

Dear ADR practitioner,

The proposed Uniform Rules include a definition of Barristers' Work. It makes no reference to ADR delivery.

Attached please find a review of what is an urgent issue for ADR practitioners in NSW, by West QC, Jacobson QC, Campbell Bridge SC, Inatey SC and me.

Submissions to LSC and ABA and the NSW Bar are needed if the proposed course for the Rules is to be changed.

If it is not changed before adoption, the process of addressing this issue in the future is going to be much more fraught.

Time is very short.

Dear Clerk,

Would you please draw this email and its attachment to the attention of your Head of Chambers.

If thought suitable, the attached memo can be on-circulated to the floor. It has already been sent to ADR practitioners on the various Court lists. West QC has asked that the matter be on the agenda for the Bar Council meeting for 14 May 2015.

The attached is a memo signed by West QC, Jacobson QC, Campbell Bridge SC, Inatey SC and me, being a review of what is an urgent issue for ADR practitioners in NSW, or those who propose to develop an ADR practice.

The proposed Uniform Rules include a definition of Barristers' Work. It makes no reference to ADR delivery, i.e. a barrister being an arbitrator, mediator or expert as a part or the whole of their practice.

This is an important part of the work of the Bar in NSW. The expertise that the Bar is developing will serve the Bar and the administration of justice in NSW well. It seems to the authors of the note extraordinary that it remains unrecognised as part of barrister's work.

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If it is not changed before adoption, the process of addressing this issue in the future is going to be much more fraught.

Time is very short.

Thanks in anticipation

Nigel Cotman