



**SUPREME COURT
OF WESTERN AUSTRALIA**
Stirling Gardens
Barrack Street
Perth WA 6000

MEDIA ALERT

24 September 2001

Senior Counsel to replace Queen's Counsel in WA

The Chief Justice of Western Australia, the Hon David K Malcolm AC CitWA, today announced the introduction of the Office of Senior Counsel in Western Australia to replace the Office of Queen's Counsel.

Earlier this year, the State Government announced that there would be no more appointments to the Office of Queen's Counsel.

The Chief Justice has issued a Practice Direction (No. 2 of 2001), entitled Appointment of Senior Counsel in Western Australia, which establishes the new procedure for the appointments.

He said the Practice Direction had been adopted after wide consultation with the Judiciary, and the legal profession, including the Law Society of Western Australia, the WA Bar Association, the Women Lawyers of WA, and the Family Law Practitioners Association of WA.

It replaces a system established more than 100 years ago to recognise eminent lawyers as Queen's Counsel.

"There is unanimous agreement that it is in the interests of the public and the administration of justice that an office of Senior Counsel be established," the Chief Justice said.

"Such appointments will recognise those counsel who are of outstanding ability and dedicated to the pursuit of justice."

The Chief Justice said that under the new arrangements, the Government would no longer be involved in the selection process.

"In the past, appointments have been made by the Governor in Executive Council on my recommendation, which have been transmitted by the Attorney General via Cabinet," the Chief Justice said.

"The present Government has decided that it wishes to play no part in the selection process."

The Judges and Masters of the Supreme Court have resolved that appointment of Senior Counsel shall be made by the Chief Justice on behalf of the Supreme Court.

The criteria for appointment are: eminence in the practice of the law, especially in advocacy; unquestioned integrity; availability and independence.

The Chief Justice said that an announcement will be made very shortly on the first Senior Counsel to be appointed.

"As the former Government did not act on the recommendations made for the appointment of Queen's Counsel at the end of 2000, and the present Government's policy was not to make any further appointments to that office, the Practice Direction provides for the appointment as Senior Counsel of those persons who were recommended for appointment in 2000," the Chief Justice said.

"A further announcement will be made regarding that matter following the revocation of the regulations from 1900 relating to Queen's Counsel in the Government Gazette. It is anticipated this notice will be published tomorrow, 25 September."

For a copy of the [Practice Direction](#) please click on the link.

Media Contact: **Val Buchanan**
Public Information Officer for the Courts
9421 5303 or pager 9324 4319