NEW SOUTH WALES
BAR ASSOCIATION

Our ref: PCC24/21

30 July 2024

Mr Mahmud Hawila
Black Chambers

By email only:

Dear Mr Hawila,

Complaint made against you by

made a complaint against you to the Legal Services Commissioner (NSW), which the Commissioner referred to the Council of the New South Wales Bar Association (Bar Council) to be dealt with in accordance with Chapter 5 of the *Legal Profession Uniform Law (NSW)* (LPUL).

For the reasons which appear in the **enclosed** report (see below) the Bar Council did not have cause to provide you with a copy of the complaint, and it does not require you to respond to it now.

For your information, I **enclose** a copy of the Commissioner's letter to the Bar Council dated 26 February 2024 and enclosures.

At its meeting on 25 July 2024 the Bar Council made its determination with respect to complaint against you.

The Bar Council resolved:

> RESOLVED, that the complaint made against Mahmud Hawila by be closed pursuant to section 277(1)(h) of the *Legal Profession Uniform Law (NSW)* on the basis that it requires no further investigation.

The Legal Services Commissioner (NSW) has absolute discretion to conduct an internal review of the Bar Council's decision if the Commissioner considers it appropriate to do so. If wishes to apply to the Commissioner for a review of the Bar Council's decision with respect to this complaint, they have 30 days in which to do so. I have today notified of the Bar Council's decision with respect to this complaint.

I **enclose** a copy of the report of the Professional Conduct Committee dated 24 June 2024, which was adopted by the Bar Council as its reasons for its decision with respect to the complaint.

Yours faithfully,

Cynthia Lam
Lawyer, Professional Conduct

Office of the NSW
Legal Services
Commissioner

olsc.nsw.gov.au

Private and Confidential

Bar Council
NSW Bar Association
DX 1204 SYDNEY
Attention: Ms Stephanie Mancell

Director, Professional Conduct

File Ref: CAS016152_2:KK:ml
Contact: Kevin Kwan

26 February 2024

Dear Ms Mancell

Complaint by **about Mahmud Hawila**

I hereby refer this complaint to the Bar Council for assessment, investigation and determination under Chapter 5 of the *Legal Profession Uniform Law (NSW).*

We have allocated this matter complaint reference number **CAS016152**, which should be referred to in any correspondence to or telephone contact with our Office.

On the information available, we have provisionally recorded this as a disciplinary matter (LPUL s 270). Should preliminary assessment of the matter suggest this should be changed, please let us know.

I look forward to receiving a report on the progress of the complaint in due course.

Yours sincerely

Samantha Gulliver
Acting Legal Services Commissioner

OCBC Building Level 9, 75 Castlereagh Street, Sydney NSW 2000
GPO Box 4460, Sydney NSW 2001
Email: olsc@justice.nsw.gov.au

Telephone: (02) 9377 1800
Toll Free (outside Sydney) 1800 242 958

Encl.

1. *Original complaint*
2. *Lawyer complaint history printout*

OFFICE OF THE LEGAL SERVICES COMMISSIONER

COMPLAINT FORM

This form is for making a complaint about a lawyer. The Office of the NSW Legal Services Commissioner (OLSC) receives and deals with complaints about lawyers resident and practising in NSW. We cannot provide legal advice or representation to members of the public, cannot intervene in pending court proceedings and cannot overturn findings or orders made by a Court or Tribunal. If you require legal assistance, please contact LawAccess NSW on 1300 888 529.

OLSC cannot take action to resolve a dispute between you and your lawyer unless you or the lawyer has made a reasonable attempt to resolve the matter and the attempt has been unsuccessful, or it would be unreasonable to expect you to be involved in such an attempt.

We recommend you contact our Inquiry Line on 1800 242 958 (toll free within Australia) or 02 9377 1800 before making a complaint. After contacting Inquiry Line, persons wishing to make a complaint about a lawyer in New South Wales should complete a complaint form. Once submitted, it may take OLSC some weeks to assess your complaint.

Please read the following information before you complete this form.

- Fact sheets can be viewed for an explanation of how complaints in various areas of law are dealt with. You can also contact us for a hard copy.
- Please provide a brief outline of your complaint and describe what it is you believe the lawyer has done wrong eg. overcharged, not followed your instructions, provided poor quality legal services, caused delay. The information you provide on this form will help us to understand your complaint.
- Please attach copies of key documents which relate to your complaint.
  Note: processing of your complaint may take longer if you raise multiple issues and attach numerous documents. It is best to focus on the key issues in your complaint. For all documents you attach, you must pinpoint the specific part(s) of each document that support your complaint.
- A separate complaint form must be completed for each lawyer you wish to complain about.
- OLSC will usually provide a copy of your complaint to the lawyer. In the event OLSC decides to investigate a complaint, the lawyer is entitled to a summary or details of the complaint, and has a right to make submissions in relation to it.

Person who is making the complaint:

Title: Mr	**First Name:** Mahmud	**Last Name:** Hawila
Organisation Name:		
Address:		
Suburb:		
State:		
Postcode:		
Country:		
Telephone - Landline:		**Mobile:**
Email Address:		
Other Complainants:	Mr Hawila frequently makes posts that are openly antisemitic on Linkedin. Recently Mr Hawila posted about a march in the centre of Sydney endorsing people calling out "From the River to the Sea" which is a call for the genocide of Israeli people. Mr Hawila is encouraging this behaviour by the general public. As an office rof the Court and as a community leader he should not be encouraging breaches of international law nor encouraigng hate crimes within Australia.	

Representative Details:

Are you making this complaint on behalf of another person? [ ] Yes [X] No

Are you authorised to make this complaint on behalf of this person?

[ ] Yes
(Please attach written authority)

[X] No
(You must have authorisation to make a complaint on behalf of another person. Please seek written authorisation before lodging this complaint.)

Title:	**First Name:**	**Last Name:**
Address:		
Suburb:		
State:		
Postcode:		
Country:		
Telephone - Landline:		**Mobile:**
Email Address:		

Lawyer/Law Practice the complaint is about:

Title: Mr	**First Name:** Mahmud	**Last Name:** Hawila
Lawyer Type: Barrister		
Law Practice or Chambers:		
Address:		
Suburb:		
State:		
Postcode:		
Telephone:		**Mobile:**
Email Address:		

Who was the lawyer acting for? Other
Private capacity

Details of your complaint:

1. Have you tried to resolve the matter with the lawyer?

[ ] Yes [X] No If yes, how? If not, why not?

I am intimidated by his anti semitism

2. Please tell us about your complaint. Please include the following **details:**

- What happened? Who was involved?
- Details of significant events, such as dates of meetings and court hearings.
- What are your concerns?

Mr Hawila's posts are anti semitic. He dismissed the calls for "where are the Jews?" and accused the Jewish community of lying about their first hand acocunts of protesters saying "gas the Jews". Mr Hawila often posts false accusations about Israel, the Jewish community in Australia and beyond. However his latest post endorsing calls for genocide simply cannot be tolerated as an officer of the Court who is meant to uphold rule of law.

3. How do you want us to help you to resolve your complaint?

Please note: One of our officers may contact you to discuss what we can and cannot do.

I would like Mr Hawila to be professionally counselled about upholding the law and about ceasing to promote anti semitic opinions on social media, particularly Linkedin.

4. What area of legal service does this complaint arise from?

Other Civil

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5. Reason why your complaint cannot be sent to the lawyer.

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6. Are you disputing the legal costs you have been charged by your lawyer? [ ] Yes [X] No

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7. Have you contacted the OLSC before about this complaint or any other matter? [ ] Yes [X] No

Please provide the complaint number, if known

Complaint about legal costs

Complete this section if you are disputing the legal costs you have been charged by your lawyer. Complaints about legal costs are known as costs disputes.

Our role in dealing with a costs dispute is to try and help you and your lawyer or the law practice resolve the dispute. Generally, we can only deal with a costs dispute if:

- **The total bill for legal costs is less than $185,460, or**
- **The total bill for legal costs equals or is more than $185,460, but the total amount in dispute is less than $18,550. Please call us on (02) 9377 1800 if you wish to discuss these circumstances.**
- **The complaint is made within 60 days after the legal costs become payable or within 30 days of the date of an itemised bill. In some circumstances, we can deal with a costs dispute outside these time frames if you have lodged your complaint within four months after the 60 or 30 day time limit and you have provided a sufficient reason for the delay in making your complaint. The time limit cannot be extended if the lawyer has issued proceedings to sue you for the unpaid costs. Such proceedings may also prevent us from further dealing with your complaint.**

Have you received a bill from your lawyer?

☐ Yes
(Please attach copies of the bills that you wish to dispute)

☐ No
(Please ask your lawyer for copies of the bills that you wish to dispute)

Has the lawyer sued you for unpaid legal costs? ☐ Yes ☐ No

If yes, when did the lawyer commence legal proceedings, and in which court?

Date _____ Court _____

Please note, generally the Commissioner cannot handle a costs dispute if the lawyer has commenced legal proceedings to recover the unpaid costs.

Did you receive a written costs agreement and/or costs disclosure document from the lawyer?

☐ Yes (Please attach a copy) ☐ No

File Attachments

Any documents you have attached in support of your complaint will be shown below. These include:

- Communication(s) to the lawyer
- Communication(s) from the lawyer
- Costs agreement / costs disclosure
- Written Authority
- Bills
- Other

This will assist us to assess and deal with your complaint efficiently. Failure to do so may delay processing or may mean that we are unable to progress your complaint.

Declaration

To the best of my knowledge, all the information is true and correct. I ask the Office of the NSW Legal Services Commissioner to consider and deal with my complaint.

I have completed all relevant sections of this form.

☒ I agree to the terms of this Declaration

Name [ ] Date: 22/02/2024

What is the best time of day for us to call you? 9 AM - 12 PM

How did you hear about us? Lawyer

What happens next

We will consider whether we have power to deal with your complaint and how it will be handled. We will contact you to let you know how we intend to deal with your complaint. We aim to deal with complaints efficiently and will keep you informed about the progress of your complaint. We may ask you to provide more information in relation to your matter. Please provide any additional information as quickly as possible. Please contact us if you have any questions or concerns about the complaint handling process.

Privacy Collection Statement

The Office of the NSW Legal Services Commissioner is bound by laws that protect your privacy concerning the collection, use and disclosure of your personal information. Where you do not provide the information required by this form, the Office of the Legal Services Commissioner may refuse or be unable to process this transaction. The Office of the NSW Legal Services Commissioner may need to disclose your personal information to other state and Commonwealth

agencies. You can request access to your personal information by contacting us.

REPORT

TO: Bar Council

FROM: Professional Conduct Committee

DATE: 24 June 2024

RE: **Mahmud Hawila,** complaint by

Date of admission: 21 August 2015
Date of practice as a barrister: 31 August 2020

The complaint

1. On 22 February 2024, a solicitor, made a complaint to the Office of the Legal Services Commissioner about Mahmud Hawila, barrister ('Hawila').

2. By letter dated 26 February 2024, the Commissioner referred complaint against Hawila to the Bar Council to be dealt with in accordance with Chapter 5 of the *Legal Profession Uniform Law (NSW)* (LPUL).

3. On 21 April 2024, confirmed a single ground of complaint:

> Ground 1:
> Mr Hawila made posts on LinkedIn which are antisemitic and advocate for violence against Jewish people specifically.

4. For the reasons set out in this report, the Committee does not recommend that any further action be taken and the complaint should be closed on the basis that it does not require further investigation.

Background

5. On a date shortly after 17 February 2024, Hawila posted the following on his LinkedIn account:

> *"Australia's biggest ever Anti-War protest movement is now in its 20th week! Sydney came out strong again last Saturday with thousands and thousands*

marching in solidarity with the indigenous people of Palestine.
We called for PM Anthony Albanese of Australian Labor Party to cut ties with genocidal Israel.
We also called for an end to the genocide, apartheid and occupation.
See you again this Sunday!"

6. Below those words, and included as part of the post, was a video attributed by Hawila to an Instagram account known as 'Middle East Eye', containing footage of a protest which occurred in Sydney on 17 February 2024. The video will be described in further detail below.

7. LinkedIn is a social media service described as 'the world's largest professional network on the internet'. On his LinkedIn page, Hawila described himself as "Barrister | Lecturer", practising at Black Chambers and lecturing at Sydney Law School in ethics and criminal law.

8. On 22 February 2024, completed a Complaint Form and filed it with the Office of the Legal Services Commissioner. She stated:

> *"Mr Hawila frequently makes posts that are openly antisemitic on Linkedin. Recently Mr Hawila posted about a march in the centre of Sydney endorsing people calling out "From the River to the Sea" which is a call for the genocide of Israeli people. Mr Hawila is encouraging this behaviour by the general public. As an officer of the Court and as a community leader he should not be encouraging breaches of international law nor encouraging hate crimes within Australia."*

Procedure

9. The Committee must undertake a preliminary assessment pursuant to section 276 of the LPUL. Further information can be requested from the 'complainant, the respondent or another person who may have relevant information' when conducting the preliminary assessment.

10. Following preliminary assessment, the complaint can either be closed, or the complaint may proceed to an investigation pursuant to section 282 of the LPUL.

11. The complaint may be closed, (in whole or part), without further consideration of the merits for any of the reasons set out in section 277(1) of the LPUL, and without any investigation (section 277(3)).

Summary of information considered in preliminary assessment

12. The words of the LinkedIn post are set out in paragraph 4 above. provided a screenshot of the video referred to in paragraph 5. The screenshot from the video provided by included a caption with the words "*From the river to the sea*". stated in her letter that the entire slogan was "*From the river to the sea, Palestine will be free*".

13. The Committee has located the original video reposted by Hawila, which can be found at https://www.instagram.com/reel/C3dHiBevkkF/?igsh=OXYzcHZ1ZWlycTly. The video is titled "*Global day of action for Palestine in Sydney, Australia*". The words "*From the river to the sea*" appear to be a transcribed and translated caption of part of the footage of protesters chanting in Arabic. The video lasts for 1 minute in total, with footage depicting protesters chanting the words "*From the river to the sea*" in Arabic lasting approximately 10 seconds. Other slogans chanted by the protesters (in English) and transcribed in the video include "*Gaza, Gaza don't you cry … Palestine will never die*" and "*Free, free, free Palestine … brick by brick, wall by wall, the occupation has to fall …*" .

14. appears to have posted Hawila's original post on her own LinkedIn page, adding the following comment:

> *"I cannot believe an officer of an Australian court is proudly posting about a march where people are screaming "from the river to the sea" which is essentially calling for the genocide of Israelis.*
>
> *For sure be proud of a cause and support what you believe in, but not one where people endorse genocide. Especially if you are a lawyer*."

15. In her post, 'tagged' the NSW Jewish Board of Deputies, the Executive Council of Australian Jewry, the Australian Jewish Association and the

Australian Jewish News, presumably to bring Hawila's post and her comment to the attention of those organisations.

16. In a letter dated 4 March 2024, further information was sought from pursuant to s 276 *Legal Profession Uniform Law (NSW)*. She was asked to confirm the ground of complaint, as well as to provide a copy of all relevant LinkedIn posts relied on, including the date on which they were posted.

17. responded by letter on 21 April 2024. She stated that "*that social media posts, made by Mr Mahmud Hawila on LinkedIn carry antisemitic sentiments*" and that "*On several occasions Mahmud supported the accusation of Israel coming [sic, causing] genocide in the people who live in Gaza*."

18. Aside from the post described above and despite her previous assertions of Hawila posting on multiple occasions, did not provide any additional social media posts to support her complaint.

19. asserted that the slogan "*From the river to the sea, Palestine will be free"*:

> *"… does not advocate for two states living peacefully side by side but rather suggests an ambition to replace the state of Israel entirely with 'Palestine'. This sentiment can be understood as a call to eliminate Israel, by murdering its population, and, consequently, negate the Jewish people's historical ties to Zion*."

20. further stated:

> *"The supportive posts claiming Israel to be committing genocide give rise to false and defamatory antisemitic accusations, which vilify the State of Israel and, by implication, Jews who support Israel. Such assertions deliberately overlook the 7 October Massacre and present a distorted portrayal of Israel's response as an ambition for genocide, rather than an effort to combat the Hamas terrorists responsible for the Massacre.*

Any democratic nation would respond to such a Massacre, and demanding that Israel refrain from doing so constitutes a "double standard" - precisely the type of behaviour the IHRA refers to (see above) as an example of antisemitism."

21. In addition, she said:

> *"Mahmud's posts, particularly in the wake of the Massacre and the subsequent increase in antisemitic sentiments, without acknowledging the Massacre, imply that such violence is a legitimate means to achieve the "from the river to the sea" objectives.*
>
> *The gravity of Mahmud's posts is heightened by his position as an officer of the court. He has portrayed himself as a police prosecutor, which, based on reliable information, is inaccurate and amounts to a false representation. Even though Mahmud did not complete the police prosecutor course, his attempts to present himself as a representative of official legal authorities present him as a reliable source of information.*
>
> *Endorsing false claims of genocide and expressing support for the elimination of Israel as the sole state for the Jewish people is inappropriate. In this context, Mahmud's social media comments may be considered unsatisfactory professional conduct or professional misconduct. As an officer of the Court, Mr Hawila should be promoting adherence to all Australian laws including those making call to the genocide of the Jewish people residing in Israel illegal."*

22. The Committee notes, by way of background only, that following receipt of the complaint by , the Professional Conduct Department became aware of a possible complaint made in about November 2023 to the Victoria Legal Services Board and Commissioner by Hawila regarding . On 5 March 2024, the Professional Conduct Department wrote to the Victoria Legal Services Board and Commissioner seeking confirmation as to whether a complaint had been made by Hawila, as well as any information available about the complaint. No reply has been received to that letter. The fact of that possible complaint is not a matter which has impacted upon the Committee's decision.

23. In essence, complaint is that the statements made by Hawila on his LinkedIn page, including the reposting of a video from 'Middle East Eye', constituted conduct which contravened rule 8 (a) and/or (c) of the *Legal Profession Uniform Conduct (Barristers) Rules* (NSW) (the **Barristers Rules**). Rule 8 states:

> A barrister must not engage in conduct which is:
>
> (a) dishonest or otherwise discreditable to a barrister,
> (b) prejudicial to the administration of justice, or
> (c) likely to diminish public confidence in the legal profession or the administration of justice or otherwise bring the legal profession into disrepute.

24. According to , Hawila's conduct in publishing the impugned posts on his LinkedIn account was conduct which was discreditable to a barrister; and likely to diminish public confidence in the legal profession or the administration of justice or otherwise bring the legal profession into disrepute (and therefore contravened (a) and (c) of rule 8 of the Barristers Rules).

25. Section 296 of the LPUL provides that unsatisfactory professional conduct "includes conduct of a lawyer occurring in connection with the practice of law that falls short of the standard of competence and diligence that a member of the public is entitled to expect of a reasonably competent lawyer". Section 297 of the LPUL provides that professional misconduct includes "conduct of a lawyer whether occurring in connection with the practice of law or occurring otherwise than in connection with the practice of law that would, if established, justify a finding that the lawyer is not a fit and proper person to engage in legal practice". The definitions of both unsatisfactory professional conduct and professional misconduct are expanded in s 298 to include further specified categories of conduct. Under s 298(b) of the LPUL, conduct consisting of a contravention of the Barristers Rules is capable of constituting unsatisfactory professional conduct or professional misconduct. This means that a contravention of rule 8 of the Barristers Rules is capable of constituting unsatisfactory professional conduct or professional misconduct.

26. The language of rule 8 is plain. It concerns engagement by a barrister in 'conduct', and as such, should not be taken to regulate the holding of a viewpoint alone. Rule 8 may regulate the expression of a viewpoint, as well as the manner in which it is expressed, if that expression is conduct falling within the scope of (a) – (c).

27. The Committee in this case must consider whether Hawila's conduct was 'discreditable' or 'likely to diminish public confidence in the legal profession …or otherwise bring the legal profession into disrepute'. In certain instances, consideration of whether conduct contravenes rule 8 might be informed by a legislative scheme (especially a scheme which renders conduct unlawful), but the existence of such a scheme is only one consideration and should not be seen to override the plain language of the rule.

28. In the context of this case, s 20C *Anti-Discrimination Act* 1977 (NSW) states that it is unlawful for a person, by a public act, to incite hatred towards, serious contempt for, or severe ridicule of, a person or group of persons on the ground of the race of the person or members of the group. Section 49ZE of that Act renders conduct of that kind unlawful where it is directed to a person on the ground the person has, or does not have, a religious belief or affiliation, or engages in religious activity. A 'public act' includes any form of communication to the public, including speaking, writing, printing, displaying notices, broadcasting, telecasting, screening and playing of tapes or other recorded material, and includes the distribution or dissemination of any matter to the public with knowledge that the matter promotes or expresses hatred towards, serious contempt for, or severe ridicule of, a person or group of persons on the ground of the race of the person or members of the group.

29. However, those provisions do not render unlawful any public act, done reasonably and in good faith, for academic, artistic, scientific, research or religious discussion or instruction purposes or for other purposes in the public interest, including discussion or debate about and expositions of an act or matter.

30. Rule 8 does not prevent barristers from holding opinions or expressing them openly, even if they are unpopular or unfashionable. It does not prevent political and social debate, nor does it prevent the promotion of a legitimate political cause. Again, the question at all times is whether the conduct, either in the expression of the viewpoint alone or the manner in which a viewpoint is expressed, should be viewed as

'discreditable', or likely to diminish public confidence in the legal profession, or otherwise bringing the legal profession into disrepute.

Consideration

31. Hawila's statements were not made in the course of his practice as a barrister. However, the fact he was a barrister practising at the New South Wales Bar at the time of the post was readily apparent to viewers of his LinkedIn profile. was clearly aware of Hawila's work as a barrister at the time of the post. His conduct was therefore capable of reflecting on him as a barrister, and on the profession.

32. Rule 8 of the Barristers Rules relevantly prohibits conduct that is discreditable or likely to diminish public confidence in the legal profession, or the administration of justice, or otherwise bring the legal profession into disrepute. In assessing whether public comments on political matters contravene that rule, the Committee does not need to consider the reasonableness of the views expressed. It may well be the case that objectively reasonable opinions might be expressed in a manner that is discreditable, and that unreasonable opinions can be publicly expressed, even on sensitive topics, without discredit or in a disreputable way. The question is not whether the asserted opinion is reasonable. It is whether the conduct, considered as a whole, contravenes the rule.

33. The Committee has carefully considered Hawila's post and whether it breached rule 8 of the Barristers Rules. It accepts that some aspects of the post were offensive to some members of the community, especially those in the Jewish community, and that it is appropriate to carefully consider whether, for that reason, it was discreditable or likely to bring the profession into disrepute. Two aspects of the post call for careful consideration.

34. The first is the reference to *"genocidal Israel"*. In describing Israel in this way, Hawila adopted a position not currently supported by any government or government agency in Australia. However, it is a description that has been adopted by Palestinian groups, has some currency amongst protest groups in the Australian community, has been used by some Australian political figures, and is described as a risk by entities such as Amnesty International. State party obligations under the Convention on the Prevention and Punishment of the Crime of Genocide are the subject of public international law

litigation arising from the conflict in Gaza. In the circumstances, the Committee does not consider that the use of that phrase by the barrister, in the context of the post, contravened rule 8.

35. The second is the fact that the video linked to Hawila's post transcribed the words *"From the river to the sea"*. Those words appear to be a translation of one of a series of chants by protesters who attended the 17 February 2024 protest in Sydney, which were recorded on video. That phrase has been recognised by some as calling for the destruction of the State of Israel, and its use has been condemned as offensive in a Senate resolution and by members of parliament, including the Prime Minister. However, there is no evidence Hawila said the words *"From the river to the sea"* himself. Hawila did not comment on any aspect of the footage beyond what is set out at paragraph 5. He did not specifically endorse the expression *'From the river to the sea'* in his post, nor did he comment on its meaning. Hawila referred to "*Australia's biggest ever Anti-War protest movement*" when referring directly to the protest. In those circumstances, the Committee does not consider that the posting of a video containing a transcription of those words amounted to conduct contravening rule 8.

36. While Hawila's conduct may be considered disagreeable, unpalatable or offensive by some, the Committee considers that the viewpoints expressed in the impugned post do not exceed the bounds of legitimate political expression such as to be discreditable, or likely to diminish public confidence in the legal profession or the administration of justice, or to otherwise bring the legal profession into disrepute.

Conclusion

37. This complaint should not proceed to investigation. The conduct of Hawila could not amount to conduct in breach of Barrister Rules 8(a) and 8(c), unsatisfactory professional conduct or professional misconduct.

38. Consequently, the Committee is of the view that the material:

    (i) cannot reasonably sustain a finding of unsatisfactory professional conduct for the purposes of section 299(1) of the LPUL, and

(ii) does not provide sufficient basis for an opinion to be formed that the alleged conduct may account to unsatisfactory professional conduct or professional misconduct which would be more appropriately dealt with by the Tribunal, as required for a referral under section 300 of the LPUL.

39. Accordingly, the Committee recommends that the Bar Council take no further action in relation to the complaint and it be closed pursuant to section 277(1)(h) of the LPUL on the basis that it requires no further investigation.

Recommended Resolution

RESOLVED, that the complaint made against Mahmud Hawila by be closed pursuant to section 277(1)(h) of the *Legal Profession Uniform Law (NSW)* on the basis that it requires no further investigation.