

ACT
LAW
SOCIETY
ANNUAL
REPORT
2020-21

ANNUAL REPORT

**LAW SOCIETY OF THE
AUSTRALIAN CAPITAL TERRITORY**

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Secretary	George Marques
Treasurer	Mark Tigwell
Council-appointed Member	Rahul Bedi
Immediate Past President	Chris Donohue

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Tim Dingwall	Annie Haggart
Alan Hill	Gavin Lee
Susan Platis	Kevin Robinson
David Swanson	Angus Tye

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Finance & Business Services Manager	Lea McLean
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The Law Society acknowledges the Ngunnawal and Ngambri peoples, who are the traditional custodians of the land on which our building is located.

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PRESIDENT'S REPORT



This year seems to bear out the saying that the only constant in life is change. Last year our Annual Report marked how the profession and the Society had adapted to Covid, as functions were cancelled and we adapted to remote working. In a breath of fresh air, in the 2020-21 financial year we were able to hold our flagship events once again and provide choice to our members about online and face-to-face options. Unfortunately the ACT has gone back into lockdown recently and we are learning to adapt all over again. Whatever the circumstances, our focus remains on serving members and I am pleased to report on our new initiatives to improve our support for the legal profession into the future.

Member survey

This year we took an important step to better understand the issues facing the profession through our Member Survey. The diversity of our local profession was reflected in one in six respondents indicating they were born outside Australia, five per cent identifying as a person with a disability, four per cent identifying as gay or lesbian, and a further two per cent as bisexual or pansexual. One per cent of respondents identified as having Aboriginal and/or Torres Strait Islander heritage. The results highlighted mental health, gender diversity and equality, and bullying and harassment as key concerns for members. This feedback is helping to shape our strategic direction going forward.

Strategic Plan

Our new Strategic Plan for 2021-23 focusses on five areas: Representation, Regulation, Education, Engagement and Futureproofing. The Plan will guide us as we engage in advocacy for the profession, undertake our regulatory role and drive professional excellence. In setting the future direction for the Society, it will assist us to support our members in a changing world as we work to ensure connection with members and the community.

Community engagement

This year the Society commenced a series of interviews with ABC Radio, addressing commonly faced legal issues. Topics covered to date include seeking advice on wills and powers of attorney, elder abuse and what to do if a family member is arrested. This outreach raises public awareness about the law and assists members of the community in identifying when to seek legal assistance.

Law Week

We were fortunate to be able to resume a full program of activities for Law Week in 2021, with many events fully subscribed. The week commenced with a fantastic display of comedic talent from our young lawyers in the Golden Gavel competition. This year the Blackburn Lecture was given by the President of ACAT, Graeme Neate AM. President Neate's 17 years of leadership and service in the National Native Title Tribunal made him well placed to discuss Justice Blackburn's landmark decision in the Gove land rights case. The week saw lectures presented on topics as diverse as human rights law, climate change and raising the age of criminal responsibility. It was also highly successful in its fundraising for local charity, Raw Potential. Over \$10,000 was raised to assist vulnerable youth in the Canberra community.

Committees

An intensive legislative program in the ACT saw the Committees and Society staff working tirelessly on submissions throughout the year, often with extremely limited timeframes. The Society continued to provide input and advocacy in relation to the proposal to raise the age of criminal responsibility. The establishment of the Aboriginal and Torres Strait Islander Justice Committee provided additional focus for our work in this area. The volunteer work of our members through Committees and other activities are essential to the

value the Society provides, and the Society is grateful to everyone who contributes in this way. Further details on the work of the Committees are set out later in this document and I recommend reading their full reports.

Sexual harassment

The Society takes a zero-tolerance approach to issues of sexual harassment and other forms of harassment in the profession. In September 2020, the Society established a new Sexual Harassment Working Group to progress initiatives to actively address this issue in the profession. The Group was placed on a strong foundation with current Vice-President and former President, Sarah Avery as Chair. Dr Anne Lea has now taken on that role and continues to progress this important work. In March 2021, the Society published its *Guidelines on Discrimination, Harassment and Bullying in the ACT Profession*. The Guidelines include detailed information relating to sexual harassment, including member support services and reporting mechanisms.

Mental health

Working in the legal profession is often stressful, dealing with clients at emotionally charged points in their lives and addressing extremely sensitive issues. The pandemic has only added to this burden. The Society's website includes resources on resilience and well-being. The Society continued its arrangement with Acacia Connection to provide individual counselling to members and their immediate family members at times of need. If you would like confidential support, contact 1300 364 273 or www.acaciaconnection.com.

Finally, I would like to thank Simone Carton, the Society's CEO, and the staff of the Society for their outstanding efforts throughout the year.

Elizabeth Carroll

PRESIDENT, ACT LAW SOCIETY

CEO'S REPORT



I've had the benefit of reading the President's report and agree that this year was certainly one of change. This was my first year as CEO, joining the Society at a time when the office was closed to the public, many of our activities were on pause or had shifted online, and staff worked partly remotely in response to ongoing Covid-19 restrictions. The team had also implemented a new member relationship management system just in time for member renewals. All of this provided a great opportunity to observe how the team responded to challenge and to review how we can do things differently in a changing environment and with an eye to continuous improvement.

With that approach firmly in mind, over the course of the year we implemented and continue to work on changes aimed at improving our efficiency and responsiveness, and our engagement with members and other stakeholders. Being new to the organisation, it's been important to gather feedback from as many sources as possible on what we do well, our strengths and weaknesses, and opportunities for improvement. Our inaugural Member Survey has been one such resource, providing insights into current issues of concern and we appreciate all members who participated.

A focus throughout the year has been on how we communicate, with a range of initiatives to improve our engagement with members, stakeholders and the community:

- / Growing our social media presence, allowing us to connect through more channels to members and stakeholders.
- / Reframing the support provided to our committees with the introduction of part-time research officers to better facilitate committees' ability to produce information resources.
- / Securing a semi-regular slot with ABC Canberra radio, providing an opportunity to engage with the community about legal issues, the value that lawyers can bring, and connecting consumers to our website Find a Firm/Lawyer functionality.

- / Reviewing issues and themes from our pro bono services and using this to update and expand our consumer-facing website factsheets.

We also worked on building stronger relationships with our key stakeholders to grow our impact and influence, and consolidate our role as the trusted voice of the legal profession in the ACT. Regular meetings were held with the Attorney-General, Justice & Community Safety Directorate, the ACT Bar Association, the legal assistance sector, the legal education sector, the national legal sector, and the courts, as well as other government, business and community groups who have an interest in the law and justice system in the ACT. The Society was well represented at a variety of roundtables, forums and consultations, noted later in this report.

We continued to advocate for good law by contributing the Society's views to numerous consultations and inquiries. While many committees contributed their expertise for this purpose during the year, special thanks go to our Criminal Law and Family Violence & Children's committees who we consulted on a particularly large number of submissions. We are working with committees to develop a more proactive policy approach, with a view to anticipating policy shifts, and also on expanding the guidance and information available to the broader membership. It's important to note that much of our policy work depends on our dedicated committee volunteers. Many Committee Chairs have provided positive feedback about the introduction of research officers, working alongside our policy officer, and how this has changed the resourcing capacity for our committees and our ability to leverage committee expertise into policy content.

Other key areas of focus during the period that we will continue to work on in the coming year are:

- / Implementation of our Strategic Plan for 2021-23, following a strategy day early in 2021, with five strategic focus areas agreed: representation, regulation, education, engagement and futureproofing.

- / Continuing to support good governance and good decision-making, following the introduction of induction training for Council members in October 2020. The training had a particular focus on the important administrative decision-making role that Council is responsible for under the *Legal Profession Act 2006* and received positive feedback from Councillors — thanks to Rob Reis, Katie Binstock, and Athol Opas for leading the training.

- / Implementation of initiatives and ideas to support strong workplace cultures within our profession, leveraging the feedback from our Sexual Harassment Working Group and efforts we are collaborating on at the national level. This includes a training program available in 2021-22.

- / Updates to our complaint management system, which we expect will improve our efficiency and reporting capability in the coming year.

- / Review of our community engagement activities that had to pause or pivot due to restrictions during the period. This included developing new procedures, updating internal information resources to assist frontline staff with directing calls, and leveraging the body of knowledge we have into additional resources to support the community's understanding of legal issues.

Thanks to President Libby Carroll for her strong support this year and to all our Council members and many volunteers for their ongoing commitment and dedication to the Society.

In closing, I'd like to acknowledge our dedicated small team of staff who really do achieve a lot with a little. It has been a delight to get to know all the team this year and I've particularly appreciated the positive response to the question of "how can we do better?"

Simone Carton
CHIEF EXECUTIVE OFFICER

CORPORATE OVERVIEW

Role of the Law Society

The Law Society exists to represent, advance, and defend the interests of an independent legal profession in the ACT.

We also seek to protect the public interest in the ACT system of justice through the efficient regulation of the profession in accordance with the Legal Profession Act and the Solicitors Conduct Rules.

Our members

The Society represents 2861 practising lawyers in the ACT region. Our members are sole practitioners, lawyers in private firms and government departments, in-house counsels, community legal centre solicitors, legal academics, and lawyer volunteers. We also have a number of associate members, including students, expatriates, and retirees who want to maintain contact with the Canberra legal community.

As at 30 June 2021, the Society had 3017 members. This represents an increase of 5.8 per cent from the previous financial year.

Women represent 60 per cent of our members. Of our members, 95 percent hold a practising certificate, with 45 percent of those in private practice, and 47 per cent working for local or federal government. Our remaining practising members are in-house or corporate lawyers (4 per cent), members overseas (2 per cent), volunteers or community legal centre lawyers (2 per cent).

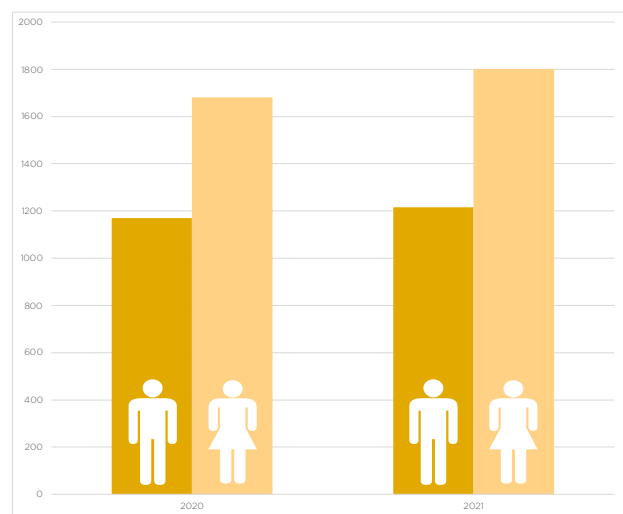
Members without practicing certificates account for the remainder (5 per cent).

Student membership

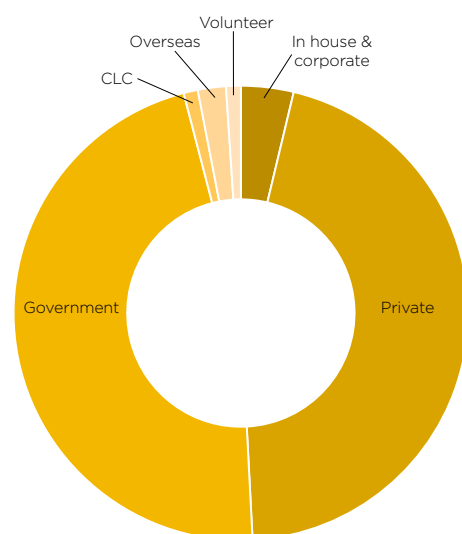
Beginning with the 2021 membership year, the Society is now offering student membership. From 1 July 2021, we are welcoming people studying law and associated disciplines into the Society family, at an annual cost of only \$25.

Membership as at 30 June 2021

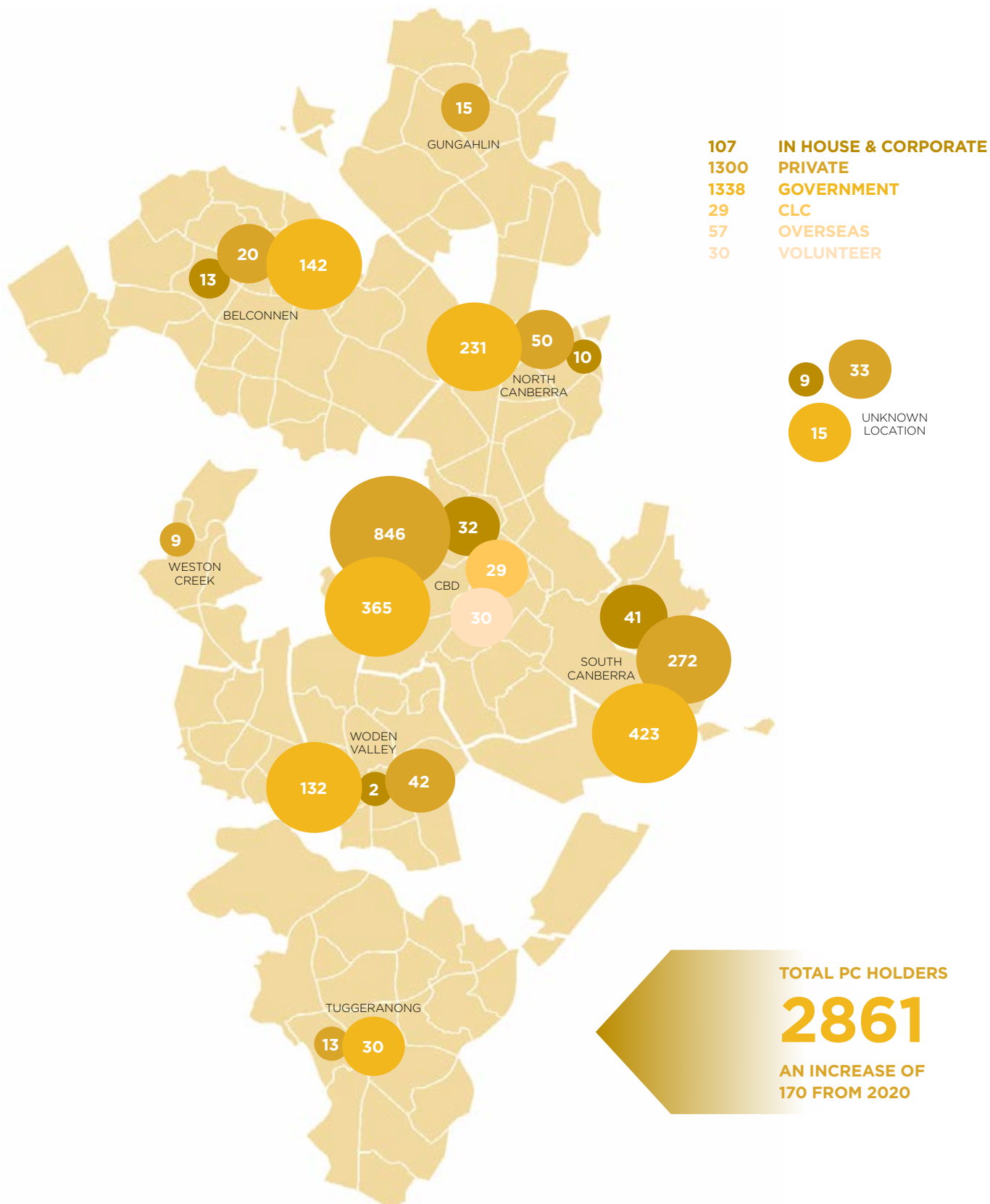
All members by binary gender



Practising members by sector



Practising members by location



Strategy 2021-23: Leading through excellence

Early in 2021, the Council and CEO attended a strategic planning day, resulting in a new Strategic Plan for the coming two years. The Plan has five strategic focus areas:

Representation

We engage in advocacy and collaboration to effectively promote the value of solicitors in the community, establish the Society as the trusted voice of the profession, and promote justice and the rule of law

- / Build our voice and influence through regular engagement with government and other key stakeholders
- / Leverage policy advisory committee expertise and experience to support strong and proactive policy positions
- / Promote the value of the legal profession within the business and wider communities

Regulation

We maintain high professional standards of legal practice through effective and efficient licensing and complaint handling practices

- / Invest in making our licensing practices more accessible, effective, and efficient
- / Apply a continuous improvement approach to our complaints, discipline, and reporting processes
- / Provide clear guidance that promotes high ethical and practice management standards

Education

We drive professional excellence and build member capability by delivering ongoing high quality professional development to meet the needs of all members

- / Deliver high standards of professional development that support excellence in practice and member career development
- / Ensure members are equipped to face a changing environment
- / Deliver targeted content and services across all membership segments

Engagement

We work to ensure members feel connected with us and each other, and foster engagement with key parts of the community, including vulnerable groups

- / Raise awareness of what we have to offer and encourage members to engage with us
- / Improve the consumer experience and support member capabilities in relation to engaging with vulnerable communities
- / Maintain and grow relationships with the legal assistance sector and wider community sector to enhance understanding of access to justice needs

Futureproofing

We deliver value to members through organisational efficiencies, growth, and supporting our people, and we embrace technological change to support both how we work and the changing needs of the profession

- / Deliver programs and activities that support member awareness and responsiveness to the changing needs of the profession and clients
- / Invest in technology that supports efficient and accessible delivery of our services
- / Ensure organisational capacity through responsible financial management, good governance processes, and appropriate staff resourcing

Governance

The Council is the governing body of the Law Society. It comprises 15 elected members and the Immediate Past President. Councillors are elected by the membership of the Society, and Council convenes once a month. The Constitution of the Society vests the Council with the responsibility for the management of the Society's affairs, including income and property.

The Executive consists of five elected members, the Immediate Past President and a member appointed by the Council. The Council has delegated to the Executive Committee the responsibility of overseeing the administration of the Society's activities and the implementation of Council policies. The committee also considers applications for practising certificates and membership.

Executive

Elizabeth Carroll, President

Elizabeth is Chief Legal Counsel at IP Australia, and has over a decade of experience leading the legal teams of three Commonwealth agencies and ten years' experience in private practice. She was first elected to Council in 2017, and was elected Vice President in 2018. From 2015-2019, she was Chair of the Australian Government Legal Network (AGLN), representing over 1,700 Commonwealth government lawyers, and was an AGLN Board member for six years. She received the Law Society's Government Law Award in 2016. In 2020 she was recognised in Australasian Lawyer's In-house Leaders List. In 2019 she was listed in Managing Intellectual Property Magazine's 50 Most Influential People in IP. She was also a finalist for the ACC Government Lawyer of the Year Award in 2018 and a finalist in the General Counsel of the Year category for the Lawyers Weekly Women in Law Awards 2019. Her team is currently a finalist in the Government Team of the Year category and she is a finalist in the Government Lawyer of the Year category of the 2020 Corporate Counsel Awards.

Sarah Avery, Vice President

Sarah has worked as a solicitor since 2007, predominantly in private practice, and has just opened her sole practice. She operates in the fields of criminal law, occupational discipline, and coronial process, in line with her enduring passion for helping vulnerable people and professionals facing disciplinary action. In 2016, Sarah became the youngest President of the Law Society, and was re-elected unchallenged in 2017. She won the inaugural Women Lawyer of the Year - Private Practice Award from the Women Lawyers Association of the ACT in 2017.

Farzana Choudhury, Vice President

Farzana is the Disability Discrimination Law Senior Solicitor at Canberra Community Law, providing advice, casework and advocacy assistance to people facing disadvantage in relation to disability discrimination and related matters. She has been a member of Council since 2018, and is an active member of the Law Society's Inclusion and Diversity Committee. Farzana was awarded a 2019 Churchill Fellowship to investigate the application of poverty based discrimination law frameworks overseas. Farzana is also the 2020 ANU Young Alumna of the Year, and was awarded ACT Young Lawyer of the Year in 2019.

George Marques, Secretary

George is a Partner at HWL Ebsworth Lawyers. He has over 30 years' experience in a broad range of commercial law, including commercial property, procurement and contracting, corporations law and probity and corporate governance. He specialises in advising on complex, sensitive and bespoke transactions for public and private companies, Commonwealth and State governments and not for profits. George has been named in Best Lawyers™ Australia for Commercial Law and Mergers and Acquisitions, and has twice been named "Lawyer of the Year" for Canberra Commercial Law by Best Lawyers™ Australia. He was elected to Council in 2013 and to Secretary in 2018.



Mark Tigwell, Treasurer

Mark has practised in Canberra since his admission in 1984, and has worked variously in sole practice, and as a partner, director, and special counsel in local firms. In February 2019 he co-founded Bedfords Legal. He was a member of Council from 2010 to 2014, before stepping down for a few years. He was re-elected to Council in 2018 and was elected Treasurer in 2020. He has been a member of the Society's Professional Standards Committee since 2007.

Chris Donohue, Immediate Past President

Chris has been a sole practitioner in the ACT since 1978. He practices primarily in the areas of civil litigation, commercial, conveyancing and probate. His involvement in community groups has included serving as president of the Commercial and Retail Tenants Association, the Canberra Environment Centre, and the Residents Rally (a local political party). Chris has served on Council since 2007 (excluding two years), both as a councillor and executive member, including for two years as Vice President, and two as President (2018-20).

Councillors

- / Elizabeth Carroll, President (from 24 September 2020), Vice President (to 24 September 2020)
- / Farzana Choudhury, Vice President (from 24 September 2020), Council (to 24 September 2020)
- / Sarah Avery, Vice President (to 24 September 2020), Immediate Past President (to 24 September 2020)
- / Chris Donohue, Immediate Past President (from 24 September 2020), President (to 24 September 2020)
- / George Marques, Secretary
- / Mark Tigwell, Treasurer (from 24 September 2020), Council Appointed Member (to 24 September 2020)
- / Veena Bedekar, (from 24 September 2020)
- / Tim Dingwall
- / Annie Haggard, (from September 2020)
- / Alan Hill
- / Gavin Lee
- / Susan Platis
- / Kevin Robinson, (from 24 September 2020)
- / Angus Tye
- / David Swanson, (from September 2020)
- / Peter Cain, Vice President (leave of absence from 20 July 2020)
- / Rahul Bedi, Council Appointed Member (leave of absence from 17 February 2020)
- / Radmila Andric, (to 24 September 2020)
- / Sama Khan, Treasurer (to 24 September 2020)
- / Sage Leslie, (to 24 September 2020)

Society staff

The staff team manages the daily running of the Society.

Simone Carton, Chief Executive Officer

Simone joined the Society in June 2020. An experienced CEO, lawyer and governance professional, Simone has worked across a variety of sectors including health, advertising, banking, aviation, and the arts. Prior to joining the Society, Simone was CEO of the Australian and New Zealand Society of Palliative Medicine, the peak body for palliative medicine practitioners. Before that, she worked as in-house lawyer and company secretary for the Advertising Standards Bureau, which administered the complaint resolution component of the advertising self-regulation system. Simone is also an experienced non-executive director, currently serving on the board of Asthma Australia.

As CEO, Simone is responsible for overseeing the Society's operations and, with the support of all staff, implementing the strategic directions agreed by Council.

Finance & Business Services

The finance and business services team look after the financial and IT aspects of running the Society, as well as supporting the proper administration of lawyers' trust accounts.

- / Lea McLean, Finance & Business Services Manager
- / Kathleen Lui, Bookkeeper

Professional Standards

The professional standards team are responsible for advice to members on ethical conduct, conflict-of-interest, and the application of the Solicitors Conduct Rules, and also support the functions of the Professional Standards Committee, including handling of complaints against members.

- / Rob Reis, Professional Standards Manager
- / Linda Mackay, Professional Standards Committee Secretary

Member Services & Community Engagement

The member services and community engagement team perform a range of functions, including support for the Council and Executive, and administering practising certificates, member benefits, and member enquiries. The team also handles our publications and media presence, including maintaining the website, coordinates our CPD and networking events, and assists members with their professional training questions. The team is also responsible for first point of contact with the public through reception, helping members of the public find legal support and information, and administration of our pro bono services.

- / Nicole Crossley, Executive Secretary
- / Nicole Karman, Communications Officer
- / Elizabeth Francis, Professional Development & Events Officer
- / Samantha Philipse, Admin & Pro Bono Officer
- / Leonnie Borzecki, Administrative Support
- / Janette Graham, Administrative Support
- / Anais Scott, Administrative Support

Policy & Research

The policy and research team provide support to the Society's committees, and assists with drafting policy documents, submissions, guidance notes and website content.

- / Tien Pham, Policy Officer
- / Chloe McKenzie, Research Officer
- / Chelsea Dempster, Research Officer
- / Tom Dunbabin, Research Officer

Staff who left the Society during the year

The Society farewelled the following staff during the year and thanks them for their service:

- / Robyn Guilfoyle, Receptionist
- / Tanya Holt, Committee Administrator
- / Carissa Webster, Professional Development Officer

Sponsors

The ACT Law Society is grateful for the support of our many sponsors whose contribution helps us maintain services for our members.

CPD Program

- / legalsuper

Ethos quarterly magazine

- / Nexia Australia

Hearsay fortnightly e-newsletter

- / The College of Law

Members Lunches

- / Nexia Australia
- / Arthur J Gallagher

Individual event sponsors

- / Blumers Personal Injury Lawyers
- / Lawcover
- / Lawyerbank
- / Michael Page Legal
- / Vincents

Below: The new Council of the Law Society had a very successful induction training on 16 October 2020. We'd like to thank Rob Reis, Katie Binstock, and Athol Opas for running the session.



MEMBER ENGAGEMENT

Member survey

In December 2020, the Law Society commissioned Urbis to undertake a survey of our members, to give us a demographic profile of the local profession, and to help us understand the key issues impacting our members.

Of our members, 15% completed the survey. While this may seem like a small number, we understand from Urbis that this is a good participation rate when compared with other membership organisations and it is statistically significant enough to provide some analysis of our members as a whole.

What we learned

Demographics

Of our members who completed the survey, more than half were female, and in the 25-44 age bracket. The diversity of our local profession was reflected in one in six respondents indicating they were born outside Australia, five per cent identifying as a person with disability, 4 per cent identifying as gay or lesbian, and a further 2 per cent as bisexual or pansexual. 1 per cent of respondents identified as having Aboriginal and/or Torres Strait Islander heritage.

The survey showed respondents' average years since admission was 16 years for men, and 10 for women, however this is likely due to the younger age profile of female respondents. The survey also showed that only twelve per cent of respondents were working part time, but that more than half of those were women.

Employment

Half of all respondents indicated they were in private practice, however only 37 per cent were in the government legal sector. This means the survey did not reach as many of our government members as it did our private practice members.

The most common areas of legal practice for all respondents were government, administrative law, contract law, and general litigation, however for those members in private practice the most common areas shifted to contract law, wills & estates, property law, and civil litigation.

The average time spent working in a normal week was 44 hours, although this was slightly higher in private practice than in the government sector. Over a third of respondents indicated they would prefer to work fewer hours.

The average income for full-time respondents working in private practice was \$135K, compared to \$124K for those in the government legal sector, and the average income for men was higher than women (this may be due, in part, to the younger age profile of female respondents).

Issues

One in six respondents mentioned mental health as a key issue, citing the high stress nature of work in the legal profession. Almost half reported that they had experienced mental health issues in the twelve months prior to the survey. Two thirds of respondents indicated

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experience as a
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that work/life balance has been an issue in the last twelve months. This may, in part, reflect the timing of the survey asking for member's experiences over the 12 months during which the ACT experienced the impact from bushfires and then the pandemic.

One in nine respondents mentioned gender diversity and equality as a key issue, with a quarter indicating they did not feel women were sufficiently represented in senior roles in the legal profession. One in three reported having experienced bias or discrimination.

One in twelve respondents mentioned bullying and harassment as a key issue, with half reporting they had witnessed bullying or harassment, and a third reporting having experienced it. One quarter reported having witnessed sexual harassment, and one in eight had experienced it. These experiences are reported to occur in the immediate workplace as well as when interacting with other legal practitioners.

What's next?

The survey provides a useful indication of the make-up of our membership, our member's areas of concern and interest, and member preferences for engaging with us. This feedback is valuable for informing our strategic and operational decisions, including about how we can better serve our members through our information services, professional development offerings, and engagement opportunities.

Earlier this year, the Council of the Society together with the CEO participated in a strategy day, which identified five strategic focus areas for the Society: Representation, Regulation, Education, Engagement, and Futureproofing. The survey data is helping to inform how we approach the strategies within each focus area.

The Society is already working on a number of new initiatives aligned with feedback identified in the survey results. This includes a new training scheme to combat bullying and harassment in the profession, and upcoming seminars focusing on mental health. We'll also be continuing the popular "What are we not talking about" series of webinars run by our Inclusion & Diversity Committee.

Our website content will be getting a refresh, with more fact sheets for members of the public, and improved information for members. Updates to our public facing content are being developed alongside our semi-regular radio spot with ABC Radio Canberra, both of which are aimed at raising public awareness about legal issues and how lawyers can help, and which directs members of the public to our Find a Lawyer/Find a Firm function on the website.

In the regulatory space, we are reviewing our internal processes around licensing and complaints as well as how we communicate with participants in those processes. We are trialling an anonymous reporting system in relation to harassment and bullying, and developing more easily-accessible information about our complaints process for both members and the general public.

We have also introduced a new Student Associate membership for the 2021-22 financial year to improve connection with the future members of our profession.

We intend to undertake our Member Survey on a biennial basis, but we welcome ongoing engagement and feedback from members at any time.

Member benefits

Referral service

The Society receives hundreds of phone calls daily from members of the public seeking legal advice. Where possible, our receptionist identifies the area of law being inquired about, and callers are then given the contact details of three member firms. Alternatively, callers are directed to our Find a Firm/Lawyer search function on the website.

Solicitor ID cards

The Society issues Solicitor ID Cards to members. These ID cards are recognised by the ACT Courts and allow a solicitor expedited access through security at the ACT Supreme & Magistrates Courts.

Our administration staff distributed 337 Solicitor ID cards during the financial year.

Hire of meeting rooms

Members of the Society can hire our meeting rooms free of charge during business hours. These rooms are frequently used for mediations, and are also useful for solicitors who don't have offices in the City.

Our meeting rooms were hired out for 420 hours during the period 1 September 2020 to 30 June 2021.

Commercial benefits

The Society has arranged several commercial benefits for its members. The benefits on offer now include:

- / Car purchase: Alfa Romeo, Fiat, Jeep, Audi Australia, and Tesla
- / Car rental: Hertz (via Law Council of Australia)
- / Airfares: Virgin Australia, and Qantas (via Law Council of Australia)

Website

Our website usage has grown steadily over the financial year, with average daily hits of around 1500 per day at the start of the period, now showing an average of 2500 hits per day.

For members of the public, our most popular pages are the find a lawyer and find a firm services. Members generally are most interested in the member dashboard, practising certificates information, or CPD seminars list.

Find a firm / find a lawyer

Our website lists all members and their firms in a searchable directory for members of the public. This directory is used by the public to find lawyers or firms with expertise in particular areas of law. It's also regularly used by our staff when referring callers to law firms.

The database is searchable by several fields, including name of firm or lawyer, area of practice, location, and language spoken.

The areas of practice list is not exhaustive, and represents only those search terms most often requested by members of the public. Members and firms are encouraged to keep their areas of practice up to date in their Member Dashboard and only select those areas of law they have specific expertise in.

Guidance notes

The Society is continuing to expand the content on our website, particularly as it relates to information and guidance for our members.

The following guidance notes for legal practitioners were created or updated during the financial year:

- / Opening a firm
- / Closing a firm
- / Does the Check in CBR app breach lawyer/client confidentiality?
- / Tips for managing the legal workforce as COVID-19 restrictions ease in the ACT
- / Case Study: On whose authority can a law practice disburse trust money?
- / Case Study: Secure express instructions when dealing with trust money
- / Answering ethics questions: A trust account dilemma

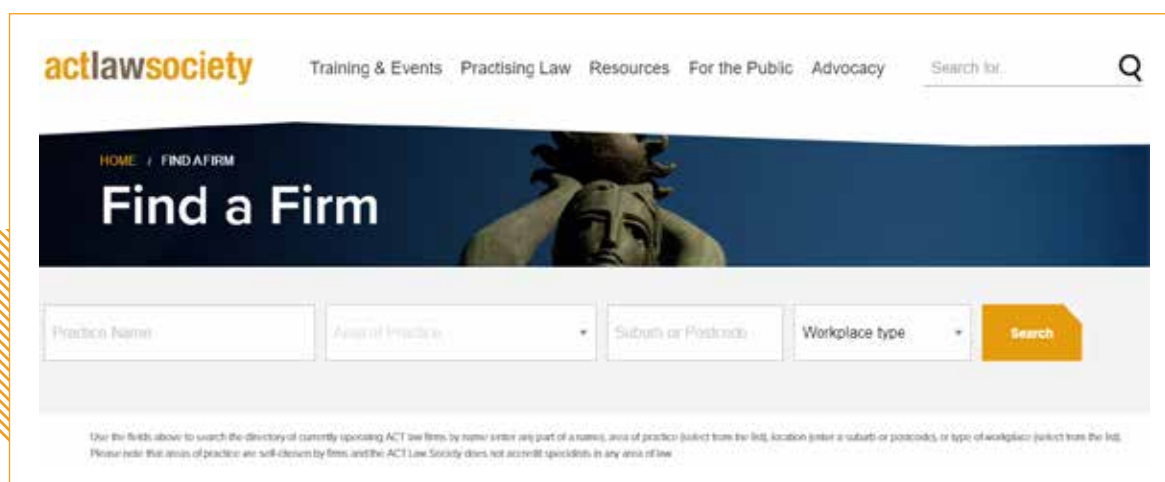
ACT Law Awards

Our Annual Dinner & Awards Night was cancelled in 2020 due to the Covid-19 emergency. Although disappointing, it gave us the opportunity to conduct a review of our awards and the rules and processes around them. We have also constituted a new award to recognise outstanding firms in our region.

Nominations for the 2021 ACT Law Awards opened in June 2021, and will be awarded in August 2021. The new outline of awards is below.

The President's Medal

The President's Medal recognises significant personal and professional contributions of a local legal practitioner to the improvement of law and justice in



the ACT community. This may include achievements in community access to justice, promotion or defence of the rule of law, improvements in legal policy or legislation which delivers significant benefits to the ACT community, or significant service or support to ACT solicitors, and/or to the ACT Law Society.

The ACT Firm of the Year

The ACT Firm of the Year is a new annual award that recognises the outstanding efforts of local firms. Nominee firms will be judged on achievement in the ACT in areas such as commitment to pro bono legal work, encouraging and developing a diverse and inclusive legal profession, supporting and mentoring young lawyers, providing wellbeing support to staff, or innovative use of technology in legal service delivery.

The Pro Bono Service Award

The Pro Bono Service Award recognises the vital work done by individual practitioners in the ACT who volunteer their time and legal expertise to assist others within the community. This includes lawyers who have made an exceptional contribution to the ACT community through pro bono legal work, advocated for or on behalf of socially or economically disadvantaged people, contributed to the protection of the public interest, or made advancements to access to justice in the ACT.

The Government Law Award

The Government Law Award recognises the outstanding achievements of practitioners working in government. This may include achievements such as significant legal projects, developing awareness of legal issues, providing leadership and innovation, or contributing to the community beyond their legal position.

The Young Lawyer of the Year

The Young Lawyer of the Year recognises the outstanding achievements of young lawyers in the ACT. The Award seeks to encourage young lawyers to be active participants in the legal profession beyond their core employment duties, and to raise awareness of these activities. Nominees are judged based on their contributions to the legal profession and/or to the ACT Law Society, their contributions to the ACT community, and their legal professional achievements.

40 years' service

The Law Society recognises the contribution of Canberra members who have practised for forty-plus years with a commemorative lapel pin. The members who completed forty years' service to the legal profession in 2020-21 were:

- / Mark Baker
- / Bruce Brown
- / Enrico Casagrande
- / Peter Garrisson
- / David Hanstein
- / Mary Harris
- / Irena Jordan
- / Graeme Nettle
- / Robert Orr
- / Mark Treffers
- / Elizabeth Ward
- / Eric Wells
- / Jennifer Woodward



Publications

The Society produces several publications, both exclusively for members, and for the general public. These include our quarterly magazine *Ethos*, e-newsletters such as *Hearsay* and *Events Update*, and targeted emails such as the Young Lawyers Update, Government Law Update, and Family Law Update.

Hearsay

Hearsay is our fortnightly e-newsletter, which goes out to all our members.

We use *Hearsay* as a means to disseminate important information to our members, including recent advocacy work, updates from the Courts and government agencies, and requests for input to the work of the Society. The newsletter also contains practice changes, legal job vacancies, news about our members, missing wills notices, and a light-hearted closing called the “Last Word”.

Our open rate for emails is around 40%, well above the industry standard of 15-25%.

Other email updates

On alternate Fridays, we send out Events Update to our entire mailing list, which includes not only members, but also other interested members of the community.

The Society also sends out periodic targeted emails to sections of our membership when we have relevant information to impart. These include Family Law, Property Law, Government Law, and Young Lawyers.

Ethos Journal

Ethos is the ACT Law Society’s journal, published quarterly and distributed to all members. *Ethos* includes articles on recent legislative changes or topical legal issues, particularly those that impact on the practice of law in the ACT, topics of general interest to lawyers, such as mental health or practice management, and news of members or firms participating in pro bono work or charity events, or winning awards.

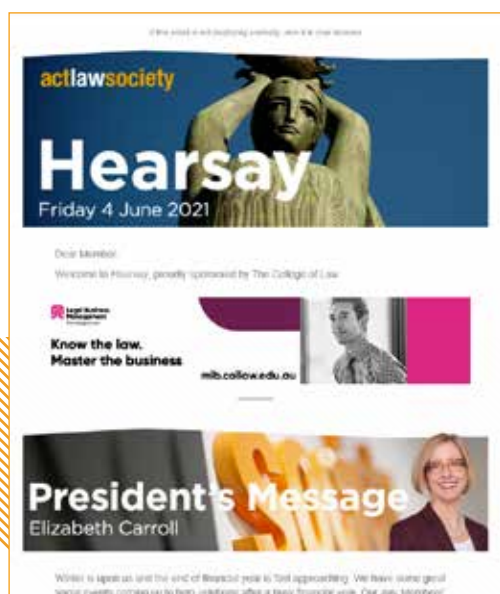
With the Summer 2020 edition, we began including photographs of new members in *Ethos*, celebrating their original admission days.

From Autumn 2021, we included a new ongoing section – “Ethics and standards in practice”, where our Professional Standards Manager Rob Reis gives a case study of a recent ethical issue.

The Society actively seeks article contributions from members. The following members contributed articles during the 2020-21 financial year:

Winter 2020, Issue 256

- / Ingrid Bremers, “More than a lawyer: Opportunities for lawyers in the disruption of the legal industry”
- / Chris Donohue, “How does our law treat our children?”
- / Kerstin Glomb, “Po-tay-to, po-tah-to: How construing a Will can cause some headaches”



- / Courtney Keogh, "From pandemic to parley: Landlords and tenants to talk truce in light of COVID-19"
- / Debra Parker and Claire Naidu, "A not-so arbitrary solution: ADR in a post COVID-19 landscape"
- / John Plumidis, "Which law, when? Examining the interactions between Commonwealth and ACT legislation"
- / Allan Relf, "Hope and expectation"
- / John Wilson and Kieran Pender, "Misfeasance in public office: An important and evolving tort?"

Spring 2020, Issue 257

- / Sarah Byrne, "Making the call from inside the house: Ethics and the in-house counsel"
- / Arthur Marusevich, "Australia's modern slavery legislation: A spotlight on large businesses"
- / John Wilson, Kieran Pender and Rebecca Richardson, "Domestic violence and employer responsibilities"

Summer 2020, Issue 258

- / Michael Deasey, "A career, with cinemascope"
- / Declan Norrie, "The business case for pro bono: Why and how junior lawyers should prioritise pro bono"
- / Daniel Masciantonio and Fiona Thwaites, "A tangible community impact: Using pro bono to create a more just society"

- / Ross Watch, "Answering ethics questions: A trust account dilemma or; 'Let's hold back some money in Trust...'"
- / John Wilson and Kieran Pender, "Contractual, Tortious and Statutory? The employer's duty to provide a safe workplace"

Autumn 2021, Issue 259

- / Eveline Kuang, "Women in law: To move or not to move?"
- / Olivia Gesini, "Women in law: Back in the swing"
- / Kristen Porter, "Women in law: Innovation and creativity"
- / Tara Ward, "Pricking the public's conscience: Implications of *R v Radunz* for the future of political protest in Australia"
- / John Wilson and Kieran Pender, "Searching for an elusive truth: *Briginshaw* in the workplace"

Editions of *Ethos* published during the year.



Networking events

The Society was able to resume holding functions in September 2020, under strict Covid-19 health protocols.

Quarterly members lunches continue to be well attended, and we have been able to continue the discount for young lawyers, thanks to our generous sponsors, Arthur J Gallagher and Nexia Australia.

We were very pleased to be able to hold Law Week 2021 under almost normal circumstances, and most of

the events on offer were sold out. We are particularly thankful to the many organisations who hosted events during Law Week, including the ACT Supreme Court, the ACT Bar Association, Legal Aid ACT, Canberra Community Law, the Women's Legal Centre ACT, the Women Lawyers Association ACT, Australian Lawyers for Human Rights, the ACT Raise the Age Coalition, and the Council on the Ageing (COTA) ACT.

Gala events

DATE	EVENT	VENUE
1 February 2021	Commencement of the Legal Year	ACT Supreme Court
10 May 2021	Law Week Launch and ACT Golden Gavel	ANU Union
11 May 2021	Law Week Dinner: Bri Lee	The Boathouse By The Lake
14 May 2021	Law Week Quiz Night	Ainslie Football Club

Collegiate and networking events

DATE	EVENT	VENUE
24 September 2020	September Members' Lunch & AGM	Novotel
18 November 2020	Australian Corporate Lawyer Awards Zoom Party	ACT Law Society
27 November 2020	Young Lawyers Christmas Garden Party	House of Reps Rose Garden
4 December 2020	Christmas Members' Lunch	Chairman & Yip
10 December 2020	Women in Law Awards virtual event	ACT Law Society
26 February 2021	Young Lawyers Networking Drinks	Badger & Co
18 March 2021	March Member's Lunch	Blu Ginger
8 April 2021	Young Lawyers Networking Bowls	The RUC
30 April 2021	Young Lawyers Networking Drinks	Badger & Co
15 May 2021	Court Family Day (Law Week)	ACT Supreme Court
25 June 2021	Young Lawyers Networking Drinks	Public Bar, Manuka

Lectures and forums

DATE	EVENT	VENUE
10 May 2021	Bar Association Women Barristers Breakfast: The Hon Ruth McColl AO (Law Week)	Commonwealth Club
11 May 2021	Annual Blackburn Lecture: Graeme Neate AM (Law Week)	Pilgrim House
12 May 2021	Raise the Age forum (Law Week)	ACT Legislative Assembly
12 May 2021	Scaling up human rights protections in the ACT (Law Week)	Canberra Community Law
13 May 2021	The climate change bill (Law Week)	ACT Law Society
14 May 2021	Youth law (Law Week)	Webinar
14 May 2021	New pathways to address elder abuse (Law Week)	COTA ACT
14 May 2021	Trauma-informed lawyering (Law Week)	ACT Law Society

Guests at the Law Week Launch



Continuing Professional Development

The Society aims to provide relevant, timely and high quality CPD to assist practitioners to fulfil their CPD obligations productively and efficiently. During the year, the Society offered the following CPD sessions.

CPD TYPE	EVENTS	ATTENDEES
Seminar (1-2 hours)	9	211
Workshop (3+ hours)	3	56
Themed afternoon	2	130
Full day conference	4	179
Two-day Intensive	1	280
Multi-day workshop	3	73
Webinars	13	336
Total	35	1265

The Society welcomes member feedback on the program and is always interested to receive suggestions for future topics and speakers. We acknowledge the contribution our committees make to shaping the CPD program.

Covid-19 restrictions

During the Covid emergency, the CPD program pivoted to online delivery for the comfort and safety of our members. As restrictions eased, some sessions were held in person within strict health guidelines, and some were offered with an option to attend either in person or virtually. Members embraced the new format, and we have continued offering fully virtual CPD sessions as well as hybrid events.

Our webinar offerings have expanded greatly, from two webinars in the last period, to 13 in the 2020-21 financial year. We also held one workshop and one full-day conference virtually, due to an interstate speaker being caught in a lockdown.

X3 Free CPD

As part of the Covid-19 financial support that was offered by the Society, all members were offered up to three hours of CPD free of charge during the 2020-21 financial year.

Over the course of the support program, 414 members claimed free CPD, totalling 839 seminars or webinars refunded under the offer, at a total value of \$71,300.

Criminal Law Masterclass Series

The Criminal Law Masterclass Series was developed by the Criminal Law Committee, in concert with the Australian Federal Police Forensics Team. The series offered members insight on topics such as evidence, disclosure requirements to the courts, digital forensics, fingerprints, forensic biology information, and DNA evidence.

During the 2020-21 financial year, we ran three seminars in this series, including one as part of the 2021 Intensive.

What are we not talking about?

In August 2020 the Inclusion and Diversity Committee began a series of free virtual lunchtime chats about the elephant in the room — how do we go about achieving an inclusive and diverse legal profession? Every month, a new speaker introduced a topic related to inclusion and diversity issues and led a discussion with participants.

During the 2020-21 financial year, we ran eight of these informal webchats, with more than 280 attendees overall. The series will continue into 2021.

Legal Practice Management Workshop

The Legal Practice Management Workshop is one of the Society's flagship events, and is a requirement for lawyers wishing to gain an unrestricted practising certificate. Attendees of the Workshop learn about topics essential to the successful operation of an effective legal practice, including ethical behaviours, human resource management and business accounting.

CPD events

DATE	EVENT	Type
8 July 2020	Residential tenancy law	Seminar
16 July 2020	Risk Briefing: Tales from Lawcover's chest of war stories	Webinar
28-30 July 2020	Legal Practice Management Workshop Winter 2020	Multi-day workshop
13 August 2020	Super in family law: Why carpe diem just doesn't work	Seminar
13 August 2020	The Disability Royal Commission, and supporting clients with a disability	Webinar
19 August 2020	Understanding complex trauma	Workshop (webinar)
20 August 2020	Managing suicidal clients	Full day conference (webinar)
27 August 2020	Setting up a successful law firm	Full day conference
10 September 2020	R U OK Day Seminar 2020	Webinar
10 September 2020	Reflections on the ACT Intermediary Program, and support for vulnerable witnesses	Webinar
17 September 2020	Cyber risks: The facts	Seminar
18 September 2020	7th ACT Wills and Estates Conference	Full day conference
30 September 2020	COVID, AI and litigation against the government	Seminar
8 October 2020	Cruise ships and COVID-19: Troubles at sea in a pandemic	Webinar
8 October 2020	Homelessness and the law	Webinar
22 October 2020	How to get the most out of the mediation process	Seminar
29 October 2020	Fundamentals of tax law and business restructuring	Webinar
4 November 2020	Trust accounting Spring 2020	Workshop
12 November 2020	AFP forensics in 2020 and beyond	Seminar
12 November 2020	Intersectional diversity and the legal profession	Webinar
17-19 November 2020	Legal Practice Management Workshop Spring 2020	Multi-day workshop
10 December 2020	An inclusive legal profession	Webinar
21 January 2021	Working effectively with Ministers and senior decision-makers	Workshop
29 January 2021	Professional conduct between solicitors	Seminar
4 February 2021	AFP forensics & fingerprints	Seminar
10-11 February 2021	The 2021 CPD Intensive Series	Two-day Intensive
4 March 2021	Probate for junior lawyers and support staff	Seminar
11 March 2021	Property Law Afternoon 2021	Specialist afternoon
11 March 2021	Digital innovation and access to justice	Webinar
16-18 March 2021	Legal Practice Management Workshop Autumn 2021	Multi-day workshop
17 March 2021	Jeffrey Goldberger: Update on recent contract law cases	Specialist afternoon
24 March 2021	Family Law Conference 2021	Full day conference
8 April 2021	Taking the law online	Webinar
13 May 2021	How to mindfully deal with the tough stuff	Webinar
13 May 2021	Leaving the law: Looking beyond traditional legal roles	Webinar

The Society continued to deliver the Workshop during the 2020-21 financial year, in Winter, Spring, and Autumn. The Winter Workshop, run in July, was a particularly note-worthy event, being one of the first face-to-face events to be delivered under Covid restrictions at the Hyatt Hotel Canberra. A photo taken at the event was shared through the event industry to celebrate the return of events.

Setting up a successful law firm

This workshop was set up to fill the gap between the skills taught in the Practice Management Workshop, which are focused on statutory requirements, and the skills needed to set up a new firm and make it thrive.

The all-day seminar is designed to cover practical topics such as business planning, policies and procedures, budgeting and tax issues, training and supervision of staff, and marketing.

The 2021 CPD Intensive Series

In February 2021, the Society hosted our annual CPD Intensive for more than 280 attendees over two days. A range of expert speakers covered topics from legal and business ideas to professional and personal skills. The introduction of mindfulness in the legal profession to the series was of particular importance.

Presented as a hybrid event, the Intensive allowed either in-person or online attendance, and most of the sessions were recorded for later purchase.

Webinar Series — working in a virtual world

Due to Covid restrictions, the Society began offering pre-recorded webinars as a new way for members to fulfill their training needs.

We now offer an ongoing selection of online courses to help members complete their CPD requirements when and where it's most convenient for them.

Speakers

In addition to interstate and international speakers, our CPD program relies heavily on the voluntary contributions of local practitioners with expertise in particular areas of law. The Society greatly appreciates the time and effort our speakers devote to the preparation and presentation of seminars.

We thank everyone who contributed to our program during the year. Members who presented, or were part of a panel, in 2020-21 were:

- / Alfonso del Rio, Clayton Utz
- / Alisa Taylor, Meyer Vandenberg Lawyers
- / Anna Neilan, Neilan Stramandinoli Family Law
- / Benjamin Grady, Bradley Allen Love
- / Claudia Maclean, Women's Legal Centre
- / David Reynolds, Damian Lawyers
- / Deb Rolfe AM, Maliganis Edwards Johnson
- / Dianne Bourke, DB Coaching
- / Dominic Cookman, Snedden Hall & Gallop



At the Intensive, a hybrid panel session on making your workplace more inclusive. Facilitated by Vice-President Farzana Choudhury, the session included panellists from several states.

- / Duncan Harrington, Harrington Hall Lawyers
- / Emma Bragg, Tetlow Legal
- / Emma Towney, Canberra Community Law
- / Erin Rikus, Canberra Community Law
- / Farzana Choudhury, Canberra Community Law
- / Geoff Mazengarb, Mazengarb Family Lawyers
- / Graeme Blank, Blackburn Chambers
- / John Wilson, Bradley Allen Love
- / James Hall, Harrington Hall Lawyers
- / Katie Binstock, McInnes Wilson Lawyers
- / Kevin Robinson, Robinson & McGuinness Family Law
- / Liz Hug, Welcome Legal
- / Lucy Stramandinoli, Neilan Stramandinoli Family Law
- / Margie Rowe, Legal Aid ACT
- / Mark Love, Bradley Allen Love
- / Maurice Falcetta, Trinity Law
- / Petrina Schiavi, University of Canberra
- / Sarah Avery, Sarah Avery Legal Practice
- / Susan Platis, ACT Government Solicitor
- / Timothy Morton, Farrar Gesini Dunn
- / Tony Foley, Legal Aid ACT
- / Vik Sundar, Clear Law
- / Vivien Holmes, Australian National University

We also acknowledge the contribution made by Law Society staff members who presented at CPD events during the year:

- / Rob Reis (Professional Standards Manager)
- / Lea McLean (Finance & Business Services Manager)

We also acknowledge coordination of the 2020-21 CPD program by former Professional Development Officer, Carissa Webster.

CPD Program sponsor

We also take this opportunity to thank our sponsor, legalsuper, for its ongoing support of our CPD program. Without this support, we would not be able to offer quality CPD at such affordable rates.



The AFP Forensics Team presented the first session of our Criminal Law Masterclass series. Their presentation, "AFP Forensics in 2020 and Beyond", provided a synopsis of current and emerging forensic capabilities and challenges.



The November 'What Are We Not Talking About?' lunchtime chat covered cultural diversity and intersectionality in the legal profession through the Law Society of the ACT. Farzana Choudhury led the discussion, with Ishani Das, Emma Towney, and Ono Chowdhury generously sharing their experiences and guidance.



POLICY & ADVOCACY

Submissions

Thanks to the many experts assembled on our committees, the Society is able to look in detail at proposed legislation and its impact, not only on legal practice in the ACT, but on the community's access to justice, and the fairness and efficiency of the administration of justice.

We maintain a strong relationship with the ACT Government's Justice and Community Safety Directorate, which gives us the opportunity to comment on proposed legislation. We also respond to requests from other entities, including ACT Legislative Assembly Committees, and the Shadow Attorney-General, for our comments on exposure drafts of proposed legislation.

The list of submissions on the next page sets out those submissions made by the Law Society in the 2020-21 financial year, including formal submissions, correspondence, and input into Law Council of Australia submissions on national issues. Consultation-in-confidence submissions are not included.

Representation

The committees have contributed significantly to the policy work of the Society for the 2020-21 period, making numerous submissions on important law reforms, particularly in criminal and family law. The number of submissions made in 2020-21 is more than double the number made in the previous period.

Committees have also been active in engaging and collaborating with other organisations and other committees. The Society is pleased to see an increase in requests for input from government agencies and an increase in the level of engagement of members of committees with recent law reforms.

2020 ACT election

The ACT Law Society invited the three major political parties contesting the ACT Legislative Assembly Election to provide their views on key issues of relevance to the ACT legal profession.

The questions covered topics such as the CTP changes, judicial resourcing, funding for the legal assistance sector, elder abuse, and raising the age of criminal responsibility. We also asked the parties how they

proposed to draw on the knowledge and expertise of the legal profession in the ACT in developing and implementing law reform proposals in future.

The responses to these questions were published in the Spring 2020 edition of *Ethos*.

Raising the age

Raising the age of criminal responsibility has been a longstanding concern of the Law Society, and we are pleased that our jurisdiction is leading the nation on this important issue, which will bring us into line with United Nations standards and keep children out of the prison system.

We are proud to be part of a group of peak community bodies that have been working together to advocate for raising the age of criminal responsibility from 10 years to 14.

We recognise that a great deal of work remains to be done to ensure alternative systems are in place to support the legislative change, and we welcome the opportunity to work with the ACT Government and other peak community bodies to overcome these challenges. In particular, the Law Society considers a multidisciplinary case management panel an appropriate approach to monitoring and providing support to children under the revised minimum age of criminal responsibility.

Sexual harassment in the legal profession

The Law Society does not tolerate bullying, discrimination, or sexual harassment in our profession, and we are committed to addressing this issue to ensure that all legal practitioners are treated with respect and courtesy at all times.

A Sexual Harassment Working Group was formed to address issues relating to sexual harassment in the ACT legal profession. The group's first meeting was conducted on 26 August 2020, where challenges faced by victims of sexual harassment in the profession and numerous strategy options were considered.

National Action Plan

In December 2020, the Law Council of Australia released the National Action Plan to Reduce Sexual Harassment in the Australian Legal Profession. The Plan outlines law reform proposals and measures

DATE	SUBJECT OF SUBMISSION / CORRESPONDENCE	RECIPIENT
2 October 2020	Discussion paper: Review of Australia's bilateral investment treaties	Department of Foreign Affairs & Trade
23 October 2020	Discussion paper: Review of the <i>Lands Acquisition Act 1989</i>	Department of Finance
3 November 2020	Draft consultation paper in relation to rule 11A: Short-term legal assistance service	Law Council of Australia
6 November 2020	Draft national action plan to reduce sexual harassment in the Australian legal profession	Law Council of Australia
19 March 2021	MAI regulation: Collection of legal costs information	Motor Accident Injuries Commission
24 March 2021	Proposed amendments to service provisions of the <i>Bail Act 1992</i> and <i>Bail Regulation 1992</i>	Justice and Community Safety Directorate (JACS)
26 March 2021	Proposed amendments to service provisions of the <i>Bail Act 1992</i> and <i>Bail Regulation 1992</i> (re-draft)	JACS
26 March 2021	Civil Law Wrongs Act Amendment Bill 2021: Model defamation laws	JACS
31 March 2021	JACS proposed legislative amendments (family violence sentencing)	JACS
1 April 2021	Court and Other Justice Legislation Amendment Bill 2021	JACS
16 April 2021	Discussion paper: Judge alone trials and jury issues	JACS
20 April 2021	Lawyer project draft report	Law Council of Australia
23 April 2021	Compensation fund for Mr Fluffy asbestos victims	ACT Chief Minister; Minister of Health
24 April 2021	Regulation 67B of the <i>Family Law Regulation 1984</i>	Law Council of Australia
30 April 2021	Supporting older Australia: Exempting granny flat arrangements from Capital Gains Tax (CGT)	The Treasury
10 May 2021	Federal Court draft commercial arbitration practice note	Law Council of Australia
11 May 2021	Review of direct cross-examination ban in family law proceedings	Law Council of Australia
12 May 2021	Crimes (Stealth) Amendment Bill 2021	JACS
13 May 2021	Proposed reforms on expanding police use of body worn cameras	JACS
13 May 2021	Final report of the review of the <i>Family Violence Act 2016</i> (proactive)	JACS
24 May 2021	Work Health and Safety Amendment Bill 2021: Industrial manslaughter (embargoed consultation)	Chief Minister, Treasury & Economic Development Directorate
25 May 2021	Crimes (Family Violence) Legislation Amendment Bill 2021	Office of Elizabeth Lee MLA
26 May 2021	Crimes Legislation Amendment Bill 2021: First instance witness warrants	JACS
28 May 2021	Suggested legislative amendment: Section 375 of the Crimes Act and the Childrens Court jurisdiction	JACS
3 June 2021	Crimes Legislation Amendment Bill 2021: Family violence in sentencing	JACS
3 June 2021	Inquiry into the Drugs of Dependence (Personal Cannabis Use) Amendment Bill 2021	ACT Legislative Assembly Drugs of Dependence Committee
17 June 2021	Intermediary program: Proposed next steps in engaging with the accused	ACT Human Rights Commission IMG Program
28 June 2021	Discussion paper: A new decision making framework for property matters in family law	Law Council of Australia

to drive cultural change. Thank you to our Sexual Harassment Working Group, and the Committees which provided input supporting the Society's contribution to development of the Plan. The Working Group continued to move forward with sub-groups addressing regulatory and policy issues, training and mentoring support.

Training program on sexual harassment

In May 2021, the Law Society licensed a training program on sexual harassment specifically developed for solicitors. We are currently preparing facilitators to deliver the training, and the program should be rolled out in the latter half of 2021.

Reconciliation

During National Reconciliation Week 2021, the Law Society and the University of Canberra jointly hosted a public lecture on "Aboriginal and Torres Strait Islander Cultural Rights and Action". Aunty Ros Brown gave a moving welcome to country, saying "It takes courage to do work for the greater good."

Thanks to Emma Towney, Chair of the Society's Aboriginal and Torres Strait Islander Justice Committee, for speaking about her work at Canberra Community Law and for acting as co-chair of the event.

Capacity Toolkit

On International Day of People with Disability, the ACT Disability Justice Strategy's Capacity Toolkit and Guidelines were launched, with Law Society President Elizabeth Carroll speaking. Assessing capacity is a complex issue and these highly practical resources will assist with better understanding the needs of clients with disability. Thanks to the Elder Law and Succession Law Committee for their support of the project and to ACT Legal Aid for leading the work.

Mr Fluffy victims

In April 2021 a new government fund to support Mr Fluffy asbestos victims was announced. The Law Society joined with the Law Council of Australia to support mesothelioma sufferer James Wallner in his campaign to obtain support for victims, and it's pleasing to see the local and federal governments establishing this fund. Thanks to the Civil Litigation Committee for their input on this topic.

Society representatives

Over the past year, the Society has been represented by members on the following bodies:

Legal Aid Review Committee Panel

- / Australian Legal Practitioners Panel — Rahul Bedi, Paul Edmonds, Briony Martin

Government and stakeholder roundtables

- / ACT Government: Judge alone trials and jury issues — Michael Kukulies-Smith
- / ACT Government: Raising the minimum age of criminal responsibility — Michael Kukulies-Smith
- / ACT Government: Sexual Assault Prevention and Response Steering Committee, Law Reform Working Group — Michael Kukulies-Smith
- / Commonwealth Attorney-General: National Register of Enduring Powers of Attorney — Katie Binstock
- / Law Council of Australia National Roundtable on Family Violence: Awareness, Education and Training — Lessli Strong

Media

The Society works with the media to achieve its organisational objectives, supported by the framework provided by our Media Relations Policy.

The President is the primary spokesperson for the Society. The President may nominate an alternative spokesperson for the Society where the President is unavailable or unable to comment, or where it is appropriate to nominate a subject matter expert (for example, a Committee Chair).

We received 107 media mentions during the period, including media interviews with Society representatives for print and radio.

Media releases

The Society sent out media releases on a range of topics during the financial year.

Law Society Council and President

- / 24 September 2020: Election of Law Society Council for 2020-21
- / 24 September 2020: Elizabeth Carroll elected Law Society President

Law Week

- / 6 May 2021: Law Week showcases legal issues in the ACT

Raising the age of criminal responsibility

- / 23 July 2020: Law Society signs open letter calling on ACT Government to stop imprisoning children
- / 20 August 2020: Law Society welcomes first steps towards stopping children being imprisoned

Anti-consorting laws

- / 23 July 2020: Law Society reaffirms opposition to anti-consorting laws

Child protection services review

/ 31 July 2020: Law Society welcomes report on child and youth protection services

Conversion therapy being made a criminal offence

/ 26 August 2020: Criminal offence a heavy handed approach to conversion therapy

Capacity toolkit

/ 1 December 2020: Law Society welcomes launch of Capacity Toolkit helping lawyers support clients with disability

Legal assistance funding

/ 7 May 2021: ACT Law Society calls for increased funding to close justice gap

Judiciary

/ 5 January 2021: ACT profession welcomes new Special Magistrate

Monthly “Law Spot”

Early in 2021, the Society arranged an ongoing appearance on ABC Radio Canberra with Georgia Stynes. Once a month, a Society representative is invited to speak on a topic of interest to the general public.

These radio spots are supported by corresponding fact sheets, which are created or updated by our policy and research team and promulgated on our website and through social media by our Communications Officer.

/ 29 March 2021 — Katie Binstock, Chair of the Elder Law & Succession Law Committee, about why it’s important to have a legal will. Updated fact sheets on ‘Making a Will’ and ‘Making an Enduring Power of Attorney’.

/ 21 April 2021 — Katie Binstock, Chair of the Elder Law & Succession Law Committee, about elder abuse. Updated fact sheet on ‘Elder abuse’.

/ 24 May 2021 — Michael Kukulies-Smith, Chair of the Criminal Law Committee, about what you can do if your teen gets arrested. Updated fact sheets on ‘What do I do if my teen gets in trouble with the police?’ and ‘What are my rights if I’m under arrest?’

Social media

The Law Society began actively using social media (Twitter and LinkedIn) in July 2020, as an additional method of reaching our members, as well as getting our message to the public.

We generally use Twitter for reaching members of the public, focusing on media releases, fact sheets, and *Ethos* articles. LinkedIn posts are pitched at the legal community, and include updates on events as well as media releases, guidance notes and fact sheets, and *Ethos* articles.

Over the course of the financial year, our presence on LinkedIn has steadily grown from 600 to 1100 followers. Our Twitter audience is steady at 130 followers and approximately 3000 impressions monthly.



Law Society President Elizabeth Carroll at the launch of the ACT’s Capacity Toolkit and Guidelines. The Society was pleased to provide input to the Capacity Toolkit and Guidelines and we commend Legal Aid ACT for leading this work.

Committees

The Society operates a range of special interest committees that provide opportunities for members working in particular practice areas or sectors to network and share issues, ideas, and practice updates with each other and other members. Within their area of expertise, our committees also contribute to the Society's policy and advocacy efforts, our professional development programs, and the development of information resources for members and for the community.

As a result of Covid-19 restrictions at the start of the period, committee meetings transitioned to an online environment. All committees managed the transition well, maintaining regular contact in the new environment and continuing to work effectively despite the change. Many committees continued to meet online or with alternating or hybrid meetings once restrictions eased, having recognised that technology could facilitate more options for members to engage.

Committees were supported by former Committee Administrator Tanya Holt, until her departure in January 2021. Subsequently, this role was reframed with all committees supported for a period by Policy Officer Tien Pham and subsequently joined by Research Officers Chelsea Dempster, Tom Dunbabin, and Chloe McKenzie.

Thanks to the many experts assembled on our committees, the Society is able to look in detail at proposed legislation and its impact, not only on legal practice in the ACT, but on the community's access to justice, and the fairness and efficiency of the administration of justice.

Aboriginal & Torres Strait Islander Justice

The Society established the Aboriginal & Torres Strait Islander Justice Committee in November 2020. At the close of 2020, the committee identified its aims for the year ahead and discussed its intentions going forward. While still in its early stages, members' significant experience has helped the committee to pinpoint key issue areas that present barriers to justice for Aboriginal and Torres Strait Islander clients in the ACT.

Achievements

The committee liaises with the Aboriginal and Torres Strait Islander community to advocate on the issue of overrepresentation in the ACT justice system. Committee Chair, Emma Towney, held discussions with Canberra's Aboriginal and Torres Strait Islander community, following a roundtable facilitated by the ACT Attorney-General and ACT Minister for Aboriginal and Torres Strait Islander Affairs.

Committee members are monitoring developments around the minimum age of criminal responsibility in the ACT. The committee is discussing how to best support Aboriginal and Torres Strait Islander public housing tenants, who are experiencing significant delays with maintenance requests. The rights afforded to Aboriginal and Torres Strait Islander inmates at the Alexander Maconochie Centre is also an area of interest.

Goals

Looking ahead, the committee has a strong interest in engaging with Aboriginal and Torres Strait Islander law students, with the aim of establishing mentoring networks and assisting students in the transition from study to practice.

The committee hopes to grow its membership in the coming year and invites interested practitioners with expertise in this space to consider joining.

Members

- / Emma Towney (Chair)
- / Rachael Clark
- / Philippa Daniel
- / Rachelle Kelly (from April 2021)
- / Parastou Hatami (to February 2021)
- / Natalia Nikolic (to February 2021)
- / Staff: Chelsea Dempster

Guests

- / Derek Schild (Legal Aid ACT)
- / Kath Taplin (ACT Human Rights Commission)

Access to Justice & Human Rights

The Access to Justice & Human Rights Committee has three areas of focus: human rights, access to justice, and pro bono services in government and private industry. The committee is passionate about law reform, and enjoys publishing articles, arranging events and seminars for the wider legal profession, and contributing to submissions.

Achievements

The committee's subcommittee structure was amended to focus on project-based engagement through working groups. These working groups are focussed on submissions and law reform, professional development and events, and contributions to Society publications and resources for the public and members.

The committee has had some evolution, with the growth, expansion, and subsequent cessation of the Aboriginal & Torres Strait Islander Access to Justice Committee (formerly a sub-committee, and now a standalone committee of the Society). The committee looks forward to collaborating with the Aboriginal & Torres Strait Islander Access to Justice Committee in future. In addition, the committee continued to work

closely with other committees, including the Civil Litigation, Criminal Law, and Inclusion & Diversity Committees.

Membership of the committee has included the recruitment of several new members, including Philippa Daniel, Jessica Fenech, Tiffany Long, and Sangeeta Sharmin. Parastou Hatami, Kate Waterford and Ben Mason left during the year, and the committee thanks them for their service. The committee is fortunate to have representatives from the ACT Human Rights Commission and Legal Aid ACT in regular attendance. These representatives provide invaluable insight into their respective organisations and their law reform focuses.

The committee continues to have an interest in advocating for greater access to justice, including human rights complaint mechanisms, funding for community legal centres, and increased pro bono work. Many initiatives and issues were monitored, including the witness intermediary program and Canberra's housing crisis, including no-cause evictions and occupancy disputes.

Committee members have organised and curated seminars and contributed to the Society's submissions to government bodies, including in the areas of raising the age of criminal responsibility, and in relation to the review of the ACT care and protection system.

Goals

The committee intends to continue proactively driving legislative reform, including drafting policy statements, submissions, and contributing to resources for the Society website.

In February 2021, the committee held a planning day, aimed at consolidating the committee's objectives and increasing proactive engagement with law reform. The committee's objectives are as follows:

- / Human rights law reform (including proactive advocacy for a direct complaint mechanism)
- / Access to justice and human rights for people experiencing vulnerability (including elder abuse, youth, and people with disabilities)
- / Victims' rights
- / Funding to improve access to justice
- / Innovation to improve access to justice.

The committee's immediate priorities are exploring options for an all-in-one resource on the Society website for publications regarding access to justice and free legal services, working with the Society on advocacy around legal assistance funding and the reform of no-cause evictions, and advancing calls for a direct complaint mechanism for the Human Rights Act.

Members

- / Anya Aidman (Chair)
- / Rachael Clark
- / Philippa Daniel (from July 2020)
- / Jessica Fenech (from March 2021)
- / Nop Ganthavee
- / Naomi Gould
- / Parastou Hatami (to November 2020)
- / Kate Waterford (to August 2020)
- / Tiffany Long (from November 2020)
- / Ben Mason (to FNovember 2020)
- / Sangeeta Sharmin (from May 2021)
- / Kath Taplin
- / Adam Thompson
- / Emma Towney
- / Staff: Chloe McKenzie

Guests

- / Helen Watchirs (ACT Human Rights Commission)
- / Elinor Knaggs (Legal Aid ACT)

Alternative Dispute Resolution

The Alternative Dispute Resolution (ADR) Committee is concerned with educating the profession and the local community with respect to the various methods of mediation and arbitration available in the legal process within the ACT.

ADR includes mediation (including facilitative mediation, evaluative mediation, and transformative mediation), conciliation, collaborative law, arbitration, and other forms of negotiation with or without a mediator. Mediators may be lawyers, psychologists, counsellors, or other accredited professionals.

The committee publishes articles and guidance on topics relevant to ADR, liaises with key stakeholders within the legal profession and the larger ADR community regarding law reform, and also arranges seminars to further educate the ACT population.

Achievements

Representatives from various spheres of the legal profession, including the ACT Magistrates Court, continued to provide invaluable information regarding ADR in their jurisdictions.

At the end of 2020, Debra Parker (Chair) and Claire Naidu published an article in *Ethos* titled 'ADR in a post Covid-19 landscape'. In connection with the Family Law Committee, Debra Parker chaired a webinar in May 2021 titled 'Court based FDR: What practitioners need to know'.

Prompted by a need identified by the committee for members of the public to be able to find solicitors practising in arbitration and mediation, the Society

upgraded its website Find a Lawyer search function to include areas of practice for individuals. This enabled members of the public to search for an individual lawyer, including those practising in arbitration and mediation.

The committee saw various membership changes during the year. In March 2021, Carlos Turini stepped down as Chair after three years of valuable service, remaining as an ordinary member. The committee welcomed the incoming Chair, Debra Parker, and new members, Daniella Fiocco, Melissa Haley, Matthew Kamarul (ACT Magistrates Court), and Kendall Wegener. In addition, Kyle August, Natalija Nikolic, and Philippa Spence resigned from the committee, with Rahul Bedi taking a temporary leave of absence.

Goals

The committee intends to continue its work in the ADR space and advocate for its use in the ACT.

The committee's current projects include arranging seminars and panel events to educate the legal profession about ADR, drafting guidance documents for the Society's website, and working with the Society and in collaboration with other committees to make submissions to various external organisations to further law reform in the ADR space.

Members

- / Debra Parker (Chair from March 2021)
- / Anya Aidman
- / Kyle August (to July 2020)
- / Rahul Bedi (to March 2021)
- / Anca Costin
- / Daniella Fiocco (from May 2021)
- / Melissa Haley (from March 2021)
- / Kenneth Hubert
- / Matthew Kamarul (from January 2021)
- / Ben Mason
- / Claire Naidu
- / Natalija Nikolic (to July 2020)
- / Robert Routh
- / Philippa Spence (to July 2020)
- / Carlos Turini (Chair to March 2021)
- / Kendall Wegener (from April 2021)
- / Committee administrator: Chloe McKenzie

Civil Litigation

The Civil Litigation Committee focuses on civil law, civil claim procedures, and law reform affecting these matters.

The committee updates ACT practitioners on important procedural changes by closely monitoring developments to the Court Procedure Rules and

through its representation on the Joint Rules Advisory Committee by Chair, Richard Faulks.

Monthly updates from the Supreme and Magistrates Courts and the ACAT allow the committee to notify the Society's membership of important procedural changes.

The committee also provides consultation to government departments and other stakeholders on key pieces of draft legislation being considered at both the federal and territory level.

Membership of the committee comprises experienced commercial and personal injury lawyers. The committee also benefits from continued liaison with representatives from the Supreme Court, Magistrates Court, ACAT and the ACT Bar Association.

Achievements

The committee has appreciated the continued involvement of the registrars of the Supreme and Magistrates Courts and ACAT representatives. The committee welcomed several new members, including a representative from the ACT Bar Association.

Towards the end of 2020, the committee continued to raise concerns over the delayed processing times of Centrelink clearances for personal injury settlements. Processing times now appear to have improved.

The committee has also appreciated the opportunity to consult with the Motor Accidents Insurance Commission on the proposed *Motor Accidents Injuries (Lawyer Information Collection) Regulation 2021*. Members provided feedback around cost regulations and raised concerns around the inclusion of criminal sanctions for non-compliance. Consultation with the Commission remains ongoing.

Committee members provided input to the Justice & Community Safety Directorate on its proposed changes to defamation legislation, and also supported calls from the Law Council of Australia to better support victims of mesothelioma in the ACT.

The committee arranged a CPD session in October on how to get the most out of the mediation process, with a strong turnout.

Goals

The committee will continue to monitor and provide input on issues of relevance. A number of CPD sessions are also in the pipeline for the coming year.

Members

- / Richard Faulks (Chair)
- / Charlene Barriga
- / Alison Clark (from May 2021)
- / Walter Hawkins
- / John Henry

- / Kristen Hurford (from May 2021)
- / Jesse Iliopoulos
- / Benjamin Jullienne (to April 2021)
- / Sarah McJannett
- / Lara Mynott (from June 2021)
- / James Treloar
- / Ellen Teys
- / Staff: Chelsea Dempster

Guests

- / Helen Banks (ACT Magistrates Court)
- / Kristy Carter (ACT Civil & Administrative Tribunal)
- / Marcus Hassall (ACT Bar Association)
- / Kahlia Jenkins (ACT Government Solicitor/Young Lawyers Committee)
- / Karl Pattenden (ACT Bar Association)
- / Laura Pierce (Young Lawyers Committee)
- / Jayne Reece (ACT Supreme Court)
- / Paul Smith (Legal Aid ACT)
- / Elissa Steel (ACT Civil & Administrative Tribunal)

Criminal Law

The Criminal Law Committee monitors and provides input on criminal law reforms in the ACT. The committee works closely with organisations such as the Justice & Community Safety Directorate and the Australian Federal Police to promote the administration of justice as well as the development and improvement of law throughout the ACT.

Achievements

The Committee contributed significantly to the Society's policy work during the year.

The committee represented the Society on many occasions, including attendance by the Chair Michael Kukulies-Smith and Member, Paul Edmonds, at the Drugs of Dependence Committee's public hearing and providing input on the decriminalisation of illicit drugs in the ACT.

The committee has also been active in attending consultation sessions and roundtables on legislative changes. Michael attended roundtables with the Raise the Age Reference Group on an ongoing basis and also attended a roundtable chaired by the ACT Attorney-General on judge-alone trials and jury issues. Michael is also a member of the Law Reform Working Group, as part of the ACT Government's Sexual Assault Prevention and Response Steering Committee.

Michael and Paul have appeared in a number of radio interviews on behalf of the Society discussing current issues such as the decriminalisation of drugs, juvenile justice and witnesses' appearances in court.

The committee contributed a new factsheet – "What can I do if my teen gets in trouble with the police" (published on 24 May 2021) and to a media release in relation to the Sexuality and Gender Identity Conversion Practices Bill 2020 (published on 26 August 2020). Michael also spoke with the media on behalf of the Society in relation to the latter issue.

The committee provided input to submissions and correspondence on numerous proposed criminal law reforms, including:

- / Amendments to the *Bail Act 1992*
- / Judge-alone trials and jury issues
- / The definition of consent in sexual assault cases and the circumstances that negate consent
- / The AFP's use of body worn cameras
- / First instance witness warrants
- / Family violence laws
- / The decriminalisation of illicit drugs.

The committee also actively contributed recommendations made to the Justice & Community Safety Directorate on areas for improvement in the ACT criminal laws.

Goals

The committee will continue to monitor and provide input on the development and improvement of criminal laws in the ACT.

Members

- / Michael Kukulies-Smith (Chair)
- / Paul Edmonds
- / Sarah Boxall
- / Jane Campbell (to January 2021)
- / Charlene Harris
- / Kate Gunther (from May 2021)
- / Taden Kelliher (to March 2021)
- / James Maher (from March 2021)
- / Adrian McKenna
- / Sam Mclaughlin (from January 2021)
- / Jacob Roberson (to April 2021)
- / Dean Rutherford (from September 2020)
- / Bowan Shelton (November 2020 to July 2021)
- / Staff: Tien Pham

Guests

- / Helen Banks (ACT Magistrates Court)
- / Lorana Bartels (ANU)
- / Andrew Giddings (Young Lawyers Committee)
- / Joel Hiscox (Cwth Director of Public Prosecutions)
- / Jayne Reece (ACT Supreme Court)
- / Philippa Spence (ACT Courts and Tribunal)
- / Imogen Thomas (ACT Director of Public Prosecutions)

Elder Law & Succession Law

The Elder Law & Succession Law Committee aims to uphold the interests of the elderly when consulted on draft legislation, to protect Canberra's elder community from elder abuse in the ACT. The committee has a particular focus on law reform, education and community engagement.

The committee also aims to ensure that members of the public remain informed on areas of succession law that are relevant to the community at large, including wills, estates, and powers of attorney.

Achievements

Over the past year, the committee has undertaken a number of projects and engaged in several rounds of consultation on law reform initiatives.

The committee has been in consultation with the Public Trustee & Guardian on its proposed wills register and provided valuable feedback on issues for further consideration. Committee Chair, Katie Binstock, also represented the Society at a roundtable discussing a prospective enduring power of attorney national register, facilitated by the Commonwealth Attorney-General's Department.

The committee have progressed several initiatives to better equip lawyers and members of the public to remain informed on key issues within this area of the law. The committee is currently finalising a comprehensive set of best practice guidelines for lawyers in the ACT and has reviewed and updated several factsheets for the Society's website. Katie also had the opportunity to discuss elder abuse and the importance of creating a will on local radio.

Special mention must go to Tim Morton for his efforts in organising the 2020 Wills & Estates Conference at the Boathouse. The Covid climate meant the event was hosted concurrently in-person and online, with close to 50 in-person attendees and an additional 40 online. Katie also facilitated a CPD session on probate practices, which received widespread positive feedback. In July, Glenda Bloomfield and Helen Phelps addressed a local probus club on the fundamentals of wills and enduring powers of attorney.

The committee were consulted on several draft bills, including the following:

- / Crimes (Offences Against Vulnerable People) Amendment Bill 2020
- / Justice and Community Safety Legislation Amendment Bill 2020

The committee also supported the federal government's announcement of its intention to make changes to the Capital Gains Tax, which will carve out exemptions for granny flat arrangements.

Goals

The committee continues to review several areas of law reform and appreciates continued representation from the Justice & Community Safety Directorate (JACS) on the committee.

Members

- / Katie Binstock (Chair)
- / Rebecca Tetlow
- / Glenda Bloomfield
- / Emma Bragg
- / Kerstin Glomb
- / Gillian Hunter (from June 2021)
- / Tim Morton
- / Mabel Lim
- / Helen Phelps (on leave Sept 2020 to June 2021)
- / Elizabeth Samra (to May 2021)
- / David Toole
- / Staff: Chelsea Dempster

Guests

- / Gregory Burn (Public Trustee & Guardian)
- / Beng Chang (JACS)
- / Wilhelmena Corby (ACT Civil & Administrative Tribunal)
- / Kate Daly (JACS)
- / Margaret Horne (Department of Veterans' Affairs)
- / Grant Kennealy (ACT Supreme Court)
- / Erin Maher (JACS)
- / Lynette Molloy (JACS)
- / Fergus Thomson (Council on the Ageing)

Family Law

The Family Law Committee seeks to provide relevant information on family law practice and procedure, and networking opportunities for family law practitioners. The committee also provides liaison between the family courts and the profession, and responds to requests for submissions or comment, actively monitoring legislative changes affecting families and lawyers practising in the family law space.

Achievements

The committee organised the annual Family Law Conference in March 2021, with five sessions on a variety of family law topics, including family law ethical issues, affidavit preparation, trauma informed lawyering, addbacks, and recent family law cases. The conference was well attended and received by participants.

In October 2020 the committee started providing regular updates on news in the family law space for interested members through the Society website and by direct email, particularly sharing news from

the courts. This will continue as a method of regular communication with family law practitioners.

The committee continues to work closely and collaboratively with the courts. The committee provides insight and advice on issues impacting family law practitioners directly to judges and the courts through regular meetings. A thanks goes to the representatives of the committee who have attended those meetings.

In the last financial year, the committee has provided extended policy submissions in the following areas:

- / Discussion Paper: A New Decision-Making Framework for Property Matters in Family Law
- / Regulation 67B of the *Family Law Regulation 1984*.

The committee thanks all its members for their hard work over the last financial year, particularly on out of session submissions.

Goals

In the coming financial year, the committee will seek to hold another family law intensive and other CPD events as necessary, particularly around the new harmonised rules, as well as holding bi-annual social events for practitioners and court members.

More generally, the committee will work to lobby the government for increased funding for courts and judicial positions and provide more information to practitioners in the form of quarterly updates.

Members

- / Kevin Robinson (Chair)
- / Andrea Evans (Chair to January 2021)
- / Stuart Cameron
- / Jacquelyn Curtis
- / Averil Foster
- / Kasey Fox
- / Ron Friesen
- / Cristina Huesch
- / Linda McGregor
- / Sarah Milson-Mahy
- / Monica Serci (to April 2021)
- / Di Simpson
- / Emily Tighe (leave of absence from January 2021)
- / Anna Wynne
- / Staff: Tom Dunbabin

Guests

- / Gavin Howard (ACT Bar Association)

Family Violence & Children's

The Family Violence & Children's Committee provides input to government on draft legislation and prevention initiatives. The committee also liaises with other ACT agencies and organisations to ensure the needs of family violence victims are represented when key decisions are being made.

The committee keenly observes the progress of initiatives in other jurisdictions and provides up to date, expert advice on best practices in this area of the law. Membership of the committee comprises of some of the ACT's most experienced family violence lawyers.

Achievements

The committee has been consulted on a range of family violence issues over the past twelve months. Towards the end of 2020, the committee wrote to key ACT Government Ministers to raise concerns regarding the treatment of children and young people in detention.

This year, Chair, Lessli Strong attended a national roundtable hosted by the Law Council of Australia, to discuss key focus areas in the field of family violence law. The committee also facilitated a panel discussion with several experts in the area of family violence, as part of the Society's CPD Intensive.

The committee has enjoyed the attendance of several guest speakers to address the committee on the work of their agencies and organisations. Special thanks to Eve Ball (Domestic Violence Crisis Centre), Kath Taplin and Laura Cilesio (ACT Human Rights Commission), and Heidi Yates (ACT Victims of Crime Commissioner) for addressing the committee throughout the past year.

The committee was consulted on several law reform initiatives and responded to various reports throughout the year, some of which include:

- / The ACT government's review of the *Family Violence Act 2016*.
- / The federal government's review of amendments to the *Family Law Act 1975*, which banned direct cross examination in some family violence proceedings.
- / The inclusion of family violence as a factor that must be considered during sentencing in the ACT.
- / The inclusion of family violence as an aggravating factor of criminal offences in the ACT.

Goals

Information sharing and coercive control remain key issues for monitoring in the coming year. The committee will continue to pay particular attention to the progress of the Family Law Amendment (Federal Family Violence Orders) Bill, which will give the Family

Court and the Federal Circuit Court the power to make police-enforceable federal family violence orders.

The committee looks forward to two CPD webinars to be held in the coming year with guest speaker, Professor JaneMaree Maher from Monash University's Gender and Family Violence Prevention Centre. These webinars will discuss key findings from the review of Victoria's information sharing model and Professor Maher's research on perpetrator interventions in Australia.

Members

- / Lessli Strong (Chair)
- / Rebecca Casey
- / Adrian Curtis
- / Peter Dingwall (from November 2020)
- / Chris Donohue (from March 2021)
- / Angela Lauman (to March 2021)
- / Agata Pukiewicz (from April 2021)
- / Elizabeth Reardon
- / Bernadette Smyth (from November 2020)
- / Staff: Chelsea Dempster

Guests

- / Louisa Bartlett (Legal Aid ACT)
- / Shireen Faghani (Women's Legal Centre)
- / Rosa Grahame (Women's Legal Centre)
- / Margie Rowe (Legal Aid ACT)

Government Law

The Government Law Committee exists to support and equip government lawyers and private practitioners working in the area of government law, at both a Commonwealth and Territory level. The committee provides a platform for members to discuss relevant issues, develop guidance and resources, and organise further training for lawyers operating in this space.

Achievements

The committee has supported several initiatives that will better equip government lawyers in the ACT. The committee supported the establishment of specialised courses for government lawyers at the University of Canberra and special mention must go to Angus Tye for his efforts to assist the development and promotion of these courses.

The committee appreciated regular updates from the Attorney-General's Department, and monitored the development and launch of the Australian Government Legal Service in April (replacing the Australian Government Legal Network). The committee continued to monitor the progress of phase two of the Reciprocal Secondment Program and were pleased to hear reports of its success. This program, coordinated

by the Australian Government Legal Service, involves short-term secondments between high-performing government in-house lawyers and private practice lawyers.

The committee also continued to monitor and support initiatives aimed at incentivising government lawyers to engage in pro-bono work.

Committee Chair Sarah Byrne published an article in *Ethos* discussing how in-house counsels can best navigate ethical dilemmas often faced in the course of their work.

Goals

Looking ahead, the committee plans to develop further guidance materials on areas of interest and relevance to government lawyers. The committee is also planning further opportunities for networking and professional development for government lawyers in the ACT.

Members

- / Sarah Byrne (Chair from January 2021)
- / Elizabeth Carroll (atg Chair July to December 2020)
- / Genevieve Butler
- / Peter Cain (leave of absence from July 2020)
- / Athena Cains
- / Brian Kildea
- / Kathleen McCarron
- / Sanaz Mirzabegian
- / Rebekha Pattison
- / Adam Peppinck
- / Christine Plevy
- / Alyssa Royters
- / Mark Smith
- / Angus Tye
- / Masothy Yin (from September 2020)
- / Staff: Chelsea Dempster

Guests

- / Taryn Donohue (Attorney-General's Department)
- / Alyssa Dunn (Young Lawyers Committee)
- / Holly Matley (Attorney-General's Department)

Inclusion & Diversity

The Inclusion & Diversity Committee advocates for the importance of an inclusive and diverse legal profession by developing resources and organising events that draw particular focus to the benefits of a legal sector that is representative of all within the ACT community.

Achievements

Thanks must be given to Veena Bedekar who Chaired the committee until December, prior to Dominic Cookman stepping into the role at the outset of 2021.

The committee has continued to monitor several initiatives of the ACT Government, including the progress of its Disability Justice Strategy. The committee will continue to monitor the implementation of commitments made in the government's Parliamentary and Governing Agreement throughout the coming year. The committee has a particular interest in monitoring the government's commitment to review the Discrimination Act and to enact a Multicultural Recognition Act.

Special mention must go to Farzana Choudhury for her outstanding work in organising the 'What Are We Not Talking About?' webinar series over the past twelve months. The series has been a great success, covering an array of topics including cultural diversity, disability, alternative legal careers, and the impact on access to justice of the transition online.

Goals

The committee will continue to raise awareness within the Society about the need to keep diversity front of mind in the makeup of the legal profession, and will promote and contribute to the legal profession's understanding of the need for culturally appropriate communication for the provision of effective legal advice. The committee also looks forward to organising further events and CPD sessions in the coming year.

Members

- / Dominic Cookman (Chair from January 2021)
- / Veena Bedekar (Chair to December 2020)
- / Farzana Choudhury
- / Walter Hawkins (to August 2020)
- / Khalia Jenkins (to October 2020)
- / Tina Webster (from January 2021)
- / Jessica White (from January 2021)
- / Senzeni Zambezi (to October 2020)
- / Staff: Chelsea Dempster

Guests

- / Andrew Chakrabarty (Young Lawyers Committee)
- / Susan Lane (ACT Government Solicitor)
- / Petrina Schiavi (University of Canberra)
- / Kath Taplin (ACT Human Rights Commission)

Industrial Relations

The Industrial Relations Committee meets to consider industrial relations and employment issues relevant to the profession in the ACT and, through the Society, to advise members of developments in this area where appropriate.

The committee contributes to submissions to government bodies advising on industrial relations law reform, organises CPD events for members and provides content for the Society on industrial relations issues.

Achievements

In the last financial year, the committee has provided written advice to members on managing the legal workforce as Covid-19 restrictions ease in the ACT.

Committee Chair John Wilson contributed to pieces for *Ethos* on domestic violence and employer responsibilities, on the employer's duty to provide a safe workplace, and on *Briginshaw* in the workplace.

The committee contributed to a submission to the ACT Government on the Work Health and Safety Amendment Bill 2021.

Goals

For the coming financial year, the committee will continue to inform members on changes and issues in the industrial relations space. The committee hopes to publish more publications on current issues and run more CPD events for practitioners.

Members

- / John Wilson (Chair)
- / Andrew Klein
- / Deborah Mackenzie
- / Jasmine Millar
- / Belinda Miller (on leave March 2021 to January 2022)
- / Jamie Ronald
- / Rebekah Smith
- / Kirsty Easdale
- / Gabrielle Sullivan
- / Allison Ballard
- / Ashlee Berry (to October 2020)
- / Kristie-lee Burt (from March 2021)
- / Staff: Tien Pham, Tom Dunbabin

International Law

The International Law Committee promotes a strong understanding of international law amongst lawyers in the ACT by providing an extensive online pool of resources, cases and treaties, in addition to facilitating CPD seminars of interest to practitioners in the ACT.

Achievements

Several committee members were involved in judging the 2021 Jessup Moot Competition. This year, the competition was facilitated online, which presented unique challenges to teams, particularly those in different time zones. Overall, committee members involved in judging the competition were impressed with the quality of students' efforts and the work done by organisers to ensure the competition was able to go ahead.

The committee continued to monitor Australia's current involvement in the international law arena, and particularly appreciated a presentation from Jessica Giovanni of DFAT. Jessica spoke about the recent

Australian matters in the World Trade Organisation, and about a dispute with Canada regarding its treatment of Australian wine and a dispute concerning India's sugar cane and sugar subsidies. Jessica also provided an overview of her role as WTO Dispute Settlement Officer and her experience in negotiating free trade agreements.

The committee has continued to maintain its LinkedIn page, and some international law developments were posted and discussed there.

The committee appreciated the opportunity to comment on a review of Australia's bilateral investment treaties, undertaken by DFAT. The committee also provided feedback to the Law Council of Australia on its practice note regarding commercial arbitration, including arbitrations that occur at an international level.

Goals

The committee will continue to represent and support the interests of lawyers with regard to the practise, knowledge, and understanding of law in the context of the international community. Various ACT legislative reform proposals are also under consideration by the committee with a view to providing any policy comments to the Society.

Covid-19 unfortunately delayed progress on a number of CPD seminars scheduled for earlier in the year, however, the committee looks forward to progressing these sessions in the coming year. The committee has been interested in arranging an international law event for the law students of ANU and UC and will continue with its consideration of possible events.

Members

- / Tiru Vallal (Chair)
- / Mark Goyne
- / Suzanne Howarth (to December 2020)
- / Lynette Molloy (to December 2020)
- / Debra Parker
- / Barbara Pearson (to September 2020)
- / Jason Soderblom
- / Joshua Wood (from March 2021)
- / Staff: Chelsea Dempster

Guests

- / Rosemary Budavari (ACT Human Rights Commission)
- / Andrew Chakrabarty (Young Lawyers Committee)
- / Sashcha Dov Bachmann (University of Canberra)
- / Jessica Giovanelli (Dept of Foreign Affairs & Trade)
- / Timothy Maybury (Dept of Foreign Affairs & Trade)
- / Imogen Saunders (ANU College of Law)
- / Dene Yeaman (Dept of Foreign Affairs & Trade)

Legal Profession Act & Ethics

The Legal Profession Act & Ethics Committee meets to address a wide range of issues relating to the application of the Legal Profession Act, legal practice, legal ethics, and professional standards. This includes providing guidance to the Council on ethical issues which impact (or may foreseeably impact) on Society members and their employees through new or proposed new legislation, as well as other ethical issues as they arise.

The committee supports Society members with ethical dilemmas, and advises the Council on appropriate amendments to legislation, regulations and conduct rules which regulate the conduct of Society members and their employees.

The committee also educates Society members on current or emerging legal ethical issues through CPD, articles, and guidelines.

Achievements

In the past financial year, the committee met formally on six occasions, and additionally dealt with a number of matters out of session.

The Committee contributed to a number of events in the past financial year. This included CPD sessions on trust accounting, professional conduct between solicitors, ethics in action, and family law ethical issues. In particular, Professional Standards Manager Rob Reis has been instrumental in the running of ethics training sessions for our members.

Committee member Ross Watch contributed a piece to the 2020 Summer edition of *Ethos* on trust accounting dilemmas. The committee has also provided content for Society members, including a recent set of guidelines on the Check in CBR app and its interaction with client confidentiality.

The committee has also considered proposed reforms to the Legal Profession Act and the Legal Profession Regulation. Many of these reforms are still being considered.

The committee was consulted on four matters where members sought clarity about an ethical issue. The committee seeks to guide practitioners, where appropriate, to the factors they should consider when determining their next steps and welcomes contact from members about ethical issues.

The committee has observed perennial challenges facing practitioners in two areas:

- / Conflicts of interest — noting practitioners need to remain mindful of the more acute ethical issues that arise when dealing with concurrent clients, paired with the ongoing burden of confidentiality for past clients; and

/ Issues around securing directions for dealing with trust money — noting practitioners must be mindful of the obligation to hold a clear record of direction from the properly identified person(s) on whose behalf trust money was first received.

The committee thanks all its members for their hard work over the last financial year, noting the considerable amount of out of session work undertaken. Particular thanks goes to Athol Opas for his boundless energy and investment in the committee, and also to the invaluable support from Society staff.

Goals

Over the next financial year, the committee expects that the time devoted to addressing member's practice concerns is unlikely to abate, owing as much to the breadth of legal practice in the ACT and depth of regulation. The committee plans to maintain its commitment to delivering professional development, contributing articles and responding to speaking opportunities within the Society and otherwise.

Members

/ Mark Love (Chair)
/ Paul Armarego
/ Rahul Bedi (to December 2020)
/ John Buxton
/ Owen Harris
/ Athol Opas
/ Anna Reynhout
/ Gerald Santucci
/ Dianne Simpson
/ Ross Watch
/ Staff: Rob Reis, Tom Dunbabin

Military Law

The Military Law Committee monitors and considers matters of relevance to military law, military service, and veterans' advocacy in the ACT. Members of the committee include Australian Defence Force (ADF) legal officers, both regular and reserve, private practitioners, academics, and government lawyers, meaning the committee is well placed to provide advice and comment on military law issues. Such issues impact not just on Society members, but also on the Defence community and the wider public.

Achievements

The committee have continued to operate remotely during the pandemic, and were delighted to welcome two new members during the year, David Swanson and Christopher Ward, with Amanda Lye leaving.

The establishment of a National Commissioner for Defence and Veteran Suicide Prevention, and the Royal

Commission into Defence and Veteran Suicide were closely monitored.

The committee published articles in *Hearsay* regarding the progress of the Inspector-General of the Australian Defence Force (IGADF) Afghanistan Inquiry, and the repercussions of the *Regulatory Powers (Standardisation Reform) Act 2021* (Cth).

Goals

The committee intends to continue its work in this important field of the law. The potential implications for ACT law from both the *Defence Force Discipline Act 1982* (Cth) and the *Defence Act 1903* (Cth) are topics of ongoing interest.

The committee's current projects include organising educational events aimed at introducing the wider legal profession to military law, the ADF's complaints processes and mechanisms, and the integral differences between representing military and veteran clients as opposed to civilians. In addition, they plan to draft general guidance notes for the wider legal profession and outline possible career progression within the military law sphere for young and prospective lawyers.

Members

/ James King (Chair)
/ Genevieve Butler
/ David Letts
/ Jeremy Leyland
/ Eva Logan
/ Amanda Lye (to October 2020)
/ Don Malcolmson
/ Ben Mason
/ Andrew Paterson
/ Peter Sutherland
/ David Swanson (from September 2020)
/ Christopher Ward (from February 2021)
/ Michael Webster
/ Staff: Chloe McKenzie

Property Law

The Property Law Committee monitors developments to property law in the ACT and publishes articles and guidance to assist practitioners to stay updated on changes to legislation, case law, and government policy relevant to property law.

The committee is regularly consulted on draft legislation, and coordinates various seminars and information sessions to educate legal practitioners and members of the public on changes to property law in the ACT.

Achievements

The committee appreciated its continued liaison with various government departments, including the Environment, Planning and Sustainable Development Directorate (EPSDD), the Justice & Community Safety Directorate (JACS), the Land Titles Office, and more recently, the ACT Revenue Office. Over the course of the year, the committee particularly appreciated regular updates from JACS on the status of Covid-19 provisions surrounding land tax rebates and the eviction moratorium.

Throughout the year, the committee continued updating the electronic Contract for Sale, which is now in its final stages. The progress of PEXA has also remained on the agenda, with developments being closely monitored over the last twelve months.

From November, the committee has continued to monitor the progress of commitments contained within the ACT Government's Parliamentary and Governing Agreement. The committee maintains a strong interest in the government's commitment to complete the ACT Planning Review and will monitor this in the coming year. Additionally, committee members appreciated being consulted by City Presentation, regarding the government's intended changes to tree protection legislation.

The committee also valued the opportunity to be consulted on the government's commitment to end no-cause evictions, earlier this year. The committee will continue to monitor developments on this in the coming months. Committee members also offered feedback to government, with respect to its reforms to strata regulation and section 199 certificates.

Thanks must be given to committee members for their ongoing commitment to informing Society members of important developments in this area of the law.

Goals

Going forward, the committee will continue to provide consultation on various legislative reforms anticipated for the coming year.

In the coming year, the committee expects to provide dedicated information sessions for practitioners on e-conveyancing, to coincide with the rollout of PEXA and the new Contract for Sale.

Members

- / Adam Peppinck (Chair)
- / Jonathon Bellato (from October 2020)
- / Ed Campbell
- / John Chamberlain
- / David Claxton
- / Peter Dascarolis
- / Alfonso Del Rio

- / Mussa Hijazi
- / Michael James
- / Shelley Mulherin (to March 2020)
- / Christine Murray
- / Pria O'Sullivan
- / Helen Rodriguez
- / Chris Wheeler
- / Staff: Chelsea Dempster

Guests

- / Fred Arugay (Access Canberra)
- / Zoe Hutchinson (JACS)
- / Holly Matley (JACS)
- / Rhys Mitchell (Young Lawyers Committee)
- / Brett Phillips (EPSDD)
- / Brett Wilesmith (ACT Revenue Office)

Young Lawyers

The Young Lawyers Committee seeks to further the interests of early career lawyers in the ACT. The committee meets once a month with a view to facilitating a positive and collegiate young lawyers' community through social events, CPD seminars, networking events, and a mentor program. The committee enjoys a strong reputation in the legal community for being a very active and engaged committee.

Achievements

In the past financial year, the committee has helped organise and run a number of successful events for local young lawyers.

Whilst the ongoing pandemic did impact the committee's usual social event schedule, the committee is thankful to all members who stepped up and worked to organise alternative and online events. These events included several instalments of our regular Young Lawyers Networking Drinks; the Young Lawyers Christmas Garden Party 2020; the ACT Golden Gavel as part of the Law Week Launch, and the Law Week Quiz Night; as well as several online fortnightly coffee catch-ups in 2020.

Committee members continue to sit as representatives on other Society committees, providing input and representation on behalf of early career lawyers in the profession.

Throughout the year, the committee has assisted with the provision of moving counsel to new lawyers for their admission ceremonies. The committee thanks the members of the ACT Bar who have assisted us throughout the year.

Goals

The committee is looking forward to more events returning to in-person as appropriate for the next financial year and is exciting to be planning events such as 'speed-networking'.

The committee is working on developing its mentoring program, as well as continuing to provide services, information and representation for young and early career lawyers in the ACT.

The committee would like thank all of its members for their work over the last financial year.

Members

- / Alyssa Dunn (Chair)
- / Adrienne Davis (Vice Chair)
- / Andrew Chakrabarty (Secretary)
- / Andrew Giddings (Treasurer)
- / Rahul Bedi
- / Nina Bokil
- / Georgia Briggs (from April 2021)
- / Stuart Bryson (from April 2021)
- / Sinead de Sousa
- / Kahlia Jenkins
- / Mitchell Wright
- / Adrian Hearne (to March 2021)
- / Kahlia Jenkins
- / Angela Li (to December 2020)
- / Sebastian Alonso Marquez Musso
- / Steven McMahon
- / Rhys Mitchell
- / Kumu Samarakoon
- / Monica Serci (to March 2021)
- / Mariah Tennant-Breust
- / Sarah Wetton
- / Mitchell Wright
- / Staff: Tom Dunbabin

PROFESSIONAL STANDARDS

The role of the Society in maintaining professional standards

The Society has a statutory obligation to maintain and improve the professional standards of the legal profession and to protect the public from inadequate advice and representation. These obligations are fulfilled in various ways — through education, investigation, intervention and support.

The Society investigates complaints against solicitors, unqualified practitioners, and associates of legal practices. The Society ensures solicitors are 'fit and proper' persons for legal practice and undertakes litigation for complaints referred to the ACT Civil and Administrative Tribunal (ACAT) and the Courts.

Enquiries and support

In addition to the handling of formal complaints, our Professional Standards Manager, Robert Reis, and Professional Standards Committee Secretary, Linda Mackay, dealt with 998 telephone and email enquiries from persons (including from clients, solicitors, and the courts) about local lawyers. A benefit of the Society's enquiries service is that it provides an opportunity for grievances to be resolved or addressed without the need for a formal complaint. At the time of an enquiry, where appropriate, opportunities to resolve issues are canvassed.

Complaints process

Complaints are handled through the Society's Professional Standards Committee. If an investigation commences, the committee will ultimately consider all the material provided by the parties and assess whether the complaint should be dismissed pursuant to section 399 of the *Legal Profession Act 2006*. Complaints which the committee concludes are unable to be dismissed under section 399 are referred to the Council. Council has the discretion to dismiss under section 412, summarily conclude the matter under section 413 or prosecute the complaint. Prosecution of complaints under section 419 of the *Legal Profession Act 2006* are referred to the ACAT.

Assistance for members

A formal complaint against a solicitor is a serious matter that is often time-consuming in addition to being a trigger for stress and anxiety. The Society has

a range of free confidential services available to assist through this difficult time, including a consultation with a Members' Adviser, and access to confidential third-party counselling.

Professional Standards Committee

The Professional Standards Committee is one of the Society's hardest working committees, conducting fortnightly meetings lasting 1 to 2 hours. In between meetings, members investigate and report on complaints received. The committee consists of members from all practice areas and employment sectors.

The committee's work was not impeded by Covid-19, with all members actively embracing electronic meetings. In fact, attendance increased in this period. The committee considered 104 formal complaints this financial year — 21 more than the last reporting period. Committee members also undertook pastoral visits as part of dealing with complaints.

Types of complaint

The main types of conduct complained about were communication and services (i.e. failure to carry out or acting without instructions, bullying, delay, discourtesy, lack of competence or diligence, lack of communication), personal conduct (i.e. negligence, misleading behaviour, conflict of interest), and costs.

The table below shows the major areas of law and concern raised in complaints.

AREA OF LAW OR CONCERN	
Civil litigation	27
Family law	24
Property	17
Compensation	13
Criminal law	7
Estate matters	6
Employment	5
Migration	2
Other	3

The committee has received a number of complaints this year about workplace bullying, and there has been an increase in the number of reports to the Society

about sexual harassment conduct. The Society does not tolerate such conduct, and continues to be proactive when information about sexual harassment is received. In the coming year, with the introduction of an online anonymous reporting process, members will have the option to report information instead of filing a formal complaint. This option can be less confrontational for those who have been exposed to sexual harassment.

File maintenance was also identified as an increasing problem this year, a result of the increasing use of non-paper files and electronic platforms used by members.

Complaint outcomes

During the reporting period, 26 complaints were dismissed pursuant to section 399 without requiring an investigation. 27 complaints were dismissed pursuant to section 399 following an investigation and nine were dismissed pursuant to section 412. Four complaints were withdrawn. Thirteen matters were summarily concluded pursuant to section 413. Sanctions imposed comprised cautions, public reprimands, fines, requirements to complete further education and a compensation order. One matter was appealed by the practitioner and that ACAT decision remains pending.

Matters referred to ACAT are not always concluded during the reporting year. This year, Council resolved to refer eight complaints to the ACAT, with two of those matters involving the same solicitor.

Conduct which was the subject of referral included:

- / failing to act in the best interests of a client,
- / dishonest and disreputable conduct,
- / conflict of interest,
- / the solicitor preferring their own interests over their clients' interests,
- / trust account breaches,
- / failing to follow instructions,
- / failing to deliver legal services competently, diligently and as promptly as reasonably possible,
- / failing to be honest in all dealings in the course of legal practice and with the regulatory authority,
- / acting for more than one party,
- / non-responsible use of the court process,
- / issuing and witnessing a false affidavit,
- / failing to be open and frank with the Society, and
- / the employment of a disqualified person.

ACAT made adverse orders against two practitioners both resulting in findings of unsatisfactory professional misconduct. Sanctions imposed by ACAT included public reprimands, fines of \$10,000 and \$5,000, and an order that further education be completed. One solicitor has appealed the ACAT decision.

The Society is awaiting the decision of ACAT in a matter heard in May this year involving four complaints against the same solicitor. The Society was unsuccessful in appealing the leniency of a sanction handed down in an ACAT decision last year.

The ACT Supreme Court ordered the removal of the name of a non-practising person from the roll following a guilty finding in criminal proceedings.

Training

The committee contributes to the Society's CPD program by identifying and facilitating topics that will assist members in developing and maintaining practices that significantly reduce the risk of attracting complaints about conduct.

The committee also drafted an Induction Folder for new members, reviewed the existing practices and procedures, and is currently updating the Charter.

Our thanks to Robert Reis and Linda Mackay and all members of the committee for their enthusiasm, insight, diligence and dedication over the past year.

Members

- / Ann Northcote (Chair)
- / Allan Bedford
- / Sarah Boxall
- / Mary Burgess
- / Amy Burr
- / Sally Campbell
- / Linda Crebbin
- / Julie Dobinson
- / Maurice Falcetta
- / Bridie Harders (to December 2020)
- / Vivien Holmes
- / Gavin Howard
- / Sally McGuinness
- / Linda McGregor
- / Scott Pearsall
- / Darryl Perkins
- / Ross Reid
- / John Solomon
- / Alisa Taylor
- / Mark Tigwell

COMMUNITY ENGAGEMENT

Law Week 2021

Every year in May, the Law Society coordinates Law Week in Canberra — six days of events to promote public understanding of the law and its role in society.

Law Week has been held annually in the ACT since the 1990s, showcasing a range of events for the public and the legal community, including a formal dinner, a comedy speaking competition, a quiz night, and a range of forums and seminars. This year, some of the topics covered included Aboriginal land rights, elder abuse, youth law, raising the age of criminal responsibility, human rights, and climate change.

All proceeds from Law Week go to a local charity, which for 2021 was Raw Potential Canberra, a charity that helps disadvantaged youth in the region. The final donation for our Law Week charity will be presented in September 2021.

Law Week in the ACT wouldn't be possible without the many local organisations who put on events during the week. These include the ACT Supreme Court, the ACT Bar Association, Legal Aid ACT, Canberra Community Law, the Women's Legal Centre ACT, the Women Lawyers Association ACT, Australian Lawyers for Human Rights, the ACT Raise the Age Coalition, and the Council on the Ageing (COTA) ACT.

Law Week is made possible with the support of principal sponsor LawCover — they have been a longstanding supporter of Law Week, and we thank them for their ongoing sponsorship.

Law Week Launch & ACT Golden Gavel

ACT Attorney-General Shane Rattenbury MLA opened Law Week 2021 at the ANU Union on Monday 10 May, with a speech noting the valuable role lawyers play in the community. "Lawyers have the power to help those who find themselves in a tough position, and simply don't know what to do," he said. Following his speech, Mr Rattenbury joined ACT Supreme Court Justice Chrissa Loukas-Karlsson, Lawcover CEO Kerrie Lalich, and Raw Potential CEO Paul Kane, to judge the ACT Golden Gavel Competition.

Daniel Magnussen (Farrar Gesini Dunn), Georgia Briggs (Briggs Law), Holly Johnson (Mills Oakley), Silas Otto (McInnes Wilson Lawyers) and Carina Lam (Department of Education, Skills and Employment) were the five brave young lawyers who faced the crowd to showcase their advocacy and comedy skills by delivering a five-minute speech on a very tongue in cheek topic — which was given to them only 24 hours beforehand.

ACT Golden Gavel judges and competitors, L-R: Lawcover CEO Kerrie Lalich, Silas Otto, Daniel Magnussen, Holly Johnson, Carina Lam, Justice Chrissa Loukas-Karlsson, Raw Potential CEO Paul Kane, ACT Attorney-General Shane Rattenbury MLA, Georgia Briggs.



Holly Johnson took out the People's Choice award, with 'Why I like subpoena coladas and getting caught and arraigned: The trials of dating a lawyer.' Holly jokingly described lawyers stepping through relationships in 'billable hours' — the six minute blocks used to calculate client fees.

Competition was strong, but it was Daniel Magnussen's commentary on the Canberra law-scape as a new lawyer that won him the Golden Gavel. Daniel was the first speaker with the topic 'I am the hero Canberra law deserves, just not the one it needs right now,' and he set a comedic standard for the night that ultimately proved unbeatable. Daniel will go on to represent the ACT at the National Golden Gavel Competition.

The Annual Blackburn Lecture

The Blackburn Lecture has been hosted by the Society since 1986, with a break in 2020 due to the Covid-19 emergency.

Ngunnawal elder Aunty Violet Sheridan gave a moving Welcome to Country at the event, speaking about land rights issues in the Canberra region.

This year's Blackburn lecture, "50 years after the Gove land rights judgment: Sir Richard Blackburn and Aboriginal land rights", was delivered by ACAT President Graeme Neate AM. Mr Neate was appointed a Member of the Order of Australia in 2015 for his significant service to the law as a leading contributor to Indigenous land rights. His speech explored the context of the original Gove case, and the legislation that ultimately overcame the effect of that decision.

Law Week Quiz Night

The Law Week Quiz Night was hosted by our Young Lawyers Committee. This year our very generous members and guests blitzed the Quiz Night's previous record of \$1,800 — raising just over \$2,700 for the Law Week charity!

First place on the night went to the Australian Federal Police, second was the ACT Parliamentary Counsel's Office, and third place went to the Department of Agriculture, Water and the Environment.

Pro Bono Clearing House

The Society provides legal assistance through the ACT Pro Bono Clearing House to disadvantaged people who are otherwise unable to secure a lawyer. Members of the public can apply directly to the Clearing House for assistance. Community Legal Centres, members of the legal profession, politicians, and public agencies can also refer people who need pro bono legal assistance to the Clearing House.

The Clearing House is a 'last resort' for legal help after all other avenues for assistance have been exhausted. The Clearing House accepts applications in two types of matters — 'public interest' law matters that affect a significant number of people or that raise a matter of broad public concern; and 'private interest' law matters that have a reasonable prospect of success.

A panel of volunteers examines applications for pro bono legal assistance, and refers those applications that meet the eligibility criteria on to a network of about 20 law firms who have agreed to accept referrals on a low cost or pro bono basis.

Pro Bono Clearing House applications by topic

AREA OF PRACTICE	# OF MATTERS
Animal law	1
Appeals	1
Bankruptcy	1
Commercial leases	1
Criminal law	3
Debt recovery	1
Defamation	1
Discrimination	1
Employment	6
Environmental law	1
Fair trading	1
Family law	1
Family violence order	4
Human rights	3
Medical negligence	2
Mental health order	1
Neighbourhood dispute	3
Personal injury	3
Personal protection order	2
Residential tenancy	2
Traffic law	1
Wills, probate and estates	3
Workers compensation	1

Management Committee report

For the period 1 July 2020 to 30 June 2021, 44 applications for pro bono assistance were received.

Of those applications, 12 were successfully referred out to firms, 24 were unsuccessful,* one is pending further information before moving forward for consideration, one required further information before further consideration, one has been withdrawn indefinitely, and

one was resolved before a referral firm was found. Two applications were approved by the panel but were not successful in being referred to a firm. The remaining two applications have been successful and are awaiting acceptance by a firm.

The secondee system

The Clearing House is assisted by a rotating 'operational secondee', a lawyer from a Canberra law firm or government agency who spends approximately three months working with the Clearing House. The primary role of the secondee is to meet with potential applicants, assist them with preparing their application, provide a summary report to the panel and attend panel meetings.

Over the 2020-21 period, operational secondees have been provided by ADAPTBL, Proximity, and Sparke Helmore. We would like to thank all the operational secondees for the 2020-21 year:

- / Stephanie Gill (ADAPTBL)
- / Thomas Dunbabin (ADAPTBL)
- / Charlotte Bull (Proximity)
- / Alexandra Cornfield (Sparke Helmore)
- / Katrina McGrath (September 2020 - March 2021)
- / Sam Philipse (from March 2021)

I would like to thank the following firms for accepting referrals from the PBCH:

- / Bradley Allen Love
- / Clayton Utz
- / Elringtons Lawyers
- / John O'Keefe
- / Ken Cush & Associates
- / KJB Law
- / Maurice Blackburn
- / McInnes Wilson
- / McKenna Taylor
- / Perkins Solicitors
- / Sharman Robertson

Also, a big thank you to all the Assessment Panel Members for volunteering their time. Without the support of these many firms and individuals the Pro Bono Clearing House would not be able to operate.

Committee members

- / Martin Hockridge (Chair)
- / John Boersig
- / Katy Grimes
- / Peter McNulty
- / Rebekha Pattison
- / Susan Platis

- / Administration and Pro Bono Officer: Samantha Philipse

Legal Advice Bureau

The Society's Legal Advice Bureau, or LAB, has been in operation since 1972. LAB went into hiatus in March 2020 due to the Covid-19 emergency.

The Society has taken the opportunity to undertake a holistic review of LAB, including considerations of how it should operate going forward, with a particular focus on minimising professional risks and ethical issues. We analysed current processes and procedures, and updated internal information resources in consultation with the legal assistance sector, to support appropriate information and referral processes for our Pro Bono Administrator and other frontline staff who continued to assist members of the public throughout the period. As part of this process, the Society also reviewed previous LAB case files to identify common issues that members of the public were seeking assistance with.

From this process, the Society has updated or prepared a number of factsheets for the website aimed at members of the public, addressing common questions about where to find legal assistance. The factsheets provide general information aimed at supporting community awareness around common legal issues raised at LAB, as a way of addressing community need for legal information during the temporary LAB closure.

The following fact sheets for members of the public were created or updated during the financial year:

- / Making a will
- / Making an Enduring Power of Attorney
- / Elder abuse
- / Why should I use a family lawyer?
- / Having issues in the workplace?
- / Buying a home
- / Attending court as a witness
- / What are my rights if I'm under arrest?
- / What do I do if my teen gets in trouble with the police?

Charitable donations

ACT Wildlife

At our September 2020 Member's Lunch, our new President Elizabeth Carroll presented the Society's annual Law Week donation of \$5,760 to ACT Wildlife, which was made up of the Foundation disbursement of

\$3,760, plus an additional donation from the Society (in lieu of Law Week funds) of \$2,000.

Handing over the donation to ACT Wildlife Vice President Lindy Butcher, Elizabeth spoke of the Society's admiration for ACT Wildlife's work in the Canberra community, particularly their support of overloaded NSW wildlife organisations in the aftermath of the devastating fires early last year.

President's charity 2021

Each year, the President nominates a local Canberra charity to receive funds from any charitable events run by the Society (the primary event being Law Week).

The Society's annual charity for 2021 is Raw Potential Canberra. Raw Potential is a local Canberra charity empowering disadvantaged youth by providing non-judgemental support and opportunities for a bright future. We see many synergies between their work and the advocacy focus of the Society on raising the age of criminal responsibility in the ACT. We raised funds for Raw Potential during ACT Law Week in May, and we will present them with our total donation, which includes the annual disbursement from the Law Society Foundation, in September 2021. We expect this donation to be in excess of \$14,000.

Law Society Foundation

The ACT Law Society Foundation was established in 2012 as a Centenary of Canberra project as a visible and enduring expression of the ACT legal profession's connection with, and concern and support for, Canberra and its charities and worthy causes.

The Foundation was seeded with three years' worth of Law Week profit (2013, 2014 and 2015), matched by Society funds. The total amount in the Foundation as at 30 June 2021 is now \$108,045, and the disbursement for 2020 was \$3,760.

In order to continue growing the corpus of the Foundation, Law Week profit is split between the President's Charity and the Foundation. This means the charity still receives a significant sum, and the Foundation will continue to grow, allowing greater disbursements in future.

Other donations

The Society has also made donations of \$600 to St Vincent de Paul to support members participating in the annual CEO Sleepout campaign.

Awards to university students

The Society funds prizes for academic excellence at the University of Canberra and the Australian National University. Congratulations to all the award recipients.

Australian National University

- / BC Meagher Prize for Commonwealth Constitutional Law 2020 — Guhong Zhou
- / ACT Law Society Prize for Contracts 2020 — Claire Josephine Burkett-Roscoe, Hamish Robert McKinnon, and Bas Joseph Braham (joint)

University of Canberra

- / ACT Law Society Prize for the Highest Achieving Student in Contract Law 2020 — Chloe Rosenbaum
- / ACT Law Society Prize for the Highest Achieving Student in Equity Law 2020 — Molly Ann Young

The Blackburn Lecture — Graeme Neate AM with Elizabeth Carroll, president of the ACT Law Society.



ACT Wildlife Vice President Lindy Butcher with Elizabeth Carroll, president of the ACT Law Society.



FINANCIAL STATEMENTS

AIR

TREASURER'S REPORT

I am pleased to present the Annual Report on the Society's Accounts for 2020-21.

Overview of accounts

General Account

This account covers the income and expenditure relating to the general operations of the Society.

Statutory Deposits Trust Account

This account comprises deposits of solicitors' trust moneys lodged with the Society to earn interest which is paid into the Statutory Interest Account.

Statutory Interest Account

This account accumulates the interest earned on funds deposited in the Statutory Deposits Trust Account together with interest earned on the balances in solicitors' trust accounts. The Society makes grants from this account to the Legal Aid Commission and other community legal centres. The costs of disciplinary proceedings and general legal costs related to legal practitioners are also funded from this account.

Solicitors' Fidelity Fund

The Fidelity Fund exists to meet any claims by clients for compensation in respect of loss arising from a solicitor's failure to account for trust funds or other valuable property. The costs of random inspections, investigations and the appointment of managers are met from this Fund.

General Account

The General Account recorded a surplus of \$252,231 which increased the Society's accumulated funds to \$3,514,089 as at 30 June 2021.

The 2020-21 budget was prepared with some uncertainty around what impact Covid-19 may have on revenue and there was a need to manage lower income with required expenditure. To assist members,

some practising certificate fee types were discounted by 20 per cent, along with a provision of three hours of free CPD for some seminars. Expenditure items were conservative and the final result was higher than budgeted.

The higher than budgeted surplus was partly due to higher income from seminars/webinars, the practice management courses, and online contract sales. Also, some expense items budgeted were not utilised, due to the absence of face-to-face meetings, functions, travel and training.

The Society is expecting to record a small surplus for the 2021-22 financial year.

Statutory Deposits Trust Account

Total deposits at 30 June 2021 amounted to \$85,002,499 which is a 35% increase on deposits held in the previous year.

Interest earned on statutory deposit funds invested in term deposits is an important revenue component for the Statutory Interest Account. Although the funds held by the Society continue to increase, along with average balances in solicitor trust accounts increasing, the returns from low interest rates are an ongoing concern.

The Society continues to pursue attractive investment rates where possible through a number of avenues. It is expected that the ongoing low interest rate levels will continue to impact the revenue for the Statutory Interest Account in the 2021-22 year.

Statutory Interest Account

The Statutory Interest Account derives its income from interest on solicitors' statutory deposits, interest on the balance in solicitors' trust accounts, and from the investment of funds held in the Statutory Interest Account itself.

Revenue received of \$1,300,687 was a 45 per cent decrease on the previous year, which was also a 31 per cent decrease from the year prior to that. The lower revenue is predominantly due to a substantial decrease on the return paid by banks on solicitor trust account balances.

Expenses paid from the Statutory Interest Account increased slightly by two per cent although this included expenses for some long running disciplinary matters nearing a conclusion and it is expected that the current disciplinary process will keep costs steady continuing into 2021-22.

Council agreed that \$220,481 was available to be disbursed from the 2020-21 financial year, along with an additional \$200,000 which was held for a special project and intended for use in 2019-20 but had not progressed. This will result in a total of \$420,481 being disbursed to the Legal Aid Commission and other community legal centres.

Council acknowledges that the agreed disbursement is a significant reduction on previous years, however there is a need to take a cautious approach given the long-term outlook for reduced revenue from balances held in solicitor trust accounts, as well as lower returns from the investment of Statutory Deposit funds.

Solicitors' Fidelity Fund

The accumulated funds of the Fidelity Fund decreased by \$19,651 leaving a total of \$5,563,964 as at 30 June 2021. This result includes the disbursement of \$68,007 paid out of the Statutory Interest Account from the 2019-20 financial year.

Revenue decreased predominantly due to lower interest rate returns and costs for investigations, management appointments and random inspections were slightly higher than last year.

The last actuarial assessment of the Fidelity Fund was conducted in 2017 and it was determined that the Fidelity Fund balance should increase. In recent years there have been higher balances held in solicitor trust accounts, along with the increase in law firm numbers and employee numbers, requiring a continued need to manage any exposure to risk. The current balance has only been achieved with some assistance from the Statutory Interest Account to the Fidelity Fund when funds were available in the past. Based on the recent low results of the Statutory Interest Account it is unlikely that any funds will be available to assist the Fidelity Fund in the foreseeable future.

An updated actuarial assessment was deferred during 2020-21 and is expected to be completed throughout 2021-22 which will provide further guidance to the Society regarding the balance of the Fidelity Fund.

Staff support

On behalf of Council I would like to record my thanks for the continued diligent and hard work Lea Mclean and her team in the Secretariat have undertaken for the last year.

Lea provides Council with regular updates and practical advice on the financial challenges faced by the Society arising from historically low interest rates and the provision of assistance to members. Lea is constantly on the hunt for better returns for the Society's investments to achieve improved returns for the funds managed by the Society. Thank you Lea.

Mark Tigwell
TREASURER

GENERAL ACCOUNT

The Law Society of the ACT – General Account

Statement of Comprehensive Income

For the year ended 30 June 2021

	Notes	2021 \$	2020 \$
Revenue	2	2,656,987	3,021,155
Amortisation of right-of-use assets		(171,453)	(171,453)
Audit fees	13	(19,065)	(17,145)
Capitation fees		(148,371)	(278,220)
Cleaning, outgoings and car park expenses		(32,658)	(35,139)
Committee and executive catering		(7,855)	(17,513)
Consultancy fees		(3,412)	(42,196)
Depreciation expense	8	(99,511)	(67,118)
Employee benefits expense		(1,257,489)	(1,228,385)
Ethos magazine expenses		(639)	(18,044)
Functions		(21,457)	(67,366)
Insurances		(33,545)	(32,538)
IT maintenance and services		(106,874)	(96,174)
Lease interest expense		(79,157)	(84,984)
Membership services		(32,872)	(34,577)
Postage and couriers		(26,963)	(35,110)
President's allowance		(116,682)	(118,971)
Printing and stationery		(19,788)	(19,286)
Seminars		(127,963)	(128,980)
Travel and accommodation		(326)	(6,301)
Other expenses		(98,676)	(135,861)
Profit for the year		252,231	385,794
Total comprehensive income		252,231	385,794

Statement of Financial Position

As at 30 June 2021

	Notes	2021 \$	2020 \$
Current assets			
Cash and cash equivalents	4	3,438,822	2,246,521
Investments	5	2,200,000	2,800,000
Trade and other receivables	6	180,713	275,076
Inventory	7	84	125
Prepayments		61,736	71,249
Total current assets		5,881,355	5,392,971
Non-current assets			
Lease right-of-use asset	9	1,471,638	1,643,091
Office furniture and equipment	8	419,696	483,316
Rental bond		54,287	54,287
Total non-current assets		1,945,621	2,180,694
Total assets		7,826,976	7,573,665
Current liabilities			
Trade and other payables	10	2,193,228	2,056,709
Provisions	11	224,702	207,587
Lease liability	9	165,848	152,554
Total current liabilities		2,583,778	2,416,850
Non-current liabilities			
Lease liability	9	1,729,109	1,894,957
Total non-current liabilities		1,729,109	1,894,957
Total liabilities		4,312,887	4,311,807
Net assets		3,514,089	3,261,858
Equity			
Accumulated funds		3,514,089	3,261,858
Total equity		3,514,089	3,261,858

Statement of Changes in Equity

For the year ended 30 June 2021

	Notes	2021 \$	2020 \$
Accumulated Funds			
Balance at the beginning of the financial year		3,261,858	2,876,064
Total comprehensive income for the year		252,231	385,794
Balance at the end of the financial year		3,514,089	3,261,858

Statement of Cash Flows

For the year ended 30 June 2021

Cash flows from operating activities			
Receipts from members and others		2,996,451	2,567,892
Payments to suppliers and employees		(2,193,952)	(2,019,196)
Interest received		57,570	84,345
Interest payable on lease liability		(79,157)	(84,984)
Net cash inflow/(outflow) from operating activities		780,912	548,057
Cash flows from investing activities			
Receipts/(payments) for investments		600,000	(100,000)
Payments for office furniture and equipment		(36,057)	(157,841)
Net cash inflow/(outflow) from investing activities		563,943	(257,841)
Cash flows from financing activities			
Repayment of lease liabilities		(152,554)	(139,978)
Net cash inflow/(outflow) from investing activities		(152,554)	(139,978)
Net increase/(decrease) in cash and cash equivalents held		1,192,301	150,238
Cash and cash equivalents at the beginning of the financial year		2,246,521	2,096,283
Cash and cash equivalents at the end of the financial year	4	3,438,822	2,246,521

Notes to the Financial Statements

For the year ended 30 June 2021

Note 1: Summary of Significant Accounting Policies

The Law Society of the Australian Capital Territory (the Society) is a statutory body incorporated in the Australian Capital Territory under the *Legal Profession Act 2006*.

These financial statements cover the Society as an individual not-for-profit entity, domiciled in Australia. Its registered office and principal place of business is 1 Farrell Place Canberra City ACT 2601.

Basis of Preparation

Reporting Basis and Conventions

The financial statements are general purpose financial statements that have been prepared in accordance with Australian Accounting Standards (Reduced Disclosure Requirements of the Australian Accounting Standards Board), including Australian Accounting Interpretations, and other authoritative pronouncements of the Australian Accounting Standards Board, and the requirements of the *Legal Profession Act 2006*.

The financial statements have been prepared on an accruals basis and are based on historical costs modified by the revaluation of selected non-current assets, and financial assets and financial liabilities for which the fair value basis of accounting has been applied. The functional and presentation currency of the Society is Australian dollars. The amounts presented in the financial statements have been rounded to the nearest dollar.

A number of new or revised Australian Accounting Standards are effective for the first time in the current financial year. These standards have had no material impact on the Society.

The following is a summary of the material accounting policies adopted in the preparation of the financial statements. The accounting policies have been consistently applied, unless otherwise stated.

Accounting Policies

(a) Income Tax

The Society is exempt from income tax under section 50-25 of the *Income Tax Assessment Act 1997*.

(b) Inventory

Inventories are measured at the lower of cost and net realisable value. Costs are assigned on a specific identification basis and include direct costs and appropriate overheads, if any. Costs are assigned on the basis of the First In First Out (FIFO) method.

(c) Office Furniture and Equipment

Each class of office furniture and equipment is carried at cost or fair value less, where applicable, any accumulated depreciation and impairment losses.

Where a revaluation has been performed, any accumulated depreciation at the date of the revaluation is eliminated against the gross carrying amount of the asset and the net amount is restated to the revalued amount of the asset.

The carrying amount of office furniture and equipment is reviewed at the end of the reporting period to ensure it is not in excess of the recoverable amount from these assets. The recoverable amount is assessed on the basis of the expected net cash flows that will be received from the assets' employment and subsequent disposal. The expected net cash flows have been discounted to their present values in determining recoverable amounts.

An asset's carrying amount is written down immediately to its recoverable amount if the asset's carrying amount is greater than its estimated recoverable amount.

Subsequent costs are included in the asset's carrying amount or recognised as a separate asset, as appropriate, only when it is probable that future economic benefits associated with the item will flow to the Society and the cost of the item can be measured reliably. All other costs (e.g. repairs and maintenance) are charged to the statement of comprehensive income during the financial period in which they are incurred.

Gains and losses on disposals are determined by comparing proceeds with the carrying amount. These gains and losses are included in the statement of comprehensive income. When revalued assets are sold, amounts included in the revaluation reserve relating to that asset are transferred to retained earnings.

(d) Depreciation

The depreciable amount of all fixed assets is depreciated on a straight-line basis over their useful lives to the Society commencing from the time the asset is held ready for use. Leasehold improvements are depreciated over the shorter of either the unexpired period of the lease or the estimated useful lives of the improvements. The expected useful lives are as follows:

/ Office furniture and equipment 3 -10 years.

(e) Financial Instruments

Initial recognition and measurement

Financial assets and financial liabilities are recognised when the entity becomes a party to the contractual provisions to the instrument. For financial assets, this is the date that the entity commits itself to either the purchase or sale of the asset (ie trade date accounting is adopted).

Financial instruments (except for trade receivables) are initially measured at fair value plus transaction costs, except where the instrument is classified "at fair value through profit or loss", in which case transaction costs are expensed to profit or loss immediately.

Classification and subsequent measurement

Financial instruments are subsequently measured at either fair value or amortised cost using the effective interest rate method. The subsequent measurement depends on the classification of the financial instrument as described below.

Fair value represents the amount for which an asset could be exchanged or a liability settled, between knowledgeable, willing parties in an arm's length transaction. Where available, quoted

prices in an active market are used to determine fair value. In other circumstances, valuation techniques are adopted.

The effective interest method is used to allocate interest income or interest expense over the relevant period.

Financial assets

All recognised financial assets are subsequently measured in their entirety at either amortised cost or fair value, depending on the classification of the financial assets.

Financial assets that meet the following conditions are subsequently measured at amortised cost:

- / the financial asset is held within a business model whose objective is to hold financial assets in order to collect contractual cash flows; and
- / the contractual terms of the financial asset give rise on specified dates to cash flows that are solely payments of principal and interest on the principal amount outstanding.

Financial assets that meet the following conditions are subsequently measured at fair value through other comprehensive income (FVTOCI):

- / the financial asset is held within a business model whose objective is achieved by both collecting contractual cash flows and selling the financial assets; and
- / the contractual terms of the financial asset give rise on specified dates to cash flows that are solely payments of principal and interest on the principal amount outstanding.

By default, all other financial assets are subsequently measured at fair value through profit or loss (FVTPL).

Despite the above, the entity may make the following irrevocable election/designation at initial recognition of a financial asset:

- / the entity may irrevocably elect to present subsequent changes in fair value of an equity instrument in other comprehensive income if certain criteria are met; and
- / the entity may irrevocably designate a financial asset that meets the amortised cost or FVTOCI criteria as measured at FVTPL if doing so eliminates or significantly reduces an accounting mismatch.

Financial liabilities

All financial liabilities are subsequently measured at amortised cost using the effective interest method or at FVTPL.

Impairment of financial assets

The entity recognises a loss allowance for expected credit losses on financial assets that are measured at amortised cost or at FVTOCI. No impairment loss is recognised for investments in equity instruments. The amount of expected credit losses is updated at each reporting date to reflect changes in credit risk since initial recognition of the respective financial asset.

The entity recognises lifetime expected credit losses for trade receivables. The expected credit losses on these financial assets are estimated based on the entity's historical credit loss experience adjusted for factors that are specific to the debtors, general economic conditions and an assessment of both the current as well as the future direction of conditions at the reporting date, including time value of money where appropriate.

(f) Investments

Investments in bank bills and deposits are brought to account at cost and interest income is recognised in the statement of comprehensive income when receivable.

(g) Cash and Cash Equivalent

Cash and cash equivalents include cash on hand, deposits held at call with banks and other short term highly liquid investments with original maturities of three months or less.

(h) Trade and Other Receivables

All trade debtors are recognised at the amounts receivable as they are due for settlement no more than 120 days from the date of recognition. Collectability of trade debtors is reviewed on an ongoing basis.

(i) Trade and Other Payables

These amounts represent liabilities for goods and services provided to the Society prior to the end of the financial year and which were unpaid. The amounts are unsecured and are usually paid within 30 days of recognition.

(j) Revenue

Revenue recognised under AASB 15 is measured at the amount which the Society expects to receive in consideration for satisfying performance obligations to a customer. A performance obligation is the distinct good or service defined within the contract with a customer. The transaction price is allocated to one or more performance obligations contained within the contract, with revenue being recognised as or when the performance obligation is satisfied.

Where consideration comprises variable components, the amount recognised as revenue is constrained to that amount that would not result in a significant reversal of the cumulative revenue recognised when that uncertainty is resolved.

Timing of Revenue Recognition

Revenue is recognised either at a point in time or over time, when (or as) the Society satisfies performance obligations by transferring the promised goods or services to its customers.

If the Society satisfies a performance obligation before it receives the consideration, the Society recognises either a contract asset or a receivable in its statement of financial position, depending on whether something other than the passage of time is required before the consideration is due.

All revenue is stated net of the amount of goods and services tax (GST).

The Society has elected not to recognise volunteer services as revenue.

Sales of Goods and Services

Revenue from the sale of goods and the rendering of services is brought to account as income when the performance obligation has been satisfied, which is when the related goods or services have been provided.

Revenue is recognised to the extent that it is probable that the economic benefits will flow to the entity and the revenue can be reliably measured.

Revenue from practising certificates is recognised in the year to which the fees relate.

Interest revenue is recognised on a proportional basis taking into account the interest rates applicable to the financial assets.

All revenue is stated net of the amount of goods and services tax (GST).

(k) Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office. In these circumstances the GST is recognised as part of the cost of acquisition of the asset or as part of an item of the expense. Receivables and payables in the statement of financial position are shown inclusive of the GST.

Cash flows are presented in the statement of cash flows on a gross basis, except for the GST component of investing and financing activities, which are disclosed as operating cash flows.

(l) Employee Benefits

Provision is made for the liability for employee benefits arising from services rendered by employees to balance date. The benefits due to be settled within one year to employees for their entitlements have been measured at the amounts expected to be paid including on-costs and are disclosed as current liabilities. Employee benefits payable later than one year are measured at the present value of the estimated future cash outflows to be made in respect of those benefits. In calculating the present value of future cash flows in respect of long service leave, the probability of long service leave being taken is based upon historical data.

(m) Provisions

Provisions are recognised when the Society has a legal or constructive obligation as a result of past events, for which it is probable that an outflow of economic benefits will result and that the outflow can be reliably measured.

(n) Leases

At inception of a contract, the Society assesses whether a contract is, or contains, a lease. A contract is considered to contain a lease if it allows the entity the right to control the use of an identified asset over a period of time in return for consideration.

Where a contract or arrangement contains a lease, the Society recognises a right-of-use asset (lease asset) and a lease liability at the commencement date of the lease.

A right-of-use asset is initially measured at cost, which is the present value of future lease payments adjusted for any lease payments made at or before the commencement date, plus any make-good obligations and initial direct costs incurred. Lease assets are depreciated using the straight-line method over the shorter of their useful life and the lease term. Periodic adjustments are made for any re-measurements of the lease liabilities and for impairment losses.

Lease liabilities are initially measured at the present value of future minimum lease payments, discounted using the entity's incremental borrowing rate if the rate implicit in the lease cannot be readily determined, and are subsequently measured at amortised cost using the effective interest rate. Minimum lease payments include fixed payments, amounts expected to be paid under a residual value guarantee, the exercise price of purchase options for which the Society is reasonably certain to exercise and incorporate the entity's expectations of lease extension options.

The lease liability is remeasured when there are changes in future lease payments arising from a change in rates, index or lease terms from exercising an extension or termination option. A corresponding adjustment is made to the carrying amount of the lease assets.

Short term leases (lease term of 12 months or less) and leases of low value assets (\$10,000 or less) are recognised as an expense as incurred in the statement of comprehensive income.

(o) Comparative Figures

Comparative figures have been adjusted, where necessary, to conform to changes in presentation for the current financial year.

Critical Accounting Estimates and Judgements

The Councillors evaluate estimates and judgements incorporated into the financial statements based on historical knowledge and best available current information. Estimates assume a reasonable expectation of future events and are based on current trends and economic data, obtained both externally and within the Society.

The Councillors do not believe that there were any key estimates or key judgements used in the development of the financial statements that give rise to a significant risk of material adjustment in the future.

	2021 \$	2020 \$
Note 2: Revenue		
Revenue from operating activities		
Practising certificate fees	1,578,813	1,750,150
Members' subscriptions	19,432	20,014
Capitation fees	148,230	279,975
Certificates of good standing	12,987	9,591
Ethos advertising and subscriptions	4,141	8,509
Functions	14,075	48,772
Profit on standard forms	133,423	69,842
Reimbursement of expenses		
Statutory Accounts – administration*	76,944	89,674
Statutory Interest Account – Legal Advice Bureau*	30,115	42,245
Statutory Interest Account – professional standards*	121,934	121,897
Solicitors' Fidelity Fund of the Australian Capital Territory – administration*	52,640	55,118
Settlements Office contributions	75,779	75,196
Seminar income		
Continuing Professional Development	173,401	191,518
Practice management courses	141,592	61,851
	2,583,506	2,824,352
Revenue from outside the operating activities		
Interest	36,162	60,062
Miscellaneous income	5,854	106,443
Sponsorship	31,465	30,298
	73,481	196,803
	2,656,987	3,021,155

Note 3: Profit for the Year

Included in the profit for the year are the following specific items of expenditure:

Superannuation contributions	(106,035)	(117,365)
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* These amounts are received from entities managed and administered by the Society under the *Legal Profession Act 2006*.

	2021	2020
	\$	\$
Note 4: Cash and Cash Equivalents		
Cash on hand	120	120
Cash at bank — Law Society General Acc	3,431,708	2,237,431
Undeposited funds	6,307	8,303
	3,438,135	2,245,854
Cash at bank — Compensation Rights Acc	687	667
	3,438,822	2,246,521

Note 5: Investments

Term deposits*	2,200,000	2,800,000
	2,200,000	2,800,000

Note 6: Trade and Other Receivables

Trade debtors	113,816	138,006
Deposits paid	28,728	10,578
Accrued interest receivable	8,826	30,234
Other accrued income	19,830	80,904
GST refund receivable	9,513	15,354
	180,713	275,076

Note 7: Inventory

Contracts for sale	84	125
	84	125

* A number of term deposits are held with maturities of 12 - 16 months from the date of deposit.

2021

\$

2020

\$

Note 8: Office Furniture and Equipment

Office furniture and equipment

At cost	906,736	871,508
Less: accumulated depreciation	(487,040)	(388,192)
Total office furniture and equipment	419,696	483,316

Reconciliation

A reconciliation of the carrying amount at the beginning and end of the current financial year is set out below.

Office furniture and equipment

Carrying amount at the beginning of the year	483,316	392,593
Additions incl. database now operational	36,057	190,256
Computer database development in progress	-	(31,875)
Disposal of asset	(166)	(540)
Depreciation expense	(99,511)	(67,118)
Carrying amount at the end of the year	419,696	483,316

	2021	2020
	\$	\$
Note 9: Lease Assets and Liabilities		
Right of use assets and lease liabilities		
Right-of-use assets – Office at cost	1,814,544	1,814,544
Accumulated amortisation	(342,906)	(171,453)
	1,471,638	1,643,091

Movement in the carrying amounts for each class of right of use assets between the beginning and the end of the current financial year:

	Right of use assets – Office	Total
	\$	\$
Year ended 30 June 2021		
Balance at the beginning of the year	1,643,091	-
Amount recognised on adoption of AASB 16	-	1,814,544
Amortisation	(171,453)	(171,453)
Balance at the end of the year	1,471,638	1,643,091

	2021	2020
	\$	\$
Lease Liabilities		
Current	165,848	152,554
Non current	1,729,109	1,894,957
	1,894,957	2,047,511

Movement of lease liabilities during the year

Balance at 1 July 2020	2,047,511	-
Amount recognised on adoption of AASB 16	-	2,187,489
Lease payments	(231,711)	(224,962)
Interest expense	79,157	84,984
Balance at the end of the year	1,894,957	2,047,511

The amount expensed in the statement of profit or loss and other comprehensive income in relation to short term and low value leases was \$0 (2020: \$0).

The Society's leases relate primarily to office space for operational purposes. The Society has various options to extend lease terms which the Society is reasonably certain to exercise. The options to extend the leases have been included in the measurement of lease liabilities.

	2021	2020
	\$	\$
Note 10: Trade and Other Payables		
Current		
Subscriptions and other income in advance	2,042,028	1,644,267
Accruals	23,245	32,371
Payable – Solicitors’ Fidelity Fund of the Australian Capital Territory	75,139	74,858
Payable – Statutory Interest Account	–	196,368
Fair Comp Compensation Rights account	687	667
Young Lawyers funds	11,242	14,452
Trade creditors	40,887	93,726
	2,193,228	2,056,709

Note 11: Provisions

Current		
Provision for annual leave	75,618	63,911
Provision for long service leave*	149,084	143,676
	224,702	207,587

There is no known current long service leave expected to be settled within 12 months of the end of the financial year.

* There is no known current long service leave expected to be settled within 12 months of the end of the financial year.

Notes 2021 2020
\$ \$

Note 12: Financial Risk Management

The accounting policies and terms and conditions of each class of financial asset and financial liability at the end of the reporting period are consistent with those regularly adopted by businesses in Australia.

The entity's financial instruments consist mainly of deposits with banks, accounts receivable and payables.

The entity is not subject to any significant liquidity, credit or interest rate risk.

The totals for each category of financial instrument, measured in accordance with AASB 9 as detailed in the accounting policies to these financial statements, are as follows:

Financial Assets at amortised cost

Cash and cash equivalents	4	3,438,822	2,246,521
Term deposit investments	5	2,200,000	2,800,000
Trade and other receivables	6	171,200	259,722
Total Financial Assets		5,810,022	5,306,243

Financial Liabilities at amortised cost

Lease liabilities	9	1,894,957	2,047,511
Trade and other payables	10	2,193,228	2,056,709
Total Financial Liabilities		4,088,185	4,104,220

Net Fair Values

Financial assets and liabilities are carried at their net fair value at the end of the reporting period. The carrying values of financial assets and financial liabilities approximate their net fair values due to their short terms of maturity or market interest rates. No financial assets or financial liabilities are traded on organised markets in standard form.

Note 13: Remuneration of Auditors

Audit of the Society's financial statements	11,900	11,540
Audit of Statutory Deposits Trust Account	1,950	1,890
Audit of Statutory Interest Account	3,315	3,215
	17,165	16,645
Audit of Solicitors' Fidelity Fund	3,315	3,215
Assistance with implementation of new accounting standards and updating of disclosures	1,900	500
	22,380	20,360

No other benefits were received by the auditors.

Notes	2021	2020
	\$	\$

Note 14: Compensation Rights Account

Funds are held in a separate cheque account. These funds are held by the Society on behalf of the contributing legal practices and disbursed under the direction of the CTP Committee. The Society does not separately record revenues or expenses in its statement of comprehensive income in relation to these funds. Funds received are held as a liability to meet future expenses.

Assets and liabilities relating to the Fair Comp Campaign are as follows:

Financial Assets at amortised cost

Cash and cash equivalents: Compensation Rights Account	4	687	667
Total Financial Assets		687	667

Financial Liabilities at amortised cost

Trade and other payables	10	687	667
Total Financial Liabilities		687	667

Receipts and payments relating to the Fair Comp Campaign during the year were as follows:

Receipts		20	836
Payments		-	(215)
Net receipts/(payments)		20	621

Reconciliation

A reconciliation of the unexpended funds held at the beginning and end of the current financial year is set out below.

Unexpended Funds

Carrying amount at the beginning of the year		667	46
Net receipts/(payments) during the year		20	621
Carrying amount at the end of the year		687	667

Note 15: Related Parties

The names of persons who were members of the Council of the Law Society of the Australian Capital Territory for any part of the year are as follows:

- / Ms E Carroll — President from 24 September 2020 — Vice President to 24 September 2020
- / Mr C Donohue — Immediate Past President from 24 September 2020 — President to 24 September 2020
- / Ms F Choudhury — Vice President from 24 September 2020 — Councillor to 24 September 2020
- / Mx S Avery — Vice President from 24 September 2020 — Immediate Past President to 24 September 2020
- / Mr G Marques — Secretary
- / Mr M Tigwell — Treasurer from 24 September 2020 — Councillor to 24 September 2020
- / Mr T Dingwall
- / Mr A Hill
- / Mr G Lee
- / Ms S Platis
- / Mr A Tye
- / Ms V Bedekar — From 24 September 2020
- / Ms A Haggart — From 24 September 2020
- / Mr K Robinson — From 24 September 2020
- / Mr D Swanson — From 24 September 2020
- / Ms R Andric — To 24 September 2020
- / Mr R Bedi — To 17 February 2021
- / Mr P Cain — Vice President to 20 July 2020
- / Ms S Khan — Treasurer to 24 September 2020
- / Ms S Leslie — To 24 September 2020

Councillors and their related entities transact with the Society from time to time on normal terms and conditions that are no more favourable than those available to others. The types of transactions include practising certificate fees, capitation fees, subscriptions, functions, seminars, courses and the sale of standard forms.

During the year the Society paid professional fees to Councillors or their Councillor-related entities within a normal client-solicitor relationship on terms and conditions no more favourable than those which it is reasonable to expect would have been adopted if dealing with the Councillors or their Councillor-related entities at arm's length in the same circumstances.

The President receives an allowance for the services provided to the Society. This allowance is included in key management personnel compensation below. No other member of council receives any remuneration from the Law Society of the Australian Capital Territory or a related entity.

During the year the Society paid \$7,442 (2020: \$6,289) in premiums for Councillors and Officers liability insurance.

Note 16: Key Management Personnel Compensation

Key management personnel are those persons having authority and responsibility for planning, directing and controlling the activities of the Society, directly or indirectly, including any Councillor (whether executive or otherwise) of the Society.

	2021	2020
	\$	\$
Total key management personnel compensation	335,454	395,898

Note 17: Events After the Balance Date

These financial statements were authorised for issue by the Councillors on the date of signing the attached Councillors' Declaration. The Councillors have the power to amend the financial statements after they are issued.

There are no other events after the balance date which require amendment of, or further disclosure in, the financial statements.

Note 18: Contingent Liabilities and Contingent Assets

There are no contingent liabilities or contingent assets at the end of the financial year.

Note 19: Legislation

The Society is constituted under the *Legal Profession Act 2006*. Pursuant to that Act the Society is responsible for operating and maintaining the following fund and accounts:

- / The Solicitors' Fidelity Fund of the Australian Capital Territory;
- / The Statutory Deposits Trust Account; and
- / The Statutory Interest Account.

Councillors' Declaration

For the year ended 30 June 2021

The Councillors declare that the financial statements and notes set out on pages 4 to 18:

- (a) comply with Australian Accounting Standards – Reduced Disclosure Requirements and other mandatory professional reporting requirements; and
- (b) present fairly the Society's financial position as at 30 June 2021 and its performance, as represented by the results of its operations and its cash flows, for the financial year ended on that date.

In the Councillors' opinion:

- (a) the financial statements and notes are in accordance with the requirements of the *Legal Profession Act 2006*; and
- (b) there are reasonable grounds to believe that the Society will be able to pay its debts as and when they become due and payable.

This declaration is made in accordance with a resolution of the Councillors.



Councillor

18 August 2021



Councillor

18 August 2021



INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF THE LAW SOCIETY OF THE AUSTRALIAN CAPITAL TERRITORY

Report on the Audit of the Financial Statements

Opinion

We have audited the accompanying financial statements of the Law Society of the Australian Capital Territory which comprise the statement of financial position as at 30 June 2021, and the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year ended on that date, a summary of significant accounting policies and other explanatory notes.

In our opinion the financial statements present fairly, in all material respects, the financial position of the Australian Capital Territory as at 30 June 2021 and of its financial performance and its cash flows for the year then ended in accordance with Australian Accounting Standards – Reduced Disclosure Requirements.

Basis for opinion

We conducted our audit in accordance with Australian Auditing Standards. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the financial statements section of our report. We are independent of the Entity in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 Code of Ethics for Professional Accountants (including Independence Standards) (the Code) that are relevant to our audit of the financial statements in Australia. We have also fulfilled our other ethical responsibilities in accordance with the Code.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibilities of the Council for the financial statements

The Council is responsible for the preparation and fair presentation of the financial statements in accordance with Australian Accounting Standards, and for such internal control as Council determines is necessary to enable the preparation of the financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Council is responsible for assessing the Entity's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the Council either intends to liquidate the Entity or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Entity's financial reporting process.

Auditor's responsibility for the audit of the financial statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial statements.

A further description of our responsibilities for the audit of the financial statements is located at The Australian Auditing and Assurance Standards Board website at: <http://www.auasb.gov.au/Home.aspx>. This description forms part of our auditor's report.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.



Nexia Duesburys (Audit)
Canberra, 18 August 2021



Rod Scott
Partner

STATUTORY DEPOSITS

Statutory Deposits Trust Account

Statement of Comprehensive Income

For the year ended 30 June 2021

	Notes	2021 \$	2020 \$
Revenue		-	-
Net surplus / (deficit)		-	-
Total comprehensive income for the year		-	-

Statement of Financial Position

As at 30 June 2021

Current assets

Cash and cash equivalents	2	29,802,499	31,234,577
Investments	3	55,200,000	31,700,000
Total current assets		85,002,499	62,934,577

Total assets		85,002,499	62,934,577
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Current liabilities

Trade and other payables	4	85,002,499	62,934,577
Total current liabilities		85,002,499	62,934,577

Total liabilities		85,002,499	62,934,577
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Net assets		-	-
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Equity

Accumulated Funds		-	-
Total equity		-	-

Statement of Changes in Equity

For the year ended 30 June 2021

	Notes	2021 \$	2020 \$
Balance at the beginning of the year		-	-
Changes during the year		-	-
Balance at the end of the year		-	-

Statement of Cash Flows

For the year ended 30 June 2021

Cash flows from investing activities

Proceeds from investments	23,200,000	29,200,000
Payments for investments	(46,700,000)	(14,500,000)
Net cash inflow/(outflow) from investing activities	(23,500,000)	14,700,000

Cash flows from financing activities

Proceeds from statutory deposits	33,346,832	23,152,527
Repayments of statutory deposits	(11,278,910)	(21,109,106)
Net cash inflow/(outflow) from financing activities	22,067,922	2,043,421

Net increase/(decrease) in cash and cash equivalents held	(1,432,078)	16,743,421
Cash and cash equivalents at the beginning of the financial year	31,234,577	14,491,156
Cash and cash equivalents at the end of the financial year	2 29,802,499	31,234,577

Notes to the Financial Statements

For the year ended 30 June 2021

Note 1: Summary of Significant Accounting Policies

These financial statements cover The Law Society of the Australian Capital Territory Statutory Deposits Trust Account (the Trust Account) as an individual not-for-profit entity, domiciled in Australia. Its registered office and principal place of business is 1 Farrell Place Canberra City ACT 2601.

Basis of Preparation

Reporting Basis and Conventions

The financial statements are general purpose financial statements that have been prepared in accordance with Australian Accounting Standards (Reduced Disclosure Requirements of the Australian Accounting Standards Board), including Australian Accounting Interpretations, and other authoritative pronouncements of the Australian Accounting Standards Board, and the requirements of the *Legal Profession Act 2006*.

The financial statements have been prepared on an accruals basis and are based on historical costs modified by the revaluation of selected non-current assets, and financial assets and financial liabilities for which the fair value basis of accounting has been applied. The functional and presentation currency of the Trust Account is Australian dollars. The amounts presented in the financial statements have been rounded to the nearest dollar.

A number of new or revised Australian Accounting Standards are effective for the first time in the current financial year. These standards have had no material impact on the Trust Account.

The following is a summary of the material accounting policies adopted in the preparation of the financial statements. The accounting policies have been consistently applied, unless otherwise stated.

Accounting Policies

(a) Income Tax

The Trust Account is exempt from income tax under relevant provisions of the *Income Tax Assessment Act 1997*.

(b) Cash and Cash Equivalents

Cash and cash equivalents include cash on hand, deposits held at call with banks and other short term highly liquid investments with original maturities of three months or less.

(c) Investments

Investments in term deposits are brought to account at cost. Interest income is transferred to the Statutory Interest Account in accordance with the *Legal Profession Act 2006*.

(d) Monies Deposited by Solicitors

Monies deposited by solicitors are recognised as a liability upon receipt. Amounts are repayable in accordance with the *Legal Profession Act 2006*.

(e) Financial Instruments

Initial recognition and measurement

Financial assets and financial liabilities are recognised when the entity becomes a party to the contractual provisions to the instrument. For financial assets, this is the date that the entity commits itself to either the purchase or sale of the asset (ie trade date accounting is adopted).

Financial instruments (except for trade receivables) are initially measured at fair value plus transaction costs, except where the instrument is classified "at fair value through profit or loss", in which case transaction costs are expensed to profit or loss immediately.

Classification and subsequent measurement

Financial instruments are subsequently measured at either fair value or amortised cost using the effective interest rate method. The subsequent measurement depends on the classification of the financial instrument as described below.

Fair value represents the amount for which an asset could be exchanged or a liability settled, between knowledgeable, willing parties in an arm's length transaction. Where available, quoted prices in an active market are used to determine fair value. In other circumstances, valuation techniques are adopted.

The effective interest method is used to allocate interest income or interest expense over the relevant period.

Financial assets

All recognised financial assets are subsequently measured in their entirety at either amortised cost or fair value, depending on the classification of the financial assets.

Financial assets that meet the following conditions are subsequently measured at amortised cost:

- / the financial asset is held within a business model whose objective is to hold financial assets in order to collect contractual cash flows; and
- / the contractual terms of the financial asset give rise on specified dates to cash flows that are solely payments of principal and interest on the principal amount outstanding.

Financial assets that meet the following conditions are subsequently measured at fair value through other comprehensive income (FVTOCI):

- / the financial asset is held within a business model whose objective is achieved by both collecting contractual cash flows and selling the financial assets; and
- / the contractual terms of the financial asset give rise on specified dates to cash flows that are solely payments of principal and interest on the principal amount outstanding.

By default, all other financial assets are subsequently measured at fair value through profit or loss (FVTPL).

Despite the above, the entity may make the following irrevocable election/designation at initial recognition of a financial asset:

- / the entity may irrevocably elect to present subsequent changes in fair value of an equity instrument in other comprehensive income if certain criteria are met; and
- / the entity may irrevocably designate a financial asset that meets the amortised cost or FVTOCI criteria as measured at FVTPL if doing so eliminates or significantly reduces an accounting mismatch.

Financial liabilities

All financial liabilities are subsequently measured at amortised cost using the effective interest method or at FVTPL.

Impairment of financial assets

The entity recognises a loss allowance for expected credit losses on financial assets that are measured at amortised cost or at FVTOCI. No impairment loss is recognised for investments in equity instruments. The amount of expected credit losses is updated at each reporting date to reflect changes in credit risk since initial recognition of the respective financial asset.

The entity recognises lifetime expected credit losses for trade receivables. The expected credit losses on these financial assets are estimated based on the entity's historical credit loss experience adjusted for factors that are specific to the debtors, general economic conditions and an assessment of both the current as well as the future direction of conditions at the reporting date, including time value of money where appropriate.

(f) Leases

At inception of a contract, the entity assesses whether a contract is, or contains, a lease. A contract is considered to contain a lease if it allows the entity the right to control the use of an identified asset over a period of time in return for consideration.

Where a contract or arrangement contains a lease, the entity recognises a right-of-use asset (lease asset) and a lease liability at the commencement date of the lease.

A right-of-use asset is initially measured at cost, which is the present value of future lease payments adjusted for any lease payments made at or before the commencement date, plus any make-good obligations and initial direct costs incurred. Lease assets are depreciated using the straight-line method over the shorter of their useful life and the lease term. Periodic adjustments are made for any re-measurements of the lease liabilities and for impairment losses.

Lease liabilities are initially measured at the present value of future minimum lease payments, discounted using the entity's incremental borrowing rate if the rate implicit in the lease cannot be readily determined, and are subsequently measured at amortised cost using the effective interest rate. Minimum lease payments include fixed payments, amounts expected to be paid under a residual value guarantee, the exercise price of purchase options for which the entity is reasonably certain to exercise and incorporate the entity's expectations of lease extension options.

The lease liability is remeasured when there are changes in future lease payments arising from a change in rates, index or lease terms from exercising an extension or termination option. A corresponding adjustment is made to the carrying amount of the lease assets.

Short term leases (lease term of 12 months or less) and leases of low value assets (\$10,000 or less) are recognised as an expense as incurred in the statement of profit or loss.

(g) Comparatives

Where required by Accounting Standards, comparative figures have been adjusted to conform to changes in presentation for the current financial year.

Critical Accounting Estimates and Judgements

The Councillors evaluate estimates and judgments incorporated into the financial statements based on historical knowledge and best available current information. Estimates assume a reasonable expectation of future events and are based on current trends and economic data, obtained both externally and within the Trust Account.

The Councillors do not believe that there were any key estimates or key judgments used in the development of the financial statements that give rise to a significant risk of material adjustment in the future.

	Notes	2021 \$	2020 \$
Note 2: Cash and Cash Equivalents			
Cash at bank		18,602,499	31,034,577
AMP Notice Account and Saver Account		11,200,000	200,000
		29,802,499	31,234,577

Note 3: Investments

Term deposits*		55,200,000	31,700,000
		55,200,000	31,700,000

Note 4: Trade and Other Payables

Monies deposited by solicitors		85,002,499	62,934,577
		85,002,499	62,934,577

Note 5: Legislation

The Statutory Deposits Trust Account is maintained by the Law Society of the Australian Capital Territory, a related entity, in accordance with section 253 of the *Legal Profession Act 2006*. Interest income earned on interest bearing deposits held by the Statutory Deposits Trust Account is credited as income of the Statutory Interest Account. The Trust Account has no employees.

Note 6: Remuneration of Auditors

Audit fees of \$1,950 (2020: \$1,890) were ultimately paid by the Statutory Interest Account on behalf of the Statutory Deposits Trust Account.

Note 7: Financial Risk Management

The accounting policies and terms and conditions of each class of financial asset and financial liability at the end of the reporting period are consistent with those regularly adopted by businesses in Australia.

The entity's financial instruments consist mainly of deposits with banks, accounts receivable and payables.

The entity is not subject to any significant liquidity, credit or interest rate risk.

The totals for each category of financial instrument, measured in accordance with AASB 9 as detailed in the accounting policies to these financial statements, are as follows:

Financial Assets at amortised cost

Cash and cash equivalents	2	29,802,499	31,234,577
Term deposit investments	3	55,200,000	31,700,000
Total Financial Assets		85,002,499	62,934,577

Financial Liabilities at amortised cost

Trade and other payables	4	85,002,499	62,934,577
Total Financial Liabilities		85,002,499	62,934,577

* A number of term deposits are held with maturities of 9 to 24 months from the date of deposit.

Net Fair Values

Financial assets and liabilities are carried at their net fair value at the end of the reporting period. The carrying values of financial assets and financial liabilities approximate their net fair values due to their short terms of maturity or market interest rates. No financial assets or financial liabilities are traded on organised markets in standard form.

Note 8: Contingent Liabilities and Contingent Assets

There are no contingent liabilities or contingent assets at the end of the financial year.

Note 9: Events After the Balance Date

These financial statements were authorised for issue by the Councillors on the date of signing the attached Councillors' Declaration. The Councillors have the power to amend the financial statements after they are issued.

There are no other events after the balance date which require amendment of, or further disclosure in, the financial statements.

Councillors' Declaration

For the year ended 30 June 2021

The Councillors declare that the financial statements and notes set out on pages 22 to 27:

- (a) comply with Australian Accounting Standards — Reduced Disclosure Requirements and other mandatory professional reporting requirements; and
- (b) present fairly the Society's financial position as at 30 June 2021 and its performance, as represented by the results of its operations and its cash flows, for the financial year ended on that date.

In the Councillors' opinion:

- (a) the financial statements and notes are in accordance with the requirements of the *Legal Profession Act 2006*; and
- (b) there are reasonable grounds to believe that the Society will be able to pay its debts as and when they become due and payable.

This declaration is made in accordance with a resolution of the Councillors.



Councillor

18 August 2021



Councillor

18 August 2021



INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF THE LAW SOCIETY OF THE AUSTRALIAN CAPITAL TERRITORY STATUTORY DEPOSITS TRUST ACCOUNT

Report on the Audit of the Financial Statements

Opinion

We have audited the accompanying financial statements of the Law Society of the Australian Capital Territory Statutory Deposits Trust Account which comprises the statement of financial position as at 30 June 2021, and the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year ended on that date, a summary of significant accounting policies and other explanatory notes.

In our opinion the financial statements present fairly, in all material respects, the financial position of the Australian Capital Territory Statutory Deposits Trust Account as at 30 June 2021 and of its financial performance and its cash flows for the year then ended in accordance with Australian Accounting Standards – Reduced Disclosure Requirements.

Basis for opinion

We conducted our audit in accordance with Australian Auditing Standards. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the financial statements section of our report. We are independent of the Entity in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 Code of Ethics for Professional Accountants (including Independence Standards) (the Code) that are relevant to our audit of the financial statements in Australia. We have also fulfilled our other ethical responsibilities in accordance with the Code.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibilities of the Council for the financial statements

The Council is responsible for the preparation and fair presentation of the financial statements in accordance with Australian Accounting Standards, and for such internal control as Council determines is necessary to enable the preparation of the financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Council is responsible for assessing the Entity's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the Council either intends to liquidate the Entity or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Entity's financial reporting process.

Auditor's responsibility for the audit of the financial statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial statements.

A further description of our responsibilities for the audit of the financial statements is located at The Australian Auditing and Assurance Standards Board website at: <http://www.auasb.gov.au/Home.aspx>. This description forms part of our auditor's report.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.



Nexia Duesburys (Audit)
Canberra, 18 August 2021



Rod Scott
Partner

STATUTORY INTEREST

The Statutory Interest Account

Statement of Comprehensive Income

For the year ended 30 June 2021

	Notes	2021 \$	2020 \$
Revenue	2	1,300,687	2,373,802
Expenses			
Law Society of the Australian Capital Territory – reimbursement of administration expenses		(76,944)	(89,674)
Disciplinary legal costs and other legal costs		(804,861)	(759,687)
Legal Advice Bureau operating costs		(32,020)	(41,235)
Professional Standards Office costs		(121,934)	(123,057)
Surplus before disbursements	9	264,928	1,360,149
Proposed disbursements under s253	9	(220,481)	(1,360,147)
Surplus/(deficit) for the year		44,447	2
Total comprehensive income		44,447	2

Statement of Financial Position

As at 30 June 2021

	Notes	2021 \$	2020 \$
Current assets			
Cash and cash equivalents	3	1,003,333	1,732,884
Investments	4	1,150,034	1,150,000
Trade and other receivables	5	265,878	548,184
Total current assets		2,419,245	3,431,068
Non-current assets			
Other receivables	5	-	3
Total assets		2,419,245	3,431,071
Current liabilities			
Trade and other payables	6	267,971	184,578
Provisions	7	420,481	1,560,147
Total current liabilities		688,452	1,744,725
Total non-current liabilities		-	-
Total liabilities		688,452	1,744,725
Net assets		1,730,793	1,686,346
Equity			
Accumulated funds		1,730,793	1,686,346
Total equity		1,730,793	1,686,346

Statement of Changes in Equity

For the year ended 30 June 2021

Accumulated funds			
Balance at the beginning of the financial year		1,686,346	1,686,344
Surplus/(deficit) for the year		44,447	2
Balance at the end of the financial year		1,730,793	1,686,346

Statement of Cash Flows

For the year ended 30 June 2021

	Notes	2021 \$	2020 \$
Cash flows from operating activities			
Recovered disciplinary legal costs and fines imposed		733,213	223,392
Miscellaneous receipts & GST refunds		188,708	271,046
Disbursements and other operating payments		(1,153,197)	(1,284,175)
Interest		861,906	2,340,926
Net cash inflow/(outflow) from operating activities		630,630	1,551,189
Cash flows from investing activities			
Payments for investments		(650,034)	(1,150,000)
Receipts from investments		650,000	1,100,000
Net cash inflow/(outflow) from investing activities		(34)	(50,000)
Cash flows from financing activities			
Section 253 disbursements	8	(1,360,147)	(1,910,523)
Net cash inflow/(outflow) from financing activities		(1,360,147)	(1,910,523)
Net increase/(decrease) in cash and cash equivalents held		(729,551)	(409,334)
Cash and cash equivalents at the beginning of the financial year		1,732,884	2,142,218
Cash and cash equivalents at the end of the financial year	3	1,003,333	1,732,884

Notes to the Financial Statements

For the year ended 30 June 2021

Note 1: Summary of Significant Accounting Policies

These financial statements cover The Law Society of the Australian Capital Territory Statutory Interest Account (the Account) as an individual not-for-profit entity, domiciled in Australia. Its registered office and principal place of business is 1 Farrell Place Canberra City ACT 2601.

Basis of Preparation

Reporting Basis and Conventions

The financial statements are general purpose financial statements that have been prepared in accordance with Australian Accounting Standards (Reduced Disclosure Requirements of the Australian Accounting Standards Board), including Australian Accounting Interpretations, and other authoritative pronouncements of the Australian Accounting Standards Board, and the requirements of the *Legal Profession Act 2006*.

The financial statements have been prepared on an accruals basis and are based on historical costs modified by the revaluation of selected non-current assets, and financial assets and financial liabilities for which the fair value basis of accounting has been applied. The functional and presentation currency of the Account is Australian dollars. The amounts presented in the financial statements have been rounded to the nearest dollar.

A number of new or revised Australian Accounting Standards are effective for the first time in the current financial year. These standards have had no material impact on the Account.

The following is a summary of the material accounting policies adopted in the preparation of the financial statements. The accounting policies have been consistently applied, unless otherwise stated.

Accounting Policies

(a) Income Tax

The Account is exempt from income tax under relevant provisions of the *Income Tax Assessment Act 1997*.

(b) Cash and Cash Equivalents

Cash and cash equivalents include cash on hand, deposits held at call with banks and other short term highly liquid investments with original maturities of three months or less.

(c) Investments

Investments in term deposits are brought to account at cost and interest income is recognised in the statement of comprehensive income when receivable.

(d) Revenue Recognition

Revenue recognised under AASB 15 is measured at the amount which the entity expects to receive in consideration for satisfying performance obligations to a customer. A performance obligation is the distinct good or service defined within the contract with a customer. The transaction price is allocated to one or more performance obligations contained within the contract, with revenue being recognised as or when the performance obligation is satisfied.

Where consideration comprises variable components, the amount recognised as revenue is constrained to that amount that would not result in a significant reversal of the cumulative revenue recognised when that uncertainty is resolved.

Timing of Revenue Recognition

Revenue is recognised either at a point in time or over time, when (or as) the entity satisfies performance obligations by transferring the promised goods or services to its customers.

If the entity satisfies a performance obligation before it receives the consideration, the entity recognises either a contract asset or a receivable in its statement of financial position, depending on whether something other than the passage of time is required before the consideration is due.

All revenue is stated net of the amount of goods and services tax (GST).

The entity has elected not to recognise volunteer services as revenue.

Interest Revenue

Interest income is recognised on an accruals basis using the effective interest method.

Recovered disciplinary costs and fines

Revenue from recovered disciplinary costs and fines are recognised when the receipt of funds become recoverable.

(e) Financial Instruments

Initial recognition and measurement

Financial assets and financial liabilities are recognised when the entity becomes a party to the contractual provisions to the instrument. For financial assets, this is the date that the entity commits itself to either the purchase or sale of the asset (ie trade date accounting is adopted).

Financial instruments (except for trade receivables) are initially measured at fair value plus transaction costs, except where the instrument is classified "at fair value through profit or loss", in which case transaction costs are expensed to profit or loss immediately.

Classification and subsequent measurement

Financial instruments are subsequently measured at either fair value or amortised cost using the effective interest rate method. The subsequent measurement depends on the classification of the financial instrument as described below.

Fair value represents the amount for which an asset could be exchanged or a liability settled, between knowledgeable, willing parties in an arm's length transaction. Where available, quoted prices in an active market are used to determine fair value. In other circumstances, valuation techniques are adopted.

The effective interest method is used to allocate interest income or interest expense over the relevant period.

Financial assets

All recognised financial assets are subsequently measured in their entirety at either amortised cost or fair value, depending on the classification of the financial assets.

Financial assets that meet the following conditions are subsequently measured at amortised cost:

- / the financial asset is held within a business model whose objective is to hold financial assets in order to collect contractual cash flows; and
- / the contractual terms of the financial asset give rise on specified dates to cash flows that are solely payments of principal and interest on the principal amount outstanding.

Financial assets that meet the following conditions are subsequently measured at fair value through other comprehensive income (FVTOCI):

- / the financial asset is held within a business model whose objective is achieved by both collecting contractual cash flows and selling the financial assets; and
- / the contractual terms of the financial asset give rise on specified dates to cash flows that are solely payments of principal and interest on the principal amount outstanding.

By default, all other financial assets are subsequently measured at fair value through profit or loss (FVTPL).

Despite the above, the entity may make the following irrevocable election/designation at initial recognition of a financial asset:

- / the entity may irrevocably elect to present subsequent changes in fair value of an equity instrument in other comprehensive income if certain criteria are met; and
- / the entity may irrevocably designate a financial asset that meets the amortised cost or FVTOCI criteria as measured at FVTPL if doing so eliminates or significantly reduces an accounting mismatch.

Financial liabilities

All financial liabilities are subsequently measured at amortised cost using the effective interest method or at FVTPL.

Impairment of financial assets

The entity recognises a loss allowance for expected credit losses on financial assets that are measured at amortised cost or at FVTOCI. No impairment loss is recognised for investments in equity instruments. The amount of expected credit losses is updated at each reporting date to reflect changes in credit risk since initial recognition of the respective financial asset.

The entity recognises lifetime expected credit losses for trade receivables. The expected credit losses on these financial assets are estimated based on the entity's historical credit loss experience adjusted for factors that are specific to the debtors, general economic conditions and an assessment of both the current as well as the future direction of conditions at the reporting date, including time value of money where appropriate.

(f) Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office. In these circumstances the GST is recognised as part of the cost of acquisition of the asset or as part of an item of the expense.

Cash flows are presented in the statement of cash flows on a gross basis, except for the GST component of investing and financing activities, which are disclosed as operating cash flows.

(g) Leases

At inception of a contract, the entity assesses whether a contract is, or contains, a lease. A contract is considered to contain a lease if it allows the entity the right to control the use of an identified asset over a period of time in return for consideration.

Where a contract or arrangement contains a lease, the entity recognises a right-of-use asset (lease asset) and a lease liability at the commencement date of the lease.

A right-of-use asset is initially measured at cost, which is the present value of future lease payments adjusted for any lease payments made at or before the commencement date, plus any make-good obligations and initial direct costs incurred. Lease assets are depreciated using the straight-line method over the shorter of their useful life and the lease term. Periodic adjustments are made for any re-measurements of the lease liabilities and for impairment losses.

Lease liabilities are initially measured at the present value of future minimum lease payments, discounted using the entity's incremental borrowing rate if the rate implicit in the lease cannot be readily determined, and are subsequently measured at amortised cost using the effective interest rate. Minimum lease payments include fixed payments, amounts expected to be paid under a residual value guarantee, the exercise price of purchase options for which the entity is reasonably certain to exercise and incorporate the entity's expectations of lease extension options.

The lease liability is remeasured when there are changes in future lease payments arising from a change in rates, index or lease terms from exercising an extension or termination option. A corresponding adjustment is made to the carrying amount of the lease assets.

Short term leases (lease term of 12 months or less) and leases of low value assets (\$10,000 or less) are recognised as an expense as incurred in the statement of profit or loss.

(h) Comparatives

Where required by Accounting Standards, comparative figures have been adjusted to conform to changes in presentation for the current financial year.

Critical Accounting Estimates and Judgements

The Councillors evaluate estimates and judgements incorporated into the financial statements based on historical knowledge and best available current information. Estimates assume a reasonable expectation of future events and are based on current trends and economic data, obtained both externally and within the Account.

The Councillors do not believe that there were any key estimates or key judgements used in the development of the financial statements that give rise to a significant risk of material adjustment in the future.

	2021	2020
	\$	\$
Note 2: Revenue		
Interest on investments by the Statutory Interest Account	11,441	28,722
Interest on investments by the Statutory Deposits Account	576,965	1,051,359
Interest on Solicitors' Trust Accounts	130,992	1,097,315
Recovered disciplinary costs and fines	581,289	196,406
	1,300,687	2,373,802

Note 3: Cash and Cash Equivalents

Cash at bank	1,003,333	1,732,884
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Note 4: Investments

Term deposits*	1,150,034	1,150,000
	1,150,034	1,150,000

Note 5: Trade and Other Receivables

Current

Accrued interest		
Investments	166,675	308,602
Solicitors' Trust Accounts	8,279	19,658
Other	10,799	196,367
	185,753	524,627
Debtors	110,094	94,720
Provision for doubtful debts	(65,648)	(94,720)
Prepayments	1,131	896
GST receivable	34,548	22,661
	80,125	23,557

Non-current

Debtors	186,570	228,889
Provision for doubtful debts	(186,570)	(228,886)
	-	3
	265,878	548,187

* A number of term deposits are held with maturities of 13 - 18 months from the date of deposit.

2021
\$

2020
\$

Note 6: Trade And Other Payables

Sundry creditors and accruals	267,971	184,578
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Note 7: Provisions — Current

Proposed disbursements*	420,481	1,560,147
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Note 8: Disbursements

Disbursements made from the Statutory Interest Account under s253(4) of the *Legal Profession Act 2006* were:

Canberra Community Law	128,567	180,000
Care Inc (Consumer Law)	36,179	50,000
Environmental Defender's Office	36,179	50,000
Legal Aid Commission (ACT)	962,648	1,344,500
Women's Legal Centre	128,567	180,000
	1,292,140	1,804,500
Disbursement to the Solicitor's Fidelity Fund	68,007	106,023
	1,360,147	1,910,523

* The Account will invite submissions for disbursements from the Statutory Interest Account under s253(4) of the *Legal Profession Act 2006*, as well as allocating a component to the Solicitors' Fidelity Fund.

2021

\$

2020

\$

Note 9: Proposed Disbursements under s253

The accounting surplus before disbursements and cash available for distribution differ due to the recognition of long-term receivables for recovered disciplinary costs and fines in revenue.

Cash received from these revenue items will be disbursed in future years as the amounts are received. The amounts are expected to be received as follows:

Within one year	110,094
Later than one year	186,570

The proposed disbursements under s253 are calculated as follows:

Surplus before disbursements	264,928
Add prior year revenue amounts received in the current year	-
Less amounts recognised in revenue to be received in future years	(44,447)
Proposed disbursements under s253	220,481

Note 10: Financial Risk Management

The accounting policies and terms and conditions of each class of financial asset and financial liability at the end of the reporting period are consistent with those regularly adopted by businesses in Australia.

The entity's financial instruments consist mainly of deposits with banks, accounts receivable and payables.

The entity is not subject to any significant liquidity or credit risk. Interest rate risk is managed by the Account reviewing the interest rate profile, current interest rates and the market outlook, and taking action as necessary to ensure that risk levels are maintained at a satisfactory level for its own cash and investments. A 1% movement in interest rates across the Account's cash and investments, and the cash and investments of the Statutory Deposits Account and solicitors' trust accounts would have a significant impact on profit and equity, however it is not practical to quantify the impact given the variables involved. Movements in the amounts held by Solicitors in their trust accounts can also have a significant impact on interest received by the Account. A number of the variables associated with interest risk are not able to be influenced by the Account.

The totals for each category of financial instrument, measured in accordance with AASB 9 as detailed in the accounting policies to these financial statements, are as follows:

Financial Assets at Amortised Cost

Cash and cash equivalents	3	1,003,333	1,732,884
Term deposit investments	4	1,150,034	1,150,000
Trade and other receivables	5	231,330	525,523
Total Financial Assets		2,384,697	3,408,407

Financial Liabilities at Amortised Cost

Trade and other payables	6	267,971	184,578
Total Financial Liabilities		267,971	184,578

Net Fair Values

Financial assets and liabilities are carried at their net fair value at the end of the reporting period. The carrying values of financial assets and financial liabilities approximate their net fair values due to their short terms of maturity or market interest rates. No financial assets or financial liabilities are traded on organised markets in standard form.

Note 11: Contingent Assets

The Account continues to seek recovery of certain disciplinary costs. At the present time the amount of the recovery is uncertain.

Note 12: Contingent Liabilities

There are no contingent liabilities at the end of the financial year.

Note 13: Legislation

The Statutory Interest Account is maintained by the Law Society of the Australian Capital Territory, a related party, in accordance with s253 of the *Legal Profession Act 2006*. Under the Act, interest on solicitors' trust accounts and investments by the Statutory Deposits Trust Account are deposited into the Statutory Interest Account.

Note 14: Remuneration of Auditors

Audit fees of \$3,315 (2020: \$3,215) were ultimately paid by the Statutory Interest Account.

Note 15: Events After the Balance Date

These financial statements were authorised for issue by the Councillors on the date of signing the attached Councillors' Declaration. The Councillors have the power to amend the financial statements after they are issued.

There are no other events after the balance date which require amendment of, or further disclosure in, the financial statements.

Councillors' Declaration

For the year ended 30 June 2021

The Councillors declare that the financial statements and notes set out on pages 30 to 38:

- (a) comply with Australian Accounting Standards – Reduced Disclosure Requirements and other mandatory professional reporting requirements; and
- (b) present fairly the Society's financial position as at 30 June 2021 and its performance, as represented by the results of its operations and its cash flows, for the financial year ended on that date.

In the Councillors' opinion:

- (a) the financial statements and notes are in accordance with the requirements of the *Legal Profession Act 2006*; and
- (b) there are reasonable grounds to believe that the Society will be able to pay its debts as and when they become due and payable.

This declaration is made in accordance with a resolution of the Councillors.



Councillor

18 August 2021



Councillor

18 August 2021



INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF THE LAW SOCIETY OF THE AUSTRALIAN CAPITAL TERRITORY STATUTORY INTEREST ACCOUNT

Report on the Audit of the Financial Statements

Opinion

We have audited the accompanying financial statements of the Law Society of the Australian Capital Territory Statutory Interest Account which comprises the statement of financial position as at 30 June 2021, and statement of comprehensive income, statement of changes in equity and statement of cash flows for the year ended on that date, a summary of significant accounting policies and other explanatory notes.

In our opinion the financial statements present fairly, in all material respects, the financial position of the Law Society of the Australian Capital Territory Statutory Interest Account as at 30 June 2021 and of its financial performance and its cash flows for the year then ended in accordance with Australian Accounting Standards – Reduced Disclosure Requirements.

Basis for opinion

We conducted our audit in accordance with Australian Auditing Standards. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the financial statements section of our report. We are independent of the Entity in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 Code of Ethics for Professional Accountants (including Independence Standards) (the Code) that are relevant to our audit of the financial statements in Australia. We have also fulfilled our other ethical responsibilities in accordance with the Code.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibilities of the Council for the financial statements

The Council is responsible for the preparation and fair presentation of the financial statements in accordance with Australian Accounting Standards, and for such internal control as Council determines is necessary to enable the preparation of the financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Council is responsible for assessing the Entity's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the Council either intends to liquidate the Entity or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Entity's financial reporting process.

Auditor's responsibility for the audit of the financial statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial statements.

A further description of our responsibilities for the audit of the financial statements is located at The Australian Auditing and Assurance Standards Board website at: <http://www.auasb.gov.au/Home.aspx>. This description forms part of our auditor's report.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.



Nexia Duesburys (Audit)
Canberra, 18 August 2021



Rod Scott
Partner

FIDELITY FUND

The Solicitors' Fidelity Fund of the ACT

Statement of Comprehensive Income

For the year ended 30 June 2021

	Notes	2021 \$	2020 \$
Revenue	2	210,789	312,370
Audit fees		(3,315)	(3,215)
Administration expenses		(52,640)	(55,118)
Investigations, examinations, supervisor and managers' costs		(39,510)	(31,050)
Random inspections expenses		(134,975)	(123,570)
Surplus / (deficit) for the year		(19,651)	99,417
Total comprehensive income for the year		(19,651)	99,417

Statement of Financial Position

As at 30 June 2021

	Notes	2021 \$	2020 \$
Current assets			
Cash and cash equivalents	3	1,854,265	534,694
Investments	4	3,635,000	4,910,000
Trade and other receivables	5	162,242	237,281
Total current assets		5,651,507	5,681,975
Total assets		5,651,507	5,681,975
Current liabilities			
Trade and other payables	6	87,543	98,360
Total current liabilities		87,543	98,360
Total liabilities		87,543	98,360
Net assets		5,563,964	5,583,615
Equity			
Accumulated funds		5,563,964	5,583,615
Total equity		5,563,964	5,583,615

Statement of Changes in Equity

For the year ended 30 June 2021

	Notes	2021 \$	2020 \$
Accumulated Funds			
Balance at the beginning of the financial year		5,583,615	5,484,198
Total comprehensive income for the year		(19,651)	99,417
Balance at the end of the financial year		5,563,964	5,583,615

Statement of Cash Flows

For the year ended 30 June 2021

Cash flows from operating activities			
Receipts from contributions		142,094	175,990
Recoveries & GST refunds		101,223	23,030
Payments to suppliers and others		(263,261)	(246,219)
Interest received		64,515	140,805
Net cash inflow/(outflow) from operating activities		44,571	93,606
Cash flows from investing activities			
Payments for investments		(1,150,000)	(4,877,005)
Proceeds from investments		2,425,000	4,870,000
Net cash inflow/(outflow) from investing activities		1,275,000	(7,005)
Net increase/(decrease) in cash and cash equivalents held		1,319,571	86,601
Cash and cash equivalents at the beginning of the financial year		534,694	448,093
Cash and cash equivalents at the end of the financial year	3	1,854,265	534,694

Notes to the Financial Statements

For the year ended 30 June 2021

Note 1: Summary of Significant Accounting Policies

The Solicitor's Fidelity Fund (the Fund) of the Australian Capital Territory is a statutory body incorporated in the Australian Capital Territory under the *Legal Profession Act 2006*. The financial statements cover the Fund as an individual not-for-profit entity. Its registered office and principal place of business is 1 Farrell Place Canberra City ACT 2601.

Basis of Preparation

Reporting Basis and Conventions

The financial statements are general purpose financial statements that have been prepared in accordance with Australian Accounting Standards (Reduced Disclosure Requirements of the Australian Accounting Standards Board), including Australian Accounting Interpretations, and other authoritative pronouncements of the Australian Accounting Standards Board, and the requirements of the *Legal Profession Act 2006*.

The financial statements have been prepared on an accruals basis and are based on historical costs modified by the revaluation of selected non-current assets, and financial assets and financial liabilities for which the fair value basis of accounting has been applied. The functional and presentation currency of the Fund is Australian dollars. The amounts presented in the financial statements have been rounded to the nearest dollar.

A number of new or revised Australian Accounting Standards are effective for the first time in the current financial year. These standards have had no material impact on the Fund.

The following is a summary of the material accounting policies adopted in the preparation of the financial statements. The accounting policies have been consistently applied, unless otherwise stated.

Accounting Policies

(a) Income Tax

The entity is exempt from income tax under relevant provisions of the *Income Tax Assessment Act 1997*.

(b) Cash and Cash Equivalents

Cash and cash equivalents include cash on hand, deposits held at call with banks and other short term highly liquid investments with original maturities of three months or less.

(c) Revenue Recognition

Revenue recognised under AASB 15 is measured at the amount which the Fund expects to receive in consideration for satisfying performance obligations to a customer. A performance obligation is the distinct good or service defined within the contract with a customer. The transaction price is allocated to one or more performance obligations contained within the contract, with revenue being recognised as or when the performance obligation is satisfied.

Where consideration comprises variable components, the amount recognised as revenue is constrained to that amount that would

not result in a significant reversal of the cumulative revenue recognised when that uncertainty is resolved.

Timing of Revenue Recognition

Revenue is recognised either at a point in time or over time, when (or as) the entity satisfies performance obligations by transferring the promised goods or services to its customers.

If the Fund satisfies a performance obligation before it receives the consideration, the entity recognises either a contract asset or a receivable in its statement of financial position, depending on whether something other than the passage of time is required before the consideration is due.

All revenue is stated net of the amount of goods and services tax (GST).

The Fund has elected not to recognise volunteer services as revenue.

Contributions

Revenue from contributions is recognised when the entity obtains control over the contributions.

Interest Revenue

Interest income is recognised on an accruals basis using the effective interest method.

Recovered Investigation/management costs

Revenue from recovered investigation/management costs are recognised when the receipt of Funds become recoverable.

(d) Investments

Investments in bank bills and deposits are brought to account at cost and interest income is recognised in the profit or loss when receivable.

(e) Financial Instruments

Initial recognition and measurement

Financial assets and financial liabilities are recognised when the entity becomes a party to the contractual provisions to the instrument. For financial assets, this is the date that the entity commits itself to either the purchase or sale of the asset (ie trade date accounting is adopted).

Financial instruments (except for trade receivables) are initially measured at fair value plus transaction costs, except where the instrument is classified "at fair value through profit or loss", in which case transaction costs are expensed to profit or loss immediately.

Classification and subsequent measurement

Financial instruments are subsequently measured at either fair value or amortised cost using the effective interest rate method. The subsequent measurement depends on the classification of the financial instrument as described below.

Fair value represents the amount for which an asset could be exchanged or a liability settled, between knowledgeable, willing parties in an arm's length transaction. Where available, quoted prices in an active market are used to determine fair value. In other circumstances, valuation techniques are adopted.

The effective interest method is used to allocate interest income or interest expense over the relevant period.

Financial assets

All recognised financial assets are subsequently measured in their entirety at either amortised cost or fair value, depending on the classification of the financial assets.

Financial assets that meet the following conditions are subsequently measured at amortised cost:

- / the financial asset is held within a business model whose objective is to hold financial assets in order to collect contractual cash flows; and
- / the contractual terms of the financial asset give rise on specified dates to cash flows that are solely payments of principal and interest on the principal amount outstanding.

Financial assets that meet the following conditions are subsequently measured at fair value through other comprehensive income (FVTOCI):

- / the financial asset is held within a business model whose objective is achieved by both collecting contractual cash flows and selling the financial assets; and
- / the contractual terms of the financial asset give rise on specified dates to cash flows that are solely payments of principal and interest on the principal amount outstanding.

By default, all other financial assets are subsequently measured at fair value through profit or loss (FVTPL).

Despite the above, the entity may make the following irrevocable election/designation at initial recognition of a financial asset:

- / the entity may irrevocably elect to present subsequent changes in fair value of an equity instrument in other comprehensive income if certain criteria are met; and
- / the entity may irrevocably designate a financial asset that meets the amortised cost or FVTOCI criteria as measured at FVTPL if doing so eliminates or significantly reduces an accounting mismatch.

Financial liabilities

All financial liabilities are subsequently measured at amortised cost using the effective interest method or at FVTPL.

Impairment of financial assets

The entity recognises a loss allowance for expected credit losses on financial assets that are measured at amortised cost or at FVTOCI. No impairment loss is recognised for investments in equity instruments. The amount of expected credit losses is updated at each reporting date to reflect changes in credit risk since initial recognition of the respective financial asset.

The entity recognises lifetime expected credit losses for trade receivables. The expected credit losses on these financial assets are estimated based on the entity's historical credit loss experience adjusted for factors that are specific to the debtors, general economic conditions and an assessment of both the current as well as the future direction of conditions at the reporting date, including time value of money where appropriate.

(f) Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office. In these

circumstances the GST is recognised as part of the cost of acquisition of the asset or as part of an item of the expense. Receivables and payables in the statement of financial position are shown inclusive of the GST.

Cash flows are presented in the statement of cash flows on a gross basis, except for the GST component of investing and financing activities, which are disclosed as operating cash flows.

(g) Leases

At inception of a contract, the entity assesses whether a contract is, or contains, a lease. A contract is considered to contain a lease if it allows the entity the right to control the use of an identified asset over a period of time in return for consideration.

Where a contract or arrangement contains a lease, the entity recognises a right-of-use asset (lease asset) and a lease liability at the commencement date of the lease.

A right-of-use asset is initially measured at cost, which is the present value of future lease payments adjusted for any lease payments made at or before the commencement date, plus any make-good obligations and initial direct costs incurred. Lease assets are depreciated using the straight-line method over the shorter of their useful life and the lease term. Periodic adjustments are made for any re-measurements of the lease liabilities and for impairment losses.

Lease liabilities are initially measured at the present value of future minimum lease payments, discounted using the entity's incremental borrowing rate if the rate implicit in the lease cannot be readily determined, and are subsequently measured at amortised cost using the effective interest rate. Minimum lease payments include fixed payments, amounts expected to be paid under a residual value guarantee, the exercise price of purchase options for which the entity is reasonably certain to exercise and incorporate the entity's expectations of lease extension options.

The lease liability is remeasured when there are changes in future lease payments arising from a change in rates, index or lease terms from exercising an extension or termination option. A corresponding adjustment is made to the carrying amount of the lease assets.

Short term leases (lease term of 12 months or less) and leases of low value assets (\$10,000 or less) are recognised as an expense as incurred in the statement of profit or loss.

(h) Comparatives

Where required by Accounting Standards, comparative figures have been adjusted to conform to changes in presentation for the current financial year.

Critical Accounting Estimates and Judgements

The Councillors evaluate estimates and judgements incorporated into the financial statements based on historical knowledge and best available current information. Estimates assume a reasonable expectation of future events and are based on current trends and economic data, obtained both externally and within the Fund.

The Councillors do not believe that there were any key estimates or key judgements used in the development of the financial statements that give rise to a significant risk of material adjustment in the future.

	2021	2020
	\$	\$
Note 2: Revenue		
Interest on investments	53,770	97,980
Contributions from levies	74,087	69,967
Recovery of investigations/management and supervisor costs	14,925	38,400
Distribution from the Statutory Interest Account	68,007	106,023
	210,789	312,370

Note 3: Cash and Cash Equivalents

Cash at bank	450,832	534,694
AMP Notice account	1,403,433	-
	1,854,265	534,694

Note 4: Investments

Term deposits*	3,635,000	4,910,000
	3,635,000	4,910,000

Note 5: Trade and Other Receivables

Trade debtors — The Law Society of the Australian Capital Territory	75,139	74,858
Trade debtors — other	129,684	194,259
Provision for doubtful debts	(46,379)	(46,379)
Accrued interest	3,798	14,543
	162,242	237,281

Note 6: Trade and Other Payables

Trade creditors and accruals	12,404	28,701
Contributions received in advance	75,139	69,659
	87,543	98,360

Note 7: Legislation

The Solicitors' Fidelity Fund of the Australian Capital Territory is maintained by the Law Society of the Australian Capital Territory, a related entity, in accordance with s320 of the *Legal Profession Act 2006*. The Fund has no employees.

* A number of term deposits are held with maturities of 12 - 13 months from the date of deposit.

2021
\$

2020
\$

Note 8: Auditors' Remuneration

Audit of the Fund's financial statements	3,315	3,215
Conduct of random inspections	41,010	54,945
	44,325	58,160

Note 9: Financial Risk Management

The accounting policies and terms and conditions of each class of financial asset and financial liability at the end of the reporting period are consistent with those regularly adopted by businesses in Australia.

The Fund is not subject to any significant liquidity or credit risk. Interest rate risk is managed by the Fund reviewing the interest rate profile, current rates and the market outlook and taking actions as necessary to ensure that risk levels are maintained at a satisfactory level. A 1% movement in interest rates on term deposits held at year end would have an annual effect of \$36,350 on profit and equity.

A previous actuarial assessment of the Fund noted that the level of exposure to risk had increased due to the substantial increase in trust monies held in the ACT by law firms. The recommendation was that the prudential optimal size of the Fund should be between \$5.5m and \$6.0m and the Council of the ACT Law Society continues to monitor the balance each year.

The totals for each category of financial instrument, measured in accordance with AASB 9 as detailed in the accounting policies to these financial statements, are as follows:

Financial Assets at amortised cost

Cash and cash equivalents	3	1,854,265	534,694
Term deposit investments	4	3,635,000	4,910,000
Trade and other receivables	5	162,242	237,281
Total Financial Assets		5,651,507	5,681,975

Financial Liabilities at amortised cost

Trade and other payables	6	87,543	98,360
Total Financial Liabilities		87,543	98,360

Net Fair Values

Financial assets and liabilities are carried at their net fair value at the end of the reporting period. The carrying values of financial assets and financial liabilities approximate their net fair values due to their short terms of maturity or market interest rates. No financial assets or financial liabilities are traded on organised markets in standard form.

Note 10: Contingent Liabilities and Contingent Assets

There are no contingent liabilities or contingent assets at the end of the financial year.

Note 11: Events After The Reporting Period

These financial statements were authorised for issue by the Councillors on the date of signing the attached Councillors' Declaration. The Councillors have the power to amend the financial statements after they are issued.

There are no other events after the end of the reporting period which require amendment of, or further disclosure in, the financial statements.

Councillors' Declaration

For the year ended 30 June 2021

The Councillors declare that the financial statements and notes set out on pages 42 to 48:

- (a) comply with Australian Accounting Standards – Reduced Disclosure Requirements and other mandatory professional reporting requirements; and
- (b) present fairly the Society's financial position as at 30 June 2021 and its performance, as represented by the results of its operations and its cash flows, for the financial year ended on that date.

In the Councillors' opinion:

- (a) the financial statements and notes are in accordance with the requirements of the *Legal Profession Act 2006*; and
- (b) there are reasonable grounds to believe that the Society will be able to pay its debts as and when they become due and payable.

This declaration is made in accordance with a resolution of the Councillors.



Councillor

18 August 2021



Councillor

18 August 2021



INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF THE SOLICITORS' FIDELITY FUND OF THE AUSTRALIAN CAPITAL TERRITORY

Report on the Audit of the Financial Statements

Opinion

We have audited the accompanying financial statements of the Solicitors' Fidelity Fund of the Australian Capital Territory which comprises the statement of financial position as at 30 June 2021, and statement of comprehensive income, statement of changes in equity and statement of cash flows for the year ended on that date, a summary of significant accounting policies and other explanatory notes.

In our opinion the financial statements present fairly, in all material respects, the financial position of the Solicitors' Fidelity Fund of the Australian Capital Territory as at 30 June 2021 and of its financial performance and its cash flows for the year then ended in accordance with Australian Accounting Standards – Reduced Disclosure Requirements.

Basis for opinion

We conducted our audit in accordance with Australian Auditing Standards. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the financial statements section of our report. We are independent of the Entity in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 Code of Ethics for Professional Accountants (including Independence Standards) (the Code) that are relevant to our audit of the financial statements in Australia. We have also fulfilled our other ethical responsibilities in accordance with the Code.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibilities of the Council for the financial statements

The Council is responsible for the preparation and fair presentation of the financial statements in accordance with Australian Accounting Standards, and for such internal control as Council determines is necessary to enable the preparation of the financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Council is responsible for assessing the Entity's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the Council either intends to liquidate the Entity or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Entity's financial reporting process.

Auditor's responsibility for the audit of the financial statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial statements.

A further description of our responsibilities for the audit of the financial statements is located at The Australian Auditing and Assurance Standards Board website at: <http://www.auasb.gov.au/Home.aspx>. This description forms part of our auditor's report.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.



Nexia Duesburys (Audit)
Canberra, 18 August 2021



Rod Scott
Partner



THE LAW SOCIETY OF THE AUSTRALIAN CAPITAL TERRITORY

A MEMBER OF THE LAW COUNCIL OF AUSTRALIA

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