

## Resolution of Council

**21 August 2023**

### Item 12.5

#### Vale David Bernie

Moved by Councillor Scott, seconded by the Chair (the Lord Mayor) –

It is resolved that:

(A) Council note:

- (i) esteemed City of Sydney barrister David Bernie was born on 25 September 1955 and sadly passed away after a long illness on 7 July 2023;
- (ii) known to be the life of every party, often seen in Hawaiian shirts, caring for his cherished cats, especially to those in Selwyn Street, Paddington, David was a dedicated and active community member in the City of Sydney, alongside his beloved partner Barry;
- (iii) David served as the Vice President of the NSW Council for Civil Liberties (CCL) for many years;
- (iv) David was the driving force behind the Council's push for an Australian Human Rights Act for decades, and his support for the Act was underpinned by a deep, personal belief that the State should provide an explicit statutory basis for respecting, protecting and promoting fundamental human rights;
- (v) David was an experienced barrister that many frequently turned to for help, and was kind, extremely generous with his time, ready to stand up and help others navigate difficult, often unfair, legal situations through his considerable pro bono work;
- (vi) David donated countless hours of work over the years to help people with protest cases, particularly World Youth Day, passport refusal, visa reviews and overturning unfair censorship laws;

- (vii) David was so well regarded that he was invited to act as the independent legal representative to sit in on the first use of ASIO's Detention and Questioning Warrants in anti-terrorism cases; and
  - (viii) David developed the protocols and standard operating procedures to ensure the best possible privacy protections for the first CCTV cameras installed in the City of Sydney, which were then adopted statewide (although later overturned);
- (B) the Lord Mayor be requested to write to David Bernie's family expressing the City's condolences; and
- (C) all present observe a minute silence to commemorate the life of David Bernie and his tireless contributions to our community.

Carried unanimously.

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