**Mind your ethics**

TIPS AND TRICKS FOR PLAYING BY THE RULES...

**A top new year’s resolution**

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By the time you read this column, 2016 will already be well under way, we won’t be writing 2015 by accident anymore, and most of our New Year’s resolutions will be looking a little the worse for wear. So it may be an idea to make a resolution that we all have to keep anyway.

The resolution is confidentiality—specifically, our obligation to keep our client’s information confidential except in very limited circumstances. The obligation is set out in Rule 9 of the Conduct Rules.

While it may seem simple on paper, it is an issue that crops up regularly in practice.

One example is where we are asked by a government authority to provide information. This might occur when there is an investigation into an alleged crime. Alternatively, we might be asked to provide statistics to an authority.

While always being courteous in our response, we must ensure that we only disclose in accordance with the Rule 9 exceptions.

The two exceptions most likely to be relevant are:

- 9.2.1 the client expressly or impliedly authorises disclosure;
- 9.2.2 the solicitor is permitted or is compelled by law to disclose.

So, a good New Year’s resolution is complying with Rule 9.

As we have to do this, it’s a little bit of a dodgy “resolution”, but at least it will outlast all the others.

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**Young legal eagles soar at Mock Trial competition**

Inter-school legal rivalries came to a fierce head at the grand final of the annual schools’ Mock Trial competition held at Sydney University on 11 December.

Every year the competition, organised by the Law Society of NSW, attracts year 10 and 11 students from 170 schools.

Chevalier College in the Southern Highlands faced a team from St John Paul College in Coffs Harbour in a complex criminal case regarding consorting of convicted offenders. Magistrate of the Children’s Court of NSW Elizabeth Ellis presided over the case, along with Dr Virginia Marshall and Dr Peter Hansen as acting judges.

The Chevalier College team argued strongly for the prosecution and, although the defendant was deemed not guilty, Chevalier was awarded the 2015 competition prize for their excellent cross-examination and strong overall performance. Lead barrister Harry Fenton claimed the Sydney University Best Advocacy Prize for his exceptional address and closing speech to the jury.