



**Strategic Plan 2017 -2022**

[As at June 2018]

Developed:  
23 February 2017

First Review:  
23 February 2018

Expiry:  
23 February 2022

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### Introduction from the Council

This strategic plan is to serve as a guide for the direction of the New Zealand Bar Association (NZBA) for a five-year period commencing 1 March 2017.

The NZBA is a voluntary association, comprised primarily of barristers in New Zealand and overseas but including as its members barristers and solicitors, academics, judges and retired practitioners. It is governed by the Bar Council comprising the President, President-Elect, Past President, Council members and, from time to time, co-opted members. As the independent bar continues to evolve in the face of growth in the profession and changes in the way in which dispute resolution takes place, it is important to have a clear set of goals so as to enhance the benefits that are delivered for the Association's members.

The independent referral bar is made up of advocates and advisers who make a significant contribution to the provision of legal services and form an integral part of the legal profession which participates in the administration of justice and the upholding of the rule of law.

## Who We Are

### Vision:

A strong and independent referral bar

### Values:

The core values of the NZBA are:

1. Upholding and promoting the rule of law
2. Ensuring justice for all
3. Independence
4. Fearless representation
5. Professionalism and Integrity
6. Excellence in advocacy
7. Equality and diversity
8. Collegiality and wellbeing

## Functions:

According to clause 2 of the Rules of the NZBA, its general functions are:

- 2.1.1 To promote and encourage a strong and independent bar
- 2.1.2 To promote the interests of barristers and the separate independent bar, and the interests of the public in relation to legal representation and the operation of the judicial system generally
- 2.1.3 To preserve and maintain the independence and integrity of barristers
- 2.1.4 To promote and encourage a high standard of ethical conduct amongst barristers
- 2.1.5 To preserve and maintain the independence and integrity of the judiciary
- 2.1.6 To promote and encourage a high standard of legal representation and advocacy
- 2.1.7 To promote opportunities for the acquisition and dissemination of knowledge of the law, legal procedure, advocacy, and the conduct of litigation
- 2.1.8 To promote improved access to the courts and to justice for all persons
- 2.1.9 To assist in and promote the reform of the law and legal procedure
- 2.1.10 To discourage and eliminate any form of discrimination among or against barristers of the separate independent bar
- 2.1.11 To provide assistance and encouragement to barristers at the commencement of their practice at the separate independent bar
- 2.1.12 To provide means for the amicable and expeditious settlement of differences between barristers, and between barristers and solicitors

## **Powers**

According to clause 3 of the Rules of the NZBA, its powers are:

- 3.1.1 To provide or arrange for the provision of services and facilities for barristers, including chambers, and educational and training services and facilities:
- 3.1.2 To publish, or arrange for the publication of, such material as the Association may consider of benefit to the public, or to barristers, in relation to the practice of the bar and the activities of the Association:
- 3.1.3 To appoint any barrister or solicitor to perform any work or services for the Association, or to appear before any court, tribunal, or other body in respect of any matter in which the Association is concerned or interested:
- 3.1.4 To make complaints against barristers or other persons for the breach of any rule or ethical requirement relating to the practice of the law and to refer such complaints to such bodies as maybe appropriate:
- 3.1.5 To pay the whole or any part of the expenses incurred by members in attending meetings or relating to meetings of the Council of the Association or meetings of any committee of the Council or the Association:
- 3.1.6 To act in combination or association, or otherwise co-operate, with any person or body, whether incorporated or not, and whether in New Zealand or elsewhere, for the purpose of the exercise of any of the Association's functions or powers:
- 3.1.7 To do all such other things as are reasonable, necessary or expedient for or conducive to the exercise or achievement of any of its functions or powers.

## **Diversity statement**

The NZBA is committed to encouraging, developing and supporting a referral bar that reflects the breadth and diversity of the legal profession and the wider community. The Equitable Briefing Policy was designed to help achieve this .

## Our Strategic Goals

In order to successfully achieve its strategic goals the NZBA will actively pursue the following objectives:

1	Actively uphold and advocate for the rule of law
2	Promote access to justice
3	Promote diversity and equality at the bar and in the wider legal profession
4	Recognised as the voice of the independent bar
5	Promote excellence in advocacy through providing high quality training
6	Foster collegiality, support and well-being at the independent bar
7	Provide and promote pathways for a successful and fulfilling career at the independent bar
8	Provide valuable benefits and services to members
9	Increase materially the membership of the NZBA

To achieve its strategic goals and implement these objectives the NZBA will undertake a series of actions, set out in the Broadsheet below.

**STRATEGIC PLAN – BROADSHEET**

<b>Objective 1.</b>	<b>Strategies</b>	<b>Key Actions (How)</b>	<b>Responsibilities (Who)</b>	<b>Timing (When)</b>	<b>Outcome</b>
Actively uphold and advocate for the rule of law	1. Make submissions on proposed legislation or legal policies with specific rule of law implications including retrospective legislation, and legislation affecting judicial independence, open justice, or equal access to the law;	Monitor proposed New Zealand legislation and direct relevant items to Law Reform Committee/ED;	Assigned Council member/s, ED and Council Committees	Ongoing	Submissions submitted within available timeframe. Submissions put on NZBA website and NZBA members informed of submissions made
	2. Speak out on important issues relating to administration of justice and rule of law, and place articles in media to increase public awareness of the importance of and threats to the rule of law	Monitor news services for issues pertaining to rule of law and inform President/ED when to progress as per Media;  Hold a well-attended, high quality panel discussion/seminar on rule of law issues in New Zealand	All Council members  Training Committee, TD and ED	Ongoing  By Dec 2018	Appointed PR/Media expert (March 2018)  Organise a seminar/discussion
	3. Contribute to the debate on international rule of law issues, including supporting IBA, WBA and other bar associations in commenting on important international developments affecting the rule of law in other countries, particularly on threats to the independence of judges and advocates (see Objective 6)	Improve connections with overseas bar associations inviting them to inform NZBA on important international rule of law developments on which the NZBA can comment	President/international liaison Council member	By Dec 2018	
	4. Promote the rule of law at the bar by incorporating rule of law principles in training and professional development activities	Incorporate rule of law principles in training activities.	Training Committee with TD and ED	By May 2018	Training Committee to incorporate in 2018 programme.  Review and evaluate effect on promotion of rule of law (independence of the bar, quality of media coverage) by actions taken over life of strategic plan.

Objective 2.	Strategies	Key Actions (How)	Responsibilities (Who)	Timing (When)	Outcome/Progress
Promote access to justice	1. Complete report on access to justice	Complete Access to Justice Report	Assigned Council or Access to Justice Committee member/s	Access to Justice Report completion target by July 2018	Final Access to Justice Presented to members at 2018 Annual Conference
	2. Contribute to the implementation/maintenance of a pro bono clearing house	Continue to work with Auckland Community Law Centre and NZLS on Pro Bono Clinic Pilot and report back to Council via ED	Assigned Council or Access to Justice Committee member/s	Pro bono liaison on an ongoing basis	
	3. Implement a NZBA pro bono initiative	Continue to push for a pro bono clearing house and gain law firm/ADLS/judicial support for the establishment of a Trust to fund a pilot project  Co-opt NZBA representative onto pro bono clearing house subcommittee	Assigned Council or Access to Justice Committee member/s	Ongoing	
	4. Proactively investigate and advocate for new practice models for the bar	Investigate and work with other professional bodies to develop workable new practice models including the provision of unbundled services and new billing and litigation funding arrangements	Assigned Council or Access to Justice Committee member/s		
	5. Promote greater recognition of the provision of pro bono services and mentoring	Include in Queen's Counsel criteria the provision of pro bono services and mentoring of junior practitioners  Encourage greater provision of pro bono services by the independent bar	Assigned Council or Access to Justice Committee member/s		

		Encourage and facilitate greater provision of mentoring services by the profession	Assigned Council member/s		
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Objective 3.	Strategies	Key Actions (How)	Responsibilities (Who)	Timing (When)	Outcome/Progress
Promote diversity and equality at the bar and wider legal profession	1. Support initiatives of Gender Equity Committee	Liaison with NZLS/others re implementation of the GEEIP	Gender Equity Committee/ED	Ongoing liaison with NZLS over implementation and review of GEEIP	Launch of the GEEIP (Dec 2017)
	2. Promote and disseminate Gender Equitable Engagement and Instruction Policy	Promotion of the GEEIP by communications to NZBA members/others	ED/TD/Gender Equity Committee	Ongoing work promoting GEEIP	Article about GEEIP in Feb 2018 <i>At the Bar</i> )
	3. Widen endorsement and adoption of Gender Equitable Engagement and Instruction Policy	Invite wider catchment of lawyers/ chambers/law firms to adopt the GEEIP and encourage members to invite their clients to adopt the GEEIP  Conduct research funded by Law Foundation on gender ratio of counsel appearing in Court of Appeal and Supreme Court	Gender Equity Committee/ED  Gender Equity Committee/ED	Ongoing  July 2018	
	4. Create a Diversity Committee to look at wider diversity issues (and co-opt members as required to assist with diversity)	Establish a separate Diversity Committee	Management Committee and ED	Diversity Committee to be established by August 2018	
	5. Ensure that all events are ability friendly (hearing, sight, physical ability etc)	Establish <i>Ability Policy</i> for all events	ED and TD	<i>Ability Policy</i> to be drafted by August 2018	
	6. Highlight Te Reo terminology, Tikanga – develop an online course and supporting material on website	Create an online course on <i>Te Reo</i> and material on NZBA website	ED/TD/Training Committee	<i>Te Reo</i> training added to Training Schedule by July 2018	
	7. Support gender and diversity initiatives, including unconscious bias training	Offer training/include articles	ED/TD/Training Committee	Gender/Div ersity initiatives added to	

				Training Schedule by August 2018	
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<b>Objective 4.</b>	<b>Strategies</b>	<b>Key Actions (How)</b>	<b>Responsibilities (Who)</b>	<b>Timing (When)</b>	<b>Outcome/Progress</b>
Recognised as the voice of the independent bar	1. Comment knowledgeably and in a timely and appropriate way on important matters relevant to practice at the bar	Monitor proposed New Zealand legislation/ news services/legal publications which has specific implications to the bar	Assigned Council member/s, ED/TD to monitor proposed legislation	Ongoing but outcomes to be reviewed annually (1-12)	Appointed PR specialist for media comment by March 2018 (1, 2)
	2. Ensure NZBA website news pages include position comments on a regular basis	Regular media comments on pertinent issues for distribution to members/media outlets/social media as per NZBA Media Policy	Assigned Council member/s, ED, TD to monitor news services/legal publications	Ongoing	
	3. Develop list of stock responses to be kept available on NZBA system	Create stock responses and FAQs for NZBA website	Assigned Council member/s to draft stock responses/FAQ answers for website/ED to update and keep website current	By October 2018	
	4. Appoint media trained spokespeople	Ensure spokespersons are able to access media training when required	ED to arrange media training when required and ensure compliance with media policy	As required	
	5. Create high NZBA profile via social media and news updates/press releases	Liaison re material appropriate to add to social media feeds/news updates	Junior Barrister Council members and/or TD to maintain social media posts	Ongoing	
	6. Regularly attend bar dinners and council meetings of the major Australian bar associations to foster closer relationships	Attend Australian bar dinners when invited	President/ED	Ongoing	
	7. Liaise with overseas bars and contribute to their publications	Foster close connections with overseas bar associations	President/ED	Ongoing	
	8. Ensure the independence of the bar and the benefits of briefing independent counsel is understood and promoted	Promote benefits of the bar on NZBA website and liaison with those who brief the bar (e.g. inhouse counsel, firms etc)	Assigned Council member and ED to update information on benefits of briefing the bar on NZBA website President/ED to liaise with those who brief the bar	Ongoing	

Objective 4.	Strategies	Key Actions (How)	Responsibilities (Who)	Timing (When)	Outcome/Progress
			(e.g. inhouse counsel, firms etc)		
	9. Maintain, through the President, close and cordial links with the A-G, S-G and Heads of Bench	Maintain regular connection with the A-G, S-G and Heads of Bench	President/ED	Ongoing	
	10. Manage, foster and promote the maintenance of the rank of Queen's Counsel and advocate against the erosion or dilution of the rank	Promote the maintenance of the rank of Queen's Counsel via publications/connection with A-G, S-G, Heads of Bench	President to maintain regular connection with the A-G, S-G and Heads of Bench	Ongoing	
	11. Recognise and honour each round of new silks	Arrange functions for new silks including bar dinners to celebrate new appointments	ED to arrange functions for new silks	Ongoing	
	12. Maintain a high NZBA profile at judge's swearing in and final sittings and other ceremonial sittings	Speak on behalf of the bar at ceremonial sittings	President or other senior member of the bar	Ongoing	

Objective 5.	Strategies	Key Actions (How)	Responsibilities (Who)	Timing (When)	Outcome Progress
Promote excellence in advocacy by providing high quality training	1. Deliver training to members throughout New Zealand and where appropriate in Australia (see also Objective 9)	Implement training programme as developed each year by Training Committee	TD/ED and Training Committee to develop and implement annual training programme	Development and implementation of training programme on annual basis	ED/TD develop Moodle courses (started in May 2018)
	2. Develop online courses through Learning Management System and website	Resource creation of the online <i>Moodle</i> courses to be hosted on NZBA website and accessible via website on computers and mobile devices	TD/ED to create <i>Moodle</i> resources	<i>Moodle</i> resource development to be reviewed in July 2018	Train the Trainers (first course held in Nov 2017) 2 Moodle courses completed by June 2018
	3. Deliver training via mobile devices	Delivery of training to be accessible via website on computers and mobile devices	TD/ED to progress investigation of technology and delivery methods	To be reviewed in July 2018	New delivery platform being trialled in July 2018
	4. Develop training faculty with experience and skills to deliver the Mastering Advocacy programme	Offer the <i>Train the Trainers Course</i> who have commitment to be part of the Mastering Advocacy Faculty	Training Committee in conjunction with TD/ED to arrange training those who are suitable to be trainers on Mastering Advocacy Faculty	Consider having second <i>Train the Trainers Workshop</i> in 2018/9	
	5. Roll out of approved syllabus including Mastering Advocacy workshops	Arrange training events as per syllabus	ED/TD to arrange events as per syllabus	Training events to be scheduled as per syllabus	Ongoing
	6. Consider implementation of certification/accreditation	Review whether accreditation suitable	TD/ED to review accreditation possibility and make recommendation	Accreditation to be considered with reporting back by August 2018	
	7. Co-operate with overseas bars to ensure the latest training methods are implemented	Maintain regular liaison with overseas bars, particularly the ABA Advocacy Training Council	Chair of Training Committee and TD/ED	Ongoing liaison with overseas bars on regular basis	

Objective 6.	Strategies	Key Actions (How)	Responsibilities (Who)	Timing (When)	Outcome Progress
Foster collegiality, support and well-being at the independent bar	1. Host regional events	Create a regional seminar programme	Council members/ED/TD to liaise regarding arrangement of regional seminars	Regional Seminar planning to be underway by August 2018	Mentoring article in Feb 2018 <i>At the Bar</i> Auckland Mentoring function March 2018
	2. Provide mentoring (see also Objective 7)	Review and revise and relaunch mentoring program and promote revised mentoring program to members	ED to liaise with assigned Council member/s	Mentoring programme updated by May 2018	Call for new mentors/mentees (March 2018)
	3. Increase the focus on the intermediate bar	Offer events/training of relevance to intermediate bar	TD/ED to liaise with Training Committee	Training Programme updated by March 2018	Updating mentoring website pages (February 2018)
	4. Establish a <i>Friends' Panel</i> (See also Objective 7)	Create a <i>Friends' Panel</i> of suitable members	Assigned Council member/s/ED to create <i>Bar Care Committee</i> framework - Council members to recommend Bar Care Committee members/ED to approach recommended Panel members	Establishment of a Bar Care Committee by May 2018	Bar Care Committee established and information on website May 2018
	5. Increase delegate numbers at annual conference	Hold Annual Conference at convenient and popular locations, offer a good programme and competitive pricing – Council to direct expected profit levels	Conference Committee/ED to select appropriate conference venues, arrange programme, offer attractive ticket pricing	Conference – ongoing work annually but conference details tbc by May 2018	2018 Conference topics and speakers confirmed and registration available – June 2018
	6. Host Silks' dinners	Arrange Silks' Dinners when Silks' appointments have been confirmed	ED to arrange Silks Dinners	When Silks appointments are announced	
	7. Host bar dinners	Arrange annual bar dinners	ED to arrange bar dinners	Mid- year in Auckland and latter part of year in Wellington	Auckland Dinner held in June 2018 Wellington Dinner confirmed for October 2018

Objective 6.	Strategies	Key Actions (How)	Responsibilities (Who)	Timing (When)	Outcome Progress
	8. Host Christmas drinks	Arrange regional Christmas Drinks functions	ED to arrange regional Christmas Drinks functions and liaise with Council members re other gatherings	Christmas and during the year for breakfast/coffee gatherings	
	9. Arrange regional breakfast/coffee catch ups	Arrange breakfast/coffee catch ups			
	10. Use Newsletter / website to provide information on well-being	Wellbeing article to appear in at least one issue of the 2018 <i>At the Bar</i>	ED/TD to arrange articles for <i>At the Bar</i> on well-being	By issue 3 of 2018 <i>At the Bar</i>	

Objective 7.	Strategies	Key Actions (How)	Responsibilities (Who)	Timing (When)	Outcome Progress
Provide and promote pathways for a successful and fulfilling career at the independent bar	1. Promote the benefits of working as a barrister through increased publicity	Promote the benefits of joining the bar in NZBA publications and wider profession through collegial events, contact with law students	ED/TD to include information on promoting the bar on website and <i>At the Bar</i> newsletter	<i>At the Bar</i> to have benefits of joining the bar content at least once annually  Council reps to speak at collegial events regularly throughout the year	Mentoring scheme review by March 2018
	2. Improve mentoring scheme – support Training Committee’s initiatives to introduce mentoring training for those with more than 10 years’ experience	Mentoring training for senior members/improvement of current mentoring scheme	ED to arrange for Council reps to speak at collegial events/law schools. ED to investigate mentoring training options and review of current mentoring scheme	Mentoring scheme review and training options to be reviewed by September 2018	
	3. Offer confidential advice and assistance through Bar Care Committee (see also Objective 6)	Create a Bar Care Committee of suitable willing members (see also Objective 6)	Council members/ED to suggest suitable members for Bar Care Committee and once agreed upon, ED to approach potential Committee members	Suitable Bar Care Committee members to be considered by May 2018	Bar Care Committee established and publicised to members in May 2018
	4. Provide guidance for how to get started at the bar - Developing further the <i>Starting at the Bar</i> section in the Practice Centre on the website	Update the <i>Starting at the Bar</i> section on NZBA website	ED/TD to update the NZBA website on content for getting started at the bar	Website content updated by August 2018	
	5. Provide clear guidance to potential new barristers or a confidential discussion on the benefits of a move to the bar	Provide Bar Care Committee/mentoring programme information on website	ED/TD to update website with Bar Care Committee/mentoring programme information	By July 2018	Information added to website May 2018
	6. Rewrite Junior’s Handbook and improve Juniors’ section on website	Update the Junior’s Handbook/website pages	Junior Barrister Council members/ED/TD updating the Junior’s Handbook/website pages	Update website and Junior Barrister’s Handbook by November 2018	

Objective 7.	Strategies	Key Actions (How)	Responsibilities (Who)	Timing (When)	Outcome Progress
	7. Develop a pathway for the 0-7 group to move to the independent bar	Promote the benefits of joining the bar in NZBA publications and wider profession through collegial events, contact with law students	ED to arrange Council reps to speak at collegial events	Regularly throughout the year	
	8. Enhance collegiality and well-being at the bar (See also Objective 6)	Promote the benefits of joining the bar in NZBA publications and wider profession through collegial events, contact with law students		Regularly throughout the year	

Objective 8.	Strategies	Key Actions (How)	Responsibilities (Who)	Timing (When)	Outcome Progress
Provide valuable benefits and services to members	1. Inform members via publications about latest technology trends and information about practice support	Keep informed of latest trends by liaising with service/product suppliers relevant to practice support and inform member via <i>At the Bar</i> and the website	ED to liaise with service/product suppliers to discover information of relevance to members and arrange for this to be communicated to members	Ongoing liaison with service and product suppliers	Inclusion in emailed member update of new offers and benefit suppliers regularly
	2. Provide and expand the range of commercial member benefits and especially add benefits that are of value in all regions of NZ	Maintain and expand the commercial benefits available to members by contacting existing and new member benefit suppliers	ED to expand the nature and number of commercial benefits	Ongoing basis	
	3. Investigate feasibility of assistance in junior members obtaining loans and other financial assistance	Consider the possibility of offering assistance to junior members in obtaining loans	Council to review the possibility of providing assistance to junior members in obtaining loans	Review of assistance to junior members in obtaining loans by July 2018	
	4. Promote the services of independent bar members to potential clients	Strengthen relationships with potential clients including inhouse counsel, law firms and Govt including arranging functions	Any Council member/ED to assist with promotion of the benefits of briefing the bar	Ongoing promotion of the benefits of briefing the bar	Function planned in Auckland in November 2018

Objective 9.	Strategies	Key Actions (How)	Responsibilities (Who)	Timing (When)	Outcome Progress
Increase materially the membership of the NZBA	1. Conduct a membership drive by way of publicity, especially emphasising insurance, LexisNexis and other buying group benefits	Provide staff resource to make phone contact with potential members regarding benefits of membership and promote our training programme	TD/Administrator to be resourced to make phone or other contact with potential members	Ongoing and to be revised annually	50 prospective members contacted by email and phone by June 2018
	2. Use social media to reach out via NZ legal groups and increasing the NZBA's LinkedIn profile (which is steadily growing)	Keep Social Media current with regular information to provide NZBA profile	Junior Barrister Council members to update social media	Ongoing	
	3. Leverage training marketing activities to include membership approaches	Use and grow the marketing database of non-member barristers to invite them to consider membership when promoting NZBA training	TD/Administrator to be resourced to make phone or other contact with potential members	Ongoing	
	4. Set up regional contacts to organise drinks/collegial events/discussion forums	Establish regular regional collegial/training events	Council members to assist with establishing regional drinks/collegial events		
	5. Increase links with firms to raise the NZBA's profile and ensure that new members to the bar are aware of benefits of joining	Add more firms to the marketing database and update website with information about coming to the bar	Administrator/ED/TD to maintain website and add firms to marketing database	Ongoing	