

ACT
LAW
SOCIETY
**ANNUAL
REPORT**
2016-17

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PRESIDENT'S REPORT



2016-17 has again been a busy year for the Society and legal practitioners in the ACT.

Throughout my first term as President, I have focused on enhancing the standing of lawyers in the broader community, and on the connected goals of collegiality and wellbeing within the ACT legal profession. I have striven to show you what you can be proud of, and to build bridges to connect our diverse practitioners with each other and with outside but connected groups.

With this in mind, the Society has run or participated in a range of activities throughout the year, including the Fresh Air and Sunshine Walks, our quarterly members' lunches, social drinks with the DPP, and an LGBTI networking event in conjunction with King & Wood Mallesons.

Community Events

The Society has continued to engage with the broader community.

Earlier this year, the Society facilitated a community forum on End of Life Choices in partnership with the ANU College of Law. Some of our committees participated in community events (such as the Seniors Expo), and we were pleased to support our local charity for the year, the Australian Indigenous Leadership Centre. The Society continues to build the funds in the Law Society Foundation in order to ensure future disbursements can continue to be made to selected charities in the future.

Pro Bono Work

I also note with gratitude the considerable pro bono work of so many legal practitioners. The Society relies on the generous support of its members to conduct

its Legal Assistance Bureau and its Pro Bono Clearing House. Together, these initiatives have tried to assist over a thousand people this year alone.

In addition, the Society recognises that many practitioners perform pro bono work through their firms or directly through local groups. Your support is much appreciated.

Law Reform

The Society has also made a number of submissions and provided comments to government on proposed law reform throughout the year. To do so, we rely on the expertise of our committee members, and we thank them for their time and continued efforts.

This year, we have made submissions in relation to a range of issues including consorting laws, a review of civil surveillance, intensive corrections orders, drink and food spiking, the establishment of an independent corruption commission for the ACT, and intimate image abuse. We also successfully lobbied for amendment to sections of the Legal Profession Act.

CPD

CPD also continues to be a focus of the Society as we continue to ensure that we make available to our members a variety of quality seminars and presentations. Throughout the year, we conducted 34 CPD events, including webinars, short one hour face-to-face sessions, themed afternoons and the annual two day intensive.

Again, we are grateful to the many practitioners who happily share their expertise and participate in our CPD program as presenters.

Our Courts

This year we also saw a number of changes in our Courts. We were honoured to host farewell dinners for Magistrate Peter Dingwall, Judge Jim Brewster, and the Hon Richard Refshauge. These well-attended events enabled the profession to express their high regard for these respected, long standing members of the judiciary.

We were also pleased to welcome the Hon Justice Michael Elkaim to the ACT Supreme Court with an event held in September 2016.

Thank you

The Society again recognised the achievements of its members through the conferral of the President's Medal, the ACT Young Lawyer of the Year, and the Government Law Award at its Annual Dinner and Awards Night in August 2016. The recipients of the awards in 2016 were Michael Phelps (President's Medal), Katrina Marson (ACT Young Lawyer of the Year) and Elizabeth Carroll (Government Law Award).

I would like to thank the outgoing President, Martin Hockridge, for his tireless work for the Society over his three-year term as President. In addition, I acknowledge the invaluable assistance of the members of the Executive and the Council.

I would also like to pass on my sincere thanks to the Law Society secretariat staff for their hard work and dedication throughout the year.

— Sarah Avery, President

TREASURER'S REPORT



I am pleased to present the Annual Report on the Society's Accounts for the 2016-17 financial year.

General Account

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

The General Account recorded a surplus of \$389,808 which increased the Society's accumulated funds to \$2,137,053 as at 30 June 2017.

The favourable result was higher than budgeted predominantly due to the Society's increasing membership numbers and higher than budgeted revenue from CPD seminars, practice management course income and sales of residential contracts and tenancy forms. There were a number of budgeted expenses not finalised in 2016-17 which contributed to the higher surplus and these have been carried forward to the 2017-18 year.

The Society is expecting to record a surplus for the 2017-18 financial year.

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.

Total deposits at 30 June 2017 amounted to \$33,520,836 which is an approximate 24.5% increase on deposits held in the previous year. This follows an increase from the year prior of 28.5%, indicating that balances held in solicitor trust accounts continue to grow.

Interest earned on statutory deposit funds invested in term deposits continues to be an important revenue component for the Statutory Interest Account. The Society continues to pursue attractive investment rates where possible.

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.

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 the funds held in the Statutory Interest Account itself.

The revenue received of \$2,700,074 was a pleasing increase of approximately 21% on the previous year. Although interest rates remain low, balances held in solicitor trust accounts from which the Society earns interest continue to remain at higher levels than previous years which resulted in an increase of interest received. Also, the greater amount of deposits held in the Statutory Deposits Account have contributed to an increase in revenue on those investments.

This year there was a substantial increase in the amount recovered for disciplinary costs and the Society continues to pursue the recovery of costs incurred. Although disciplinary costs increased by 22% on last year's expenditure, there have been some costly long running matters which have recently concluded. The finalisation of these matters along with recent changes in the disciplinary process are expected to contain future costs.

For the 2016-17 financial year Council agreed that \$1,033,400 will be disbursed. An amount will be allocated towards grants to the Legal Aid Commission and other community legal aid organisations. It is also intended that part of the disbursement will be paid to

the Fidelity Fund as it has failed to increase in line with the increased balances held in solicitor trust accounts, meaning a greater exposure to risk. After the full disbursement, the Statutory Interest Account remains in a break-even position.

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.

The accumulated funds of the Fidelity Fund decreased by \$9,416 to a total of \$5,207,686 as at 30 June 2017.

This year's result included a significant outlay on costs incurred for investigations, supervisor and management appointments. Some of these costs were recovered in 2016-17 and it is expected that a further recovery of costs will be received in 2017-18.

An actuarial assessment of the Fidelity Fund was recently completed and it has been determined that the Fidelity Fund balance should increase. With higher balances held in solicitor trust accounts, along with the increase in law firm numbers and employee numbers, there is a need to cover the greater exposure to risk and the current balance is lower than the prudential optimal size. The increase can be addressed over a number of years and Council will be considering possible options to increase the balance of the fund in the future.

— Vik Sundar, Treasurer

CORPORATE OVERVIEW

Role of the Law Society

The objects of the Society are:

- / To advance the study of jurisprudence.
- / To promote the administration of justice and development and improvement of law throughout the Territory.
- / To support and protect the character, status and interest of the legal profession and Legal Practitioners generally in the Territory.
- / To promote honourable practice, to suppress malpractice, professional misconduct or unprofessional conduct or practice on the part of Legal Practitioners.
- / To settle disputed points of practice and to decide all questions of professional usage or courtesy between or among Legal Practitioners.
- / To uphold the honour of the profession of the law and encourage cordial intercourse among members of the legal profession and to arrange social and sporting functions and gatherings among the legal profession, and also social and sporting functions in which the legal profession and other professions may participate.
- / To consider proposed changes in the law and to aid such amendments and reforms as are likely to benefit the public.
- / To consider all questions affecting the interest of the legal profession in the Territory and in that interest to initiate and watch over and if necessary to petition the Legislative Assembly or promote deputations in relation to general measures affecting the legal profession and to procure changes of law or practice and the promotion of improvements in the principles and administration of the law.
- / To represent the views and wishes of the legal profession in the Territory.
- / To promote information on legal subjects by lectures, discussions, books, correspondence with public bodies and individuals.
- / To seek, receive and disseminate information.
- / To do all such things as are incidental or conducive to the attainment of all or any of the objects set out in this list.
- / To carry out those functions allotted to the Society under the Act.
- / Through the by-laws, to make rulings to regulate the professional practice and conduct of Members and of other legal practitioners who hold practising certificates issued pursuant to the provisions of the Act provided that no such ruling shall be made with respect to the practice and conduct of Barristers except with the consent of the Australian Capital Territory Bar Association.

Governance

The Council is the governing body of the ACT Law Society. It comprises 15 elected members and the Immediate Past President. In addition, there are five Council-appointed observers. 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

President — Sarah Avery

Sarah is a lawyer with ten years' experience in the ACT. She has assisted clients with personal injury claims, other civil issues, and criminal matters. Sarah also represents specialised professional indemnity insurers, and has a keen interest in assisting professionals (including lawyers) facing occupational discipline proceedings and negligence claims. She was appointed senior Vice President of the Law Society in 2015. She is also on the Pro Bono Clearing House Panel, the Legal Aid Review Panel, the Functions Committee, and is a mentor in the Young Lawyers Mentor Program. Sarah served as a member of the Law Society Council during 2009-2012, and has been a member of the Criminal Law Committee.

Vice President — Chris Donohue

Chris has been a sole practitioner in the ACT since July 1978. He practices primarily in the areas of civil litigation, commercial, conveyancing and probate. He has served on the Council for seven years, including one year as Vice President and three as an Executive member. He has also served on the Society's Complaints Committee and the Commercial Leases Committee. Outside of

work his interests include 'fun' running, bushwalking, theatre (on and off stage), skiing and travel.

Vice President — Craig Painter

Craig completed the GDLP in July 2003. He has worked for the ACT Government Solicitor, Abbott Tout, and Porters Lawyers, and became a partner at Elringtons in 2011. Craig joined Snedden Hall & Gallop in July 2014. Craig practices in litigation, focusing on both business and personal litigation, and has been an advocate for clients in 'Mr Fluffy' properties. Craig has been a member of the Council for the past two years, was a member of the ACT branch committee of the Australian Lawyers Alliance, has assisted in the Legal Advice Bureau, and participated in mock trials. He is also an active member of the Canberra Business Chamber, and has tutored at the ANU for the past five years.

Secretary — Louise Vardanega PSM

Louise Vardanega has been working for the Australian Government Solicitor since 1975 and has been Chief Operating Officer there since July 2009. Louise has a very active role in the local profession as a member of the Law Society. She has served continuously as Secretary since 1993, been a member of the Council since 1991, and has been a member of a number of the Society's committees. In 2014, she was appointed a Member of the ACT Legal Practitioners Admissions Board. Recognised for her outstanding public service through leadership and management, Louise was awarded a Public Service Medal in the Australia Day 2000 Honours List.

Treasurer — Vik Sundar

Vik Sundar is the Practice Leader of Private Wealth at Chamberlains, practising in taxation, private business restructuring, stamp duty, and estate planning. He was admitted in 2010 after graduating from the ANU in 2008 with a Juris Doctor. He has worked for organisations including the Australian Taxation Office, Dixon Advisory, NAB Private Wealth, and specialist tax planning law firm Cleary Hoare Solicitors. Vik was an assisting author on *Discretionary Testamentary Trusts: Precedents and Commentary*, and regularly presents at CPD events on estate planning, superannuation, and tax issues. He is currently completing a Masters in Tax, and



is a regular contributor to the Canberra Estate Planning Group, the Tax Institute, and Family Business Australia.

Immediate Past President — Martin Hockridge

Martin Hockridge was President of the Law Society for three years. Prior to becoming President, he was the Deputy CEO at Legal Aid ACT. He was admitted to practice in 1982. He spent many years as a criminal law defence lawyer, and also has experience in civil litigation and family law. His particular interests are access to justice, criminal law, and human rights. Martin has been on the Council of the Law Society for ten years, and was vice president for four years. He has served on the Access to Justice Committee, the Criminal Law Committee, the Complaints Committee, the Mental Health Committee and various other *ad hoc* committees. He has also been a member of the Law Council of Australia's Criminal Law Liaison Committee, the ACT Criminal Law Consultative Committee, and was invited to participate in the SCAG Criminal Trial Reform process.

Council-Appointed Member — George Marques

George Marques is a partner of HWL Ebsworth Lawyers and has practised in Canberra since 1985. He joined the Council in 2013. His areas of legal practice are predominantly commercial law, company law and property. He has been frequently recognised as one of Australia's leading corporate lawyers in the Best Lawyers' reports published by the *Australian Financial Review*. George advises government and private clients and in the past has been a member of a number of ACT Law Society committees.

Councillors

- / Valerie Bradley
- / Angus Bucknell (20 February 2017 - present)
- / Clarissa Campbell (22 September - 12 December 2016)
- / Peter Cain
- / Catherine Coles
- / Amy Eager
- / Roger Hambly
- / Gavin Lee
- / Bronwyn McNeil
- / George Marques
- / Phil Schubert

Council-appointed observers

- / Justice & Community Safety Directorate
- / Women Lawyers Association of the ACT
- / ACT Young Lawyers Committee
- / School of Law, Australian National University
- / School of Law, University of Canberra
- / Association of Corporate Counsel

Committees

Through its committees, the Society is able to look in detail at proposed legislation and its impact, not only on legal practice in the ACT, but the community's access to justice and the fairness and efficiency of the administration of justice. The Society's committees are governed by the *Committee Charter*.

The Law Society operates the following committees:

Access to Justice & Human Rights

Chaired by Walter Hawkins

Civil Litigation

Chaired by Richard Faulks

Complaints

Chaired by Ross Reid

Criminal Law

Chaired by Michael Kukulies-Smith

Elder Law & Succession Law

Chaired by Rebecca Tetlow

Family Law

Chaired by Di Simpson

Functions & Law Week

Chaired by Sarah Avery

Government Law

Chaired by Peter Cain

Inclusion & Diversity

Chaired by Ranjini Nayager

Industrial Relations

Chaired by John Wilson

International Lawyers

Chaired by Ilona Krolikowska

Legal Professional Act & Ethics

Chaired by Michael Phelps

Military Law

Chaired by James King

Practice Management

Chaired by Bill Baker

Property Law

Chaired by Adam Peppinck

Young Lawyers

Chaired by Lisa Sherman

Secretariat

The role of the secretariat is to assist the Executive Committee in the daily running of the Society, and to implement the resolutions of Council. The secretariat consists of the following staff:

Chief Executive Officer

Dianne O'Hara

Professional Standards Manager

Rob Reis

Finance & Business Services Manager

Lea McLean

Executive Secretary

Debbie Sims

Professional Development Officer

Margaret Ryan

Research Officer

Natasha Del Piero

Communications Officer

Nicole Karman

Committee Administrator

Tanya Holt

Complaints Committee Secretary

Linda Mackay

Bookkeeper

Kathleen Lui

Receptionist & LAB Administrator

Robyn Guilfoyle

Administrative Support

Elaine Gray

CPD Support

Bwalya Chifuntwe

Tien Pham

Claudia Silano-Malouf

Sponsors

CPD Program

legalsuper

Ethos quarterly magazine

Nexia Australia

Hearsay fortnightly e-newsletter

The College of Law

Event Partner

ANU Law

Members Lunches

Nexia Australia

Arthur J. Gallagher

Annual Dinner

Vincent's

Arthur J. Gallagher

Principal Law Week sponsor

LawCover

Individual event sponsors

Hays Legal

Clayton Utz

King & Wood Mallesons

Maurice Blackburn

Mills Oakley

Minter Ellison

Moray & Agnew

Snedden Hall & Gallop

Trinity Law

Yeend & Associates

COMMUNITY

Legal Advice Bureau

The Law Society's Legal Advice Bureau, or LAB, has been in operation since 1972. The LAB offers 15 minutes of free legal advice to members of the public. It is staffed by volunteers – more than 100 Law Society members who give up their lunch break once a month. People come to LAB because they aren't sure about how to move forward with a legal issue, or even if they have a legal issue.

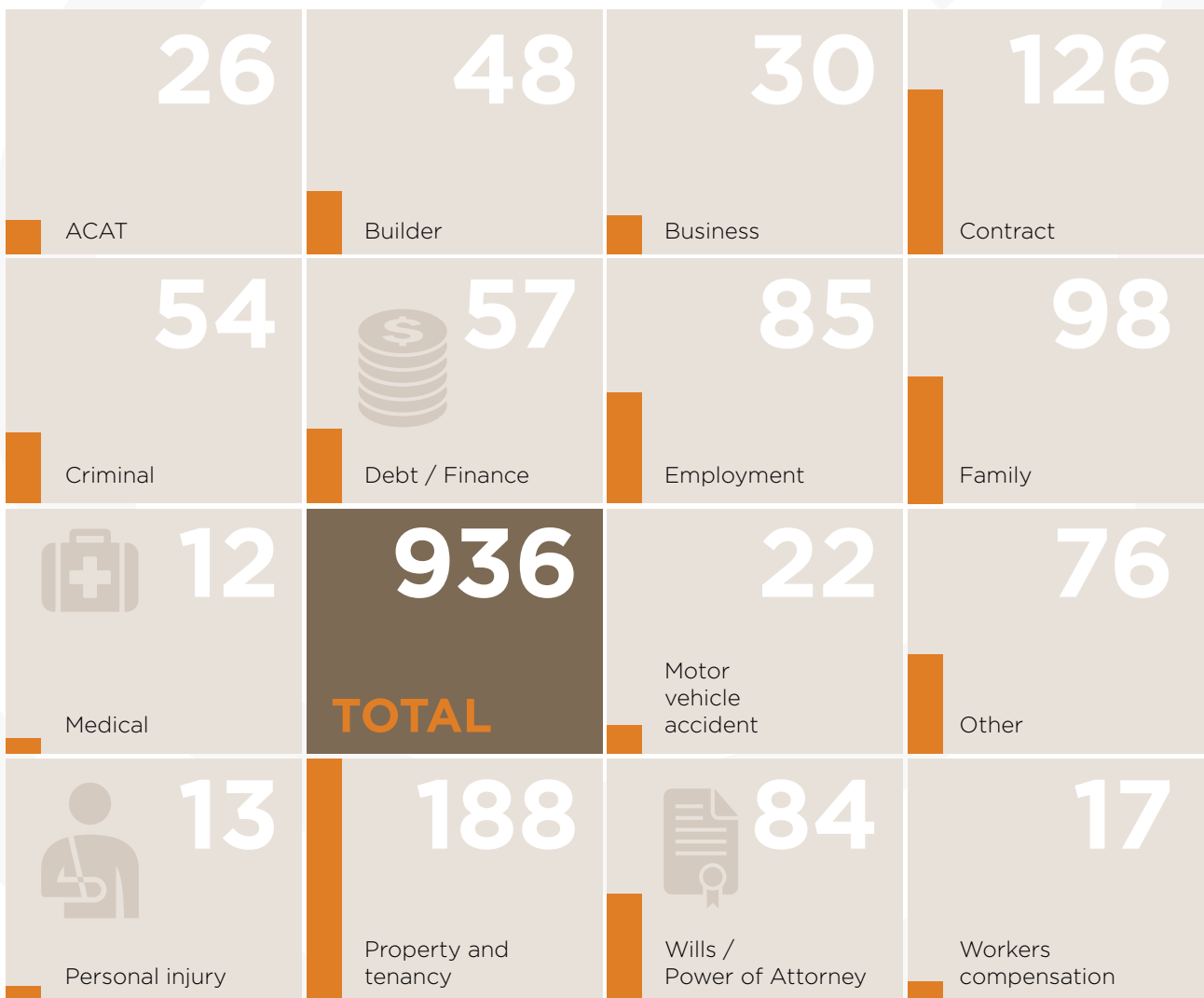
LAB volunteers see more than a thousand clients every year, and give advice on issues such as family law, criminal law, debt, personal injury, tenancy issues, motor vehicle accidents, employment law, workers compensation, migration law, and contract law. The volunteer work at the LAB represents around 250 hours a year.

Legal matters covered by LAB

In the 2016-17 financial year, LAB saw 936 clients.

The areas of law that clients most often ask for assistance with are property and tenancy issues, closely followed by contract problems. Family law, employment issues, and estate matters (wills and powers of attorney) are also high on the list.

The graphic below shows a breakdown of the legal areas that clients most commonly asked for advice on.



Pro Bono Clearing House

The Law Society also provides legal assistance through the Pro Bono Clearing House to disadvantaged people who are otherwise unable to secure a lawyer. 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 Management Committee report

The PBCH Assessment Panel, a changing panel of ACT legal practitioners, meets weekly to consider applications received from organisations and individuals.

For the period 1 July 2016 to 30 June 2017, 68 applications were received, on par with the 68 applications received during the previous financial year. 65 were from individuals and three from organisations.

Of the 68 applications, 32 were successfully referred out to firms. The remaining 32 were unsuccessful because they did not have reasonable prospects of success, did not meet the means test eligibility criteria, were not actually legal issues, had not exhausted all other avenues, or did not merit the use of our scarce pro bono resources. One was withdrawn after receiving a grant of legal aid, and three require further information before further consideration.

The Secondee System

The panel 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 PBCH. Their primary role is to meet with potential applicants, assist them with preparing their PBCH application, provide a summary report to the panel and attend panel meetings. Over the 2016-17 period, Operational Secondees have been provided by Minter Ellison, Sparke Helmore, Meyer Vandenberg, Proximity Legal, and McInnes Wilson.

The PBCH also benefits from a 'policy secondee' whose role is to focus on developing the strategic and policy side of the PBCH. King & Wood Mallesons has provided the policy secondee on a long-term secondment (6-12 months).

2016-17 snapshot

During the course of the financial year the PBCH has been averaging three applications per week. For the first time since its establishment, the operations of the PBCH were suspended for two months due to not being able to secure an operational secondee. This is reflected in the reduced number of applications received in 2017. The PBCH is now back on track thanks to Proximity Legal and McInnes Wilson offering to provide the operational secondee.

The PBCH also wrote to the Deans of the Law Schools at ANU and the University of Canberra seeking interest from final year law students in undertaking the role of operational secondee. Six expressions of interest were received.

I would like to thank the following firms for accepting referrals from the PBCH: Minter Ellison, Clayton Utz, Sparke Helmore, Sharman Robinson, Bradley Allen Love, and Chamberlains Law Firm.

I would like to thank all the operational secondees for the 2016-17 year: Aaron Broekhuysen (Minter Ellison), Samantha Ferry (Sparke Helmore), James Pratt and Kirstie Easdale (Meyer Vandenberg), Bilal Hassain (Proximity Legal) and Eric Goonetilleke (McInnes Wilson).

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

— Martin Hockridge

Committee members

- / Martin Hockridge (Chair)
- / John Boersig
- / Genevieve Bolton
- / Katy Grimes
- / Peter McNulty
- / Emma Boland
- / Debbie Sims

Law Week

Law Week is an annual event held in May across Australia. Law Week's goal is to promote public understanding of the law and its role in society. Each year in Canberra we run a range of events, including public lectures, comedy events, free will consultations, information sessions about wills and powers of attorney, and tours of the ACT Supreme Court.

Law Week also raises more than \$10,000 every year for a local Canberra Charity. In past years, we've supported such charities as the Australian Indigenous Leadership Centre, the Food Rescue Service, Pegasus Riding for the Disabled, OzHarvest Canberra, The Galilee School, and Arthritis ACT.

Law Week 2017

The theme of Law Week 2017, shared nationally with our interstate counterparts, was "Law and Justice in Your Community".

We ran a variety of events designed to engage the legal community and the broader community, celebrating and educating the public about the role of lawyers in seeking justice and upholding the rule of law. Collegiality was another focus of the week, with social, educational and sporting events taking pride of place.

The Law Week profit in 2017 was \$10,950. This amount is split equally between the President's Charity and the ACT Law Society Foundation.

Launch and Golden Gavel

We were very pleased to have ACT Attorney-General Gordon Ramsay MLA formally launch Law Week.

He said: "One of the primary aims of Law Week is to engage with the community — to invite them to be involved in, be aware of, and feel ownership towards the protections and responsibilities provided by our laws and justice system."

Justice Michael Elkaim joined our president, Sarah Avery, and Gordon Ramsay MLA on the judging panel for the ACT Golden Gavel. Congratulations to all of our excellent Golden Gavel competitors: Mystery Toefoki, Pierre Johannessen, Anna Reynhout, and Katherine Stapels, and of course to the winner of the Golden Gavel, Adam Moynihan, and winner of the People's Choice Award, Adrian Hearne.

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

Other Law Week 2017 sponsors are the Blackburn Lecture sponsor the ANU College of Law, the Dinner sponsor Maurice Blackburn, and the Quiz Night sponsor Hays Legal. We sincerely thank them for their support.

Blackburn Lecture

The 32nd Annual Sir Richard Blackburn Lecture, "Law, Morality and the Public Trust", was delivered by Justin Gleeson SC, barrister and former Solicitor-General of Australia (the Commonwealth's second-ranking law officer).

The lecture was very grounded in black-letter law and common law, and Mr Gleeson demonstrated how the discipline of legal reasoning is an indispensable component of the rule of law and access to justice. Justin Gleeson SC brought into focus the flesh and

Gordon Ramsay MLA, Sarah Avery, Belinda Gibb (CEO, Australian Indigenous Leadership Centre), and Malcolm Heath (Lawcover) at the Law Week Launch.



The Hon Justice Michael Elkaim with the 2017 ACT Golden Gavel winner Adam Moynihan.



blood realm of asylum seekers and other vulnerable people affected by the exercise of (or failure to exercise) Commonwealth government power.

ADO Panel

The Animal Defenders Office presented another fascinating yet confronting panel discussion this year, on “Animals — The forgotten victims of domestic violence”. Speakers Nadia Pessarossi of the Tara Costigan Foundation, Family Dispute Resolution Practitioner Esther-Louise Burgess, and Yana Del Valle and Mike Rosalky of the Animal Defenders Office discussed the links between animal abuse and domestic violence, and why animals, domestic violence victims, and the community would benefit from independent enforcers of animal protection laws.

Dinner

The Women Lawyers Association hosted the Law Week Dinner, with support from Maurice Blackburn. Author Clementine Ford was a fascinating and entertaining keynote speaker, but we also heard from Auntie Jannette Phillips with her Welcome to Country, and from WLA ACT President Prue Bindon, and Jacinta Northam, on behalf of sponsor Maurice Blackburn. It was a great night for ACT women lawyers and those who support them.

Bar Breakfast

On 18 May 2017, the ACT Bar Association hosted the Law Week Bar Breakfast, providing members of the profession with intellectual and physical sustenance. Barrister James Lawton spoke about juries — their fascinating history including in trials by ordeal, and challenges in our digital age.

Sporting events

The 2017 Law Week Six-A-Side Soccer came down to a very tense grand final, with the game going into overtime with both teams on one goal each. 1st place went to RSM Australia “RSM / Kibbey Legal”, and the runner-up was Bradley Allen Love “BAL Munich”.

The 2017 Law Week Netball ended with an exciting grand final between teams representing Moray & Agnew and Henry Davis York. The trophy ultimately went home with Moray & Agnew.

Quiz Night

19 May 2017 saw the successful continuation of the beloved Young Lawyers Law Week Quiz Night. The ultimate winners were Mills Oakley, with the ACT Supreme Court as runners up, and Comcare third.

Great work by the ACT Young Lawyers Committee for running a fun night, and a huge thank you to Hays Legal for being the event sponsor. The following businesses also donated prizes for the Quiz Night: Blackfire Restaurant, Hippo Co, Long Rail Gully Wines, Pact Beer, Tennis Canberra, Watts McCray Lawyers, and Waves Car Wash.

Mock Trial

On 20 May 2017, the DPP Plate Mock Trial Competition capped off Law Week at the ACT Magistrates Court. In a dramatic end to Law Week, the prosecution team did not quite make out its case, giving the defendant an acquittal, but ACT Director of Public Prosecutions Jon White SC found that the skills and delivery of the prosecutors were the best on the day.

Clementine Ford with Prue Bindon (Women Lawyers Association of the ACT) at the Law Week Dinner.



Professor Stephen Bottomley (Dean, ANU College of Law), Justin Gleeson SC, and Sarah Avery at the 2017 Blackburn Lecture.



End of Life Choices Panel Discussion

On 30 March 2017, the ACT Law Society and the ANU College of Law facilitated a panel discussion on the complex topic of end of life choices.

The aim of the event was to provide the wider community with the resources for a discussion about this complex issue.

Our MC was journalist Ginger Gorman, and our panel were Professor Thomas Faunce, who specialises in law and medicine at the ANU; Tara Cheyne MLA (Member for Ginninderra); and Shayne Higson from Go Gentle Australia. They looked ahead to the future of end of life care and the legal and medical implications of change, and answered questions.

We had excellent participation from palliative care providers and doctors in the audience were who also able to assist with the discussion.

The options for end of life care are becoming increasingly important to the ACT community. The forum let people ask questions and listen to thoughtful expert information about this complex issue.

Charitable donations

President's charity

Each year, the President of the Law Society nominates a charity to receive funds from any charitable events run by the Society (the primary event being Law Week). The chosen charity must:

- / Be a registered charity under the Charities Act,
- / Be based in the ACT, or, in the case of a national charity, must provide a substantial benefit to the Canberra community,
- / Not have been the nominated Law Society charity within five years of the new nomination, and
- / Not have been a recipient of a grant from the Statutory Interest Account within two years of the nomination.

The Society's annual charity for 2017 is the Australian Indigenous Leadership Centre (AILC). Based in Canberra, but delivering courses around Australia, the mission of the AILC is to empower Aboriginal and Torres Strait Islander people to be inspirational leaders.

The AILC offers accredited courses in Indigenous Leadership, and non-accredited short courses in specific leadership skills and diversity mentoring. Indigenous people are able to attend most of their courses at no cost, thanks to sponsorship from government departments, companies and not-for-profit organisations. AILC also delivers training to organisations such as law firms and government departments on issues relevant to promoting a better understanding of the diverse Aboriginal and Torres Strait Islander traditions around Australia.

In 2017, the President's Charity, the Australian Indigenous Leadership Centre, received \$9,875, representing the Foundation disbursement plus 50 per cent of the Law Week profit.

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 Law Society funds. The total amount in the Foundation as at 30 June 2017 is now \$81,867, and the disbursement for 2017 was \$4,400.

Law Society President Sarah Avery with Lauren Stewart and Liam Carroll, winners of the Prize for the Highest Achieving Student in Equity Law.



In order to continue growing the corpus of the Foundation, Law Week profit is split equally 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.

Young Lawyer's charity

Each year the Young Lawyers Committee chooses a charity to support, which in 2017 is Lifeline Canberra. Lifeline exists to support people in crisis and to save the lives of those experiencing thoughts of suicide.

The committee raises funds for their chosen charity throughout the year, but their primary fundraising event is the Charity Champagne Breakfast in March, which in 2017 raised \$500 for Lifeline.

Awards to university students

The ACT Law Society funds prizes for academic excellence at the University of Canberra and the Australian National University.

Australian National University

- / BC Meagher Prize for Commonwealth Constitutional Law (shared) — Hannah Dawson, Emily Deng, Daniel Gorry, Asher Presneill
- / Law Society of the ACT Prize for Contracts — Lucy McKindlay
- / Liz and Bill Allen Prize for Practical Legal Training (shared) — Martin Rustam, Alanna Newton

University of Canberra

- / ACT Law Society Prize for the Highest Achieving Student in Contract Law — Joanne Crooks
- / ACT Law Society Prize for the Highest Achieving Student in Equity Law (shared) — Lauren Stewart and Liam Carroll
- / ACT Law Society *Canberra Law Review* Prize — Erina Fletcher

Law Society President Sarah Avery and Contracts Prize winner Lucy McKindlay.



Law Society President Sarah Avery with the winners of the BC Meagher Prize.



MEMBERS

Our members

The Law Society represents about 2,400 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 — students, expatriates, and retirees for example, who want to maintain contact with the Canberra legal community.

As at 30 June 2017, the Society had 2,468 members. This represents an increase of 7.4 per cent from the previous financial year.

94 percent of our members hold a practising certificate. 57 per cent are female. 42 percent are in private practice, and 42 per cent work for local or federal government. The remaining members are in-house or corporate lawyers (four per cent), members overseas (three per cent), volunteers or community legal centre lawyers (three per cent), and members without practicing certificates (six per cent).

National comparison

The *National Profile of Solicitors 2016 Report*, prepared by Urbis for the Law Society of New South Wales, is a national profile of the legal profession that includes a demographic breakdown of solicitors represented by each of the eight state and territory Law Societies in Australia.

According to the Report, over the last four years, there has been a 24 per cent increase in the number of practising solicitors in Australia. However, the ACT increase is just over 50 per cent.

The Report also shows that nationally, there are now equal numbers of men and women in the profession. In the ACT however, women outnumber men.

In 2016, the mean age of Australian solicitors was 42 years, while the ACT average is slightly younger at 40 years. This more youthful profession is also reflected by statistics on years since admission, which nationally shows less than nine per cent had been admitted for one year or less, while this figure is 13 per cent in the ACT.

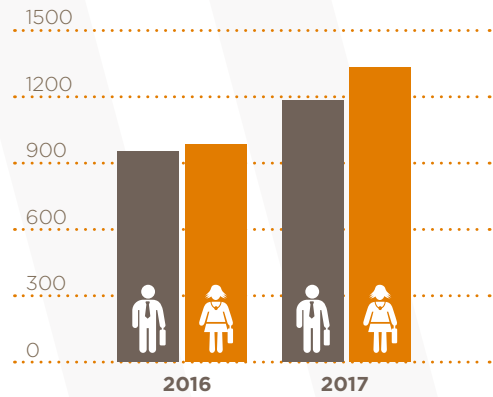


MEMBERSHIP

AS AT
30 JUNE
2017



PRACTISING MEMBERS



- 95 INHOUSE /CORPORATE
- 1043 PRIVATE
- 1045 GOVERNMENT
- 25 CLC
- 70 OVERSEAS
- 36 VOLUNTEER



- 5 ACADEMIC
- 35 GOVERNMENT
- 14 BARRISTER
- 13 RETIRED
- 65 OTHER

Recognising member achievements

President's Medal

The President's Medal is an annual award that recognises significant personal and professional contributions to the betterment of law and justice in the community by an ACT solicitor and member of the ACT Law Society.

The Award is presented at the Society's Annual Dinner in late August each year. The winner in 2016 was Michael Phelps.

Michael Phelps has been in private practice for 45 years, the last 40 of which have been in Canberra. He has been a panel solicitor for the Law Society for the past 20 years, representing the Law Society in disciplinary proceedings against practitioners.

He served as President of the Law Society for two years from 1989-91, with 16 years on the Council, including 12 years on the Executive. He was also President of the Law Council of Australia in 1995/96 and was the Law Council's representative on the International Bar Association Council and country representative for six years.

He has served on many Law Society and Law Council Committees, and currently chairs the Society's Legal Profession Act & Ethics Committee. He is also the Society's representative on the Law Council's Professional Ethics Committee.

In the Canberra community more broadly, he has been, and continues to be, an active and financial contributor to a number of charities, including the Salvation Army, the Australian Foundation for Mental Health Research, the Fred Hollows Foundation and, in particular, the

Australian Cancer Research Foundation through the Canberra Cancerians Committee, where he has served both as a committee member, and several terms as President.

ACT Young Lawyer of the Year

The Young Lawyer Award was established to promote professional and community involvement of the Territory's young lawyers and to recognise the efforts of the young lawyers in the legal profession and in activities beyond core employment duties.

The Award is presented at the Society's Annual Dinner in late August each year. The winner in 2016 was Katrina Marson, who was presented with the Award by the chair of the judging panel, the Hon Justice Michael Elkaim of the ACT Supreme Court.

Katrina's particular passion is for criminal law. In her final year of university, she was the recipient of the Maree Ayers Prize for Criminal Justice, and completed her Honours thesis on the topic of sexual assault law reform. She was awarded the Tillyard Prize in 2012 in recognition of her role in founding and running ANU Volunteers. In 2013 she was named the ANU's Student of the Year.

Katrina joined the ACT Director of Public Prosecutions as a prosecutor in 2012, and her most recent role there was as a family violence prosecutor. She has delivered training to AFP officers in relation to the new Family Violence Evidence in Chief Interview law reforms, and she represented the ACT DPP at a range of family violence and sexual assault fora.

Katrina recently commenced a secondment to Legal Aid ACT's criminal practice, representing the most

Michael Phelps, winner of the 2016 President's Medal, with President of the ACT Law Society, Martin Hockridge.



2016 ACT Young Lawyer of the Year Katrina Marson with the Hon Justice Michael Elkaim, and Law Society Vice President Elizabeth Lee.



vulnerable members of the community. She also tutors in Evidence Law at the ANU, and organises the annual ACT DPP Mock Trial during Law Week.

Outside of her work within the legal profession, she is heavily involved in the community. She has sat on the Governance Committee of the Canberra Rape Crisis Centre since 2012. She is a co-founder and director of the Pillow Talk Project, a business venture which delivers training to young people on issues of consent, relationships, and ethical behaviour.

Government Law Award

The Government Law Award was established in 2015 by the Society to provide recognition of the outstanding achievements of practitioners working in or for government, and to encourage government law practitioners to remain active participants in the legal profession in activities beyond core employment duties.

The Award is presented at the Society's Annual Dinner in late August each year. The winner in 2016 was Elizabeth Carroll, who is Chief Legal Counsel at IP Australia, and has also led the legal teams of two other Commonwealth agencies — serving as General Counsel and Executive Director of Legal and Compliance at the Australian Pesticides and Veterinary Medicines Authority, and Principal Lawyer at the Murray-Darling Basin Authority.

She was appointed by the Attorney-General to the Australian Government Legal Network (AGLN) Board in 2012, and has been the Chair since 2015. She instigated the innovative Legal Circles Programme, a cross-agency mentoring program for Commonwealth lawyers. Approximately 40 lawyers took part in the first round,

and participants reported significant benefits to being involved, thanks to the support and professional expertise of a senior practitioner mentor. The program had its second intake in 2015 and will accept a third this year.

She has been an active member and Board Sponsor of the AGLN's Professional Development Committee, including contributing to the Government Lawyers' Education Seminar Series, which was launched by the Solicitor-General in March this year.

She led the development of the AGLN's response to the Attorney-General's Department's Review of Legal Services, focusing on enhancing coordination between government legal teams and increasing professional development opportunities.

The ACT Golden Gavel

Each year, young lawyers test their public speaking skills and comedic genius at Golden Gavel competitions across the country. The winners of each local competition then face off at the National Golden Gavel. The competition is an opportunity for young lawyers to showcase their advocacy and comedy skills, with each given five minutes to argue their case on a usually far-fetched topic — revealed only 24 hours beforehand.

The winner in 2017 was Adam Moynihan from the Department of the Prime Minister and Cabinet, with *I feel the need — the need for speed: why lawyers should take performance enhancing drugs*. Adam will go on to represent the ACT in the National Golden Gavel Awards.

The winner of the People's Choice Award was Adrian Hearne from Comcare, with *Electric Election: why judges should be voted in by the people*.

Vice President of the Law Society, Sarah Avery, with 2016 Government Law Award winner Elizabeth Carroll, and chair of the judging panel, Peter Cain.



ACT Attorney-General Gordon Ramsay MLA with Golden Gavel People's Choice Award winner Adrian Hearne.



40 years' service

The Law Society recognises the contribution of Canberra members who have practised for forty-plus years. In 2014, the Society produced a commemorative lapel pin to congratulate members who had completed forty years' service to the legal profession. Pins are given out at the Society's Annual Dinner in late August each year. Recipients in 2016 were:

- / Denis Patrick O'Brien
- / Nicholas John Symons
- / Louise Evelyn Vardanega
- / Christine Susan Harvey
- / Eric Anthony Lucas
- / Frank Tallarita
- / Gary Alan Robb
- / Susanne Patricia Tongue.

Social events

Functions & Law Week Committee report

I would like to thank the Functions Committee's members and guests for planning collegial, ceremonial and public-focused events during 2016-17. Representatives from the private profession, government, and younger and more experienced lawyers have allowed us to draw from diverse professional and life experiences to organise events focused on enhancing the standing of lawyers in the broader community, and on the connected goals of collegiality and wellbeing within the ACT legal profession.

Particular thanks go to Bill Redpath, former Chair, who left big shoes to fill, and to the brave committee members who have filled in for me as Chair from time to time.

The committee is grateful to Nicole Karman (ACT Law Society Communications Officer) for implementing its schemes and making them even better than imagined.

The committee also thanks the Law Society's Young Lawyers Committee and the ACT Women Lawyers Association for the many complementary functions they have organised, and for their collegiality with the Functions Committee.

— Sarah Avery (Chair)

Committee members

- / Sarah Avery (Chair)
- / Paul Armarego
- / Adam Bak
- / Rod Barnett
- / David Metcalf
- / Georgina Vallance (to 12 May 2017)
- / Nicole Karman
- / Emily Bowler*
- / Nilanka Goonetillake*
- / Tori Cumner*
- / Madeleine Harrington*

**Shared membership*

At the farewell dinner for Magistrate Peter Dingwall



At the welcome dinner for the Hon Justice Michael Elkaïm



Gala events

DATE	EVENT	VENUE
7 July 2016	Farewell dinner for Magistrate Peter Dingwall	Shaw Vineyard
26 August 2016	Annual Dinner & Awards Night	The Boathouse By The Lake
15 September 2016	Welcome dinner for the Hon Justice Michael Elkaim	Commonwealth Club
4 November 2016	Farewell dinner for Judge Jim Brewster	Ottoman Cuisine
30 January 2017	Ceremony to Welcome the 2017 New Legal Year	ACT Supreme Court
1 April 2017	Young Professionals Ball 2017	National Gallery of Australia
15 May 2017	Law Week Launch and ACT Golden Gavel Competition	ANU Commons
17 May 2017	Law Week Dinner: featuring Clementine Ford	The Deck at Regatta Point
15 June 2017	Farewell dinner for the Hon Richard Refshauge	Commonwealth Club

Lectures and forums

DATE	EVENT	VENUE
8 September 2016	The Annual Richardson Oration: Dr James Stellios, <i>'An Age of Statutory Discretion'</i>	Hotel Realm
11 October 2016	Annual Mental Health lecture: Michael Appleby, College of Law, <i>'A good lawyer is a well lawyer'</i>	ACT Supreme Court
20-21 October 2016	Conference of Regulatory Officers (CORO)	Hotel Realm
8 December 2016	Annual Christmas Debate: <i>'Should the Christmas elves unionise?'</i>	Clayton Utz
30 March 2017	End of Life Choices Panel Discussion	Centre on China in the World
16 May 2017	Annual Blackburn Lecture: Justin Gleeson SC, <i>'Law, morality and the public trust'</i>	Finkel Theatre
18 May 2017	Law Week Breakfast: James Lawton, <i>'The burden of proof in the digital age'</i>	Meyer Vandenberg
18 May 2017	Law Week Animal Defenders Office Panel: <i>'Animals — The forgotten victims of domestic violence'</i>	ACT Law Society

At the farewell dinner for the Hon Richard Refshauge



The opening procession at the Ceremony to Welcome the 2017 New Legal Year



Collegiate and networking events

DATE	EVENT	VENUE
14 July 2016	July 2016 Members' Lunch	Copper Chimney
11 August 2016	Government Law Drinks Winter 2016	Meyer Vandenberg
24 August 2016	Young Professionals Speed Networking	Suke Suke
26 August 2016	Young Lawyers Networking Drinks	Highball Express
22 September 2016	September 2016 Members' Lunch	Thirst Wine Bar
22 October 2016	Young Lawyers Spring Wine Tasting Day	Long Rail Gully Wines
28 October 2016	Young Lawyers Networking Drinks	Suke Suke
3 November 2016	Government Law Drinks Spring 2016	Minter Ellison
6 November 2016	Fresh Air and Sunshine	Mt Ainslie
20 November 2016	Fresh Air and Sunshine	Carillon
24 November 2016	Farewell drinks for Linda Crebbin	ACT Law Society
25 November 2016	Young Lawyers Christmas Garden Party	House of Reps Rose Garden
2 December 2016	Christmas 2016 Members' Lunch	Tasting China
4 December 2016	Fresh Air and Sunshine	Glebe Park
16 December 2016	Young Lawyers Networking Drinks	Suke Suke
6 February 2017	Drinks to Celebrate the 2017 New Legal Year	Uni Pub
19 February 2017	Fresh Air and Sunshine	Dobinsons
24 February 2017	Young Lawyers Networking Drinks	Highball Express
9 March 2017	March 2017 Members' Lunch	Blu Ginger
18 March 2017	Charity Champagne Breakfast	Lennox Gardens
26 March 2017	Fresh Air and Sunshine	Carillon
28 April 2017	Young Lawyers Networking Drinks	Highball Express
11 May 2017	Autumn 2017 Government Law Drinks	Mills Oakley
19 May 2017	Law Week Quiz Night	National Convention Centre
8 June 2017	LGBTI Networking event	King & Wood Mallesons
23 June 2017	Young Lawyers Networking Drinks	Highball Express

Sporting events

DATE	EVENT	VENUE
12 August 2016	Young Lawyers Snow Weekend	
28 October 2016	Young Lawyers Touch Football Afternoon	Willows Oval, ANU
2 February 2017	Lawn Bowls to Celebrate the 2017 New Legal Year	The RUC, Turner
5 May 2017	Law Week 6-a-side Soccer Afternoon	Willows Oval, ANU
18 May 2017	Law Week Netball	Lyneham Netball Centre

At the lawn bowls celebrating the new legal year.



Winners of the 2017 Law Week Six-A-Side Soccer, RSM Australia "RSM / Kibbey Legal".



Winners of the 2017 Law Week Netball, Moray & Agnew.



OPERATIONS

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.

In recent months, the Society has responded to requests for comment on a number of areas of law. This has included proposals related to:

- / Non-consensual recording and distribution of intimate images,
- / Food and drink spiking offences,
- / Establishing an Independent Integrity Commission for the ACT,
- / Fortification removal laws, and
- / Criminal organisation control legislation.

Over the past twelve months, the Society has also made comment on a range of other matters, including domestic violence legislation, property law, bail laws, consorting laws, civil surveillance, retirement villages, and proposed changes to the structure of the ACT Civil and Administrative Tribunal (ACAT).

Please note that consultation-in-confidence correspondence and submissions are not listed.

DATE	SUBJECT OF SUBMISSION / CORRESPONDENCE	RECIPIENT
8 July 2016	Discussion Paper on Consorting Laws for the ACT	Justice and Community Safety Directorate
8 July 2016	Proposed amendment to the Crimes Act (recklessly inflicting grievous bodily harm)	Justice and Community Safety Directorate
15 July 2016	<i>Justice and Community Safety Legislation Amendment Bill 2016</i> (No 2) – strengthening civil redress for survivors of child sexual abuse	Justice and Community Safety Directorate
27 July 2016	Proposed amendments to the <i>Public Sector Management Act</i>	ACT Chief Minister
16 November 2016	Review of Civil Surveillance in the ACT	Justice and Community Safety Directorate
24 November 2016	Proposed amendments to the <i>Certificate of Occupancy and Use</i>	ACT Chief Minister
23 January 2017	Issue of death certificates through Canberra Connect	ACT Attorney-General
24 January 2017	In-house counsel – conditions on practising certificates	ACT Attorney-General
24 January 2017	Proposed amendment to s.413 of the <i>Legal Profession Act 2006</i>	ACT Attorney-General
17 February 2017	Correspondence regarding the <i>Crimes Legislation Amendment Bill 2017</i> (Intensive Correction Orders)	Minister for Justice and Consumer Affairs (ACT)
16 March 2017	Response to proposed establishment of the Care and Protection Intensive List	ACT Magistrates Court
22 March 2017	Drink and Food Spiking in the ACT – Proposal to introduce a new offence	Justice and Community Safety Directorate
29 March 2017	Proposed amendment to the <i>Family and Personal Violence Legislation Amendment Bill 2017</i>	Justice and Community Safety Directorate
28 April 2017	Correspondence regarding the proposed <i>Migration Amendment (Regulation of Migration Agents) Bill 2017</i>	Department of Immigration and Border Protection
19 May 2017	Select Committee on an Independent Integrity Commission – Invitation for Public Submissions	Select Committee
30 June 2017	Comments on the exposure draft of the <i>Crimes (Revenge Porn) Amendment Bill 2017</i>	Shadow ACT Attorney-General

Continuing Professional Development

The Society aims to provide relevant, timely and high quality Continuing Professional Development (CPD) to assist practitioners to fulfil their CPD obligations productively and efficiently. During the 2016-17 financial year, the Society offered 35 CPD events.

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.

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 2016-17.

People who presented, or were part of a panel, in 2016-17 were:

- / Noor Blumer, Blumers Personal Injury Lawyers;
- / Brodie Buckland, Blackburn Chambers;
- / Caroline Bush, Clayton Utz;
- / Matthew Carmody, McInnes Wilson Lawyers;
- / John Chamberlain, Lexmerca Lawyers;
- / Kim Chapman, Travers & Co;
- / Jeremy Cummings, McInnes Wilson Lawyers;
- / Dan Crowe, Blackburn Chambers;
- / Phil Davey, DDCS Lawyers;
- / Alfonso del Rio, Clayton Utz;
- / Julie Dobinson, DDCS Lawyers;
- / Paul Edmonds, Paul Edmonds & Associates;
- / Chris Erskine, Blackburn Chambers;
- / James Fletcher, Alta Pete;
- / Annabel Griffin, King & Wood Mallesons;
- / James Haddock, Legal Aid ACT;
- / John Harris, J S O'Connor Harris & Co;
- / Marcus Hassall, Henry Parkes Chambers;
- / Lauren Haywood, Clayton Utz;
- / Patricia Holmes, Department of Foreign Affairs and Trade;
- / Liz Huang Hughes-Brown, Welcome Legal;
- / Kristy Katavic, Blackburn Chambers;
- / Andrew Klein, Russell Kennedy Lawyers;
- / Delcy Lagones de Anglim, Third Party Mediation;
- / Steve Lancken, Negocio Resolutions;

- / Jon Lovell, Ashurst Australia;
- / Mark Love, Bradley Allen Love;
- / Bryan Meagher, Blackburn Chambers;
- / Jason Moffett, Blackburn Chambers;
- / Louise Morris, Chamberlains Law Firm;
- / Tim Morton, Farrar Gesini Dunn;
- / Nathan Moy, Clayton Utz;
- / Amanda Nuttall, ACT Magistrates Court;
- / Athol Opas, Meyer Vandenberg;
- / Adam Peppinck, Mills Oakley;
- / Mike Rosalky, Animal Defenders Office;
- / Sharon Rowe, Sharon Rowe Pty Ltd;
- / Vanessa Smith, Lawyerbank;
- / Vik Sundar, Chamberlains Law Firm;
- / Rodney Lee Walsh, First Assistant Ombudsman, Defence, Commonwealth Ombudsman's Office;
- / Tetyana Wotton, KPMG.

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.

CPD events by type

CPD TYPE	EVENTS	ATTENDEES
Seminars (1-2 hours)	11	523
Workshops (3+ hours)	14	461
Themed afternoons	5	295
Two-day Intensive	1	180
Webinars	3	64

CPD events by core area

CORE AREA	ATTENDEES
Core Area 1 – Legal ethics and professional responsibility	746
Core Area 2 – Practice management and business skills	537
Core Area 3 – Professional skills	869
Core Area 4 – Substantive law and procedural law	1099

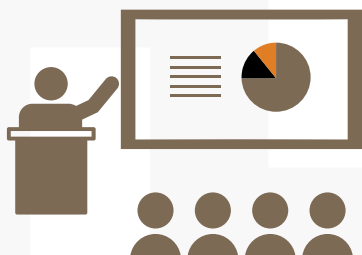
List of CPD events run in 2016-17

DATE	CPD EVENT
18 July 2016	Degenerative and traumatic disorders of the spine: A medicolegal perspective
4 August 2016	Testamentary trusts master class: Drafting and strategies
10 August 2016	Trust accounting
17 August 2016	Seeking Court approval of a settlement for a person with a disability: All you need to know
24 August 2016	Workshop: Understanding and managing high conflict personalities in legal practice
24 August 2016	Workshop: Dealing with high conflict clients in family law
25 August 2016	Workshop: New Ways for Mediation – more structure, more skills, less stress
1 September 2016	Investor-state dispute settlement and tobacco plain packaging
6 September 2016	Getting where you want to be: An action plan for your career (Webinar)
8 September 2016	Depression, workplace injury and resilience: A medicolegal/psychiatric perspective
14 September 2016	Young Lawyers Advocacy Workshop
16 September 2016	Third ACT Wills and Estates Conference
20 September 2016	Online services and other technologies in the ACT courts and tribunal
12 October 2016	Workshop: Communication skills for lawyers – executive presence master class
13 October 2016	Workshop: Communication skills for women – feeling confident in mind and body
13 October 2016	Workshop: Communication skills for women – extension class
26 October 2016	Business Law Afternoon
9 November 2016	Spring 2016 Government Law Afternoon
16 November 2016	Access to Justice Series: Child protection in the ACT
18 November 2016	Legal Practice Management Workshop Spring 2016
23 November 2016	Estates and estate planning: An introduction for beginners
29 November 2016	Property Law Afternoon
2 December 2016	New Lawyers Workshop 2016
15 February 2017	The 2017 Intensive (Two Days)
1 March 2017	Government Law Afternoon Autumn 2017
8 March 2017	Masterclass: Contract Law
15 March 2017	Tech tock, tech tock: countdown to your demise or catalyst for your success?
17 March 2017	Legal Practice Management Workshop Autumn 2017
20 March 2017	The ethics of negotiation: an expert panel discussion
22 March 2017	Young Lawyers Afternoon
30 March 2017	Webinar: Drink driving pleas
15 June 2017	Webinar: Conflicts of interest in a small jurisdiction
21 June 2017	Property law and conveyancing update

CPD event breakdown

SEMINARS

(1-2 HOURS)



11 EVENTS
523 ATTENDEES

WORKSHOPS

461 ATTENDEES AT **3+** HOURS **14** EVENTS

5 THEMED
AFTERNOONS
180 ATTENDEES

1 EVENT
64 ATTENDEES
TWO-DAY
INTENSIVE

WEBINARS



Practice Management Committee report

The ACT Law Society again conducted two Practice Management Courses during the past year, with a total of 54 participants.

The Spring 2016 Practice Management Course was held on 18 & 25 November, and 2 December 2016. The Autumn 2017 Practice Management Course was held on 17 March, 31 March, and 7 April 2017.

It has been pleasing to receive positive feedback from many of the participants.

I thank all the course presenters, who again delivered excellent papers, and members of the Committee for their invaluable contribution.

Presenters

- / Michael Bannon, Partner, Duesburys Nexia
- / Jonathon Beaumont, Gillian Beaumont Legal
- / Kim Chapman, Partner, Legalcost
- / Julie Dobinson, Managing Partner, Dobinson Davey Clifford Simpson
- / Jon Lovell, Senior Associate, Ashurst Australia
- / Lea McLean, Finance & Business Services Manager, ACT Law Society
- / Rob Reis, Professional Standards Manager, ACT Law Society
- / Ron Travers, Partner, Legalcost

– Bill Baker

Committee members

- / Bill Baker (Chair)
- / Graeme Blank
- / Paul Crawford
- / Phillip Davey
- / Robert Reis
- / Paul Vane-Tempest

Complaints

The Law 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 Law Society investigates complaints against solicitors, unqualified practitioners, and associates of legal practices.

The Law Society ensures solicitors are ‘fit and proper’ persons for legal practice and undertakes litigation for complaints referred to the ACT Civil and Administrative Tribunal and the Courts.

Complaints are handled through the Law Society’s Complaints Committee.

Complaints Committee report

The committee dealt with 94 formal complaints during the reporting year, 20 fewer than the previous year. The following analysis shows the type of conduct raised in complaints, and the major areas of law and concern.

This year has seen an increase in complaints in property law with a decrease in family law, civil litigation, criminal law, compensation, and estate matters.

CONDUCT RAISED IN COMPLAINT	QTY
Costs	15
Communication and services (failure to carry out instructions, acting without instructions, bullying, delay, discourtesy, lack of competence and diligence, lack of communication)	42
Trust account matters	7
Personal conduct (negligence, misleading behaviour, conflict of interest)	17
Non-compliance	2
Other (general conduct)	10

AREA OF LAW / CONCERN	QTY
Family Law	30
Property	18
Civil Litigation	17
Criminal Law	2
Personal Injuries/Medical Negligence/ Worker's Compensation	13
Estate matters	5
Employment	5
Other	4

The Complaints Committee is well placed to gauge any escalation in complaints received about specific types of conduct over a given period. To assist members, the committee refers such conduct to the CPD program and/or through articles written by the Professional Standards Manager in *Ethos*. Members are encouraged to read these articles, which regularly highlight how practitioners can avoid the complaints process.

Complaints that could result in disciplinary action are referred to the Council of the Law Society for further consideration. The Council has the discretion to either summarily conclude or prosecute the complaint. Prosecution of complaints under section 419 of the *Legal Profession Act 2006* are referred to the ACT Civil and Administrative Tribunal (ACAT).

During the reporting period, one complaint was dismissed pursuant to section 395, 36 complaints were dismissed pursuant to section 399 without requiring an investigation, 33 were dismissed pursuant to section 399 following an investigation, 12 were dismissed pursuant to section 412 following the completion of an investigation, six were concluded pursuant to section 400, two were summarily dealt with pursuant to section 413, and five matters were filed with the ACAT. One of these matters resulted in the solicitor's practising certificate being suspended for six months.

There are currently nine disciplinary matters filed in ACAT or the Supreme Court. Of these, the Society has filed applications to have four practitioner's names removed from the Roll. In addition, there are 21 matters

currently before the Council of the Law Society awaiting consideration as to whether disciplinary proceedings should commence.

In addition to the handling of formal complaints, our Professional Standards Manager, Robert Reis, and Complaints Secretary, Linda Mackay, dealt with numerous telephone and email enquiries from potential complainants. Where appropriate, to do so, their early, informal intervention addressing client's concerns directly with the practitioner has had the pleasing effect of a marked reduction in the number of formal complaints being received. Most practitioners have appreciated this approach.

My gratitude is extended to Robert Reis and Linda Mackay and all members of the Committee for their hard work and dedication over the past year.

— Ross Reid

Committee members

- / Ross Reid (Chair)
- / Allan Bedford
- / Sarah Boxall
- / Mary Burgess
- / Amy Burr
- / Sally Campbell
- / Michael Deasey
- / Julie Dobinson
- / Jim Dunn
- / Maurice Falcetta
- / Bridie Harders
- / Vivien Holmes
- / Gavin Howard
- / Ken Hubert
- / Scott Pearsall
- / Darryl Perkins
- / John Solomon
- / Alisa Taylor
- / Mark Tigwell
- / Gillian Yeend

COMMITTEES

Access to Justice & Human Rights

Priorities for the Access to Justice & Human Rights Committee for 2016-17 were:

- / Engagement on business and human rights,
- / Education and assistance for practitioners to encourage them to undertake pro bono work,
- / Access to justice for people with disabilities,
- / Access to justice for people from non-English speaking backgrounds,
- / Continuing to pressure governments for improved funding for legal assistance services,
- / Elder abuse,
- / Indigenous youth incarceration,
- / Closed environments for Aboriginal and Torres Strait Islander People.

The committee continues to apply pressure to local and federal governments for improved funding for legal assistance services. There was some restoration of funding in the last Federal Budget, but the need for appropriate funding continues.

The committee is working with the Law Council of Australia's Justice Project, which is a comprehensive national review on impediments to justice in Australia, focusing on those facing significant social and economic disadvantage in our community. The Justice Project is expected to report by the end of November 2017.

We continue to provide education and assistance for lawyers interested in undertaking pro bono work. Members of the committee are drawn from Community Legal Centres for this reason, and we also have representation on the ACT Legal Assistance Forum (ACTLAF). We hope to, in the future, run presentations on the role of CLCs, including such things as the Tenant's Advice Service. Our aim is to have presentations included in the annual intensive program to maximise exposure of these issues to members.

As part of the Society's continuing professional development program, the committee has initiated seminars on recent changes to family violence legislation in the ACT, seeking Court approval of a settlement for a person with a disability, and Child protection in the ACT.

Items referred to the committee for comment this financial year included:

- / Amendments to the *Residential Tenancies Act 1997*,
- / The Justice and Community Safety Directorate's Review of Civil Surveillance in the ACT,
- / Litigation Guardians, and
- / DPP Guidelines on the Bail review powers.

The committee maintains close links with other Society committees, especially the Civil Litigation Committee, the Criminal Law Committee, and the Inclusion and Diversity Committee. Committee members are also represented on the ACT Legal Assistance Forum and the Law Council of Australia's Access to Justice Committee.

I would like to express my gratitude to all members of the committee for their input and assistance during the year, and also give my thanks to committee administrators Heather Jackson and Tanya Holt for their invaluable support.

— Walter Hawkins

Committee members

- / Walter Hawkins (Chair)
- / Anya Aidman
- / Allison Ballard
- / Doug Hassall (ACT Bar Association)
- / Simon Henderson
- / Belinda Barnard
- / Tich Pasipanodya
- / Deb Phippen
- / Amy Sydney
- / Sarah Byrne (to December 2016)
- / Geetha Nair (to December 2016)
- / Jane Thomson (from March 2017)
- / Kate Waterford (from March 2017)
- / Alexia Zsigmond (from March 2017)
- / Adele Banks (from March 2017)
- / Stephanie Chow (from March 2017)
- / John Boersig, (Legal Aid ACT) (to March 2017)
- / Amy Eager (Legal Aid ACT) (from March 2017)
- / Rebecca Minty (ACT Human Rights Commission) (to March 2017)
- / Belinda Barnard (ACT Human Right Commission) (from March 2017)

Civil Litigation

The committee has not had the same workload this financial year. The committee has monitored government movements and is aware of the potential for change to the CTP scheme going forward.

At this time last year, it appeared the ACT was intending to introduce a new workers' compensation scheme for government workers in the ACT. The Law Society opposed the scheme that was proposed by government and changes were deferred until after the ACT election. Since that time, the government has announced that it does not intend to introduce a

separate scheme but will self-administer the existing legislation, being the *Safety, Rehabilitation and Compensation Act 1988*.

The committee has continued to work with the Australian Federal Police in trying to achieve a better outcome in terms of the production of records and police reports. This has continued to be a difficult issue for members of the profession and ongoing meetings are still occurring.

The committee has been called upon to comment on legislation involving the use of surveillance in its various forms and the varying opinions of committee members have been conveyed as part of that consultation process. The committee has also made comment about other issues, including the role of litigation guardians in court proceedings, a matter that will likely remain on the agenda for further consultation.

As the Law Society's representative on the Joint Rules Advisory Committee, I have continued to have input into changes to the Court Rules and have represented the Society in seeking a change to the scale of costs applying to work carried out by the profession. I have also monitored other changes to the Rules and conveyed the views of the Civil Litigation Committee about such changes.

The committee has again benefited from the presence of representatives from the Supreme Court, Magistrates Court, and the ACAT and has received up-to-date and helpful information about developments in the Courts and Tribunals.

I would like to express my gratitude to all members of the committee for their input and also give my thanks to Heather Jackson and her successor, Tanya Holt, for their valuable assistance as committee administrators.

— Richard Faulks

Committee members

- / Richard Faulks (Chair)
- / Angus Bucknell
- / Richard Garnett*
- / Annie Glover
- / Steve Hausfeld
- / Walter Hawkins
- / John Henry
- / Sarah McJannett*
- / Matthew Needham
- / Amanda Nuttall
- / Kristy Soper
- / John Little (to 31 December 2016)
- / Harry Kay (to 31 December 2016)
- / Phil Schubert (to 31 December 2016)

/ James Treloar (from 7 February 2017)

/ Alyssa Dunn (from 15 March 2017)

/ Lisa Eldridge (from 15 March 2017)

/ John McPherson (from 15 March 2017)

*Shared membership

Elder Law & Succession Law

The committee continues to make a valuable contribution to the profession and the community in the areas of succession law and elder law.

The ACT context

In recent years, there has been increased attention on the areas of wills, estates and elder law, making the work of the committee more relevant than ever.

Elder abuse is starting to capture the collective attention of the media, government and community, which can be seen in the recent release of the Australian Law Reform Commission's report into Elder Abuse. Based on the anecdotal evidence of committee members, professionals and members of the public are asking more questions about how to prevent and respond to elder abuse.

Succession law, and in particular, estate planning, is becoming an increasingly complex and technical area of practice, as highlighted by a number of professional negligence cases in recent years, including *Calvert v Badenach* in the High Court in 2016. Practitioners are often advising on estate planning in a context of complex family relationships, the increased risk of diminished capacity for older clients and the complicated financial arrangements including superannuation and other non-estate assets. Many practitioners in the ACT advise clients from the surrounding regions of NSW and as a result must grapple with legal and procedural differences between the two jurisdictions.

This context highlights the need for ongoing practitioner education and engagement with the community about the value of legal advice for succession and elder law issues.

Practitioner education

Given the increasing complexities facing practitioners in this area, the committee aims to encourage and support practitioners through relevant and expert CPD programs.

The committee is again involved in the preparation for the Fourth Annual ACT Wills and Estates Conference. The Conference has received great feedback from attendees and speakers in previous years and in 2017 is moving to a larger venue after a sell-out conference in 2016.

The committee has worked with Margaret Ryan to ensure there are CPD sessions throughout the year that are relevant and engaging for wills and estates practitioners.

In the past year, the committee has also hosted two open sessions with guest speakers — Andrew Taylor speaking on changes to the Public Trustee and Guardian, and Sonia DiMezza from the ACT Disability, Aged and Carer Advocacy Service (ADACAS) speaking on elder abuse. Both sessions were well-attended.

Community engagement

The committee has welcomed, and actively sought, opportunities to connect with members of the general public to provide information about wills, estates and elder law.

Once again, the Law Society hosted a stall at the Seniors Expo in March 2017, which was staffed by volunteer practitioners throughout the day. Members of the committee have also provided information sessions to a local Probus club and the Vietnam Veterans Federation.

In previous years, the committee participated in information sessions on wills during Law Week, organised through Communities@Work. After poor attendances in 2016, the committee set to work early in the piece to offer similar presentations to Communities@Work and other community organisations. Unfortunately, the response from those community organisations was underwhelming. The committee is therefore in the position of being willing and able to offer further community education, but finding it difficult to identify opportunities.

Law reform projects

The committee has recently contributed to a number of significant law reform projects.

Powers of Attorney: Amendments to Powers of Attorney commenced in September 2016. The amendments mainly related to medical research matters, but changes to the prescribed form provided the opportunity for other amendments and the committee actively works with the Justice and Community Safety Directorate (JACS) in regards to the prescribed form and notifying practitioners of the changes.

Guardianship legislation: The ACT Law Reform Advisory Committee released a report on guardianship with a view to changing the emphasis in ACT Legislation from substitute decisions making and a 'best interests' approach to supported decision making with a 'rights-based' approach. The committee made submissions for the initial review and will now participate in Roundtable discussions regarding the proposed reforms.

Retirement Villages: Emma Bragg has represented the committee on the Review Advisory Group who are undertaking reviewing the *Retirement Villages Act 2012* (ACT). The committee has made practical and technical recommendations and prepared an article for *Hearsay* to keep practitioners up to date.

Intestacy: At the invitation of JACS, the committee prepared a detailed issue paper identifying current problems with ACT laws of intestacy. The issue is still being considered by the ACT Attorney-General.

Family Provision: The committee has prepared an issues paper identifying areas for review with family provision, in particular, eligibility of applicants and protection for legal personal representatives.

In the upcoming year, future projects may include consideration of the Court Procedure Rules in regards to contested or probate proceedings (e.g. applications for informal Wills and where the validity of the Will is in doubt). Practitioners have identified gaps in the existing Court Rules regarding these areas of law and there is an opportunity to provide greater clarity and improve procedures either through a review of the Rules or the issuing of a Practice Direction.

As ever, I remain grateful for the passion, commitment and dedication of the members of my committee. Their hard work and genuine care about what they do makes them great ambassadors for the Law Society and the profession.

— Rebecca Tetlow

Committee members

- / Rebecca Tetlow (Chair)
- / Erin Bedford
- / Katie Binstock
- / Glenda Bloomfield
- / Emma Bragg
- / Michelle Gold
- / Grant Kennealy
- / Tim Morton
- / Liz Samra
- / Loretta Zamprogno
- / Alex Jorgensen (Justice and Community Safety Directorate)
- / Ewan Brown* (COTA ACT)
- / Fergus Thomson* (COTA ACT)
- / Peter Prince* (Department of Health)
- / Hamish Kerr* (Department of Health)
- / Stephen Kellett* (Public Trustee and Guardian)
- / Gregory Burn* (Public Trustee and Guardian)

*Shared membership

Family Law

The last twelve months have again seen the Family Law Committee involved in a range of issues relevant to family law practitioners in the ACT. In this time, there have been a number of significant inquiries proposed on a national level about aspects of family law.

The 2017 Federal Budget included announcements about funding for “Planned Parenting Management hearings”, to be rolled out in Parramatta, the details of which remain unclear and which may herald yet another challenge to certain aspects of family law practice. In addition, the Australian Law Reform Commission has been asked to undertake a comprehensive review of the *Family Law Act*. The Commonwealth Government has continued its push to change the way victims of family violence experience cross-examination in the family law sphere; a further review into that process has recently been announced and the Family Law Committee is preparing a submission.

In the ACT, new Family Violence Legislation has been implemented. The Family Law Committee made submissions about the *Family and Personal Violence Legislation Amendment Bill 2017 (ACT)*. The committee is in the process of arranging further CPD sessions about the changes under the new Act.

Funding was also announced for a new family violence advisory service and the committee participated in liaison with the ACT Legal Aid Office about the roll out of the duty lawyer service (based at the court).

The committee continues to engage regularly with representatives from the Family and Federal Circuit Courts and works cooperatively to improve service delivery.

The committee has engaged in liaison with the Family and Federal Circuit Court about a range of matters, including:

- / Delays in the provision of family reports in circumstances where the court did not have the personnel available to meet the demand;
- / Streamlining procedures in the duty lists and managing the allocation of resources for interim hearings; and
- / Opportunities for CPD with the involvement of the Judges and ensuring the development of the professional skills of practitioners.

As always, the committee has organised or assisted in supporting a range of social events, which are important in helping all of us to stay connected, despite the sometimes fraught nature of the work we do.

These social events included a farewell for Helen Willetts upon her retirement from the Court Counselling service, and a dinner for James Brewster, at which practitioners were able to share stories of his long and distinguished career. More recently, a belated celebration of the appointments of Justice Shane Gill and Judge Amanda Tonkin was held and attended by more than 60 people.

There are certain important tasks which remain “works in progress” for the committee, including completion of revised guidelines for representing children in care proceedings and continuing communications with the ACT Magistrates Court about procedure and practice relating to domestic violence matters.

At each meeting, the committee explores a range of standing items including social justice issues, collaborative law, the Canberra Region Family Law Practitioners’ Association, alternate dispute resolution and case watch.

I thank the members of the committee for their hard work, good humour and generosity to me and to each other. I extend our thanks to Tanya Holt who has undertaken the role of Secretariat with great humour and efficiency.

— Di Simpson

Committee members

- / Di Simpson (Chair)
- / Amanda Di Placido
- / Andrea Evans
- / Gavin Howar
- / Cristina Huesch
- / Brooke Johnson
- / Carlos Turini
- / Mary Burgess (to October 2016)
- / Denis Farrar (to November 2016)
- / Merylyn Davis (from October 2016 to December 2016)
- / Claudia Maclean (from October 2016)
- / Tanya Nadin (from October 2016)
- / Kevin Robinson (from October 2016)
- / Emily Tighe (from October 2016)
- / Anna Wynne (from October 2016)
- / Kasey Fox (from October 2016)
- / James Haddock (from February 2017)
- / Ron Friesen (from June 2017)

Government Law

The Government Law Committee has a focus on government lawyers and private practitioners involved with government law, both Commonwealth and ACT.

The committee is comprised of lawyers from the Commonwealth and ACT governments, and private practice. The committee met six times during the last financial year. During 2016-17 committee members have contributed to the presentation of two CPD afternoons, three evening drinks functions and to the Society's consideration of a number of issues concerning government law.

The committee held CPD afternoons covering each of the four CPD areas on 9 November 2016 and 1 March 2017. As in previous years these were very well attended, with about 60 practitioners at the November afternoon and just over 85 in March.

The committee also organised three evening drinks functions at which an invited guest spoke about the relevance of their work within the government law arena. These guests were:

- / 11 August 2016 — Petra Gartmann, Assistant Secretary, Office of Legal Services Coordination, Attorney-General's Department, held at the offices of Meyer Vandenberg Lawyers.
- / 3 November 2016 — Elizabeth Carroll, winner of 2016 Government Law Award, and Chief Legal Counsel, IP Australia, held at the offices of MinterEllison
- / 11 May 2017 — The Hon Justice Michael Elkaim of the ACT Supreme Court, held at the offices of Mills Oakley

The committee, on behalf of the Society, continues to administer the Government Law Award, which recognises the outstanding contributions by a practitioner working for or with government. It is hoped that this award will raise the awareness of the substantial contribution that government law practitioners make to the legal profession and to the community.

I'd like to thank the committee members for their enthusiastic support for the committee's agenda and for providing input into Law Society submissions as requested. Special thanks must go to Tanya Holt, the Society's Committee Secretary, for supporting the committee with its administration.

— Peter Cain

Committee members

- / Peter Cain (Chair)
- / Peter Brooks
- / Trong Bui
- / Genevieve Butler
- / Athena Cains
- / Louise Futol
- / Paula Gonzalez
- / Rohan Goyne

- / Julie Heckscher
- / Vicki Hogarth
- / Brian Kildea
- / Timothy Matthews
- / Sanaz Mirzabegian
- / Athol Opas
- / Rebekha Pattison
- / Adam Peppinck
- / Christine Plevy
- / Lynne Thompson
- / Rebecca Wheeler (Young Lawyers' Committee)
- / Katrina Leach (to 23 September 2016)
- / Liz Murphy (to 5 December 2016)
- / Caroline Bush (to 20 December 2016)
- / Lora Shaw (to 30 November 2016)
- / Tetyana Wotton (to 11 August 2016)

Inclusion & Diversity

Diversity and inclusion are about fairness, dignity, and respect, but they are also inexorably linked to practitioner excellence. Communities, policy makers, professional bodies such as the Society, across the nation have committed to diversity and inclusion not only to promote the highest level of ethical practices, but also because they are essential for achieving success in service to clients, teaching, engagement with each other as professionals and the development of a society of professionals who are able to contribute positively in a community in flux.

The Law Society is dedicated to becoming a more inclusive, diverse, and welcoming institution for all members of our legal community and the larger community. In 2016, the Society appointed the Inclusion and Diversity Committee. The committee was charged to increase awareness and provide advice to all stakeholders on any and all aspects of the legal and policy frameworks in the ACT affecting diversity and inclusion in the community.

Fulfilling the Society's core mission as an institution of ethical, professional lawyers means that the Society must attract, retain, and support a diverse body of professionals and the wider legal community. All members of the Society must have the same hallmark learning, advising, and ethical grounding and way of being that have made our profession the noble profession that it is. Our members must all have an equal opportunity to professionally flourish. Ultimately, we aspire to be a community in which every individual — regardless of background, experience, or perspective — succeeds.

To undertake this work, the committee discussed current diversity and inclusion strategies in the ACT law community and considered avenues for enriching our programs and policies, and developed a page for the Society's website that would assist members to access information on various aspects of diversity, inclusion and discrimination. The committee has been working on and with Reconciliation Australia in developing the Society's Reconciliation Action Plan, developing appropriate training and development opportunities and providing feedback to the Society on policy and legislative initiatives.

The committee anticipates that its aims will serve primarily as a framework for advancing the Society's diversity and inclusion goals; successful implementation of which will require significantly more work and engagement with all members of the Society.

Before we turn to our membership and what the committee seeks to achieve in 2017-18, the committee would like to make a brief comment on the events that unfolded in Chechnya, in February 2017. These events reminded our committee that we must constantly dedicate ourselves to becoming a more inclusive, diverse, and welcoming institution for all members of our profession and be aware of how arms of government can be used (in this case to undertake an anti-gay purge).

Changes to 457 Visas also highlight why lawyers are in a privileged position to understand and comment on the impact on individuals and society when processes for open comment and discussion on changes are bypassed.

As Chair, I would like to thank the Committee Secretary for her untiring work in organising the committee and the Chair, and the members of the committee for their dedication, time and willingness to engage with sometimes challenging situations and for always bringing their professionalism and energy.

— Ranjini Nayager

Committee members

- / Ranjini Nayager (Chair)
- / Jan Baker
- / Veena Bedekar
- / Avinesh Chand
- / Dominic Cookman (from November 2016)
- / Lauren Gray (to November 2016)
- / Walter Hawkins
- / Liz Hughes-Brown
- / Kahlia Jenkins
- / Angela Lauman
- / Tamara Sullivan (Women Lawyers Association ACT)
- / Ann-Kate Visser

- / Sara Wedgwood
- / Senzeni Zambezi
- / Sama Khan (from April 2017)

Industrial Relations

The Society's 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. Its members include private practitioners, public sector lawyers, in house counsel and community sector lawyers.

This year, issues that the committee has considered and work that it has done includes the impact of significant cases such as:

- / *Australian Building and Construction Commissioner v Hall* (union blockade in alleged contravention of the Fair Work Act),
- / *Walsh v Greater Metropolitan Cemeteries Trust (No.2)* [2014] FCA 456 (meaning of complaint "in relation to employment" under the general protections provisions of the Fair Work Act),
- / *John Finnegan v Komatsu Forklift Australia Pty Ltd* (U2016/14813) (dismissal following absence from work due to mental health issues), and
- / *Ari Kypuros* (AB2017/213) (issuance of bullying orders by the Fair Work Commission in relation to employment in a family business),

The committee has also prepared CPD seminars for inclusion in the Society's CPD Program, prepared papers for inclusion in *Ethos*, and generally been active in informing practitioners of recent changes in employment and industrial law.

— John Wilson

Committee members

- / John Wilson (Chair)
- / Allison Ballard
- / Kirsty Easdale (from June 2017)
- / Alana Heffernan (from March 2017)
- / Rachael Hyde (from March 2017)
- / Andrew Klein
- / Deborah Mackenzie
- / Don Malcolmson (to December 2016)
- / Jasmine Miller (from October 2016)
- / Belinda Millar (from October 2016)
- / Jamie Ronald (from December 2016)
- / Rebekah Smith

International Lawyers

I was appointed to the role of committee Chair in August 2017 when Greg Waddoup's tenure as Chair ended due to his return to the United States.

In September 2016 the International Lawyers Committee sponsored a CPD course on *Investor State Dispute Settlement and Tobacco Plain Packaging* (1 September). In November 2016, the committee provided comments as part of the *Consular Strategy 2017-19 Consultation* process.

The committee participated in the now annual Christmas debate in December, this time against the Association of Corporate Counsel. The topic was "*Santa's elves – happy workers or exploited slaves? Should the Christmas elves unionise?*" Due to the popularity of these light-hearted end of year events over the past two years, the committee is again planning to participate in or hold a similar event in 2017-18.

Two members of the committee had articles published in the December issue of *Ethos* – "*I know why you're here... Developing effective compliance systems*" by Greg Waddoups and "*Tobacco Litigation – panel presentation*" by Suzanne Howarth. More articles are forecast for 2017-18.

In January 2017, the committee supported the Jessup International Moot Court Competition at the Australian National University, finding and providing judges from the Law Society membership, including a number from the International Lawyers Committee itself.

The committee continues to communicate and promote international law items of interest through the established LinkedIn group and *Hearsay*, including listing of the 2017 UNCITRAL seminar presented by the UNCITRAL National Coordination Committee Australia (UNCAA) as part of the "Other events" of Law Week 2017.

The membership of the committee experienced some changes, with two members stepping down, and two new members joining the committee in April.

— Ilona Krolikowska

Committee members

- / Ilona Krolikowska (Chair)
- / Nilanka Goonetillake
- / Mark Goyne
- / Suzanne Howarth
- / Zoe Hutchinson
- / Briony Martin
- / Barbara Pearson
- / Jason Soderblom
- / Lucy Turonek

- / Paul Armarego (to 31 December 2017)
- / Alistair Bridges (to 31 December 2017)
- / Lynette Molloy (from 19 April 2017)
- / Tiru Vallal (from 19 April 2017)

Legal Profession Act & Ethics

The committee met formally on four occasions throughout the year to address a range of issues, and dealt with a number of other matters out of session as the need arose.

The topics addressed have been stimulating and brought to the table a diversity of issues which were of direct relevance and importance to the practising profession, including agitating for amendments to the Legal Profession Act (LPA) in a number of areas.

The committee also considered a number of ethical issues raised by members seeking clarification or guidance from the Society.

The topics addressed included:

- / An amendment to Section 413 of the LPA to confer a broader discretion on the Council to deal with a complaint at Council level, rather than being bound to refer the complaint to the ACAT. It is anticipated that the amendment will be passed in the Spring sittings of the Assembly.
- / Submissions to JACS in relation to the appeal structure in disciplinary proceedings, with a view to eliminating at least one tier of hearings, namely the ACAT at first instance, and from there appeals to the Supreme Court and then to the Court of Appeal (from which an application can then be made for special leave to appeal to the High Court). In addition, if the ACAT makes a recommendation that a practitioner's name be removed from the Roll, after the appeal process has been exhausted, a separate application then must be made to the Supreme Court for an order to give effect to the Tribunal recommendation.
- / Conduct guidelines for members dealing with self-represented litigants. The guidelines developed by the NSW Law Society have been placed on the Society's website.
- / Conflicts of interest which may arise from the different business structures by law firms. This topic remains under active consideration.
- / An amendment to Section 38 of the LPA which will enable in-house lawyers to provide legal services to a related body corporate as defined in Section 50 of the Corporation Act and not simply to the employing corporation itself.
- / Issues involved in family law mediations.
- / Issues involved in the signing of contracts by unrepresented buyers with a cooling off period.

Finally, I again extend my thanks and gratitude to our Committee Secretary, Tanya Holt, and the support received from the Secretariat. I am indebted to my committee members who each and all make an immense contribution to the committee's deliberations.

— Michael Phelps

Committee members

- / Michael Phelps (Chair)
- / Paul Armarego
- / Sarah Avery
- / John Buxton
- / Jennifer Crawley
- / Mark Love
- / Athol Opas
- / Rob Reis
- / Gerald Santucci
- / Dianne Simpson
- / Ross Watch

Military Law

The Military Law Committee had a productive year and is planning for the year ahead.

The new committee members from 2016 added a diversified range of skills and experience. Military Law Committee members include Australian Defence Force Legal Officers, both regular and reserve, private practitioners, academics, and Government lawyers.

The committee appreciated the attendance of the President of the Law Society at a meeting. This allowed the committee to explain some key issues in greater detail.

During the year, the Chair of the committee also attended a meeting of the Law Society Council to outline what had been occurring and key events on the horizon.

The committee continues to work on identifying a range of military-specific legal topics that would be suitable for seminars to be included in the Society's CPD program.

The committee will be working in with the Australian Defence Force to host a CPD presentation in October. The presentation will bring together members of the profession at an ADF Reserve joint training night. The event aims to increase awareness among civilian lawyers about the interplay between the civilian criminal justice system and the military discipline and administrative law systems, allowing for the provision of more informed advice and guidance to Australian Defence Force members.

The Military Law Committee has also identified a need to provide information to the ACT legal profession about the supports that the Australian Defence Force can provide to members, particularly in the context of conditions for bail.

The committee also continues to monitor and consider matters of relevance to military law, military service and government and private practice in the ACT. The potential implications of ACT law for both the *Defence Force Discipline Act 1982* and the *Defence Act 1903* are topics of ongoing interest. The issue of the Commonwealth Criminal Code and Combatant Immunity is also a subject of continuing consideration.

— James King

Committee members

- / James King (Chair)
- / Jackson Balme
- / Genevieve Butler
- / Alexandra Collins
- / David Letts
- / Eva Logan
- / Don Malcolmson
- / Ben Mason
- / Tristan Skousgaard
- / Peter Sutherland
- / Michael Webster

Property Law

The Property Law Committee had a very busy 2016-17 financial year. We continue to meet monthly, and have some sub-committees that meet in addition to the monthly meetings.

The committee have representatives on a number of ACT Government Working Groups, including:

- / Access Canberra — working on the integration of a new IT system, the introduction of Australian Taxation Office third party reporting requirements, and a potential plug-in for e-Conveyancing (PEXA);
- / ACT Revenue — working on the integration of a new IT system and the introduction of the 'Barrier Free' method of paying stamp duty; and
- / Environment, Planning and Sustainable Development Directorate — working on possible reforms to ACT strata title regulation.

ATO Third Party Reporting

The committee liaised extensively with Access Canberra in the lead up to the 1 July 2017 introduction of a range of new Access Canberra forms and procedures associated with the introduction of new ATO third party reporting requirements. This included recommending

a number of changes to the proposed forms and procedures, many of which have been incorporated by Access Canberra.

Barrier Free Stamp Duty

The committee liaised extensively with the ACT Revenue Office in the lead up to the proposed 2017 introduction of the 'Barrier Free' method of paying stamp duty. This included recommending a number of changes to the proposed procedures (particularly in relation to the treatment of 'in flight' transactions), many of which have been incorporated by the ACT Revenue Office.

Foreign Resident Withholding Tax

The committee liaised with the Australian Taxation Office in the lead up to the 1 July 2017 introduction of changes to the foreign resident withholding tax regime.

Contract for Sale

The committee redrafted the ACT Law Society's standard Contract for Sale to accommodate the abovementioned Access Canberra, ACT Revenue Office, and Australian Taxation Office changes. The redraft has also been designed to enable the introduction of an electronic version of the standard Contract for Sale, which is expected to become available during the 2017-18 financial year.

Strata Title reform

The committee made written submissions to the ACT Government and attended stakeholders meetings.

Red tape reform

The committee continued to lobby the ACT Government for a range of reforms intended to reduce the red tape associated with property dealings.

'Mr Fluffy'

The committee assisted the ACT Law Society with its submission to the ACT Government regarding the indemnity provisions contained in the contracts for sale for remediated 'Mr Fluffy' blocks.

Water / Electricity meters

The committee assisted the ACT Law Society with its submission to the ACT Government regarding the linkage of a certificate of occupancy for a unit titled property with the installation of a separate water and electricity meter.

Other matters

/ The committee ran a Property Law Afternoon CPD on each of 29 November 2016 and on 21 June 2017, both of which were extremely well attended.

/ The committee published Hearsay articles on a regular basis on changes to legislation, case law and ACT and Commonwealth Government policy.

/ The committee regularly answered questions from members regarding property law matters.

I sincerely thank the members of the committee, who continue to give generously of their time and expertise. Their hard work and efforts continue to provide an enormous benefit to all members of the profession, to the property industry, and, as a result, to the wider community.

— Adam Peppinck

Committee members

- / Adam Peppinck (Chair since January 2017)
- / John Chamberlain (Chair up until December 2016)
- / Alfonso del Rio
- / Geoff Hay
- / Mussa Hijazi
- / Michael James
- / Roberta McRae
- / Helen Rodriguez
- / David Toole
- / Peter Waight
- / Chris Wheeler
- / Julie Beddoe (Justice and Community Safety Directorate)
- / Monica Saad (Environment, Planning and Sustainable Development Directorate)
- / Lisa Johnson (Environment, Planning and Sustainable Development Directorate)

Committees listed elsewhere in this report

- / Complaints (found under Operations)
- / Functions & Law Week (found under Our Members)
- / Practice Management (found under Operations)

Non-reporting Committees

The following committees did not provide reports for the past financial year:

- / Criminal Law
- / Young Lawyers

FINANCIAL STATEMENTS

AIR

GENERAL ACCOUNT

The Law Society of the ACT – General Account

Statement of Comprehensive Income

For the year ended 30 June 2017

	Notes	2017 \$	2016 \$
Revenue	2	2,706,917	2,513,854
Audit fees		(15,650)	(15,150)
Capitation fees		(238,603)	(220,601)
Committee and executive working lunches		(16,048)	(19,235)
Consultancy fees		(1,800)	(11,762)
Depreciation expense	8	(69,274)	(68,579)
Employee benefits expense		(1,054,996)	(1,121,782)
Ethos magazine expenses		(32,780)	(27,924)
Functions		(168,886)	(137,665)
Insurances		(29,305)	(27,772)
IT maintenance and services		(48,748)	(12,595)
Membership services		(10,464)	(10,960)
Postage and couriers		(30,755)	(29,934)
President's allowance		(108,820)	(106,426)
Printing and stationery		(28,078)	(17,095)
Rent and related expenses		(201,673)	(198,006)
Seminars		(102,111)	(83,562)
Travel and accommodation		(11,788)	(5,630)
Other expenses		(147,330)	(107,226)
Profit for the year		389,808	291,950
Total comprehensive income		389,808	291,950

Statement of Financial Position

As at 30 June 2017

	Notes	2017 \$	2016 \$
Current assets			
Cash and cash equivalents	4	2,972,382	2,402,926
Investments	5	900,000	713,614
Trade and other receivables	6	189,504	343,669
Inventory	7	135	205
Prepayments		48,808	17,973
Total current assets		4,110,829	3,478,387
Non-current assets			
Office furniture and equipment	8	477,982	495,709
Rental bond		54,287	54,287
Total non-current assets		532,269	549,996
Total assets		4,643,098	4,028,383
Current liabilities			
Trade and other payables	9	1,850,737	1,760,995
Provisions	10	192,060	184,418
Total current liabilities		2,042,797	1,945,413
Non-current liabilities			
Trade and other payables	9	442,908	319,294
Provisions	10	20,340	16,431
Total non-current liabilities		463,248	335,725
Total liabilities		2,506,045	2,281,138
Net assets		2,137,053	1,747,245
Equity			
Accumulated funds		2,137,053	1,747,245
Total equity		2,137,053	1,747,245

Statement of Changes in Equity

For the year ended 30 June 2017

	Notes	2017 \$	2016 \$
Accumulated Funds			
Balance at the beginning of the financial year		1,747,245	1,455,295
Total comprehensive income for the year		389,808	291,950
Balance at the end of the financial year		2,137,053	1,747,245

Statement of Cash Flows

For the year ended 30 June 2017

Cash flows from operating activities			
Receipts from members and others		3,042,395	2,703,704
Payments to suppliers and employees		(2,267,127)	(1,999,613)
Interest received		32,454	38,879
Net cash inflow/(outflow) from operating activities		807,722	742,970
Cash flows from investing activities			
Receipts/(Payments) for investments		(186,386)	258,614
Payments for office furniture and equipment		(51,880)	(9,793)
Net cash inflow/(outflow) from investing activities		(238,266)	(268,407)
Net increase/(decrease) in cash and cash equivalents held		569,456	474,563
Cash and cash equivalents at the beginning of the financial year		2,402,926	1,928,363
Cash and cash equivalents at the end of the financial year	4	2,972,382	2,402,926

Notes to the Financial Statements

For the year ended 30 June 2017

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*.

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 entity.

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.

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 (eg. 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 — 3-15 years.

(e) Financial Instruments

Recognition

Financial instruments are initially measured at cost on trade date, which includes transaction costs, when the related contractual rights or obligations exist. Subsequent to initial recognition these instruments are measured as set out below.

Financial assets at fair value through profit and loss

A financial asset is classified in this category if acquired principally for the purpose of selling in the short term or if so designated by management. Gains and losses arising from changes in the fair value of these assets are included in the statement of comprehensive income in the period in which they arise.

Loans and receivables

Loans and receivables are financial assets with fixed or determinable payments and are stated at amortised cost using the effective interest rate method.

Held-to-maturity investments

These investments have fixed maturities, and it is the intention to hold these investments to maturity. Any held-to-maturity investments held are stated at amortised cost using the effective interest rate method.

Available-for-sale financial assets

Available-for-sale financial assets include any financial assets not included in the above categories. Available-for-sale financial assets are reflected at fair value. Unrealised gains and losses arising from changes in fair value are taken directly to equity.

Financial liabilities

Financial liabilities are recognised at amortised cost, comprising original debt less principal payments and amortisation.

Impairment

At each reporting date, an assessment is made whether there is objective evidence that a financial instrument has been impaired. In the case of available-for-sale financial instruments, a prolonged decline in the value of the instrument is considered to determine whether impairment has arisen. Impairment losses are recognised in the statement of comprehensive income.

(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 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.

(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 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 practicing 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) 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.

Note 2: Revenue

	2017	2016
	\$	\$
Revenue from operating activities		
Practising certificate fees	1,385,267	1,274,373
Members' subscriptions	17,907	19,214
Capitation fees	239,400	217,451
Certificates of good standing	14,100	11,241
Ethos advertising and subscriptions	12,914	14,009
Functions	163,887	129,152
Profit on standard forms	94,072	77,133
Project Officer contributions	7,497	48,246
Reimbursement of expenses		
Statutory Interest Account — administration*	82,238	77,113
Statutory Interest Account — Legal Advice Bureau*	39,852	38,972
Statutory Interest Account — professional standards*	121,708	121,638
Solicitors' Fidelity Fund of the Australian Capital Territory — administration*	45,780	43,146
Settlements Office contributions	66,104	61,542
Seminar income		
Continuing Professional Development	235,200	209,120
Practice management courses	75,537	66,557
Total	2,601,463	2,408,907
Revenue from outside the operating activities		
Interest	44,752	42,625
Miscellaneous income	28,054	26,685
Sponsorship	32,648	35,637
	105,454	104,947
Total	2,706,917	2,513,854

Note 3: Profit for the Year

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

Rental payments on operating lease	(182,785)	(179,791)
Superannuation contributions	(97,233)	(99,845)
Loss on disposal of assets	(333)	(-)

* These amounts are received from entities managed and administered by the Society under the *Legal Profession Act 2006*.

	2017 \$	2016 \$
Note 4: Cash and Cash Equivalents		
Cash on hand	300	300
Cash at bank — Law Society General Account	2,953,897	2,359,738
Undeposited funds	4,593	826
	2,958,790	2,360,864
Cash at bank — Compensation Rights Account	13,592	42,062
Total	2,972,382	2,402,926

Note 5: Investments

Held-to-Maturity Investments*

Commonwealth Bank	250,000	-
National Australia Bank	350,000	713,614
Westpac Bank	300,000	-
Total	900,000	713,614

Note 6: Trade and Other Receivables

Trade debtors	120,514	225,094
Deposits paid	9,902	3,020
Accrued interest receivable	20,713	8,415
Other accrued income	30,545	106,200
GST refund receivable	7,830	940
Total	189,504	343,669

Note 7: Inventory

Contracts for sale	15	143
Tenancy agreements	120	62
Total	135	205

* These deposits have maturities of 8 to 12 months from the date of their deposit.

2017

\$

2016

\$

Note 8: Office Furniture and Equipment

Office furniture and equipment

At cost	688,305	680,152
Less: accumulated depreciation	(210,323)	(184,443)
Total office furniture and equipment	477,982	495,709

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	495,709	554,495
Additions	51,880	9,793
Disposals	(333)	-
Depreciation expense	(69,274)	(68,579)
Carrying amount at the end of the year	477,982	495,709

Note 9: Trade and Other Payables

Current

Subscriptions and other income in advance	1,659,638	1,566,129
Accruals	48,102	43,776
Payable — Solicitors' Fidelity Fund of the Australian Capital Territory	56,905	54,924
Fair Comp Compensation Rights account	13,592	42,062
Young Lawyers funds	18,444	14,098
Trade creditors	54,056	40,006
Total	1,850,737	1,760,995

Non-Current

Lease incentive liability	442,908	319,294
Total liabilities	2,293,645	2,080,289

Note 10: Provisions

Current*

Provision for annual leave	102,161	85,734
Provision for long service leave	89,899	98,684
Total	192,060	184,418

Non-Current

Provision for long service leave	20,340	16,431
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* There was an amount of \$17,574 utilised in 2017 from current long service leave. There is no known current long service leave expected to be settled within 12 months of the end of the financial year. (2016: nil).

Note 13: Leasing Commitments

Lease commitments

The Society's current 10 year lease was signed effective 1 February 2015 expiring 31 January 2025, with an option for another 5 years.

Commitments in relation to non-cancellable operating leases contracted for at the reporting date, payable:

	2017	2016
	\$	\$
Within one year*	212,082	52,366
Later than one year but not later than 5 years*	913,892	887,273
Later than 5 years	649,374	888,075
Total	1,775,348	1,827,714

Note 14: 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.

* The new 10 year lease agreement included a cash incentive and a rent-free period which ended 31 March 2017. The overall cost of the lease is accounted for on a straight-line basis for the term of the lease.

Note 15: 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:

	Notes	2017 \$	2016 \$
Financial Assets			
Cash and cash equivalents Compensation Rights Account	4	13,592	42,062
Total Financial Assets		13,592	42,062

Financial Liabilities

Trade and other payables	9	13,592	42,062
Total Financial Liabilities		13,592	42,062

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

Receipts	2,957	710
Payments	(31,427)	(1,210)
Net receipts/(payments)	(28,470)	(500)

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	42,062	42,562
Net receipts/(payments) during the year	(28,470)	(500)
Carrying amount at the end of the year	13,592	42,062

Note 16: 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 follow:

Ms S Avery	President from 22 September 2016 Vice President to 22 September 2016
Mr M Hockridge	Immediate Past President from 22 September 2016 President to 22 September 2016
Ms N Blumer	Immediate Past President to 22 September 2016
Ms L E Vardanega PSM	Secretary
Mr V Sundar	Treasurer
Mr C Donohue	Vice President from 22 September 2016 General Councillor to 22 September 2016
Mr C Painter	Vice President from 22 September 2016 General Councillor to 22 September 2016
Ms V Bradley	From 22 September 2016
Mr P Cain	From 22 September 2016
Ms C Coles	
Ms A Eager	From 22 September 2016
Mr R Hambley	From 22 September 2016
Mr G Lee	
Mr G Marques	
Ms B McNeil	
Mr P Schubert	
Mr A Bucknell	From 20 February 2017 From 1 July 2016 to 22 September 2016
Ms Clarissa Campbell	From 22 September 2016 to 12 December 2016
Ms E Lee	To 22 September 2016
Mr P Woodhouse	To 22 September 2016

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 practicing 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 \$3,044 (2016: \$3,089) in premiums for Councillors and Officers liability insurance.

Note 17: 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.

	2017	2016
	\$	\$
Total key management personnel compensation	320,095	311,227

Note 18: 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 19: Contingent Liabilities and Contingent Assets

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

Councillors' Declaration

For the year ended 30 June 2017

The Councillors declare that the financial statements and notes set out on pages 2 to 14:

- (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 2017 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

21 August 2017



Councillor

21 August 2017



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 2017, 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 2017 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 (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.

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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, 21 August 2017



Rod Scott
Partner



STATUTORY DEPOSITS

Statutory Deposits Trust Account

Statement of Comprehensive Income

For the year ended 30 June 2017

	Notes	2017 \$	2016 \$
Revenue		-	-
Net surplus / (deficit)		-	-
Total comprehensive income for the year		-	-

Statement of Financial Position

As at 30 June 2017

Current assets

Cash and cash equivalents	2	6,967,803	6,514,592
Investments	3	26,553,033	20,400,000
Total current assets		33,520,836	26,914,592

Total assets **33,520,836** **26,914,592**

Current liabilities

Trade and other payables	4	33,520,836	26,914,592
Total current liabilities		33,520,836	26,914,592

Total liabilities **33,520,836** **26,914,592**

Net assets - -

Equity

Accumulated Funds		-	-
Total equity		-	-

Statement of Changes in Equity

For the year ended 30 June 2017

	Notes	2017 \$	2016 \$
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 2017

Cash flows from investing activities

Net interest received/(transferred) to Statutory Interest Account		(21,113)	18,080
Proceeds from investments		19,850,000	13,444,405
Payments for investments		(26,000,000)	(18,700,000)
Net cash inflow/(outflow) from investing activities		(6,171,113)	(5,237,515)

Cash flows from financing activities

Proceeds from statutory deposits		11,343,703	10,630,830
Repayments of statutory deposits		(4,719,379)	(4,675,296)
Net cash inflow/(outflow) from financing activities		6,624,324	5,955,534

Net increase/(decrease) in cash and cash equivalents held		453,211	718,019
Cash and cash equivalents at the beginning of the financial year		6,514,592	5,796,573
Cash and cash equivalents at the end of the financial year	2	6,967,803	6,514,592

Notes to the Financial Statements

For the year ended 30 June 2017

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*.

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 entity.

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.

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

Recognition

Financial instruments are initially measured at cost on trade date, which includes transaction costs, when the related contractual

rights or obligations exist. Subsequent to initial recognition these instruments are measured as set out below.

Financial assets at fair value through profit and loss

A financial asset is classified in this category if acquired principally for the purpose of selling in the short term or if so designated by management and within the requirements of AASB 139 Financial Instruments: Recognition and Measurement. Gains and losses arising from changes in the fair value of these assets are included in the statement of comprehensive income in the period in which they arise.

Loans and receivables

Loans and receivables are financial assets with fixed or determinable payments and are stated at amortised cost using the effective interest rate method.

Held-to-maturity investments

These investments have fixed maturities, and it is the intention to hold these investments to maturity. Any held-to-maturity investments held are stated at amortised cost using the effective interest rate method.

Available-for-sale financial assets

Available-for-sale financial assets include any financial assets not included in the above categories. Available-for-sale financial assets are reflected at fair value. Unrealised gains and losses arising from changes in fair value are taken directly to equity.

Financial Liabilities

Financial liabilities are recognised at amortised cost, comprising original debt less principal payments and amortisation.

Impairment

At each reporting date, an assessment is made of whether there is objective evidence that a financial instrument has been impaired. In the case of available-for-sale financial instruments, a prolonged decline in the value of the instrument is considered to determine whether impairment has arisen. Impairment losses are recognised in the statement of comprehensive income.

(f) 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.

	2017 \$	2016 \$
Note 2: Cash and Cash Equivalents		
Cash at bank	6,767,803	5,514,592
Cash at bank — AMP Saver Account	200,000	1,000,000
Total	6,967,803	6,514,592

Note 3: Investments

Held-to-Maturity Investments*

AMP Bank	3,000,000	3,400,000
Bank of Qld	2,000,000	-
Bendigo Bank	1,000,000	-
Heritage Bank	-	1,000,000
ING	1,000,000	500,000
National Australia Bank	4,350,000	10,850,000
Rural Bank	-	1,800,000
Suncorp Bank	6,900,000	-
Westpac	8,303,033	2,850,000
Total	26,553,033	20,400,000

Note 4: Trade and Other Payables

Monies deposited by solicitors	33,520,836	20,896,512
Other liability**	-	18,080
Total	33,520,836	26,914,592

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 \$1,775 (2016: \$1,725) were ultimately paid by the Statutory Interest Account on behalf of the Statutory Deposits Trust Account.

* These deposits have maturities of 6 to 18 months from the date of their deposit.
 ** This represents interest to be transferred to the Statutory Interest 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 Society'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 139 as detailed in the accounting policies to these financial statements, are as follows:

	Notes	2017 \$	2016 \$
Financial Assets			
Cash and cash equivalents	2	6,967,803	6,514,592
Held-to-maturity investments	3	26,553,033	20,400,000
Total Financial Assets		33,520,836	26,914,592
Financial Liabilities			
Trade and other payables	4	33,520,836	26,914,592
Total Financial Liabilities		33,520,836	26,914,592

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 2017

The Councillors declare that the financial statements and notes set out on pages 18 to 22:

- (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 2017 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
21 August 2017



Councillor
21 August 2017



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 2017, 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 2017 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 (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.

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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, 21 August 2017



Rod Scott
Partner



STATUTORY INTEREST

The Statutory Interest Account

Statement of Comprehensive Income

For the year ended 30 June 2017

	Notes	2017 \$	2016 \$
Revenue	2	2,700,074	2,223,798
Expenses			
Law Society of the Australian Capital Territory – reimbursement of administration expenses		(82,238)	(77,113)
Disciplinary legal costs and other legal costs		(1,420,194)	(1,161,224)
Legal Advice Bureau operating costs	8	(41,335)	(39,729)
Professional Standards Office costs		(122,810)	(122,721)
Surplus before disbursements		1,033,497	823,011
Proposed disbursements under s253		(1,033,400)	(823,000)
Surplus/(deficit) for the year		97	11
Total comprehensive income		97	11

Statement of Financial Position

As at 30 June 2017

	Notes	2017 \$	2016 \$
Current assets			
Cash and cash equivalents	3	953,571	1,053,097
Investments	4	1,300,000	1,300,000
Trade and other receivables	5	603,117	346,303
Total current assets		2,856,688	2,699,400
Total non-current assets		-	-
Total assets		2,856,688	2,699,400
Current liabilities			
Trade and other payables	6	146,915	200,124
Provisions	7	1,033,400	823,000
Total current liabilities		1,180,315	1,023,124
Total liabilities		1,180,315	1,023,124
Net assets		1,676,373	1,676,276
Equity			
Accumulated funds		1,676,373	1,676,276
Total equity		1,676,373	1,676,276

Statement of Changes in Equity

For the Year Ended 30 June 2017

Accumulated funds			
Balance at the beginning of the financial year		1,676,276	1,676,265
Surplus/(deficit) for the year		97	11
Balance at the end of the financial year		1,676,373	1,676,276

Statement of Cash Flows

For the Year Ended 30 June 2017

	Notes	2017 \$	2016 \$
Cash flows from operating activities			
Recovered disciplinary legal costs and fines imposed		292,223	132,906
Miscellaneous receipts & GST refunds		185,890	215,203
Disbursements and other operating payments		(1,933,771)	(1,579,219)
Interest		2,179,132	2,047,373
Net cash inflow / (outflow) from operating activities		723,474	816,263
Cash flows from investing activities			
Proceeds from investments		-	140,714
Net cash inflow / (outflow) from investing activities		-	140,714
Cash flows from financing activities			
Section 253 disbursements	9	(823,000)	(1,079,530)
Net cash inflow / (outflow) from financing activities		(823,000)	(1,079,530)
Net increase / (decrease) in cash and cash equivalents held		(99,526)	(122,553)
Cash and cash equivalents at the beginning of the financial year		1,053,097	1,175,650
Cash and cash equivalents at the end of the financial year	3	953,571	1,053,097

Notes to the Financial Statements

For the year ended 30 June 2017

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*.

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 entity.

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.

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

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

(e) 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.

(f) Financial Instruments

Recognition

Financial instruments are initially measured at cost on trade date, which includes transaction costs, when the related contractual rights or obligations exist. Subsequent to initial recognition these instruments are measured as set out below.

Financial assets at fair value through profit and loss

A financial asset is classified in this category if acquired principally for the purpose of selling in the short term or if so designated by management and within the requirements of AASB 139 Financial Instruments: Recognition and Measurement. Gains and losses arising from changes in the fair value of these assets are included in the statement of comprehensive income in the period in which they arise.

Loans and receivables

Loans and receivables are financial assets with fixed or determinable payments and are stated at amortised cost using the effective interest rate method.

Held-to-maturity investments

These investments have fixed maturities, and it is the intention to hold these investments to maturity. Any held-to-maturity investments held are stated at amortised cost using the effective interest rate method.

Available-for-sale financial assets

Available-for-sale financial assets include any financial assets not included in the above categories. Available-for-sale financial assets are reflected at fair value. Unrealised gains and losses arising from changes in fair value are taken directly to equity.

Financial liabilities

Financial liabilities are recognised at amortised cost, comprising original debt less principal payments and amortisation.

Impairment

At each reporting date, an assessment is made of whether there is objective evidence that a financial instrument has been impaired. In the case of available-for-sale financial instruments, a prolonged decline in the value of the instrument is considered to determine whether impairment has arisen. Impairment losses are recognised in the statement of comprehensive income.

(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 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.

	2017 \$	2016 \$
Note 2: Revenue		
Interest on investments by the Statutory Interest Account	47,284	57,494
Interest on investments by the Statutory Deposits Account	737,336	566,704
Interest on Solicitors' Trust Accounts	1,602,923	1,477,746
Recovered disciplinary costs and fines	312,531	121,854
Total	2,700,074	2,223,798

Note 3: Cash and Cash Equivalents

Cash at bank	953,571	1,053,097
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Note 4: Investments

Held-to-Maturity Investments*

AMP	900,000	-
National Australia Bank	400,000	1,300,000
Total	1,300,000	1,300,000

Note 5: Trade and Other Receivables

Accrued interest

Investments	358,100	167,194
Solicitors' Trust Accounts	155,532	138,027
	513,632	305,221
Debtors	26,000	5,692
Prepayments	2,018	841
GST receivable	61,467	34,549
Total	603,117	346,303

* These deposits have maturities of 6 to 12 months from the date of their deposit.

2017

\$

2016

\$

Note 6: Trade And Other Payables

Sundry creditors and accruals	146,915	200,124
--------------------------------------	----------------	----------------

Note 7: Provisions – Current

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.

Proposed disbursements	1,033,400	823,000
-------------------------------	------------------	----------------

Note 8: Legal Advice Bureau Operating Costs

Cleaning	888	856
Depreciation	1,155	1,155
Electricity	203	172
Insurance	245	243
Publications and subscriptions	1,483	1,396
Rental of premises	8,450	8,450
Salaries and superannuation	28,911	27,457
Total	41,335	39,729

Note 9: Disbursements

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

Canberra Community Law	79,008	105,794
Care Inc (Consumer Law)	14,814	-
Environmental Defender's Office	14,814	19,432
Legal Aid Commission (ACT)	671,568	897,089
Women's Legal Centre	42,796	57,215
Total	823,000	1,079,530

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 Account'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 139 as detailed in the accounting policies to these financial statements, are as follows:

	Notes	2017 \$	2016 \$
Financial Assets			
Cash and cash equivalents	3	953,571	1,053,097
Held-to-maturity investments	4	1,300,000	1,300,000
Receivables	5	541,645	311,754
Total Financial Assets		2,795,221	2,664,851
Financial Liabilities			
Trade and other payables	6	146,915	200,124
Total Financial Liabilities		146,915	200,124

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 14: Remuneration of Auditors

Audit fees of \$3,025 (2016: \$2,925) were ultimately paid by the Statutory Interest Account.

Note 12: Contingent Liabilities

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

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.

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.

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 2017

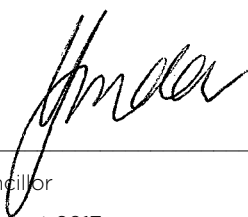
The Councillors declare that the financial statements and notes set out on pages 25 to 32:

- (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 2017 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

21 August 2017



Councillor

21 August 2017



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 2017, 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 2017 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 (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.

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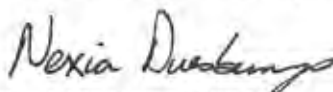
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Auditor's responsibility for the audit of the financial statements

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, 21 August 2017



Rod Scott
Partner

FIDELITY FUND

The Solicitors' Fidelity Fund of the ACT

Statement of Comprehensive Income

For the Year Ended 30 June 2017

	Notes	2017 \$	2016 \$
Revenue	2	261,779	218,629
Audit fees		(3,025)	(2,925)
Administration expenses		(45,780)	(43,146)
Investigations, examinations, legal and managers' costs		(111,755)	-
Random inspections expenses		(110,635)	(123,050)
Surplus / (deficit) for the year		(9,416)	49,508
Total comprehensive income for the year		(9,416)	49,508

Statement of Financial Position

As at 30 June 2017

	Notes	2017 \$	2016 \$
Current assets			
Cash and cash equivalents	3	134,588	267,815
Trade and other receivables	4	190,518	107,051
Total current assets		325,106	374,866
Non-current assets			
Investments	5	5,002,995	4,907,395
Total non-current assets		5,002,995	4,907,395
Total assets		5,328,101	5,282,261
Current liabilities			
Trade and other payables	6	120,415	65,159
Total current liabilities		120,415	65,159
Total liabilities		120,415	65,159
Net assets		5,207,686	5,217,102
Equity			
Accumulated funds		5,207,686	5,217,102
Total equity		5,207,686	5,217,102

Statement of Changes in Equity

For The Year Ended 30 June 2017

	Notes	2017 \$	2016 \$
Accumulated Funds			
Balance at the beginning of the financial year		5,217,102	5,167,594
Total comprehensive income for the year		(9,416)	49,508
Balance at the end of the financial year		5,207,686	5,217,102

Statement of Cash Flows

For the Year Ended 30 June 2017

Cash flows from operating activities			
Receipts from contributions		57,821	47,117
Recoveries & GST refunds		22,773	30,576
Payments to suppliers and others		(235,612)	(188,172)
Interest received		117,391	139,585
Net cash inflow / (outflow) from operating activities		(37,627)	29,106
Cash flows from investing activities			
Payments for investments		(95,600)	(259,199)
Proceeds from investments		-	-
Net cash inflow / (outflow) from investing activities		(95,600)	(259,199)
Net increase / (decrease) in cash and cash equivalents held		(133,227)	(230,093)
Cash and cash equivalents at the beginning of the financial year		267,815	497,908
Cash and cash equivalents at the end of the financial year	3	134,588	267,815

Notes to the Financial Statements

For the year ended 30 June 2017

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*.

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 entity.

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.

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

Contributions are recognised in the year to which the contributions relate.

Recovered investigation/management costs are recognised upon the receipt of funds or when they become recoverable if earlier.

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

(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. The investments are classified as non-current assets as

they are held for longer terms and the deposits are expected to be rolled over upon maturity.

(e) Financial Instruments

Recognition

Financial instruments are initially measured at cost on trade date, which includes transaction costs, when the related contractual rights or obligations exist. Subsequent to initial recognition these instruments are measured as set out below.

Financial assets at fair value through profit and loss

A financial asset is classified in this category if acquired principally for the purpose of selling in the short term or if so designated by management and within the requirements of AASB 139 Financial Instruments: Recognition and Measurement. Gains and losses arising from changes in the fair value of these assets are included in the profit or loss in the period in which they arise.

Loans and receivables

Loans and receivables are financial assets with fixed or determinable payments and are stated at amortised cost using the effective interest rate method.

Held-to-maturity investments

These investments have fixed maturities, and it is the intention to hold these investments to maturity. Any held-to-maturity investments held are stated at amortised cost using the effective interest rate method.

Available-for-sale financial assets

Available-for-sale financial assets include any financial assets not included in the above categories. Available-for-sale financial assets are reflected at fair value. Unrealised gains and losses arising from changes in fair value are recognised in other comprehensive income and accumulated in the investment revaluation reserve.

Financial liabilities

Financial liabilities are recognised at amortised cost, comprising original debt less principal payments and amortisation.

Impairment

At the end of the reporting period, an assessment is made of whether there is objective evidence that a financial instrument has been impaired. In the case of available-for-sale financial instruments, a prolonged decline in the value of the instrument is considered to determine whether impairment has arisen. Impairment losses are recognised in the profit or loss.

(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) 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.

	2017 \$	2016 \$
Note 2: Revenue		
Revenue from operating activities		
Interest on investments	149,950	151,326
Contributions	54,724	50,211
Recovery of investigations/management costs	57,105	17,092
Total	261,779	218,629

Note 3: Cash and Cash Equivalents

Cash at bank	134,588	267,815
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Note 4: Trade and Other Receivables

Trade debtors — The Law Society of the Australian Capital Territory	57,053	54,779
Trade debtors — other	48,636	-
Accrued interest	84,829	52,272
Total	190,518	107,051

Note 5: Investments

Held-to-Maturity Investments*

Bank of Queensland	400,000	1,307,395
Bendigo Bank	1,800,000	-
National Australia Bank	952,995	2,000,000
Rural Bank	-	1,000,000
Westpac	1,850,000	600,000
Total	5,002,995	4,907,395

* These deposits have maturities of 6 to 18 months from the date of their deposit.

	Notes	2017 \$	2016 \$
Note 6: Trade and Other Payables			
Trade creditors and accruals		63,362	13,475
Contributions received in advance		57,053	51,684
Total		120,415	65,159

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.

Note 8: Auditors' Remuneration

Audit of the Fund's financial statements		3,025	2,925
Conduct of random inspections		33,180	60,455
Total		36,205	63,380

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 \$50,030 on profit and equity.

An actuarial assessment of the Fund was made in December 2013 and at the time \$5,000,000 was assessed as an appropriate level of net assets to cover potential claims. A further assessment of the Fund is currently underway. It is expected that there will be a requirement that the Fund balance increase, given the substantial increase in trust monies held in the ACT.

The totals for each category of financial instrument, measured in accordance with AASB 139 as detailed in the accounting policies to these financial statements, are as follows:

Financial Assets

Cash and cash equivalents	3	134,588	267,815
Held-to-maturity investments	5	5,002,995	4,907,395
Loans and receivables	4	190,518	107,051
Total Financial Assets		5,328,101	5,282,261

Financial Liabilities

Trade and other payables	6	120,415	65,159
Total Financial Liabilities		120,415	65,159

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 2017

The Councillors declare that the financial statements and notes set out on pages 36 to 42:

- (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 2017 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
21 August 2017



Councillor
21 August 2017



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 2017, 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 2017 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 (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.

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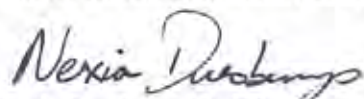
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Auditor's responsibility for the audit of the financial statements

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, 21 August 2017



Rod Scott
Partner





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