

­­**Strategic Plan**

**2017 - 2022**

**As at August 2019**

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[As at August 2019]

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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

## 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.

# 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.

# Our Strategic Goals

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

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

# Strategic Plan – Broadsheet

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| **Objective 1** | Actively uphold and advocate for the rule of law | | | |
| **Strategies** | **Key actions** | **Who** | **When** | **Outcomes 2019** |
| 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 |
| 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; | All Council members | Ongoing | Media statements made 2019. |
| 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  Keep overseas bars up to date on our activities | President/international liaison Council member  Communications Committee |  | Co-operation with Hong Kong Bar Association.  At the Bar circulated to ABA. Increasing circulation to other Bars eg: UK Bar Council. |
| Promote the rule of law at the bar by incorporating rule of law principles in training and professional development activities | Clarification required as to how this can be achieved in the scope of the training programme eg: requirement to hold one free webinar each year on rule of law? Cost to NZBA - $800 ex GST  Hold a well-attended, high quality panel discussion/seminar on rule of law issues in New Zealand | Training Committee  Conference Committee |  | Session at conference  24 Aug 2019 |

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| **Objective 2** | Promote access to justice | | | |
| **Strategies** | **Key actions** | **Who** | **When** | **Outcomes 2019** |
| Complete and implement recommendations from 2018 report on access to justice | Access to Justice Workgroup to develop a workplan to achieve the recommendations | Access to Justice Workgroup | Ongoing | ATJ Stakeholders Group established.  Meeting with Sec for Justice in August 2019 –agreement reached on immediate (non-legislative) change. |
| 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 | Access to Justice Workgroup/ED | Ongoing | Co-operating with Community Law Centres – no funding in place in 2019 budget. |
| 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 | Liaising with High Courts on civil legal assistance pilot – research underway to identify which lists need most help. |
| 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 |  | Research group established – reports to Access to Justice Committee. |
| 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  Encourage and facilitate greater provision of mentoring services by the profession | Assigned Council or Access to Justice Committee member/s | 2019 | Criterion included in 2019 Silk round.  Access to Justice Award – in progress. |

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| **Objective 3** | Promote diversity and equality at the bar and wider legal profession | | | | | | |
| **Strategies** | **Key actions** | **Who** | | **When** | | | **Outcomes 2019** |
| Support initiatives of Diversity Committee | Liaison with NZLS/others re implementation of the GEEIP | Diversity Committee/ED | | Ongoing liaison with NZLS over implementation and review of GEEIP | | | Launch of the GEEIP (Dec 2017). |
| Promote and disseminate Gender Equitable Engagement and Instruction Policy | Promotion of the GEEIP by communications to NZBA members/others | ED/TD/Diversity Committee | | Ongoing work promoting GEEIP | | | Article about GEEIP in Feb 2018 *At the Bar.* |
| 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 | Diversity Committee/ED  Diversity Committee/ED | | Ongoing  August 2018 | | | Report completed,  Additional research July 2019, |
| 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 December 2018 | | | Created in 2019 Committee restructure, |
| Ensure that all events are ability friendly (hearing, sight, physical ability etc) | Establish *Ability Policy* for all events  Where possible only hold events at ability friendly venues. | ED and TD | | *Ability Policy* drafted August 2018 | | | Done, |
| Highlight Te Reo terminology, Tikanga – develop an online course and supporting material on website | Create an online course on *Te Reo* and material on NZBA website | ED/TD/Training Committee | | April 2019 | | | March 2019 - Te Reo webinar produced and available on demand. |
| Support gender and diversity initiatives, including unconscious bias training | Offer training/include articles | ED/TD/Training Committee | | Ongoing | | | Diversity principles incorporated in choice of presenters and in training activities 2019. |
| **Objective 4** | Be recognised as the voice of the independent bar | | | | | | |
| **Strategies** | **Key actions** | | **Who** | | **When** | **Outcomes 2019** | |
| 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 | Appointed PR specialist for media comment.  Several media statements made in 2019. | |
| 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, PR Specialist/ED, TD to monitor news services/legal publications | | Ongoing | Regular reporting to Council on content. | |
| 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 | | October 2018 | Done – on website. | |
| 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 | Media training at 22 August Council meeting. | |
| Create high NZBA profile via social media and news updates/press releases | Liaison re material appropriate to add to social media feeds/news updates | | TD to maintain social media posts  ED and Council to share and like posts  All to suggest suitable posts | | Ongoing | Regular posts throughout year  Established a Twitter account for NZBA and President.  Instagram account established.  Training Director has requested specific social media training so that she can then train the Secretariat and the Council. | |
| 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 | Done – attendances by President, S Foote, and J. Eaton QC attended dinners | |
| Liaise with overseas bars and contribute to their publications | Foster close connections with overseas bar associations | | President/ED | | Ongoing | Will be promoting access to justice initiatives in an article to UK Bar Council. TD to action. | |
| 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 (e.g. inhouse counsel, firms etc) | | Ongoing | Website updated. | |
| 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 | K Davenport regularly meeting with all. | |
| 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 | K Davenport met with A-G and S-G re 2019 round. | |
| 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 | Christchurch Silks dinner held 2019. | |
| 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 | Administrator advertises ceremonies and requests QC to attend. | |

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| **Objective 5** | Promote excellence in advocacy by providing high quality training | | | |
| **Strategies** | **Key actions** | **Who** | **When** | **Outcomes 2019** |
| Deliver training to members throughout New Zealand and where appropriate in Australia (see also Objective 9) | Design and implement training programme | Training Committee | Annually | Ongoing provision or webinars and workshops - refer to Training reports.  Syllabus reviewed 2019. |
| Develop and promote on-demand courses | Resource creation of the on-demand courses to be hosted on NZBA website and accessible via website on computers and mobile devices | TD/ED to create on demand resources | Ongoing | On demand resources regularly added to website and promoted in *Member Update.* |
| 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 | Annually | On demand resources available on various devices.  Live webinars available on devices.  New webinar platform adopted |
| Develop training faculty with experience and skills to deliver the Mastering Advocacy programme | Offer the Train the Trainers Coursewho are selected and who have commitment to be part of the Mastering Advocacy Faculty | Training Committee and TD/ED | – reviewed annually | New trainers added to faculty 2019. |
| 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 | On target. |
| 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 | 2019 liaison with ABA via Mastering Advocacy and ABA courses. |

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| **Objective 6** | Foster collegiality, support and well-being at the independent bar | | | |
| **Strategies** | **Key actions** | **Who** | **When** | **Outcomes 2019** |
| 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 2019 | Mentoring and networking Events held in Auckland and Wellington in 2018 & 19.  Plans to hold a workshop in Hamilton.  Feasibility of regional seminars in doubt on cost basis – webinars are more popular. |
| 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 in member update 2019.  Regular promotion of mentoring programme.  All new members invited by Administrator to participate in mentoring programme.  Survey of participants in September 2019. |
| 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 March 2018 | Numbers in this group still very low but may reflect numbers at the bar as opposed to those in firms. Research required. |
| Establish a *Friends’ Panel* (See also Objective 7) | Create a *Friends’ Panel* of suitable members  Council members to recommend Bar Care Committee members/ED to approach recommended Panel members | Assigned Council member/s/ED | Establishment of a Bar Care Committee by May 2018 | Bar Care Committee established and information on website May 2018. Updated following 2019 restructure.  Not particularly active in 2019 – ED will raise with Bar Car Committee. |
| 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 | Annually | Annual Conference 2019 to be held in Queenstown on 23 & 24 August with ABA.  NZBA ED attracted considerable sponsorship to ensure that ticket prices were competitive. |
| Host Silks’ dinners | Arrange Silks’ Dinners when Silks’ appointments have been confirmed | ED to arrange Silks Dinners | After appointments announced | 3 Dinners held in 2019 |
| 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 2019; Wellington Dinner to be arranged for October 2019, |
| Host Christmas drinks | Arrange regional Christmas Drinks functions | ED | Annually | Administrator will begin planning process in October/November. |
| Arrange regional breakfast/coffee catch ups | Arrange breakfast/coffee catch ups | Council members in each region to discuss with ED |  |  |
| Use Newsletter / website to provide information on well-being | Wellbeing article to appear in at least one issue of the 2018 *At the Bar* | ED/TD to arrange articles for At the Bar on well-being | Website updated Dec 2018  Articles on wellbeing regularly included in *At the Bar* | Wellness section added to website.  2019 issues of At the Bar included articles on wellness and resilience. |

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| **Objective 7** | Provide and promote pathways for a successful and fulfilling career at the independent bar | | | |
| **Strategies** | **Key actions** | **Who** | **When** | **Outcomes 2019** |
| 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 *At the Bar* newsletter | One article annually  Two collegial events per year | Mentoring scheme review completed October 2018. New processes in place in 2019 to promote it.  Mentoring events held in Auckland November 2018 and March 2019 |
| 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 reviewed September 2018 | Ongoing. |
| 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 | To be considered by May 2018 | Bar Care Committee established and publicised to members on an ongoing basis. |
| Provide guidance for how to get started at the bar - Developing further the *Starting at the Bar* section in the Practice Centre on the website | Update the *Starting at the Bar* section on NZBA website | ED/TD to update the NZBA website on content for getting started at the bar | Ongoing review | Website content updated August 2018. Material under review in 2019 (must be updated annually). |
| 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 | May 2018 | Information added to website May 2018. |
| 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 May 2019 | Revision prepared but under review. |
| 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 | Ongoing | Pamphlet prepared for distribution.  Law Students invited to mentoring network event.  Next networking event to be held at Auckland University Law School in September 2019. |
| 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 |  | Ongoing | Networking event held 2019 successful. |

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| **Objective 8** | Provide valuable benefits and services to members | | | |
| **Strategies** | **Key actions** | **Who** | **When** | **Outcomes 2019** |
| 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 *At the Bar* 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 | Inclusion in emailed member update of new offers and benefit suppliers regularly. |
| 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 | Major offerings in 2019 include MAS and a new banking package. |
| 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 | 2019 | Discussions with bank ongoing June 2019 |
| 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 | Functions held in Auckland in November 2018 and March 2019 |

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| **Objective 9** | Increase materially the membership of the NZBA | | | |
| **Strategies** | **Key actions** | **Who** | **When** | **Outcomes 2019** |
| 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 | 200 prospective members contacted by email and phone by June 2019 |
| 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/ED/TD to update social media | Ongoing | Regular comment made |
| 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 | On Target. Student hired to improve marketing database. |
| Set up regional contacts to organise drinks/collegial events/discussion forums | Establish regular regional collegial/training events | Council members/ED | Ongoing |  |
| 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 | Secretariat | Ongoing | More firms added to database.  Website updated. |