 1973. He completed his articulated clerkship with Lavan and Walsh. He then completed a Maser of Laws at King's College London and was admitted to practice in WA in 1977. His Honour was a partner of the law firm Keall Brinsden (now Corrs Chambers Westgarth) until joining the Independent Bar in 1988. He was made Queens Counsel in 1993.

His Honour was formerly Chairman of the Western Australian Law Reform Commission; President of the Administrative Review Council; Chair of the Defamation Law Reform Committee and President of the Western Australian Bar Association and a Director of the Law Council of Australia.

His Honour's commitment to the Society is well known and very much appreciated. He joined the Society upon his admission to practice in June 1977. A former President of the Law Society, Chief Justice Martin has been an active member of the group, having served on numerous committees including the Administrative Law and Courts Committee. He is the current Chair of the Francis Burt Law Education Advisory Committee and a member of LawAsia Committee. His Honour continues to assist the Society in all of its endeavours, despite public and work engagement commitments that would leave most mere mortals very tired. The Society is extremely grateful for all that the Chief Justice does for the Law Society.

Motion 5

The Honourable Wayne Martin AC is elected as a Life Member of the Law Society of Western Australia Inc.

Moved: His Excellency Malcolm McCusker AC CVO QC

Seconded: Belinda Lonsdale

Carried

Daryl Robert Williams AM QC

The President advised that Mr Williams was unable to attend the Annual General Meeting and extends his apologies.

Daryl Williams was the Commonwealth Attorney General from 1996 to 2003. He graduated from the University of Western Australia in 1964 and was selected as Western Australia's Rhodes Scholar in 1965. Upon his return to Western Australia he was admitted to practice in 1968, that same year he joined the Law Society.

After being appointed as a Queen's Counsel in 1982, Mr Williams became a Commissioner with the Law Reform Commission of Western Australia. He served in that capacity until 1986.

In 1984, Mr Williams was elected President of the Law Society. He has always has an active presence at the Society and is always keen to assist when asked. He followed his Law Society Presidency by being elected as President of the Law Council of Australia, a position he held for two years.

As Attorney General, Daryl Williams hosted the first National Pro Bono Conference in Canberra in mid 2000 and launched the National Pro Bono Resource Centre in August 2002. During the ministerial reshuffle in 2003, Mr Williams was assigned the portfolio of Communications, Information Technology and the Arts, before retiring from politics in 2004.

In 1989 Daryl Williams was awarded the Member of the Order of Australia (AM) for his service to the Aboriginal community as an art co-ordinator and promoter. For his considerable service as Attorney General, Daryl Williams was also awarded the Centenary Medal in 2001, commemorating 100 years of federation.

Daryl Williams now practices as a Barrister at Francis Burt Chambers. The Society very much appreciates all that he has done for the Society.

Motion 6

The Honourable Daryl Williams AM QC is elected as a Life Member of the Law Society of Western Australia Inc.

Moved: His Excellency Malcolm McCusker AC CVO QC

Seconded: Belinda Lonsdale

Carried

The Honourable Michael John Murray QC

The President welcomed the Honourable Michael John Murray QC to the meeting and thanked him for his considerable contributions to the Society.

The Honourable Michael John Murray QC was appointed to the Supreme Court of Western Australia in February 1990. At the time of his appointment, His Honour was the youngest member of the Bench. Before his appointment to the Supreme Court, His Honour was a Crown Counsel for more than a decade and a Chief Crown Prosecutor for 8 years.

His Honour joined the Law Society in December 1965, the same year he was admitted to practice and took Silk in 1984.

During his time on the Bench, His Honour was widely regarded as exceptionally hard working and always pleasant to appear before. He was eventually appointed Senior Judge, and at times served as Acting Chief Justice when required. Retiring from the Bench this year, His Honour is Western Australia's longest serving member of the Supreme Court.

His Honour has been actively involved with the Society throughout his career. He was President of the Society in 1988 and has continued to support the Society over the years to this day.

His Honour also took responsibility for nurturing and encouraging the establishment of Murdoch Law School in the early 1990s, at a time when the profession was desperately short of new lawyers. The President thanked him for that because if that had not happened he would not be here today.

His Honour has long been committed to sharing his vast knowledge and experience with young lawyers and in 1999 Murdoch University awarded His Honour an Honorary Doctorate of Laws for service to education and the law.

His Honour is currently Chair of the Youth Parole Board and Adjunct Professor at Murdoch University.

Motion 6

The Honourable Michael Murray QC is elected as a Life Member of the Law Society of Western Australia Inc.

Moved: His Excellency Malcolm McCusker AC CVO QC

Seconded: Belinda Lonsdale

Carried

His Honour Michael Murray QC then spoke to those in attendance. He explained that he has always enjoyed the capacity to be part of a group of people who worked hard for the profession overall and he has always obtained a lot more benefit out of membership and involvement with the Society affairs than he has ever been able to put back into it. He said it is lovely to see that the Society remains strong, active and represents all that is best in the practice of the legal profession in Western Australia.

6. GENERAL BUSINESS
There was no general business.

7. VOTE OF THANKS

The President extended a special thanks to everyone for their support during 2012. He said he was pleased what the Society was able to accomplish during his term as President, particularly in relation to continuing legal education. He said he was also proud of the Society's ongoing commitment to tackling mental health issues and applauded the Society for everything that it has done in that regard.

The President thanked Craig Slater for his work as Senior Vice President and Konrad de Kerloy as Vice President for 2012. He also thanked Pamela Hass for being Treasurer in 2012.

The President then thanked all members of the Council and Executive for 2012. He also acknowledged and thanked Steven Penglis, David Blades, and Cameron Syme who have not renominated for Council in 2013. He thanked Hylton Quail as Immediate Past President for his significant contribution during the year.

The President then advised all members attending who had been elected to Council unopposed for 2013: Craig Slater, President; Konrad de Kerloy, Senior Vice President; Matthew Keogh, Vice President; Mike Hayter, Country Member; Adam Ebell, Junior Member; Emma Cavanagh, Junior Member and Hayley Ellison, Junior Member. The President and all attendees congratulated and welcomed these members of Council and the 2013 Executive.

The President then acknowledged the impressive work done by David Price as the Society's Executive Director and thanked Sue Langmair, the President's Personal Assistant, for looking after him during his term as President.

The President thanked the Society Staff and noted the work of the Executive Managers and the staff.

The President thanked Herbert Smith Freehills for the use of their rooms for the Annual General Meeting and the refreshments that are served after the AGM.

Craig Slater, Senior Vice President then recorded a vote of thanks for the President, Dr Christopher Kendall, as this was his last Annual General Meeting. He thanked Dr Kendall for his tireless work and commitment to the Society and the positive changes he has brought to the Law Society, Council and Executive.

Since joining in 1996, Dr Kendall has assisted in a great range of areas, principally on the Education Committee, assisting with the CPD program. He has also been an enormous contributor to the Mental Health Committee and authored the Society's Report in that regard in 2011.

Dr Kendall has been on Council since 2008. He has been a member of the Executive since 2010, this year serving as President. His papers for the Society have been greatly valued. He produced and co-ordinated the Effective Advocacy Skills Seminar for young lawyers which was well attended for many years and has had great support from both practitioners and the judiciary.

Dr Kendall has undertaken great work for the profession in relation to depression. Depression is a widely experienced medical condition amongst the legal profession and Dr Kendall brought to our attention what it does and what we need to do to address it as a profession. Importantly what he did bring was 29 recommendations to the Council, outlining what that we could do to address this serious issue, hence making the practice of law in Western Australia a healthier and safer place. He should be proud, as the Law Society should be proud, that all 29 recommendations were adopted by the Society and were put in place during his term as President.

Dr Kendall has raised the standard of our discussions and dealings with the Executive arm of government and we have received a noticeable improvement in the respect we have from that executive arm of government. We thank him for that.

Dr Kendall is a workaholic and he has put in incredibly long hours for the profession, for which we are all very grateful. He is one of those lawyers who remind us all that to be a lawyer is really to be vigilant for those who cannot be heard or seen.

We have learnt a lot from Dr Kendall and look forward to receiving the benefit of his wisdom in 2013 in his role as Immediate Past President.

The Senior Vice President and the meeting showed its thanks for Dr Kendall's contribution in making the Society the success it is today.

There being no further business the President closed the meeting at 5.40pm.