



# Barrister's Work



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## Society's policy as to barrister's work

The work of a legal practitioner practising in the manner of a barrister (i.e. as a barrister only) should be confined to:

- (a) appearing as an advocate;
- (b) preparing to appear as an advocate;
- (c) negotiating for the client with opponent to compromise the case;
- (d) representing the client in a mediation or case appraisal;
- (e) giving legal advice;
- (f) preparing or advising on documents to be used by the client or by others in the client's affairs;
- (g) acting as a referee, arbitrator or mediator; and
- (h) carrying out work properly incidental to the kinds of work referred to in (a)-(g).

A barrister must not:

- (a) act as a person's general agent or attorney in that person's business or dealings with others;
- (b) conduct contentious correspondence in the barrister's name on behalf of any person with others (including public authorities) with whom that person is dealing, otherwise than the opponent;
- (c) place herself or himself at risk of becoming a witness, by investigating facts for the purposes of appearing as an advocate or giving legal advice, otherwise than by:
  - (i) conferring with the client, the instructing solicitor, prospective witnesses or experts;
  - (ii) examining documents provided by the instructing solicitor or the client, as the case may be, or produced to the court;
  - (iii) viewing a place or things by arrangement with the instructing solicitor or the client, as the case may be; or
  - (iv) library research;
- (d) act as a person's only representative in dealings with any court, otherwise than when actually appearing as an advocate;
- (e) serve any process of any court;
- (f) conduct the conveyance of any property for any other person;
- (g) administer any trust estate or fund for any other person;
- (h) obtain probate or letters of administration for any other person;
- (i) incorporate companies or provide shelf companies for any other person;
- (j) prepare or lodge returns for any other person, unless the barrister is registered or accredited to do so under the applicable taxation legislation; or
- (k) hold, invest or disburse any fund for any other person,

unless it is on the barrister's own behalf or as a private person and without fee for a member of the barrister's family or a friend of the barrister.