

ACT
LAW
SOCIETY
ANNUAL
REPORT
2021-22

ANNUAL REPORT

actlawsociety

**LAW SOCIETY OF THE
AUSTRALIAN CAPITAL TERRITORY**

ABN 60 181 327 029
Level 4, 1 Farrell Place, Canberra City ACT 2601
PO Box 1562, Canberra ACT 2601 | DX 5623 Canberra
Phone (02) 6274 0300 | mail@actlawsociety.asn.au
www.actlawsociety.asn.au

Executive Committee

President	Elizabeth Carroll
Vice Presidents	Farzana Choudhury Susan Platis
Secretary	George Marques
Treasurer	Mark Tigwell
Council-appointed member	Gavin Lee
Immediate Past President	Chris Donohue

Councillors

Veena Bedekar	Georgia Briggs
Catherine Coles	Tim Dingwall
Brice Hamack	Sarah Milson-Mahy
Lisa Quilty	Ian Temby
Amanda Wescombe	

Staff

Chief Executive Officer	Simone Carton
Professional Standards Manager	Rob Reis
Finance & Business Services Manager	Lea McLean
Executive Secretary	Nicole Crossley
Communications Officer	Nicole Karman
Professional Standards Secretary	Linda Mackay
Policy Officer	Chelsea Dempster
CPD & Events Officer	Casey Magnussen
Research Officers	Chloe McKenzie Tom Dunbabin Sonali Kagithala
Bookkeeper	Kathleen Lui
Reception & Pro Bono Officer	Romy Black
Administration Support	Janette Graham Leonnie Borzecki

© This publication is copyright and no part of it may be reproduced without the consent of the Law Society of the Australian Capital Territory.

The Law Society acknowledges the Ngunnawal and Ngambri peoples, who are the traditional custodians of the land on which our building is located.

Cover: Photo by Rosie Steggles on Unsplash.

PRESIDENT'S REPORT

CEO'S REPORT

ACT LAW SOCIETY

Who we are in 2022	8
Governance	10
Strategy: Leading through excellence	12

REPRESENTATION

Building our voice and influence	14
Major policy issues	16
Promoting the value of the legal profession	17
Special interest and segment committees	18
Committee reports	19

REGULATION

Solicitors conduct rules	30
Licensing	30
Education and guidance	31
Regulatory process enhancements	31
Assistance for members	31
Professional Standards Committee	32

EDUCATION

Major CPD events	34
Practice Management Course	37
Future plans for education	37
Member input to CPD program	38
Speakers	38

ENGAGEMENT

Member services	40
ACT Law Awards	41
Publications	41
Networking events	42
Charitable donations	44
Student engagement	44
Pro Bono Clearing House	45
Statutory Interest Account grant funding	47

FUTUREPROOFING

Responsiveness to change	48
Investment in technology	49
Organisational capacity	51

FINANCIAL STATEMENTS

Treasurer's Report	FS/2
The Law Society of the ACT – General Account	FS/4
Statutory Deposits Trust Account	FS/20
The Statutory Interest Account	FS/28
The Solicitors' Fidelity Fund of the ACT	FS/40

PRESIDENT'S REPORT



Amanda Gorman is best known as the poet who spoke at the US presidential inauguration in 2021. For 2022 she composed a new poem, *New Year's Lyric*, which captures the mood of the times with the words:

*Even if we never get back to normal,
Someday we can venture beyond it,
To leave the known and take the first steps.
So let us not return to what was normal,
But reach toward what is next.*

This year we continued to adapt in many things and moved towards a new way. Online and virtual options have become embedded in our ongoing approaches. When lockdowns were in place this was the only option, but as restrictions eased, we have also taken advantage of the opportunity to get back together. There have been many reasons to celebrate this year and I am glad we have been able to appropriately mark these occasions.

Milestones and celebrations

This year has seen some momentous changes for the legal profession in the ACT. At the end of 2021, we farewelled Justice Burns from his 30 years of judicial service in a wonderful event at the National Museum. Shortly afterwards we moved into lockdown, at a time when the Society traditionally holds our Annual General Meeting and Annual Awards. The Law Society staff learnt new skills in remote delivery of events to hold our Annual General Meeting and Annual Awards remotely. Both events were highly successful with greater attendance than usual, despite the online format.

Our Annual Award winners got a second chance to celebrate, with our Annual Dinner moved to December and awards presented in person on the night. The trophies were beautiful creations by a local artist reusing the timber removed from the original Court rooms during the renovations of the ACT Supreme

Court building. The timber from Australian trees was donated by the States for the purpose of the original construction. Our award winners now have a tangible piece of history in recognition of their hard work and dedication. Our President's Medal winner, Margie Rowe, gave a wonderfully inspiring speech and her career of service to the legal profession was recognised by a standing ovation. On a lovely summer's evening at Pialligo Estate, we could not have asked for more!

The retirement of the ACT's sixth Chief Justice, the Hon Helen Murrell SC, and the appointment of Chief Justice Lucy McCallum were important milestones, accompanied by ceremonial sittings and dinners to honour their outstanding careers and achievements. We were fortunate that the former Chief Justice was able to provide the Blackburn Oration during Law Week. With the appointments of Justice Jeffrey Kennett, Judge Gavin Mansfield, Magistrate Jane Campbell and Magistrate Ken Archer, as well as the retirement of Magistrate Morrison it was a busy time for ceremonial sittings.

Policy progress

The appointment of Magistrate Archer as the ACT's first dedicated coroner was particularly pleasing, given the Society's support for calls for such an appointment over many years. This will allow Magistrate Archer to give the focussed attention to these sensitive matters they deserve, supporting a more restorative approach which promises to better serve the needs of the community including bereaved family and friends.

Our Committees were a powerhouse of policy ideas and submissions throughout the year. Our input into the proposed legislation relating to the ongoing response to the pandemic drew together expertise from a number of Committees in a short timeframe. The way members stepped forward to help develop a comprehensive submission raising important issues

for the community was a shining example of how our Committees contribute to legislative development for the benefit of the public. Our fabulous volunteers provide an invaluable contribution to the Society, and we sincerely thank everyone who gives their time to support our various activities. You can read more information on the work of the Committees later in this document and I commend their full reports to you.

Looking to the future

Futureproofing is one of the five core areas identified in the Society's Strategic Plan 2021-23. John F. Kennedy said 'Change is the law of life. And those who look only to the past or present are certain to miss the future.' To support our local legal profession preparing for the future, for our annual CPD intensive we took as our theme: 'innovation in legal practice'. I enjoyed facilitating a session on 'Future-proofing your firm' and hearing cutting-edge insights from award-winning local lawyers. The standard of presentations across the two days was extremely impressive and touched on topical issues in the current legal landscape from cybersecurity to mental health.

Painting with Parkinson's

Our charity for 2022 was ACT Parkinson's, with funds raised going to their amazing Painting with Parkinson's Program. The Program takes a very special approach to supporting people with Parkinson's disease, and I was delighted we were able to assist with their ACT based programs.

At the end of a busy and productive financial year, I would like to thank Simone Carton, the Society's CEO, and the dedicated staff of the Society for their enormous effort and support.

Elizabeth Carroll

PRESIDENT, ACT LAW SOCIETY

CEO'S REPORT



“That’s how we’ve always done things” is sometimes given as a reason not to change. However, change is sometimes necessary to propel us forward, or to respond to circumstances outside our control. At those times, the challenges we face can also present opportunities.

In my last CEO report after my first full year in the role, I reflected on a year of change, partly due to the ongoing impact of the pandemic on our day to day lives. Rather than focusing on the challenges this presented, we looked for opportunities for new ways of working and connecting with our community of members. This year we built on that work and looked for further opportunities.

We entered 2021-22 guided by a new Strategic Plan, the first in more than 10 years. This year’s report reflects on our strategic focus areas, *representation, regulation, education, engagement* and *future-proofing*. We provide an update on these areas of our work, how we are progressing our plans, and what’s to come.

Some key activities during the period included:

- / A significant increase in the number of submissions and feedback provided to government and other stakeholders (43 compared with around 30 in 2020-21), with our Policy Officers Tien Pham and then Chelsea Dempster and many of our committee volunteers kept very busy.
- / Regular communication to keep the profession informed of frequent changes to covid restrictions and advocacy on behalf of the profession about restrictions specifically impacting our sector, including getting the Settlements Office reopened during lockdown in the second half of 2021.
- / We introduced a theme for the first time for our CPD Intensive, *Innovation in Legal Practice*, with speakers invited to present a topic of relevance to innovative practice.
- / All committees were refreshed, and a framework established for ongoing renewal.

- / We collaborated with the Queensland Law Society to secure a license for workplace culture training, with a particular focus on sexual harassment, now being rolled out to members.
- / The Young Lawyers Committee became the New Lawyers Committee, to recognise the changing demographic of new entrants to the profession.
- / We introduced discounted student membership to improve our engagement with future members of the profession.
- / We expanded our social media channels further to include Instagram, providing another avenue to connect with members and interested stakeholders.

As we started the year, we were already implementing technological changes to help us work more efficiently, including further enhancements to our complaint management system to improve tracking and reporting capability. With the timing of the lockdown, the team also had to quickly identify solutions to move the Annual General Meeting to a virtual environment. Our former Professional Development & Events Officer, Liz Francis, worked incredibly hard alongside our Communications Officer, Nicole Karman, to ensure we had the necessary functionality to support member participation in the meeting and it was a credit to their work that attendance at the meeting was well above our usual face-to-face meetings. This event was quickly followed by virtual delivery of our ACT Law Awards, providing a nice break from lockdown to come together and celebrate our peers. We also delivered our second induction training for new Councillors, this time in a fully virtual environment.

The year presented other challenges, with a marked increase in difficult interactions for our frontline staff, perhaps reflecting the general feeling of the community coming out of two years of the pandemic. We introduced security screening to our reception area and staff undertook training delivered by Lifeline to support them to handle these situations.

We are a small team, undertaking a wide range of functions to support our members and to deliver against legislative requirements for regulation of the ACT profession. It can be challenging, but it is rewarding work that we know makes a difference. I'd like to acknowledge the team members who supported our work during the year, including those we sadly farewellled. A lot of effort and commitment goes on behind the scenes here and I'm grateful to have a great crew with me.

As the year closed, we look forward to a number of initiatives that are already underway:

- / Our anonymous reporting portal will provide an opportunity for confidential reports about harassment, bullying and discrimination.
- / Our revamped Practitioner Support List (formerly the Senior Counsellor list), will provide an avenue of peer support for members who want to discuss an issue with someone independent who can provide support from their own experience.
- / Our second biennial member survey will be undertaken later in 2022 and we encourage all members to participate to help us understand your needs and interests, to guide the Society in our work.
- / The Society turns 90 next year and we are currently working on plans to celebrate the occasion as part of a 90-year project!

As a final acknowledgement, I'd like to thank each of our Council and committee members and in particular our President, Libby Carroll, who finishes her term at the next AGM. Libby has been a tremendous support to me over the past two years. It's been a pleasure to have a chairperson who clearly cares about the work of the Society, represents us in a positive light in a range of forums, and fosters the collaboration needed to lead what is a very large group on Council.

Simone Carton
CHIEF EXECUTIVE OFFICER

ACT LAW SOCIETY

Who we are in 2022

The Society represents 3035 practising lawyers in the ACT region. Our members are sole practitioners, lawyers in private firms and government departments, in-house counsel, community legal centre solicitors, legal academics, and lawyer volunteers. We also have a number of associate members, including students, expatriates, and retirees who want to maintain contact with the Canberra legal community.

As at 30 June 2022, the Society had 3212 members, an increase of 6.5 per cent from the previous financial year (3017 members).

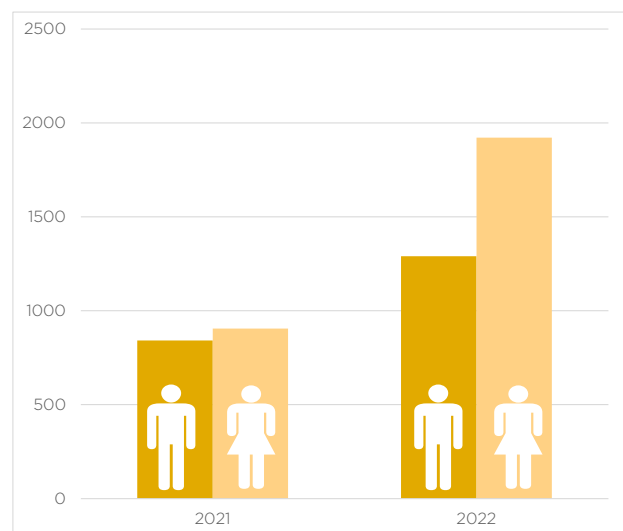
Women currently represent 60 per cent of our members, compared with just over 51 per cent ten years ago.

Our members are also incredibly diverse, with 18 per cent speaking a language other than English, and 1 per cent identifying as Aboriginal or Torres Strait Islander.

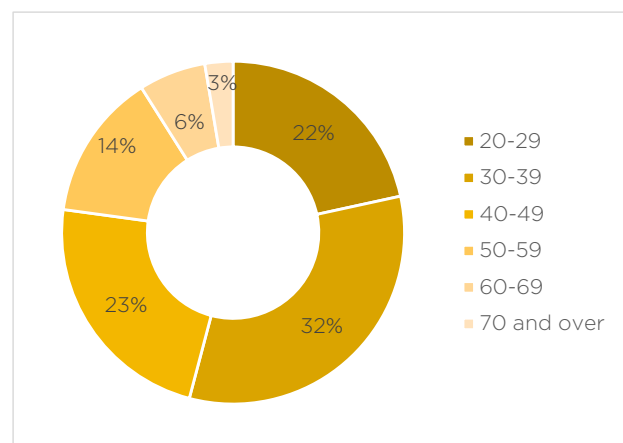
When viewed by age grouping, our members are quite evenly distributed, with 22 per cent in their twenties, 32 per cent in their thirties, and 23 per cent in their forties.

When we look at our members by sector, 94 per cent hold a practising certificate, with 45 per cent of those in private practice, and 47 per cent working for local or federal government. Our remaining practising members are in-house or corporate lawyers (4 per cent), members overseas (2 per cent), volunteers or community legal centre lawyers (2 per cent). Members without practicing certificates account for the remaining 6 per cent.

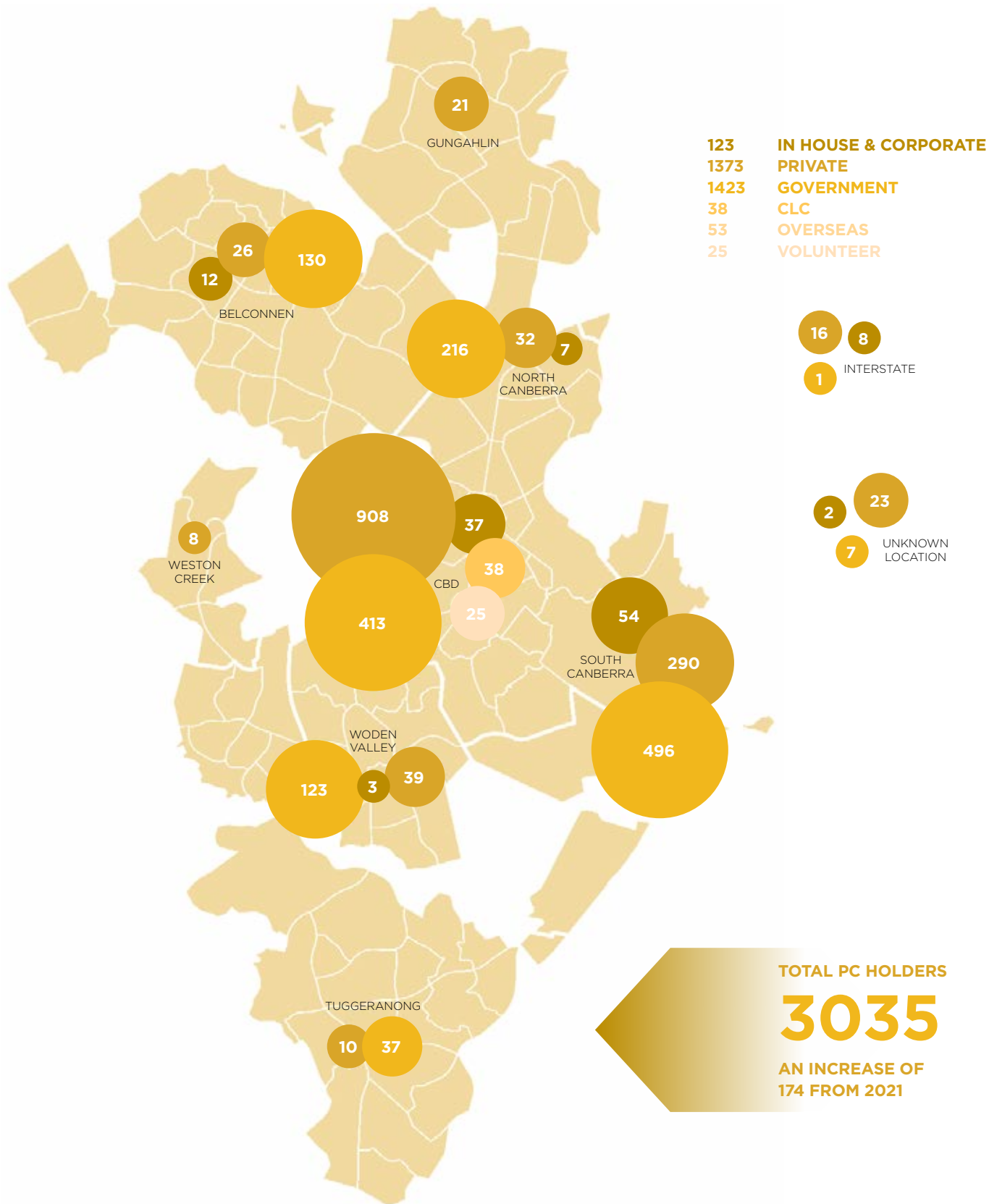
All members by binary gender



Practising members by age group



Practising members by location



Governance

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

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

The Society is governed by a Council of 16 members, including an Executive Committee of seven members with delegation for certain functions. Day to day operations are managed by a dedicated staff team.

Council

The Council is the governing body of the Law Society, with responsibility under the Society's Constitution for the management of the Society's affairs. It comprises 15 elected members and the Immediate Past President. A key responsibility of Council is consideration of complaint matters in accordance with the Legal Profession Act.

Executive Committee

The Executive Committee is led by the President and 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.

Members of Council

- / Elizabeth Carroll — President
- / Chris Donohue — Immediate Past President
- / Farzana Choudhury — Vice President
- / Susan Platis — Vice President from 23 September 2021, Councillor to 23 September 2021
- / Sarah Avery — Vice President to 23 September 2021
- / George Marques — Secretary
- / Mark Tigwell — Treasurer
- / Veena Bedekar
- / Tim Dingwall
- / Gavin Lee
- / Georgia Briggs — Councillor from 23 September 2021
- / Catherine Coles — Councillor from 23 September 2021
- / Brice Hamack — Councillor from 23 September 2021
- / Lisa Quilty — Councillor from 23 September 2021
- / Sarah Milson-Mahy — Councillor from 23 September 2021
- / Ian Temby — Councillor from 23 September 2021
- / Amanda Wescombe — From 23 September 2021
- / Angus Tye — Councillor to 23 September 2021
- / Annie Haggart — Councillor to 23 September 2021
- / Alan Hill — Councillor to 23 September 2021
- / Kevin Robinson — Councillor to 23 September 2021
- / David Swanson — Councillor to 23 September 2021

Society team

The day to day operations of the Society are overseen by the Chief Executive Officer, supported by a team of 17 staff as at 30 June 2022.

Simone Carton, Chief Executive Officer

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

Finance & Business Services

The finance and business services team are responsible for the financial, IT, and other business and administrative aspects of running the Society, as well as supporting the proper administration of lawyers' trust accounts.

/ Lea McLean, Finance & Business Services Manager

/ Kathleen Lui, Bookkeeper

Professional Standards

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

/ Rob Reis, Professional Standards Manager

/ Linda Mackay, Professional Standards Committee Secretary

Policy & Research

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

/ Chelsea Dempster, Policy Officer

/ Chloe McKenzie, Research Officer

/ Tom Dunbabin, Research Officer

/ Sonali Kagithala, Research Officer

Member Engagement & Services

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

/ Nicole Crossley, Executive Secretary / Licensing

/ Nicole Karman, Communications Officer

/ Casey Magnussen, Professional Development & Events Officer

/ Tom Ritchie, Member Engagement Assistant

/ Romy Black, Administration & Pro Bono Officer

/ Leonnie Borzecki, Administrative Support

/ Janette Graham, Administrative Support

The Society is also supported by casual team members during the year.

/ Anais Scott

/ Sacha Paterson

Staff who left the Society during the year

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

/ Tien Pham

/ Elizabeth Francis

/ Samantha Philipse

STRATEGIC PLAN

Strategy: Leading through excellence

In 2021, we published a new Strategic Plan to guide the Society for the period 2021-23. The strategy covers five areas of focus: representation, regulation, education, engagement and futureproofing.

Our five strategic focus areas and key strategies for 2021-23 are:



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

Key strategies

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



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

Key strategies

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



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

Key strategies

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



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

Key strategies

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



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

Key strategies

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

REPRESENT

Building our voice and influence

The Society contributed feedback to a considerable number of inquiries, consultations and other requests for comment over the past twelve months and appreciates the substantial input received from the Society's Committees to inform Society positions.

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 stakeholders, including ACT Legislative Assembly Committees, and Members of the Legislative Assembly, for comments on exposure drafts of proposed legislation.

In total, 43 submissions and other forms of feedback were provided in response to a range of inquiries, law reform proposals, and requests for comment from stakeholders, as well as proactive advocacy efforts undertaken by the Society.

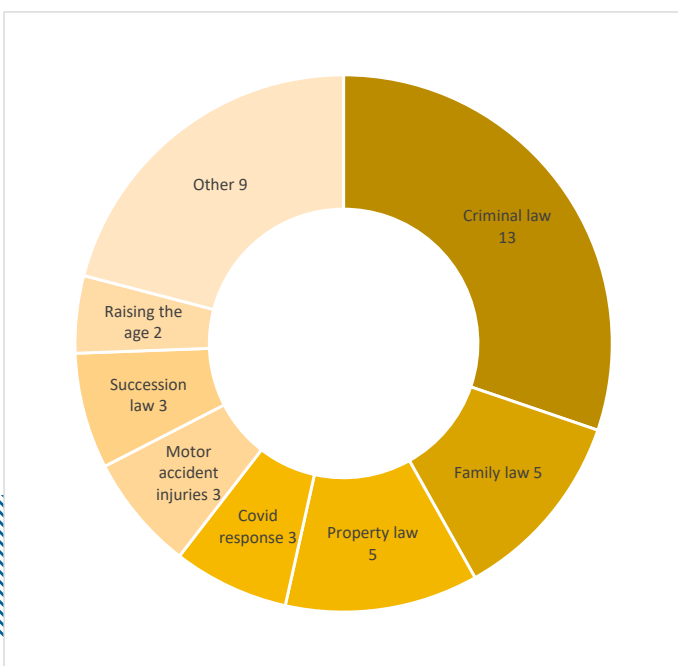
Law reform proposals that the Society commented on included:

Sexual Assault Law Reform

The Crimes (Consent) Amendment Bill 2022 sought to make significant changes to the law on consent/sexual assault. Notably, the Bill implemented a positive definition of consent. We were consulted on this in 2021 and then saw different versions of the Bill as it continued to develop. The Bill passed this year and commenced in May. Coupled with this, we made a comprehensive submission to the Sexual Assault Prevention and Response Steering Committee ahead of the release of their final report.

Addressing the rescission of off-the-plan contracts

Both Peter Cain MLA and JACS created Civil Law (Sale of Residential Property Amendment) Bills (that largely did the same thing) which aimed to prevent property developers from rescinding off the plan contracts, and then selling those properties at a higher price to new buyers (modelled off reforms in NSW). We made a submission on both, based on input from the Property Law Committee.



Unjust Child Abuse Settlements

We supported calls to amend the *Civil Law (Wrongs) Act 2002* and the *Limitations Act 1985* to give the Supreme Court the power to set aside unjust child abuse settlements.

Wrongful conviction (right to appeal/right to compensation)

We were asked to comment on a Discussion Paper that considered the creation of a new statutory right to appeal convictions on the ground of fresh and compelling evidence. The Discussion Paper also considered the establishment of a scheme to give effect to the right to compensation following wrongful conviction (a right already provided for in the Human Rights Act).

ACT Planning Review — legislative changes

The Property Law Committee made a comprehensive submission on the Draft Planning Bill 2022, which sought to make a number of changes in the broader context of the ACT Planning Review. The committee suggested a number of improvements and expressed several concerns.

Ending no cause evictions

The Property Law Committee put together a comprehensive submission on this topic. The proposals discussed the removal of no cause terminations, the addition of new grounds for termination and several other measures (including the regulation of rent bidding and extending a right to grow food to tenants).

The Society also sought reform in relation to the requirements for safe custody packets and with respect to the calculation of statutory deposits under the *Legal Profession Act 2006*. These matters are currently being considered by the government.

As a constituent body of the Law Council of Australia, we are able to provide local input to national issues.

During the year, we provided comments on nine Law Council submissions on a range of topics, including family law and family violence, reform of enduring power of attorney laws, anti-discrimination law reform, the minimum age of criminal responsibility, and the Fair Work Commission online framework.

Overall, the highest number of submissions (11) related to criminal law topics, with family and property law issues having the next highest focus during the period. We particularly acknowledge the contributions from members of committees working in these areas of practice during the period.

The graph at left shows the number of Society submissions by topic.

Representation

Over the past year, the Society has been represented in a number of inquiries, consultations and other forums:

- / Elizabeth Carroll, President of the Society, appeared before the ACT Legislative Assembly Standing Committee on Health and Community Wellbeing in relation to the Public Health Amendment Bill 2021 (No 2).
- / Michael Kukulies-Smith, Chair of our Criminal Law Committee, appeared at a public hearing for the Legislative Assembly Inquiry into Community Corrections. He also appeared at a public hearing for the ACT Legislative Assembly Inquiry into the Family Violence Legislation Amendment Bill 2022.
- / Michael Kukulies-Smith also appeared, along with Paul Edmonds from the Criminal Law Committee, before the ACT Legislative Assembly Select Committee's Inquiry into the Drugs of Dependence (Personal Use) Amendment Bill 2021.

- / Katie Binstock, Chair of our Elder Law & Succession Law Committee, attended a stakeholder roundtable hosted by the Attorney-General's Department on the National Register of Enduring Powers of Attorney.
- / Property Law Committee member, Helen Rodriguez, attended a consultation session on Minimum Energy Efficiency Standards (Ceiling Insulation for Rental Properties).

The Society has been represented by members on the following bodies:

- / Legal Aid Commission — Lisa Gooneratne
- / Australian Legal Practitioners Panel — Radmila Andric, Rahul Bedi, Gregory Burn, Cassie Davis, Paul Edmonds, Karen Fogarty, Sayuri Grady, Jesse Iliopoulos, Jaleh Johannessen, Jeanine Lloyd, Briony Martin, Allen Relf, Jacob Robertson, Stephen Robinson
- / ICL Advisory Committee — Sarah Milson-Mahy
- / Law Council of Australia Board — Elizabeth Carroll, Farzana Choudhury
- / Law Council of Australia Business & Human Rights Committee — Veena Bedekar
- / Closing the Gap in the Legal and Justice Sectors — Emma Towney
- / Minimum Age of Criminal Responsibility Reference Group — Michael Kukulies-Smith
- / Sexual Assault Law Reform Working Group — Michael Kukulies-Smith
- / Legislation Planning Group — Adam Peppinck, Pria O'Sullivan
- / Hearing on Community Corrections — Michael Kukulies-Smith

Major policy issues

Raising the age

Raising the minimum age of criminal responsibility has been a longstanding policy issue that the Society continues to advocate on.

In August 2021, the Society submitted comments supporting an increase of the minimum age of criminal responsibility from 10 to 14, following the release of the government's discussion paper. Our president subsequently spoke on ABC Radio on the topic, noting that our jurisdiction is leading the nation on this important issue, and that the Society was continuing to work with the ACT Government and other peak

community bodies to ensure appropriate alternative systems are put in place to support the necessary legislative change. The President and CEO have continued to press this issue in their regular meetings with the Attorney-General. We also advocated for ongoing investment towards the implementation of a minimum age of criminal responsibility framework as part of the Society's 2022-23 ACT budget submission.

The Society provided additional feedback on this topic to the Law Council in October, specifically on the issue of alternative systems to support the proposed change.

Family violence law reform and resourcing

Over the past 12 months, we have responded to a number of requests for feedback on ACT bills relating to family violence and have appreciated the expert input offered by our Family Violence & Children's Committee.

The Society called for increased funding towards court processes and legal assistance services that support family violence victims in our 2022-23 ACT budget submission. The Society also contributed feedback to the Law Council in relation to the federal Attorney-General's Department's discussion paper on the National Strategic Framework for Information Sharing between the Family Law and Family Violence and Child Protection Systems.

Criminal law reform

The Society remained actively engaged in a range of consultations regarding proposals for criminal law reform over the past twelve months and appreciates the extensive input provided by our Criminal Law Committee in response to those proposals.

Towards the end of 2021, the Society contributed to the Legislative Assembly's Inquiry into Community Corrections, highlighting issues arising in relation to parole application processes, sentencing for offences committed in custody, Intensive Correction Orders, Drug and Alcohol Treatment Orders and Good Behaviour Orders. More recently, the Criminal Law Committee Chair, Michael Kukulies-Smith, spoke on radio about resourcing constraints facing the ACT Supreme Court's Drug and Alcohol Treatment List (DASL) and indicated the Society's support for further funding towards the expansion of DASL.

The Society also provided feedback towards the Healthy Prison Review of the Alexander Maconochie Centre (AMC) in March, noting the importance of ensuring there are adequate facilities to ensure contact between legal representatives and remandees and that detainees are not held in custody longer than is necessary.

Increased investment to support efficient and accessible court services

We took the opportunity within our 2022-23 ACT budget submission to call for increased investment towards the ACT Courts to support the efficient and accessible provision of court services. We noted that as the ACT continues to return to a sense of pre-pandemic normality, there is an opportunity to leverage some of the learnings and efficiencies (particularly from the expanded use of technology) from that period.

The Society called for longer term investment in the modernisation of court services to future proof operations and advocated for an initial investment over the next financial year, towards a review of current processes and planning for a system-wide modernisation that is user-centred.

Core funding of ACT legal assistance sector

In our 2022-23 ACT budget submission, we called for consistent core funding of the ACT legal assistance sector. We highlighted the acute demand for heavily discounted legal assistance in the ACT and noted that current funding arrangements do not correspond with the level of demand for these services, which has only increased in the last few years. We noted the need for longer-term funding arrangements, to promote certainty for legal assistance organisations and their staff.

Inquiry into the Public Health Amendment Bill 2021 (No 2)

The Society provided feedback on the Legislative Assembly's Inquiry into Public Health Amendment Bill 2021 (No 2), which sought to confer temporary powers to the Executive, Minister and Chief Health Officer in managing the COVID-19 outbreak in the absence of a public health emergency. We noted our support for proactive and timely decision-making in managing the pandemic and protecting public health, but welcomed the inclusion of a number of important safeguards and highlighted concerns regarding the review processes proposed in the Bill.

Promoting the value of the legal profession

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

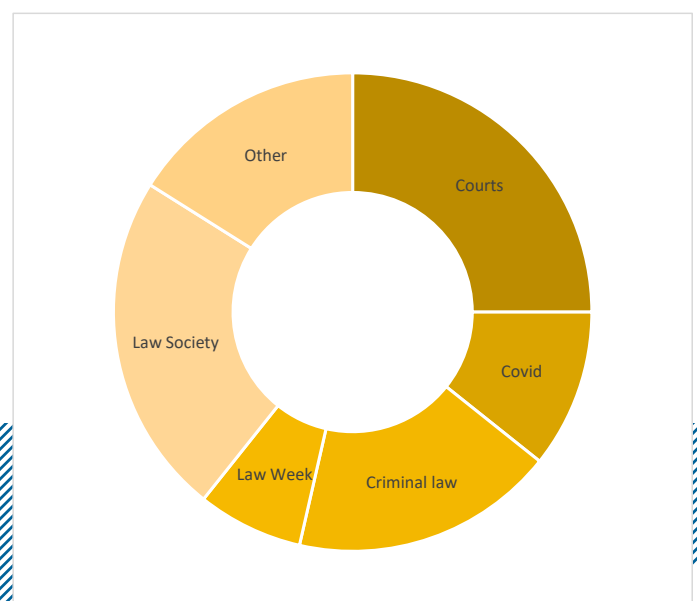
We received 56 media mentions during the period, including media interviews with Society representatives for print and radio. Popular topics in the media included the local courts, criminal law, and the covid response. The graph at bottom right shows the breakdown of topics the Society received media mentions for.

The Society secured an ongoing appearance on ABC Radio Canberra with Georgia Stynes in 2021. Each month, a Society representative was invited to speak on a topic of interest to the general public, providing an opportunity to raise community awareness of common legal issues, the role of lawyers, and how to find a law firm or lawyer using the Society's website search function.

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

Our thanks to the following committee members who offered their expertise to speak to the general public in this period.

- / Paul Edmonds from our Criminal Law Committee about what it's like to be a witness in an ACT court
- / Timothy Morton from our Elder Law Committee in relation to charitable bequests, and also about guardianship laws



- / Debra Parker, Chair of the Alternative Dispute Resolution Committee, about family law mediation and alternative ways to resolve family law matters.
- / John Wilson, Chair of our Industrial Relations Committee, about employers mandating covid vaccinations
- / Chris Donohue, our Immediate Past President, about disputes with neighbours and how to resolve them.

During the period, other radio appearances addressed the following topics:

- / the effect of the pandemic on the profession and the Courts, including impacts on jury trials and access to clients at the Alexander Maconochie Centre
- / the outstanding efforts of our members in continuing to meet the legal needs of our community through lockdown
- / the Law Council of Australia's National Model Framework to address sexual harassment in the legal profession
- / the campaign to raise the age of criminal responsibility
- / the appointment of Ken Archer as the ACT's first dedicated coroner to better support bereaved families.

Special interest and segment committees

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

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 also operate two segment committees, with the Government Lawyers Committee supporting the large proportion of our membership working in local or federal departments, and the New Lawyers Committee providing connection and services for those members in their first five years of practice.

As a result of Covid-19 restrictions, committee meetings continued to be held online, and transitioned to alternating or hybrid meetings once restrictions eased. We recognise that this use of technology gives members more options to engage.



Our annual Property Law Afternoon featured a range of informative sessions on property law and conveyancing, and finished up with networking drinks sponsored by PEXA.

Amanda Keenan from PEXA delivered the first session, giving an overview of the new ACT e-conveyancing system. Other speakers included the Chair of our Property Law Committee Adam Peppinck, Katie Binstock talking about ethical issues, Edward Campbell on technology in property law, Alfonso del Rio discussing off-the-plan contracts, and Chris Wheeler and Bronte Carlin on the National Land Ordinances.

Committees are supported by our policy and research team. Policy Officer Tien Pham left towards the end of the year after an incredible contribution to the advocacy work of the Society, with Research Officer Chelsea Dempster taking over that role. Research Officers Tom Dunbabin and Chloe McKenzie were then joined by new staff member Sonali Kagithala.

Committee changes

In November, we implemented a new biennial renewal process for committee membership. Members interested in joining a Special Interest Committee were invited to submit an application. Existing members who wished to continue serving were also asked to apply. Successful applicants were notified in December, ahead of their two-year term of appointment from 1 January 2022.

The process led to several changes, with some committees amalgamating to strengthen the number of participants, or changing name to better reflect the policy vision of the Society.

The Industrial Relations Committee was renamed the Employment Law Committee. Former chair John Wilson had led the Industrial Relations Committee for twenty years, which is an outstanding contribution. John continues to keep members up to date on employment issues through his contributions to *Ethos*, and he left on a high note after agreeing to lead a highly topical webinar on Covid-19 and employment.

The new Access to Justice & Inclusion Committee was formed out of the Access to Justice & Human Rights, Inclusion & Diversity, and Aboriginal & Torres Strait Islander Justice Committees. Emma Towney became the inaugural chair of the Aboriginal & Torres Strait Islander Committee in 2020, and her work on raising the minimum age of criminal responsibility and closing the gap should be commended. Anya Aidman became Chair of the Access to Justice & Human Rights Committee in 2018, and oversaw our advocacy efforts calling for increased funding for the legal assistance sector.

Also standing down as Chairs during the period were Lessli Strong, who became the inaugural chair of the Family Violence & Children's Committee in 2018, and Sarah Byrne, who was Chair of the Government Law Committee since 2020.

We thank all those Committee Chairs and members who completed their term during the year for their commitment and service to the Society.

Later in the year, the Young Lawyers Committee rebranded as the "New Lawyers Committee". The new name reflects the fact that many of those entering the legal profession have been mature-age students.

Committee reports

Access to Justice & Inclusion

The Access to Justice & Inclusion Committee focuses on human rights and access to justice, as well as inclusion and diversity issues. The committee looks both inwardly at the legal profession and outwardly at the community.

The committee contributes to the Society's advocacy work and promotes diversity and inclusion through the Society's CPD events and publications.

Activity

The committee was formed in January, bringing together members from the former Access to Justice & Human Rights, Inclusion & Diversity, and Aboriginal & Torres Strait Islander Committees.

The committee meets bi-monthly via zoom. As well as input from regular members, the committee receives input from guests representing Canberra Community Law, the Women's Legal Centre ACT, Legal Aid ACT, and the ACT Human Rights Commission. These representatives update the committee on relevant projects and initiatives of their respective organisations.

The committee contributed to the Society's submission on the Inquiry into Petition 32-31 (No Rights Without Remedy). The submission supported proposals to establish a complaints mechanism that would enable complaints to be made to the ACT Human Rights Commission about any breach of the *Human Rights Act 2004*, which could be escalated to the ACAT in the event that conciliation was unsuccessful.

The committee also contributed to the Law Council of Australia's response to the Australian Human Rights Commission in response to the *Discussion Paper: Priorities for federal discrimination law reform*.

The committee remain committed to future CPD events, articles for the Society's quarterly *Ethos* magazine, and resources for the Society's website.

Membership

- / Dominic Cookman (Chair)
- / Farzana Choudhury
- / Rachael Clark
- / Brice Hamack
- / Amy Jones
- / Tiffany Long
- / Vanessa Parkins
- / Petrina Schiavi
- / Sangeeta Sharmin
- / Michael Stone
- / Jessica White
- / Staff: Policy & Research Team (Chloe McKenzie)

Alternative Dispute Resolution

The Alternative Dispute Resolution (ADR) Committee is concerned with raising awareness in the profession and local community about mediation and arbitration options in the ACT.

The committee aims to further promote ADR as a means of resolving disputes, including mediation and arbitration, and parenting coaching, as well as regularly informing members of events and resources in the ADR area.

Activity

The committee remained active over the past twelve months and was pleased to welcome several new members at the beginning of 2022.

Throughout 2021, the committee established working groups to progress initiatives and advocate on specific issues of relevance to the field of alternative dispute resolution.

Committee Chair, Debra Parker, participated in two radio interviews for the Society discussing mediation options for families and how to avoid lengthy family court processes in the context of divorce and custody issues.

Towards the end of 2021, the committee published the first of a series of articles for the Society's quarterly *Ethos* magazine, highlighting the role of alternative dispute resolution in the ACT legal system. In the Summer 2021 edition of *Ethos*, 'What is alternative dispute resolution all about?' provided a brief outline to explain what ADR is. In the Autumn 2022 edition of *Ethos*, 'The multi-door courthouse' explained this concept, which envisages a court offering an array of options for the resolution of legal disputes.

The committee continues to monitor the Conflict Resolution Service Pilot being undertaken by the ACT Magistrates Court. Committee members also remain committed to future CPD and networking events and are considering reviewing and updating the Society's mediation resources webpage.

Membership

- / Debra Parker (Chair)
- / Daniella Fiocco
- / Melissa Haley
- / Claire Naidu
- / Robert Routh
- / Carlos Turini
- / Kendall Wegener
- / Graeme Blank (from October)
- / Kristie Burt (from January)
- / Perpetua Kish (from January)

- / Aditi Mohindra (from January)
- / Anne Wynne (from January)
- / Vanessa Parkins (from January)
- / Anca Costin (to September)
- / Anya Aidman (to October)
- / Kenneth Hubert (to December)
- / Ben Mason (to December)
- / Staff: Policy & Research Team (Chloe McKenzie)

Civil Litigation

The Civil Litigation Committee monitors issues in relation to civil law and civil claim procedures, and provides input to law reform proposals affecting aspects of civil litigation. The committee also monitors developments to the Court Procedure Rules. Committee Chair, Richard Faulks, is a member of the Joint Rules Advisory Committee, and the committee also receives regular input from guests representing the ACT Supreme and Magistrates Courts and the ACAT, as well as the ACT Bar Association.

Activity

Throughout 2021, the committee was involved in consultations regarding the *Motor Accident Injuries (Lawyer Information Collection) Regulation 2021*, having raised a number of concerns throughout the consultation process. The committee will continue to monitor the Motor Accidents Injuries Act (which is due for review early in 2023), and will provide input about that legislation.

Members continue to discuss concerns surrounding Medicare's delay in providing history statements and notices of charge. The Chair wrote to the Joint Rules Advisory Committee (JRAC) earlier in the year, proposing options for the Court's consideration on how settlements for persons under legal disability could proceed without the relevant Medicare notices. The committee will continue to lobby for improvements to the processing of Medicare and Centrelink notices.

Following the committee's representations earlier in the year, JRAC is currently considering adopting rules (based on the Federal Court rules) that would permit electronic signatures on all documents except affidavits. In the meantime, the Registrars have agreed that the court will accept electronically signed documents. The committee will continue to press for the courts to become fully digitised as soon as possible, and will continue to liaise with the Registrars about the review of the practice direction (No 2 of 2014), which governs much of the civil litigation in the ACT.

The committee is arranging a CPD event on drafting statements of claim and pleading defences, and has been involved in arranging a joint event with the ACT Bar Association on the National Disability Insurance Agency.

During the year, the committee engaged in consultation on 'Wrongful Conviction – Right to Compensation', providing in-principle support towards the adoption of a scheme to give effect to the right to compensation following wrongful conviction, as provided for in the *Human Rights Act 2004* (ACT).

The committee also prepared a submission supporting proposals to amend the *Civil Law Wrongs Act 2002* and the *Limitations Act 1985* to allow the Supreme Court to set aside unjust child abuse settlements.

Membership

- / Richard Faulks (Chair)
- / Alexander Barrett (from January)
- / Charlene Barriga
- / Allison Clark (to December)
- / Chase Deans (from January)
- / Walter Hawkins (to December)
- / John Henry
- / Kristen Hurford
- / Jesse Iliopoulos
- / Kahlia Jenkins (to December)
- / Sarah McJannett
- / Lara Mynott (to December)
- / Anna Reynhout (from January)
- / Nicholas Scott (from April)
- / Paul Smith (to December)
- / Philippa Spence (from January)
- / James Treloar
- / Ellen Teys
- / Kendall Wegener (to March)
- / Staff: Policy & Research Team (Chelsea Dempster/
Sonali Kagithala)

Thank you to facilitator John Wilson, Chair of our Industrial Law Committee, for leading a very timely discussion at our "Employer obligations: Covid vaccine mandates" webinar, with panellists Peter Strong, Dr Daniel Suan, Karen Toohey, and Katie Weir.

Criminal Law

The Criminal Law Committee monitors and provides input on criminal law reforms in the ACT and works to promote the administration of justice and the development and improvement of law in the local region.

Activity

The Criminal Law Committee remained very active over the past twelve months, with Chair, Michael Kukulies-Smith joining the CEO in attending regular meetings with the courts in the latter half of 2021 to discuss Covid-19 related matters.

Throughout 2021, the committee continued to monitor developments and support efforts aimed at increasing the minimum age of criminal responsibility from 10 to 14. Committee members appeared on behalf of the Society at a public hearing in July 2021 in relation to the Drugs of Dependence (Personal Use) Amendment Bill 2021. The committee continued to discuss issues arising in relation to Intensive Correction Orders, Good Behaviour Orders, parole application processes and the operation of the Sentence Administration Board.

The committee also engaged in consultation and prepared submissions in relation to changes to the law on sexual assault and the introduction of a positive definition of consent in the ACT.

In 2022, the committee contributed feedback towards several submissions and the Chair appeared at two public hearings on behalf of the Society, regarding the Inquiry into Community Corrections and the Inquiry into the Family Violence Legislation Amendment Bill 2022.

The Society's 2022-23 ACT Budget Submission called for funding towards the modernising of the ACT Courts system, in response to feedback from the



committee. Committee members also consulted with representatives of the Magistrates Court on issues arising in connection with the protection order process. Members also provided detailed feedback on proposals to introduce a right to appeal wrongful convictions on the ground of fresh and compelling evidence.

The Committee also appreciated the attendance of representatives at quarterly guests meetings over the past twelve months, including from the Australian National University, the ACT Magistrates Court, the Justice and Community Safety Directorate, the ACT Director of Public Prosecutions, and the Commonwealth Director of Public Prosecutions.

Membership

- / Michael Kukulies-Smith (Chair)
- / Sarah Boxall
- / Georgia Briggs (from January)
- / Paul Edmonds
- / Kate Gunther (to September)
- / Satomi Hamon (from January)
- / Charlene Harris
- / Adrian McKenna
- / Dean Rutherford
- / James Maher (to July)
- / Sam McLaughlin
- / Philippa Spence (from January)
- / Staff: Policy & Research Team (Chelsea Dempster)

Elder Law & Succession Law

The Elder Law & Succession Law Committee aims to uphold the interests of the elderly when consulted on draft legislation, to protect Canberra's elder community from elder abuse in the ACT. The committee also seeks to inform and educate the public on relevant areas of succession law.

Activity

The committee remained very active over the last twelve months, despite the challenges presented by Covid-19 lockdowns.

Towards the end of 2021, Chair, Katie Binstock, prepared an elder law update for the summer edition of *Ethos*, noting the ACAT's new powers to order compensation against guardians, managers and attorneys for a failure to discharge their duties. Committee member Gillian Hunter also contributed an article to the Spring edition, discussing the obligations of legal personal representatives in relation to collecting superannuation.

In February, the committee held its annual Wills and Estates Conference and in March, arranged a CPD session with ACAT Presidential Member McCarthy,

discussing recent legislative developments in the area of elder abuse.

Members have continued to progress the committee's *Best Practice Guidelines for Estate Planning* and are preparing a position statement on electronic witnessing as a permanent measure.

Earlier this year, the committee wrote through the CEO to the National Funeral Directors Association of Australia to raise concerns about how the information contained on death certificates is being relied upon to establish the existence of domestic partnerships. The committee have also prepared a letter to Access Canberra on this issue.

The committee are continuing to progress a number of proactive law reform proposals, and also prepared submissions and engaged in consultation on Enduring Power of Attorney (EPOA) law reform, Judge-alone trials during the Covid-19 emergency period, and safe custody packets.

The committee plan to consider recent amendments to the *Retirement Villages Act 1999* (NSW), for further discussion on the possibility of similar reform in the ACT. The committee also intend to develop a practice note on conflicts in estate planning.

The committee are arranging several CPD events, including sessions on retirement villages, aged care arrangements, and probate procedures for junior practitioners and support staff.

Membership

- / Katie Binstock (Chair)
- / Lauren Babic
- / Glenda Bloomfield (to December)
- / Emma Bragg
- / Gregory Burn
- / Perry Cabban (from January)
- / Kerstin Glomb (to December)
- / Gillian Hunter
- / Cameron Kiely (from January)
- / Mabel Lim
- / Timothy Morton
- / Helen Phelps (to December)
- / Rebecca Tetlow
- / David Toole
- / Er-Kai Wang
- / Staff: Policy & Research Team (Chelsea Dempster/
Sonali Kagithala)

Employment Law

The Employment Law Committee (previously the Industrial Relations Committee) focuses on industrial relations and employment law issues in the ACT.

The committee responds to employment law reform proposals affecting the ACT (with a focus on those where the Society is likely to be most impactful), and educates the profession in relevant employment law topics.

Activity

In 2021 the committee offered feedback on proposals to include the offence of industrial manslaughter within the *Work Health and Safety Act 2011*. In early 2022, the committee provided comments in relation to the *Inquiry into Public Health Amendment Bill 2021 (No 2)*. The committee also offered feedback on a suite of proposals for federal anti-discrimination law reform, and in relation to Fair Work Commission online proceedings.

More recently, the committee contributed extensive feedback on the ACT Government's exposure draft of the Discrimination Amendment Bill 2022, which proposes comprehensive changes to the territory's discrimination law framework.

The committee arranged a well-attended CPD session discussing employer obligations in the context of Covid-19 vaccine mandates. Future education topics the committee intends to focus on include an overview of human resources law, workplace bullying and harassment, and the interaction of hybrid workplaces and free speech.

Throughout the second half of 2021, the committee conducted a review of the guidance provided on the Society's webpage on employment law issues.

Outgoing Chair, John Wilson, contributed an article to the Autumn edition of *Ethos* which discussed *Briginshaw* in the workplace. The committee remains in discussion about future *Ethos* articles and guidance notes on topical employment law issues.

Membership

- / Gabrielle Sullivan (Chair from January)
- / John Wilson (Chair to December)
- / Allison Ballard
- / Kristie Burt
- / Andrew Chakrabarty (from January)
- / Kirsty Easdale
- / Tom Fischer (from January)
- / Bethany Hender (from January)
- / Andrew Klein
- / Deborah Mackenzie
- / Jasmine Millar (to December)
- / Belinda Miller
- / Emma Reilly (from January)
- / Rebekah Smith (to December)
- / Staff: Policy & Research Team (Tom Dunbabin)

Family Law

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

Our Family Law Committee presented their annual conference, with Chair Kevin Robinson overseeing sessions focusing on the latest issues family lawyers are grappling with. Many thanks to our speakers, including Katie Binstock, Kasumi Ejiri and Claudia Maclean, Juliet Behrens and Gavin Howard, Dan Blackman, Peter Haley, members of the Canberra Collaborative Practice Group, and Judicial Registrar Hiles.

We would also like to thank our AV provider One Vision, for jumping in at the very last minute to provide a live-stream of the conference for attendees stuck in isolation.



Activity

The committee remained highly active throughout the second half of 2021, particularly in light of the Federal Circuit and Family Court of Australia (FCFCoA) merger. Committee members devoted considerable time to discussing the merger and identifying issues for further consideration and advocacy. The committee also assisted in organising a Q&A session with FCFCoA judicial officers on the new rules.

Throughout 2021, the committee reviewed and updated a number of guidance notes on the Society's website in relation to cross examination in family violence cases, contact with complainants in family violence and sexual assault matters, safety issues for family lawyers, and guidance in relation to representing children. The committee also published a number of updates to the profession in relation to the operations of the courts amidst the COVID-19 lockdowns.

In March 2022, the committee held its annual (and well-received) Family Law Conference at the Boathouse. Sessions included family law ethics, super valuations, COVID-19 and family law settlements, vicarious trauma and resilience, and collaborative family law. More recently, the committee arranged a dinner welcoming the appointment of Judge Mansfield to the FCFCoA.

The committee contributed to Law Society submissions during the period, including the Federal Court and Family Court of Australia's Draft Central Practice Direction, the Discussion Paper on Operationalising the National Strategic Framework for Information Sharing between Family Law and Family Violence and Child Protection Systems, and the Discussion Paper on A New Decision-Making Framework for Property Matters in Family Law.

At the committee's monthly meetings, members were offered the opportunity to discuss areas of the family law system considered to be of particular interest, and appreciated reports from representatives who provided regular updates on the operations of Legal Aid ACT and the FCFCoA.

The committee continues to advocate for practitioners in light of the FCFCoA merger and will seek to continue and expand their communications with the court.

Membership

- / Kevin Robinson (Chair)
- / Stuart Cameron
- / Jessica Cruise
- / Jacquelyn Curtis
- / Averil Foster
- / Kasey Fox
- / Ron Friesen (to December)
- / Christina Huesch (to December)
- / Linda McGregor (to December)

- / Sarah Milson-Mahy
- / Di Simpson
- / Emily Tighe (to December)
- / John Willers
- / Anna Wynne (to December)
- / Staff: Policy & Research Team (Tom Dunbabin)

Family Violence & Children's

The Family Violence and Children's Committee considers issues arising in relation to family violence and children who come in contact with the legal system. The committee discusses issues experienced by family violence victims, including self-represented parties, as they seek to access legal protections in the ACT. The committee also considers laws that bring about differential treatment of children as compared to adults.

Committee members regularly contribute their insights towards law reform proposals, drawing on their considerable experience working with victims of family violence.

Activity

Throughout 2021, the committee closely monitored the experiences of family violence legal practitioners as they continued to represent family violence victims amidst the pandemic restrictions. The committee also discussed the impact of family violence on the development of children and the importance of promoting a greater awareness of this amongst practitioners.

The committee continued to monitor developments arising in relation to the criminalisation of coercive control, following discussions at a national level on the development of national principles to guide further consideration of the issue.

Following the committee's representations, the Society has been advised by the ACT Courts and Tribunal of several measures it will implement to further support family violence practitioners and victims in their interactions with the registry.

The committee welcomed two online webinars presented by Professor Jane Maree Maher, discussing learnings from the Victorian family violence information sharing scheme and research on perpetrator interventions in Australia. The committee has also helped to arrange a CPD event in August on *Working with Clients in Domestic and Family Violence*.

In recent months, the committee has been assisting to update chapters of Legal Aid ACT's Law Handbook relevant to family violence victims. This resource provides an accessible and approachable source of information on family violence law and processes to members of the ACT community.

The committee has contributed to a number of submissions over the past twelve months including legislation (the Exposure Draft of the Crimes (Consent) Amendment Bill 2021, and the Family Violence Legislation Amendment Bill 2021), Law Council discussion papers (Children under the Minimum Age of Criminal Responsibility who Engage in Anti-Social Behaviours, Proposed Model Definition of Family Violence, and the National Plan to End Violence Against Women and Children), the Final Report of the ACT Sexual Assault Prevention and Response Steering Committee, updates to Practice Direction 2 of 2018, and the Discussion Paper on Raising the Minimum Age of Criminal Responsibility.

Looking ahead, the committee will work to encourage legal practitioners undertaking family and criminal law work to undertake family violence training. A longer term goal will be to liaise with local law schools to seek the inclusion of domestic and family violence and trauma-informed practice content in undergraduate law degree programs and practical legal training courses.

The committee appreciate continued representation from Legal Aid ACT, Women's Legal Centre ACT, and the ACT Community Services Directorate at its monthly meetings.

Membership

- / Rebecca Casey (Chair)
- / Amelia Barclay (from January)
- / Catherine Coles (from January)
- / Adrian Curtis
- / Peter Dingwall (to April)
- / Chris Donohue
- / Shireen Faghani (from April)
- / Courtney Mullen (from January)
- / Rebecca Munk (from January)
- / Elizabeth Reardon
- / Bernadette Smyth
- / Tich Pasipanodya (from January)
- / Agata Pukiewicz (to December)
- / Anna Wynne (to July)
- / Staff: Policy & Research Team (Chelsea Dempster/
Sonalı Kagithala)

International Law

The International Law Committee seeks to promote an understanding of international law amongst the legal profession in the ACT.

The committee monitors developments to international law, and represents and supports the interests of ACT lawyers in relation to the practice, knowledge, and understanding of law in the context of an international community.

Activity

Throughout the year, the committee monitored developments in vaccine mandates, noting that in a Victorian case (*Loiello v Giles* [2020] VSC 722), parties referred to international instruments. Towards the end of 2021, the committee invited Delcy Lagones de Anglim, founding director of the UNCITRAL National Coordination Committee for Australia and Dispute Resolution Consultant for the World Bank Group, to discuss how the pandemic was affecting the resolution of international law disputes. Delcy also provided an update on the 54th Session of the United Nations Commission on International Trade Law (UNCITRAL).

In September, the committee helped arrange a CPD webinar on international investment law, presented by Nick Helm from the Department of Foreign Affairs and Trade.

As part of the CPD Intensive Series, committee member Debra Parker facilitated a panel discussion on child abduction and the Hague Convention. Also in 2022, the committee heard from guest attendee, Amanda Lilley, who provided an overview of the work of the Australian Central Authority in the context of intercountry child abductions.

Committee member Jason Soderblom presented an international law related survey of the Russia-Ukraine conflict, and Mark Jennings reported on the progress of the China-Barley World Trade Organisation case.

Committee members Mark Jennings and Joshua Wood contributed an article to the June edition of *Ethos* discussing the interpretation of Articles 31 and 32 of the Vienna Convention on the Law of Treaties and their application to cases in the Australian courts.

Members of the committee participated in the international rounds of the Jessup moot, frequently in the early hours to meet different time zones. The moot was held virtually due to the COVID-19 pandemic. Members also judged Jessup moot memorials.

The committee continues to maintain a LinkedIn page, posting information about international law articles and events.

Membership

- / Tiru Vallal (Chair)
- / Mark Goyne
- / Katie Haywood (from January)
- / Mark Jennings
- / Debra Parker
- / Jason Soderblom
- / Joshua Wood
- / Staff: Policy & Research Team (Chelsea Dempster/
Sonalı Kagithala)

Legal Profession Act & Ethics

The Legal Profession Act & Ethics Committee focuses on issues relating to the application of the Legal Profession Act, legal ethics, and professional standards. The committee responds to member's practice concerns and prepares guidance notes, delivers seminars, and writes articles to address such issues.

Activity

In the past financial year, the committee met formally on six occasions, and additionally dealt with a number of matters out of session. The committee dedicated significant time in the last financial year to assisting with requests for advice from members. This included advice on the management of trust funds, and conflicts of interest. The committee encourages members to contact them when faced with an ethical issue.

The imposition of COVID-19 measures saw the committee publish a member update regarding professional obligations in the context of COVID-19 check-in apps and client confidentiality. The committee also presented a CPD seminar giving an overview of legal ethics cases decided in the ACT in 2020.

Over the past twelve months, the committee has considered proposals for the reform of the *Legal Profession Act 2006* (ACT) and associated regulations arising in relation to safe custody packets, costs thresholds, and amendments to Part 4.5 of the Act (Decision of council). The committee also considered and approved proposed changes recommended by the Society in relation to the calculation of statutory deposits. The committee continues to consider proposed reforms to the Legal Profession Act and the Legal Profession Regulation.

More recently, the committee undertook a comprehensive review of the Law Council of Australia's amendments to the *Australian Solicitors Conduct Rules*

2015, following their introduction early in 2022 (and subsequent adoption in NSW and Victoria).

The committee have also continued to progress a guidance note on the basic principles of legal professional privilege. Committee member John Buxton contributed an article to the Spring 2021 edition of *Ethos* on the issue of disposal of safe custody packets.

Membership

- / Mark Love (Chair)
- / Paul Armarego
- / Sarah Baker-Goldsmith (from January)
- / Allison Ballard (from January)
- / John Buxton
- / Owen Harris (to December)
- / Andrew Henderson (from January)
- / Anna Reynhout
- / Gerald Santucci
- / Dianne Simpson
- / Lauren Smith (from January)
- / Amy Thai (from January)
- / Ross Watch
- / Staff: Professional Standards Manager (Rob Reis)
- / Staff: Policy & Research Team (Tom Dunbabin)

Military Law

The Military Law Committee monitors and considers matters of relevance to military law, military service, and veterans' advocacy in the ACT.

Activity

Throughout 2021, the committee continued to monitor the Inspector-General of the Australian Defence Force Afghanistan Inquiry (IGADF) and the Royal Commission into Defence and Veteran Suicide.



Our Property Law Committee hosted a webinar to talk about e-conveyancing in the ACT. Thank you to Committee Chair, Adam Peppinck for taking members through changes to the standard Contract for Sale document, and to Amanda Keenan from PEXA and Fred Arugay from Access Canberra for explaining how the new system will work.

The committee published several informative notices on initiatives and legislation relevant to the area of military law in the Society's *Hearsay* newsletter. Committee members also contributed comments towards the exposure draft of the Crimes (Consent) Amendment Bill 2021.

This year, the committee have been preparing an article for *Ethos* discussing the impact of Covid-19 on the Commonwealth Military Compensation Scheme.

The committee plans to update the Society's Military Law Committee webpage to include information about military law career opportunities and scholarships, and also hopes to help organise a series of military law related CPD events over the next twelve months.

Membership

- / James King (Chair)
- / Genevieve Butler (to December)
- / David Letts
- / Jeremy Leyland (to December)
- / Eva Logan
- / Don Malcolmson (to December)
- / Ben Mason
- / Taryn Oxenburgh (from January)
- / Andrew Paterson (to December)
- / David Swanson (to December)
- / Christopher Ward
- / Michael Webster
- / Staff: Policy & Research Team (Chloe McKenzie)

Property Law

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

The committee regularly engages in consultation on draft legislation and arranges information sessions to educate practitioners on changes to property law in the ACT.

Activity

The committee continued to monitor the rollout of electronic conveyancing in the ACT, and towards the end of 2021, updated the contract for sale to coincide with the PEXA rollout in December and hosted a free online information session on the PEXA rollout. The committee also wrote to the Australian Registrars' National Electronic Conveyancing Council expressing broad support for interoperability in the ACT, emphasising the need for a single 'best practice' and fully interoperable digital signing certificate. The committee will monitor future proposals to implement

permanent measures allowing the execution of deeds electronically in the ACT.

The committee supported the Society's efforts to secure the ongoing use of the Settlements Office under heightened Covid-safe protocols amidst lockdowns imposed during the latter part of 2021.

The committee has also engaged in consultation on several legislative reform proposals over the past twelve months, and more recently provided detailed written feedback on the draft Planning Bill 2022. The committee intend to host an information session following passage of the Act, highlighting key changes to the legislation in the broader context of the ACT Planning Review. The committee will continue to work closely and collaboratively with the ACT Government in relation to its proposed further reforms of ACT strata laws and planning laws.

Other submissions and consultations the committee has been engaged in include changes to the Residential Tenancies Act (proposal to end no cause evictions and other measures), the Civil Law (Sale of Residential Property) Amendment Bill 2021, and Minimum Energy Efficiency Standards (Ceiling Insulation for Rental Properties).

The committee continues to appreciate representation from the EPSDD, ACT Revenue Office, Land Titles Office, and JACS at its monthly meetings and was pleased to welcome new member, Natasha Sandhu in January.

In March 2022, the committee hosted its annual Property Law Afternoon, with strong attendance. The event included an overview of the new ACT e-conveyancing system, an ethics update on decisions relevant to property lawyers, the reform of the National Land Ordinances, electronic execution and exchange of property documents, and recent changes to rescission of off the plan contracts.

Looking ahead, the committee intends to prepare a submission to the ACT Government Treasury to highlight concerns in relation to the apportionment of rates for mixed use sites.

Membership

- / Adam Peppinck (Chair)
- / Jonathon Bellato
- / Edward Campbell
- / John Chamberlain
- / David Claxton (to December)
- / Peter Dascarolis
- / Alfonso del Rio
- / Mussa Hijazi (to December)
- / Michael James

- / Christine Murray
- / Pria O’Sullivan
- / Helen Rodriguez
- / Natasha Sandhu (from January)
- / Chris Wheeler
- / Staff: Policy & Research Team (Chelsea Dempster/
Sonalı Kagithala)

Government Lawyers

The Government Lawyers Committee is a segment committee established to support the significant proportion of Law Society members who work for government at both the Territory and Commonwealth level. They focus on skills and career development, and advocating for the role of lawyers in government.

The committee also maintains connections with Federal Government bodies, including the Australian Government Legal Service (AGLS), and the Chair is a member of the Federal General Counsel Working Group.

Activity

This year saw the Government Law Committee transition to become the Government Lawyers Committee, a segment committee comprised of government lawyers.

The committee is in discussion about potential CPD events that will provide practical and career-focused advice from government lawyers with considerable experience in higher level positions. This initiative will include the formulation of mentor and learning partners initiatives, as well as a dedicated Government Lawyers conference.

The committee is currently in the process of updating the Society’s Government Law Resources page to provide up-to-date resources for both ACT government lawyers and Commonwealth government lawyers.

Membership

- / Angus Tye (Chair)
- / Sanaz Mirzabegian
- / Bianca Paridaen
- / Kathleen McCarron
- / Kristin Leece
- / Susannah Luck
- / Shani Fernando
- / Jackie Antoun
- / Oneil Bernado
- / Edward Salib
- / Staff: Policy & Research Team (Chelsea Dempster/
Sonalı Kagithala)

New Lawyers

The New Lawyers Committee (formerly the Young Lawyers Committee) seeks to further the interests of new lawyers in the ACT. The committee aims to foster a positive and collegiate new lawyers’ community in the ACT through social events, CPD seminars, and networking events.

Activity

In the past financial year, the committee has helped organise and run a number of successful events for local new lawyers. These events included several regular Networking Drinks, the Young Lawyers Christmas Garden Party, the Law Society’s Law Week Launch and ACT Golden Gavel, the Law Week Quiz Night, the Winter Ball, and a panel discussion in collaboration with ANU and UoW Law Schools with journalist Antony Lowenstein entitled the *Crisis of Justice in the Modern World*.

The Law Week Quiz Night raised just under \$8,000 for local charity Painting With Parkinson’s, and the annual Winter Ball raised \$5,000 for local charity Pegasus Riding for the Disabled.

Throughout the year, the committee has assisted with the provision of moving counsel to new lawyers for their admission ceremonies. The committee thanks members who have volunteered their time to help with these ceremonies.

The committee is working on developing its mentoring program, CPD program and future events program. The committee’s planned CPD series includes advocacy advice sessions and tips and advice from the bench, including from a Federal Court judge and ACT Supreme Court registrars. The committee is also working to plan for the ACT to host the National Golden Gavel for the Law Council of Australia.

The committee has plans to develop better institutional memory through the hosting of strategic planning sessions, to further develop and refine their future work and focus.

The committee will continue to provide services, information, and representation for new lawyers in the ACT, and thanks all of its members for their work over the last financial year.

Membership

- / Stuart Bryson (Co-Chair from January, member from April to December)
- / Andrew Giddings (Co-Chair from January, member to December)
- / Alyssa Dunn (Chair to December)
- / Monique Andreatta (from January)
- / Tayla Ayers (from January)

- / Rahul Bedi (to December)
- / Nina Bokil (to December)
- / Georgia Briggs (from April to December)
- / Jessica Carlisle-Goldblatt (from January)
- / Andrew Chakrabarty (to December)
- / Adrienne Davis (to December)
- / Kat Duffy (from January)
- / Sinead de Sousa (to December)
- / Michael Giorgi (from January)
- / Sam Harper (from January)
- / Kahlia Jenkins (to December)
- / Zoe Jones (from January)
- / Stephanie Kelly (from January)
- / Daniel Magnussen (from January)
- / Sebastian Marquez Musso (to December)
- / Steven McMahon (to December)
- / Rhys Mitchell (to December)
- / Kumu Samarakoon (to December)
- / Nicholas Scott (from January)
- / Mariah Tennant-Breust (to December)
- / Sarah Wetton (to December)
- / Mitchell Wright (to December)
- / Staff: Policy & Research Team (Tom Dunbabin)

REGULATE

The Society maintains high professional standards of legal practice through education and guidance, investigation, and intervention, in accordance with its statutory obligations under the *Legal Profession Act 2006*. This is a critical role to ensure the protection of the public and the standing of the legal profession in the ACT.

The Society's regulatory role includes the licensing of practitioners, the administration and investigation of complaints about the conduct of solicitors in the ACT, and disciplinary processes.

The Council has final responsibility for decisions on complaint and discipline matters, with the support of the Professional Standards Committee and the Society's small Professional Standards team. Support and guidance in relation to the Society's work in maintaining professional standards is also provided by the Executive Committee and Legal Profession Act & Ethics Committee.

In addition to handling formal complaints, the Society's Professional Standards team deal with numerous telephone and email enquiries from solicitors, solicitor clients, and the courts about local lawyers. Frequently, this enables grievances to be resolved or addressed without the need for a formal complaint to be made. At the time of an enquiry, where appropriate, opportunities to resolve issues are canvassed.

Solicitors conduct rules

The Solicitors Conduct Rules apply to practitioners in the ACT, but along with other jurisdictions, consideration is given to the Australian Solicitors' Conduct Rules (ASCR) in the modelling of our rules.

In 2018, the Law Council (in collaboration with constituent bodies including the Society) began the first comprehensive review of the ASCR since

they were first promulgated in June 2011. A further review, focusing on Rule 42 (Anti-Discrimination and Harassment) was then conducted in April 2021.

As the regulatory body for the local profession, the Society is responsible for the *Legal Profession (Solicitors) Conduct Rules 2015 (ACT)* (Conduct Rules), which govern the practice of local practitioners.

With the assistance of our Legal Profession & Ethics Committee, the Society has reviewed the revised ASCR and considered carefully the consequences it will have for local practitioners if implemented into the Conduct Rules. We continue to consider the revised ASCR and will likely move to amend the Conduct Rules within the next financial year.

Licensing

In 2021–22, the Society continued the work of the previous year in making our licensing practices more accessible, effective and efficient. Licensing processes are managed by a small team with the support of the Executive Committee.

We again encouraged members to elect to receive electronic copies of their practicing certificates, in line with other jurisdictions and to support the Society's commitment to more sustainable approaches. We were pleased to see an increase in members supporting this approach during the 2022 renewal period, although the level of take-up is still just below 40 per cent and we would like to see more firms and departments committing their teams to electronic-only in 2023.

The renewal period for 2022 opened from 1 April 2022, which was earlier than previous years, aligning with the provisions of the *Legal Profession Regulations 2007*. Resourcing was committed to ensuring that the online renewal process ran smoothly with the earlier timeframe and that members were aware of

requirements. The change had a significant impact on processing times and reduced the number of members applying just before 30 June, with the consequential risk that their certificate would not be renewed in time for the new practice year.

We encourage all firms in the ACT to ensure that the requirements for practice are in place well ahead of the renewal deadline of 31 May in future years to avoid practice issues at 1 July. In particular, to engage with their Professional Indemnity Insurance provider early to ensure the policy will be in place with effect from 1 July.

During the year, we also refreshed our processes and guidance around Certificates of Fitness.

Education and guidance

A range of education and guidance activities each year are specifically aimed at maintaining and improving standards of legal practice.

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

Since March 2021, our Professional Standards Manager has contributed regular in-depth case studies to our quarterly magazine, *Ethos*. The case studies are based on themes identified in the context of complaint matters and ethics enquiries, and are shared to raise member awareness of current issues. These case studies are also made available to members on our website. During the year, case studies included authority for disbursements of trust money, communication with another solicitor's client, and fundamental duties of solicitors.

The Legal Profession Act & Ethics Committee also provides guidance for members from time to time. This year the Committee provided input on guidance and/or articles relating to the interaction between client confidentiality and the Check in CBR app, and clarification on how safe custody documents should be held and disposed of.

Regulatory process enhancements

The Society uses an online complaint management system, which was updated during the year to improve functionality and efficiency, as well as enhancing monitoring and reporting capability. We are continuing to implement further changes as well as reviewing the information about the complaints process that we publish on the website.

Further online enhancements were made in regard to external examinations, with examiners now able to lodge reports online with the Society. The Society also introduced 'mini' inspections as part of the random inspection process, to streamline the process and take into account risk profiles.

Assistance for members

A formal complaint against a solicitor is a serious matter that is often time-consuming in addition to being a trigger for stress and anxiety. Where appropriate, members of the Professional Standards Committee undertake pastoral visits with practitioners.

The Society also has a range of free confidential services available to assist through this difficult time, including a consultation with a Members' Adviser, and access to confidential third-party counselling. During the year, Members Advisers supported five members through the complaint process.

Professional Standards Committee

The Professional Standards Committee is made up of 20 members who contribute an incredible number of volunteer hours in support of the Society's complaints process, and for whom the Society is incredibly grateful. The Committee meets fortnightly, with meetings lasting up to two hours. In between meetings, members investigate and report on complaints received.

The committee consists of members from across diverse practice areas and employment sectors, providing a broad range of experience to support the effective consideration of complaints.

The committee considered 77 formal complaints this financial year – 27 fewer than the last reporting period. Many of these complaints alleged multiple grounds of dissatisfaction.

Types of complaint

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

The table below shows the major areas of law and concern raised in complaints. Please note that complaints can fall into several categories, and these numbers do not relate to the total complaints received.

Area of law or concern	Complaints
Family law	27
Property law	14
Civil litigation	8
Criminal law	6
Compensation	5
Estate matters	8
Employment law	5
Client communication	16
Personal conduct	26

Outcomes

During the reporting period, twenty-three complaints were dismissed pursuant to section 399 without requiring an investigation. Forty-six complaints were dismissed pursuant to section 399 following an investigation and fourteen were dismissed pursuant to section 412. One complaint was withdrawn. Some of these complaints were received during the previous reporting period.

Four matters were summarily concluded pursuant to section 413. Sanctions imposed by the Council comprised cautions, public reprimands and fines. One matter, which was summarily concluded by the Council during the previous reporting period, was successfully appealed in the ACAT by the practitioner. The Council has appealed that ACAT decision. An ACAT decision concerning an appeal lodged by a practitioner during the previous reporting period is also pending.

In Wills and safe custody packets: Can they be disposed of lawfully?, John Buxton of the Legal Profession Act & Ethics Committee discussed the laws around disposing of client documents, provided some guidance for ACT lawyers, and gave suggestions for how existing legislation could be improved. From the Spring 2021 edition of *Ethos*.

ETHOS LAW SOCIETY OF THE ACT JOURNAL



Wills and safe custody packets
Can they be disposed of lawfully?

John Buxton of McInnes Wilson Lawyers discusses the current laws around disposing of client documents, provides some guidance for ACT lawyers, and gives some suggestions for how existing legislation could be improved.



PHOTO BY JAMES L. CHRISTENSEN ON UNsplash

It is commonplace for willmakers to have multiple documents of death, especially wills. There is a history of conflicting documents, the result of which may be the result of a willmaker's changing intentions or a willmaker's failure to update their will. The Legal Profession Act (LPA) and the Rules of the Legal Profession (LRP) provide guidance on the disposal of client documents. This long-standing practice, particularly in the case of wills, is being challenged by the LPA and the LRP. It is time to consider how existing legislation could be improved.

allowing for the likelihood of further documents upon the death of the testator, or maintaining a degree of flexibility in the event of a willmaker's changing intentions or a willmaker's failure to update their will. The LPA and the LRP provide guidance on the disposal of client documents. This long-standing practice, particularly in the case of wills, is being challenged by the LPA and the LRP. It is time to consider how existing legislation could be improved.

It is not clear that the LPA and the LRP provide sufficient guidance on the disposal of client documents. This long-standing practice, particularly in the case of wills, is being challenged by the LPA and the LRP. It is time to consider how existing legislation could be improved.

40

41

42

Matters referred to ACAT are not always concluded during a reporting year. This year, Council resolved to refer three complaints to the ACAT.

Conduct the subject of referral included:

- / misappropriation of trust money
- / sustained trust account breaches
- / failing to act in the best interests of a client
- / failing to act competently and diligently
- / failing to treat a client fairly and in good faith
- / failing to be open and frank with the Society
- / failing to follow instructions and dishonesty.

The ACAT made findings against four practitioners during the reporting period arising from complaints investigated during previous reporting years. Four practitioners were found guilty of professional misconduct and/or unsatisfactory professional conduct. One of those practitioners had four separate complaints lodged against them (resulting in the ACAT recommending that solicitors' name be removed from the Roll) and another practitioner had two separate complaints dealt with concurrently. Sanctions imposed by the ACAT included substantial fines and directions to complete further legal training.

Committee membership

- / Ann Northcote (Chair)
- / Jonathon Anderson (from January 2022)
- / Allan Bedford
- / Sarah Boxall
- / Mary Burgess
- / Amy Burr
- / Sally Campbell (to December 2021)
- / Linda Crebbin
- / Jessica Cruise (from January 2022)
- / Julie Dobinson
- / Maurice Falcetta
- / Vivien Holmes
- / Gavin Howard
- / Carli Kulmar (from January 2022)
- / Sally McGuinness
- / Linda McGregor (to December 2021)
- / Scott Pearsall (to December 2021)
- / Darryl Perkins
- / Aasish Ponna (from January 2022)
- / Ross Reid
- / John Solomon
- / Alisa Taylor
- / Mark Tigwell

For our regular ethics and standards in practice section, Professional Standards Manager Rob Reis discussed a case touching on the fundamental duties of solicitors. Under the ACT Solicitors Conduct Rules, a solicitor must be honest in all dealings in the course of legal practice. In this case study, disciplinary proceedings led to a solicitor being removed from the roll when a judge determined that the solicitor's remorse and insight were not accompanied by evidence of genuine recognition of wrongdoing. From the Summer 2021 edition of *Ethos*.

ETHICS: LAW SOCIETY OF THE ACT JOURNAL

Ethics and standards in practice

Fundamental duties

Under Rule 4.6 of the ACT Solicitors Conduct Rules, a solicitor must be honest in all dealings in the course of legal practice, and disclose legal interests competently, diligently and as promptly as reasonably possible. In this case study, disciplinary proceedings led to a solicitor being removed from the roll when a judge determined that the solicitor's remorse and insight were not accompanied by evidence of genuine recognition of wrongdoing.

No particular evidence concerned the respondent's professional conduct. His lawyer stated that the conduct recommended the Lawyer to be removed from the ACT Register. Counsel of "to the reality of the conduct and any opportunity of that conduct could be a serious and ongoing".

In making the order for the Lawyer to be removed from the roll, the Court particularly referred to the nature and extent of the Lawyer's dishonesty in respect of the fee, and other aspects of dishonesty to which the Court referred. It was not necessary to repeat the findings in respect of the respondent's conduct in that regard of the respondent's conduct that the Court found.

The background to the Lawyer's conduct was that the Lawyer was a partner in a law firm which provided legal services to a number of clients. The Lawyer was a partner in the law firm and was responsible for the management of the law firm's business. The Lawyer was a partner in the law firm and was responsible for the management of the law firm's business. The Lawyer was a partner in the law firm and was responsible for the management of the law firm's business.

On 8 September 2021, the Tribunal imposed a fine on the respondent for professional misconduct. The Tribunal found that the respondent had breached Rule 4.6 of the ACT Solicitors Conduct Rules. The Tribunal found that the respondent had breached Rule 4.6 of the ACT Solicitors Conduct Rules. The Tribunal found that the respondent had breached Rule 4.6 of the ACT Solicitors Conduct Rules.

The Tribunal found that the respondent had breached Rule 4.6 of the ACT Solicitors Conduct Rules. The Tribunal found that the respondent had breached Rule 4.6 of the ACT Solicitors Conduct Rules. The Tribunal found that the respondent had breached Rule 4.6 of the ACT Solicitors Conduct Rules.

Rehabilitation or Compensation Tribunal to make a report that the respondent's conduct was such as to justify the removal of the respondent's name from the roll. The Tribunal found that the respondent's conduct was such as to justify the removal of the respondent's name from the roll. The Tribunal found that the respondent's conduct was such as to justify the removal of the respondent's name from the roll.

The Tribunal found that the respondent's conduct was such as to justify the removal of the respondent's name from the roll. The Tribunal found that the respondent's conduct was such as to justify the removal of the respondent's name from the roll. The Tribunal found that the respondent's conduct was such as to justify the removal of the respondent's name from the roll.

24

EDUCATE

The Society aims to provide relevant, timely, and high-quality education and training opportunities to help our practitioners fulfil their Continuing Professional Development (CPD) obligations as well as supporting their professional growth over the course of their careers.

It is a condition of holding a Practising Certificate that lawyers complete ten points of CPD per year, across four core areas. Our CPD program is designed to give our members a broad range of topics to meet their CPD obligations in a cost-effective way.

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

We also acknowledge the contribution of our special interest committees to shaping the CPD program, providing input on potential topics and helping us source expert speakers.

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

Our educational events in 2021–22 were again impacted by Covid, as a result of the lockdown period in late 2021 and the need to take responsible Covid safety measures. Some events were cancelled when this was outside our control, but wherever possible we deferred events or moved to an online or hybrid format to better accommodate our members.

Major CPD events

The Society's major CPD event in 2021–22 was our *Intensive*, which we run annually, delivering a range of topics covering all four core areas of CPD. Like other events during the period, a decision was made to defer the Intensive to a later date in response to Covid case numbers at the start of 2022.

The event was held over two days from 8-9 March, with a hybrid format offered to support those members isolating or restricted by their workplace from attending in-person events. The event attracted 143 attendees to in-person sessions over the two days, with another 62 attendees joining sessions remotely.

This year we introduced a theme for the event, *Innovation in legal practice*, chosen to reflect our strategic focus area 'Future Proofing'. Speakers were invited to present sessions reflecting the theme and a keynote speaker, Nyadol Nyuon, invited to open the event, presenting on 'Cultural diversity for the future of lawyering'.

Other sessions included:

- / Integrating innovation in your practice
- / Staying well in the legal profession
- / Get cybersecurity ready
- / Switching career paths
- / When social is still work
- / Civil litigation: tips, tricks and covid innovations
- / Kindness: the secret weapon in a lawyer's toolkit
- / The art of future-proofing your firm
- / The ACT restorative justice scheme

- / Career development tools for lawyers
- / Complaints: it's bad, but it could be a lot worse
- / Mediation and collaborative law tools for all lawyers
- / International child abduction and the Hague convention
- / Deciphering legislation: the dark art of drafting
- / Governance issues in the legal profession

As a result of the hybrid format, members continue to be able to access recordings of sessions from the Intensive.

Covid also impacted the timing of other larger events offered by the Society, with some events postponed to the early part of 2022. This created a 'crunch' of events in February and March. Society staff worked incredibly hard to ensure all these events went off smoothly:

- / The Wills & Estates Conference: held on 25 February, with support from the Elder Law & Succession Law Committee (79 attendees)
- / The Property Law Afternoon: held on 16 March, with support from the Property Law Committee (89 attendees)
- / The Family Law Conference: held on 23 March, with support from the Family Law Committee (76 attendees)
- / Jeffrey Goldberger's Contract Law Masterclass: held on 17 March (72 attendees).

This year's CPD Intensive was an informative two days with a range of sessions around the theme *Innovation in Legal Practice*. The Society team was pleased to work with such a positive and generous group of presenters and facilitators, working together to deliver excellent professional development sessions for our members and guests.

Pictured is the panel from our session on 'Staying well in the legal profession'.



A changing environment

To support members respond to changing issues in the legal profession, during the year we presented four free webinars covering current issues impacting practice:

- / 'Employer obligations: Covid vaccine mandates' covered the legal obligations and responsibilities for employers as their staff returned to work post-Covid. Over 270 members attended online.
- / 'Cyber-attacks on firms: Be alert and prepared' discussed the prevalence of scams affecting law firms, and defence strategies that can be put in place to prevent them. This attracted 230 online attendees.
- / 'Introducing eConveyancing in the ACT', prepared by our Property Law Committee, discussed the new electronic conveyancing system being introduced in the ACT. This seminar was also recorded for later viewing, and overall attracted 170 views.
- / An introduction to members' obligations under the new *Motor Accident Injuries (Lawyer Information Collection) Regulation 2021* was presented by the MAI Commission. 22 members tuned in to watch this session.

Other CPD events

Four smaller in person events were also held during the period, covering the following topics:

- / ACT legal ethics cases: 2020 in review
- / Writing for government (introductory)
- / Writing for government (advanced)
- / The regulation of restrictive practices: The ACT Civil and Administrative Tribunal's role

We also partnered with Leo Cussen to offer the accredited 'Mental health first aid for legal professionals' course at a significantly reduced cost as a special end of financial year offering for members.

Webinars

We continued to expand our online CPD offerings this financial year, adding 29 'watch when you want' webinars to our catalogue.

We also hosted 5 CPD seminars as completely online events on the following topics:

- / Family violence and information sharing: Lessons from the Victorian scheme
- / Managing stress, building resilience, and maintaining wellbeing
- / International investment law in an Australian context
- / Perpetrator interventions: A perspective from Australian Judicial officers
- / Digital Forensics: What a lawyer needs to know

Our Inclusion & Diversity Committee also continued their *What Are We Not Talking About?* lunchtime chat series, covering the following topics:

- / LGBTI+ inclusion and the law
- / Let's talk about grief: Covid-19 and loss
- / Older persons and the law
- / Vibe-check: Self-care strategies for the legal professional

At our Practice Management Workshop, John Buxton of McInnes Wilson Lawyers stepped in at the last minute to deliver the legal ethics and risk management modules after our Professional Standards Manager was struck down with Covid!

This very popular three-day workshop gives solicitors the tools they need to operate a legal practice as an effective and sustainable business.



Our live webinars attracted 900 attendees. Historical webinars (those carried over from the previous financial year) have been watched 130 times. Recordings made this financial year, including individual sessions from our three major hybrid events, have been viewed 290 times.

We now have an extensive library of online training available for members to view when and where they wish.

Practice Management Course

The Society's Practice Management Course delivers training for practitioners to meet the requirements to gain an unrestricted practising certificate in the ACT (and is also recognised by other jurisdictions). The course covers topics that are essential to the successful operation of an effective legal practice (private or government) and sustainable business. The course is delivered as a workshop with in-depth exploration of topics including ethical behaviours, human resource management, and business accounting.

Taking into account learnings that came out of discussions of the Sexual Harassment Working Group established in late 2020, the Society made the decision during the year to review the course content and to introduce an additional component specifically addressing workplace culture, providing in-depth training on bullying, harassment and discrimination, as well as mental health issues. As a result of staff resourcing issues during the year, this is intended to become a part of the program in 2023.

We ran three Practice Management Courses during the year, with 60 members completing the course.

Law Society CEO, Simone Carton, opened our 2022 Contract Law Masterclass to a full house of local legal practitioners eager to learn from Jeffrey Goldberger of Norton Rose Fulbright. Jeffrey is a recognised authority on Australian contract law and he is consistently one of our most popular speakers.

Future plans for education

In response to concerns around sexual harassment in the wider Australian legal profession, the Society partnered with the Queensland Law Society during the year to license a training package on 'Changing Workplace Culture'. This legal industry training resource was developed to address the issue of sexual harassment and workplace culture in the profession, and is being rolled out in most jurisdictions.

Securing the training supports the Society's commitment to addressing this issue and to building a culture in the profession that does not tolerate bullying, discrimination, or sexual harassment. During the year, two members were trained as facilitators for the workshop, Julie Dobinson and Skye Saunders, with the first workshop delivered just after the financial year ended. With demand for the workshop already strong, it is anticipated that there will be a strong take-up in 2022-23.

The Society also anticipates delivering additional workshops addressing mental health in the profession in 2022-23, which is recognised as an area particularly impacted by the pandemic.

We are also reviewing the format of our CPD Intensive, with plans to consolidate some of our smaller events into a dedicated conference event in future.



Member input to CPD program

The Society always welcomes member feedback on the CPD program and is interested to receive suggestions for future topics and speakers, and for members to express an interest in contributing their expertise for the benefit of other members.

We recently pivoted to online forms for collecting feedback after our events using a QR code. This allows attendees to quickly and easily provide feedback from their mobile phones while the event is still fresh in their minds. This change is also consistent with our efforts towards a more sustainable approach, with decreased paper waste, and utilising technology has also improved our resourcing efficiency. Thanks to all members who contributed feedback after our events this year.

Speakers

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

We thank everyone who contributed to our program during the year. Members who presented, or were part of a panel, in 2021-22 were:

- / Sarah Avery
- / Katie Binstock
- / Ashleigh Blewitt
- / Dianne Bourke
- / Gregory Burn

- / John Buxton
- / Edward Campbell
- / Bronte Carlin
- / Elizabeth Carroll
- / Farzana Choudhury
- / Nicola Clark
- / Brendan Cockerill
- / Susan Dalliston
- / Alfonso del Rio
- / Edward Evers
- / Averil Foster
- / Andrew Freer
- / Thomas Gaffney
- / Benjamin Grady
- / Annie Haggar
- / James Hall
- / Duncan Harrington
- / Nick Helm
- / Gavin Howard
- / Ken Hubert
- / Cristina Huesch
- / Liz Hug
- / Brooke Johnson
- / Lisa Keeling
- / Perpetua Kish
- / Eveline Kuang
- / Alice Linacre
- / Geoff Mazengarb
- / David Metcalf
- / Louise Morris
- / Timothy Morton



Malcolm Heath from Lawcover spoke to our members in a webinar about protecting their law firms from cyber attacks.

- / Siobhan Mullins
- / Tanya Nadin
- / Athol Opas
- / Debra Parker
- / Adam Peppinck
- / Kristen Porter
- / Susan Proctor
- / David Reynolds
- / Deb Rolfe
- / Margie Rowe
- / Andrew Satsia
- / Monica Serci
- / Vince Sharma
- / Gabrielle Sullivan
- / Alisa Taylor
- / Emma Towney
- / Amber Wang
- / Er-Kai Wang
- / Chris Wheeler
- / John Wilson
- / Bronwyn Worswick

ENGAGE

Our strategic focus is to ensure that members feel connected with us and each other, by raising awareness of our programs and services, improving the member experience with the Society, and building on our relationship with the wider community sector to better understand access to justice needs.

Member services

The Society provides a range of services to members in addition to our licensing function and regulatory guidance (discussed in the Regulation section of this report) and education programs (discussed in the Education section of this report). This includes connecting members of the public to law firms and practitioners, publications and information resources, the Solicitor ID card, welcome packs for newly admitted lawyers, networking events, a range of commercial benefits, and our complimentary wellbeing program.

During the year, an additional part-time team member was employed with a member support focus to increase our resourcing in member engagement functions.

Referral service

The Society provides a range of information resources to assist members of the public to understand if they have a legal issue and how to find a law firm or practitioner when needed. This includes our 'Find a Firm/Find a Lawyer' search function, which is the most visited page on our website. This search function allows members of the public to find and contact law firms and/or practitioners according to areas of practice to suit their legal needs. We continue to improve the quality of the data available to the public on this page, including by encouraging our members to keep their details current, and by adding facilities such as being able to search by location or languages spoken.

Members of the public also frequently contact the Society by phone seeking assistance with finding legal service providers. Our administrative team assist callers to locate the search function on our website so that they can identify a firm or practitioner to contact. For callers who ask for information over the phone, our team also use the find a firm/find a lawyer search function on our website to refer callers to three random firms within their requirements.

Member wellbeing

The Society has for many years offered a confidential counselling program for our members via Acacia Connection.

The program is a support service to help members deal with personal or work related problems in a positive way, offering short term counselling of up to three hours per member per year. The program is available to our members as well as their immediate family members. Sessions are delivered either face-to-face or by phone or video. Information about the program is available from our website and is promoted in each Hearsay e-newsletter sent to members.

In 2021-22, a total of 30 counselling sessions were delivered by Acacia Connection via this program. This compares with 22 counselling sessions in the previous financial year.

During the lockdown period, the Society also allocated staff resources to undertake a wellness check-in with our sole practitioner members, to let them know about the support services we had available and provide connection during the period of isolation.

Practitioner Support List

The Society undertook a review during the year of what was previously known as the 'Senior Counsellors' list and made a decision to refresh this service offering.

The 'Practitioner Support List' is a service that has been re-worked to support the needs of practitioners in the work climate of today. It is essentially a peer support service connecting members with more experienced practitioners who volunteer to join the list, and which will launch in the next financial year.

Society facilities

We have several small meeting rooms at our office, available for booking by members.

A kitchenette was installed in the Society's reception area during the year, to improve the facilities available to members using these meeting spaces.

Over the period, these rooms were used for a total of 328 hours.

ACT Law Awards

The ACT Law Awards were updated during the year to introduce greater transparency to the process and to launch a new Firm of the Year award. Following the postponement of the Annual Dinner due to lockdown, we offered members a fantastic online experience of the ACT Law Awards, as we recognised some of our best local lawyers joined by over 200 members.

The winners of the ACT Law Awards for 2021 were:

- / Presidents Medal: Margie Rowe
- / Pro Bono Service Award: Professor Marie Sainsbury
- / ACT Firm of the Year: Ken Kush and Associates
- / The Government Law Award: Gregory Burn
- / New Lawyer of the Year: Caroline Beasley and Kieran Pender

The trophies awarded to recipients of the 2021 ACT Law Awards were commissioned from Canberra artist Claire Solomon. She used rescued timber from the old Supreme Court, floating them off an acid etched steel panel.

Publications

The Society produces several publications for the public and our members. These include our quarterly edition of *Ethos*, Events Updates, our e-newsletter Hearsay and additional targeted emails such as the New Lawyers Update, Government Law Update and Family Law Update. Our *Ethos* Journal can be found through our website. In 2021-22, we have sent out over 165 emails, and our open rate for emails is 42 percent (well above the industry standard of 15-25 per cent).

Our flagship *Ethos* publication included the following highlights during the year:

- / An ongoing series called *Ethics and standards in practice*, where our Professional Standards Manager Rob Reis presents in-depth case studies based on recent cases and current issues in legal ethics
- / Regular employment law articles
- / A new series from our Alternative Dispute Resolution Committee that aims to give members useful information about how to incorporate ADR into their own practices
- / Topical articles on major issues like cyber security and Covid vaccine mandates
- / Helpful articles on wellbeing and courtroom etiquette for new advocates.

Online presence

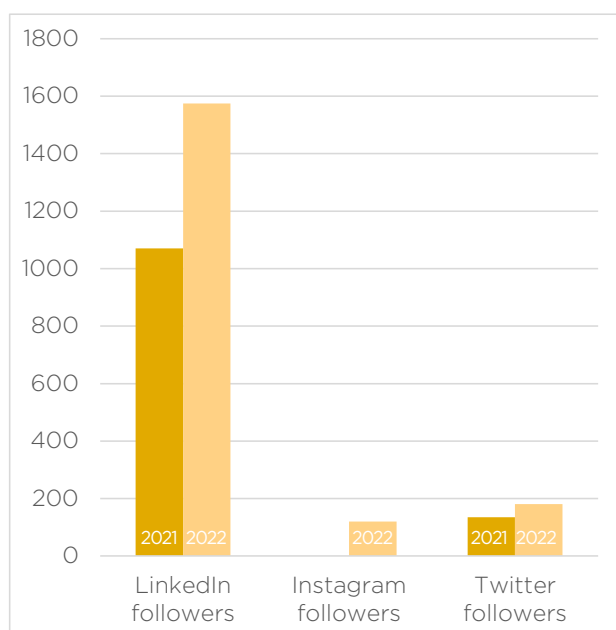
The Society's website aims to provide useful resources for members, such as our CPD tracker, articles and guidance notes, and access to our registration portal for all our events.

The website also provides public facing resources, which aim to inform members of the community about common legal issues and how lawyers can help, as well as promoting the value of the profession and connecting consumers with law firms and practitioners. We updated and prepared additional information resources during the year to accompany the regular radio spot the Society secured, to discuss common legal issues in the community.

Over the course of the year there has been a steady increase in our presence in the social media space. Our largest social media presence is on LinkedIn, where engagement continues to increase.

We also launched an Instagram page providing an alternative channel for engaging with the public and our members. Instagram provides us the opportunity to share a lighter side of the Society, including about events, member achievements, and general updates. The Instagram page has already gathered 120 followers and is growing steadily.

The chart below shows the growth of our online presences by followers:



Networking events

The Society offers a range of social and networking events to encourage engagement and connection both with the society and with other members. Despite the impact of the lockdown and associated postponements and cancellations, during the year we ran the following events:

- / The Annual Dinner, postponed to December, which provided members with a chance to reconnect after the lockdown period in the beautiful surroundings at Pialligo Estate.
- / Large Christmas events hosted by the New Lawyers Committee, and the Family Law Committee
- / The New Lawyers Winter Ball held in June with 240 attendees
- / A farewell dinner for Justice Burns, a farewell dinner for Chief Justice Murrell, and a welcome dinner for Chief Justice McCallum
- / Three members lunches attended by around 150 members in total
- / New Lawyers networking drinks held on two occasions, and a networking lawn bowls event

Law Week 2022

Every year in May, the Law Society coordinates Law Week in the ACT - six days of events to promote public engagement and understanding of the law and the role it plays in our community.

Law Week 2022 was preceded by a return to a Law Week sports competition. Six a side 'Law Soccer' was held at the ANU sports ovals, where Clayton Utz took home the first-place trophy, Lexmerca 'Lexmerca Lunatics' battled hard to take home the second-place trophy and BAL Lawyers 'IncrediBALs' went home with the wooden spoon.

The official ACT Law week launch event opened with a moving welcome to country by Nggunawal Elder Aunty Violet Sheridan and a speech by ACT Attorney-General Shane Rattenbury MLA. This was followed by the ACT's Golden Gavel competition, where four brave competitors stunned the audience and judges with their charisma and comedy. The winner on the night was Daniella Fiocco from Colquhoun Murphy who spoke on the topic "*What 'separation of powers? Why the High Court should choose the next Federal Government'*". The People's Choice Award was won by Ashwin Chandekar from Griffin Legal, with "*Keep my clients name out your [expletive] mouth! The importance of good advocacy*". Our other amazing competitors on the night were Georgia Briggs from Briggs Law and Cameron Rybinski from Parker Coles Curtis.

This year's Annual Blackburn Lecture was delivered by the Hon Helen Murrell SC who gave a fascinating presentation with insights into the decision-making task of intermediate courts. The presentation was published in the Society's *Ethos* publication for Winter 2022.

Other Law Week events were supported by our colleagues:

- / The Law Week Dinner, hosted by the Women Lawyers Association ACT, with author Michelle Law as the guest speaker
- / The annual Bar Breakfast, hosted by the ACT Bar Women Barrister's Committee, with The Hon Chief Justice Lucy McCallum as the guest speaker.

The final event for Law Week 2022 was the Quiz Night, hosted by our New Lawyers committee. The winners of the quiz night for 2022 were David Healy Solicitors in first place, Tim Sharman Solicitors in second place and the second table for the Department of Agriculture came in third place. The New Lawyers Committee would like to thank the main Quiz Night sponsor, Holding Redlich.

With the help of many in the ACT Law community and support of several local businesses, the ACT Law Society was able to raise over \$10,000 for our Law Week 2022 charity, Parkinsons ACT, which will be going to their Painting with Parkinson's program. The final total donation, which also includes an annual disbursement from the ACT Law Society Foundation,

will be presented in September 2022. Painting with Parkinsons is a program designed for people with Parkinsons to assist with a creative output and an expression of self into artwork.

Quiz Night donors

At the Law Week Quiz Night, local businesses collectively donated over \$2000 dollars in prizes. The New Lawyers Committee would like to thank these donors for their generosity this year:

- / Birdsnest
- / Briggs Law
- / Capital Brewing Co
- / Cockington Green
- / Fitness First
- / Mocca
- / National Zoo and Aquarium
- / Ondine
- / Otis Dining Hall
- / Paint Along
- / Riddle Room
- / The Boathouse By The Lake
- / The Pop Inn

At the 2022 ACT Golden Gavel: competitor Georgia Briggs of Briggs Law, ACT Law Society president Elizabeth Carroll, competitor Cameron Rybinski from Parker Coles Curtis, People's Choice winner Ashwin Chandekar from Griffin Legal, Golden Gavel winner Daniella Fiocco from Colquhoun Murphy Lawyers, Young Lawyers patron The Hon Justice Geoffrey Kennett, ACT Attorney-General Shane Rattenbury MLA, and Lawcover representative Glenda Carry.

Law Week was made possible with the support of primary sponsor, Lawcover.



Charitable donations

The Society has made a great effort to support the less fortunate in our community through our various events and initiatives.

The Society's annual charity last year (2020-21) was Raw Potential Canberra, a local Canberra charity empowering disadvantaged youth by providing non-judgemental support and opportunities for a bright future. This year, at our September 2021 Member's Lunch, our President Elizabeth Carroll presented Raw Potential with a donation of \$15,231, representing the combined funds from Law Week 2021, and the Law Society Foundation disbursement.

The Society has also made donations of \$2,100 to St Vincent de Paul to support seven members participating in the annual CEO Sleepout campaign.

New Lawyers Committee

The New Lawyers Committee held their annual Winter Ball in support of Pegasus Riding For The Disabled, with a final donation of \$5000 to Pegasus. Event sponsor Luton provided an auctioneer to run an auction raising money for the charity. The New Lawyers Committee would like to thank the following donors for their generosity:

- / Canberra Theatre Centre
- / Casey Jones
- / Luton Properties (bottle of Penfolds Grange)
- / Magistrate Louise Taylor (lunch)

- / National Zoo and Aquarium
- / Nicole Karman (art quilt)
- / Stuart Bryson, Damian and Geraldine De Alwis (GIO Stadium Hospitality Tickets)

Student engagement

During 2021/2022 we introduced a low-rate student membership category to extend our connection with the future members of the legal profession. A number of firms have indicated the value of student membership for their student staff members, including access to our regular updates and our confidential counselling service.

The Society also funded prizes once again for those studying in law at the University of Canberra and the Australian National University:

Australian National University

- / BC Meagher Prize for Commonwealth Constitutional Law
- / ACT Law Society Prize for Contracts

University of Canberra

- / ACT Law Society Prize for the Highest Achieving Student in Contract Law
- / ACT Law Society Prize for the Highest Achieving Student in Equity Law



At our Annual Dinner, president Elizabeth Carroll joined former presidents Martin Hockridge, Sarah Avery, and Noor Blumer for a carol between courses at Pialligo Estate Canberra.

Thank you to our sponsors Leo Cussen Centre for Law and Legal Home Loans for supporting our big night.

Pro Bono Clearing House

The Law Society provides a matching service through the ACT Pro Bono Clearing House that connects eligible people with legal assistance. Applications can be made directly by members of the public, as well as referrals from Community Legal Centres, members of the legal profession, politicians, and public agencies.

The Clearing House is intended to be a 'last resort' for legal help after all other avenues for assistance have been exhausted. Financial eligibility and merit criteria apply, taking into account prospects of success and the public interest. 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.

Over the period, we received 31 applications to the Clearing House. Of these, 9 did not meet the criteria. The remaining 22 applications were accepted for the panel, but due to low or no prospects of success, only two were successfully accepted for referral to a law firm.

Secondees

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

Over the 2021-22 period, operational secondees have been provided by ADAPTBL, Proximity, Minter Ellison, and Sparke Helmore. We would like to thank all the operational secondees who worked with the Clearing House during the year:

- / Charlotte Bull (Proximity)
- / Tom Dunbabin (Adaptbl)
- / Lachlan Jones (Sparke Helmore)
- / Willis Lo (Minter Ellison)
- / Kyle Wood (Proximity)

Assessment Panel members

The following volunteers assisted with the panel during the year:

- / Veena Bedekar
- / Radhika Bhatia
- / Katie Binstock
- / Graeme Blank
- / Julia Bridgewater
- / Stuart Bryson
- / Gregory Burn
- / Liam Carroll
- / Luke Coniston
- / Chase Deans
- / Tristan Dimmock
- / Michael Doyle
- / James Dunn
- / Caroline Faeh
- / Samantha Ferry

Guests at the New Lawyers Committee's Christmas Garden Party, which was sponsored by lawyerbank and Limber.



/ Rosa Grahame
/ Rachael Grivas
/ Jacqueline Healy
/ Eleanor Heffernan
/ Bethany Hender
/ Sarah Hendry
/ Sam Hergenrother
/ John Hill
/ Glenn Jones
/ Ella Kelly
/ James Kendal
/ Kyu-Won Kim
/ Sean King
/ Claudia MacLean
/ Kathleen McCarron
/ Sarah Milson-Mahy
/ Caitlin Morgan
/ Nathan Moy
/ Claire Natoli
/ Courtney Noble
/ Declan Norrie
/ Silas Otto

/ Darryl Perkins
/ Helen Phelps
/ Anna Reynhout
/ Shelley Robertson
/ Geoff Shaw
/ Dale Stevens
/ Kat Tant
/ Imogen Thompson
/ Tiru Vallal
/ Catherine Wang
/ Chris Wheeler
/ Steve Whybrow
/ Mark Woodberry
/ Luke Woolley
/ Joan Wu
/ Des Yek

Referrals

We would like to acknowledge the following firms that accepted referrals from the Clearing House during the year:

/ Proximity
/ Allan Anforth (Canberra Chambers)



The crowd danced the night away at the sold-out Young Professionals Winter Ball, with thanks to sponsors the College of Law and Luton.

Statutory Interest Account grant funding

The ACT Law Society administers a Statutory Interest Account (SIA) in the ACT. The SIA is used to fund a number of purposes prescribed in legislation and regulation, including meeting the costs of regulating the legal profession in the ACT and supporting the provision of legal aid in the ACT community.

Each year, the Society invites applications for grants from the Statutory Interest Account to support the provision of legal aid in the ACT. These grants are over and above the funding for core services that is provided by government at both the Territory and Commonwealth level. This additional funding made available through the SIA supports access to justice and improved legal assistance service delivery for members of the ACT community.

Applications are received from Legal Aid ACT and local community legal centres. These are assessed by the Council of the Society on the basis of relevant eligibility and assessment criteria. Once a decision is made by the Council, the Society seeks the consent of the ACT Attorney-General to the payment of the recommended amounts to applicants.

The funding available for distribution as grants from the Statutory Interest Account varies from year to year. This is due to a number of factors, including the variable nature of investment returns having regard to fluctuations in interest rates, and the amount of client funds held in trust accounts on which interest may be earned in any given year, as well as the level of regulatory activity and associated costs.

In 2021-22, funding was awarded to:

- / Canberra Community Law — \$41,837
- / Care Inc (Consumer Law) — \$11,772
- / Environmental Defender's Office — \$11,772
- / Legal Aid Commission (ACT) — \$313,263
- / Women's Legal Centre — \$41,837

A friendly cohort of new and old members at our quarterly member's lunch in March 2022 at Briscola. Designed as collegiate mixers, these lunches are a great opportunity to meet with peers in the legal profession and make new contacts.

A big thank you to our Members' Lunch sponsors, Nexia Australia and CBIT Digital Forensics Services (CDFS).



FUTUREPROOF

Over the course of the last twelve months, we encountered plenty of challenges as a profession in the face of ongoing uncertainty, and the frequently changing restrictions related to the Covid-19 pandemic. We also demonstrated our ability to respond effectively to change and to maintain our level of service using alternative approaches.

Futureproofing the Society and the profession has been a critical focus area for our work in this context. As addressed in the Education section of this report, futureproofing guided a number of our CPD initiatives during the year, aimed at supporting members to respond to changing needs. This included influencing the theme for the 2022 Intensive, *Innovation in legal practice*, and our decision to offer free webinars on topical issues including cyber security, e-conveyancing, and vaccination mandates.

Responsiveness to change

Covid-19 and lockdown

Canberra had an extended period of lockdown from August to October 2021, followed by ongoing high case numbers through to early 2022.

Our team worked hard to keep members updated on the frequent changes to restrictions and advice from government and the courts and to accommodate changes by shifting our services online. Covid-19 updates were communicated via a dedicated website page as well as regular email alerts to advise of changes relating to the provision of legal services in the ACT. From August to December, we sent out 27 emails providing members with the most up-to-date information, and also provided useful resources including links to mental health supports.

As changes in lockdown arrangements shifted regularly, we advocated for the interests of members to the

Courts and the ACT Government. Our committee Chairs provided an outstanding level of support in addressing issues relating to specific practice areas such as conveyancing, signing of documents, and ethical issues. We would like to acknowledge the following Chairs for their support over the period:

- / Adam Peppinck, Property Law Committee Chair, who supported the CEO on issues relating to the operation of settlement services during lockdown.
- / Michael Kukulies-Smith, Criminal Law Committee Chair, for bringing his experience to Courts update meetings attended with the CEO.
- / Katie Binstock, Elder & Succession Law Committee Chair, who assisted with updating our guidance around electronic witnessing.
- / Kevin Robinson, Family Law Committee Chair, for his efforts keeping members working in family law up to date not only with Covid changes but also the newly merged Federal Circuit and Family Court of Australia.

Cyber-attacks on law firms

As more of our members and their staff shifted to online working, we saw a concurrent rise in email and phishing scams affecting local law firms. Law firm trust accounts became a particular target of scammers.

Some of these attacks are extremely sophisticated, involving email interceptions, alteration of PDF invoices, and follow-up text messages, all designed to provide fraudulent bank account details.

We kept our members up to date with details of reported scams as they occurred, and provided guidance on what steps firms could take to avoid being tricked, including the extra precautions that should be taken before transferring funds to external bank accounts.

Our 'Trust account alert: email scams and cyber fraud' guidance note was updated several times to include new scam details, as well as outlining what members can do if their firm has been the victim of a cyber scam. The guidance page also includes links to external resources.

We ran a free webinar training session 'Cyber-attacks on firms: Be alert and prepared' for members and their staff, which discussed the scams currently hitting law firms, and what defence strategies could be put in place to prevent them.

The theme continued into our CPD Intensive program, with a session on cybersecurity.

We also partnered with the local PII provider, Lawcover, for an *Ethos* article on avoiding scams.

Investment in technology

We continued to invest in technology to support the Society to improve the efficiency and accessibility of our service delivery.

Online AGM and Awards

Due to the lockdown period, we held our Annual General Meeting for the first time in a virtual environment, with a strong turnout from members, far exceeding the usual attendances at our in-person AGMs.

We also had to postpone our Annual Dinner and, as a result, we moved the announcement of the winners of the ACT Law Awards online, with almost 200 attendees and featuring speeches from all winners. It was a useful break from the lockdown, a great way to thank all those who contributed to the work of the Society over the course of the year, and a celebration of the local lawyers who inspire us.

The Covid lockdown postponed our Annual Dinner, but we didn't want to leave members on tenterhooks about the winners of the ACT Law Awards. We held the Awards presentations online, where we asked members to dress like nobody was watching, and meet Canberra's most inspiring lawyers!



Complaints and reporting

During 2021-22, we undertook further development of our electronic complaints system. An online complaint enquiry contact form was introduced, providing an avenue for potential complainants to make online enquiries directly to the complaint administrator, who is able to then make contact and explain the scope and function of the complaint process.

An online complaint form has also been developed, allowing complainants to complete and submit details electronically and for those details to feed directly into our complaints system, improving the transparency and efficiency of our process. The workflow in our system was also updated enhancing the tracking of complaints and reporting capability. This work will continue in 2022-23.

Complementing the changes to our complaints process, during the year we also developed an online anonymous reporting portal for roll-out later in 2022. The portal will provide a safe way to report harassment, bullying or discrimination, with the opportunity to engage with the Society on a confidential and anonymous basis, and whether or not the person reporting wishes to proceed to a formal complaint. It is anticipated that this will give us a better understanding of issues in the profession that may currently go unreported.

Other initiatives

Other technological initiatives during the year included:

- / We invested in our phone system to improve functionality and reduce the impact of isolation requirements and lockdowns.
- / As mentioned in the Education section of this report, online forms and QR codes were introduced for CPD feedback, supporting our efforts towards a more sustainable Society and improving efficiency by removing manual data entry required with previous paper-based forms.
- / Following the strong response to the introduction of our LinkedIn and Twitter channels in late 2020, a Society Instagram page was established in March 2022 providing a further avenue to engage with members and other stakeholders.

If this email is not displaying correctly, view it in your browser



2.30pm, Friday 13 August 2021

Covid update for the ACT legal profession

The office of the Law Society is closed during the lockdown. Please contact us by email at mail@actlwsociety.asn.au, or you can email staff directly using the format firstname.lastname@actlwsociety.asn.au.

The Law Society is monitoring the situation, and will continue to update our Covid information page as new details become available.

- ACT Law Society: [Covid-19 update for the ACT legal profession](#)
- ACT Government: [COVID-19 information and advice in the ACT](#)

Restrictions affecting legal practice

The ACT Government has advised that any person who is an 'essential worker' may leave lockdown. This includes providing 'essential legal services that are not able to be provided electronically', 'services related to the administration of justice', and providing 'court, tribunal or commission services'. You are also permitted to leave lockdown to 'fulfil or undertake any legal obligations (e.g. to attend any court or tribunal of Australia)'. You must still comply with other requirements of the lockdown.

Conveyancing services, especially exchange of contracts at the Settlements Office, are not able to be provided electronically. The Settlements Office will remain open, but users must be masked, practice appropriate social distancing, and must check in using the Check In CBR App.

Based on the guidance from ACT Government, we consider that where practitioners are able to deliver their legal services remotely (by phone or electronically), they should do so. This will likely depend on the type of services being provided, it's urgency and whether your client is able to use alternate means of communication.

Ultimately, determining whether a particular activity is allowed is a matter of legal interpretation of the relevant directions. You will need to read all the new directions and form your own conclusions about whether the detail of the proposed activity is permitted or restricted.

If this email is not displaying correctly, view it in your browser



4pm, Tuesday 17 August 2021

Members will be aware that Chief Minister Barr has announced that Canberra's lockdown has been extended to 2 September 2021. News and updates from the ACT Government can be found at www.covid19.act.gov.au.

The Law Society will continue to keep members up to date with legal news via these emails, and on the [Covid update page](#) on our website.

Court updates

Restricted entry to the Courthouse to support public health
The Court's Orders under section 50 of the *Court Procedures Act 2004* have been updated. Please note the order has been narrowed as it applies to support people — defendants/religants are no longer entitled to a support person to attend with them, but a support person may be allowed in exceptional cases for vulnerable witnesses. [\[read more\]](#)

Courts news and emergency contacts

For the most up to date information about court operations, please visit their respective news pages:

- ACT Supreme Court — [Response to the COVID-19 Virus](#)
- ACT Magistrates Court — [Response to the COVID-19 Virus](#)
- ACAT — [Changes due to COVID-19](#)

Electronic witnessing of documents

We have updated our [guidance on electronic witnessing of documents](#) under the COVID-19 Emergency Response Act 2020 (ACT), incorporating some helpful examples of how to effect electronic witnessing.

Electronic witnessing of documents

Law Society events

In light of the lockdown extension, the Law Society is reviewing events to see what we can postpone and what can be effectively moved online.

We sent regular Covid updates to our members, sometimes twice a day, to keep them apprised of restrictions as they changed.

Organisational capacity

The Society has adopted a continuous improvement approach over the past two years to ensure we deliver our services in an efficient and effective manner. This included a range of administrative changes that largely go unseen by our members, but are important to support how we work and manage risk.

We introduced research officers in place of administrative staff early in 2021 to enhance the capability and support provided to our many special interest committees. We now employ three part-time research officers, who work in concert with the Policy Officer to support our committees and expand our ability to identify and respond quickly to policy issues.

We conducted a review of our committees in late 2021, providing an opportunity to refresh membership, set a framework for renewal every two years, and to refine committee terms of reference. We have observed that a number of committees have been reinvigorated by this process.

Induction training for Council continued in 2021 following its successful introduction the previous year. This training is important to ensure that members elected to Council are equipped and ready to take on the important regulatory role, deciding complaint and disciplinary matters in accordance with the *Legal Profession Act 2006*. This year the training was delivered remotely due to lockdown, and our thanks once again go to Katie Binstock and Athol Opas for supporting Professional Standards Manager Rob Reis deliver the training.

We continued to encourage members to consider the environment when renewing their practising certificates. Around 39 per cent of members chose to receive their practising certificate electronically this year, compared to 33 per cent last year. We hope that this number will continue to increase to support our commitment to sustainability, as well as organisational efficiencies.

To support workplace health and safety for our team in response to an increase in difficult interactions faced by our staff, security screens were installed at reception during the year. All staff were also invited to undertake training on dealing with difficult interactions, delivered by Lifeline at the Society's office.

The Society adopted the Law Council of Australia's sustainability policy in 2019.

The policy addresses key principles and commitments in respect of the environmental, social and economic objectives of Sustainable Development.



FINANCIAL STATEMENTS

AIR

TREASURER'S REPORT

I am pleased to present the annual report on the Society's accounts for 2021-22.

Overview of accounts

General Account

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

Statutory Deposits Trust Account

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

Statutory Interest Account

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

Solicitors' Fidelity Fund

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

General Account

The General Account recorded a surplus of \$476,400 which increased the Society's accumulated funds to \$3,990,489 as at 30 June 2022.

Practising Certificate fees in 2021-22 returned to the same fee level which was in place during the 2019-20 year. The higher than budgeted surplus was due to a combination of lower expenses and higher income. Income from practising certificate fees continues to increase due to the ongoing growth in member numbers, along with higher income from sales of online conveyancing contracts.

The Society is expecting to record a lower surplus for the 2022-23 financial year.

Statutory Deposits Trust Account

Total deposits as at 30 June 2022 amounted to \$136,846,830 which is an approximate 61 per cent increase on deposits held in the previous year.

Interest earned on statutory deposit funds invested in term deposits is an important revenue component for the Statutory Interest Account. Trust funds held by the Society continue to increase, along with average balances in solicitor trust accounts. Although low interest rates have had an impact on returns, there were signs of improvement towards the end of the financial year. It is expected that higher investment returns will show in the next financial year results. The Society continues to pursue attractive investment rates where possible through a number of avenues.

Statutory Interest Account

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

Although total revenue in 2021-22 was lower than the previous year, the difference was predominantly due to a large recovery of disciplinary costs received in the previous year, affecting the comparison. Interest received on solicitor trust account balances improved in the final few months of the 2021-22 year which helped increase the final revenue result.

Total expenses paid from the SIA were lower than the previous year, however the final result was still a deficit of \$59,753 meaning that Council was not able to authorise any disbursement of funds from the SIA to the Legal Aid Commission and other community legal centres.

With the improvement in interest rates expected to result in higher revenue streams in the coming 2022-23 financial year, it is hoped that the SIA will return a significant surplus result to enable Council to consider a disbursement to assist the legal sector in future years.

Solicitors' Fidelity Fund

The accumulated funds of the Fidelity Fund decreased by \$100,369 leaving a total of \$5,463,595 as at 30 June 2022. Revenue decreased by 42 per cent from the 2020-21 year, predominantly due to lower returns on the investment of funds as well as previously having received a disbursement from the SIA to assist increase

the Fidelity Fund balance. Due to the SIA not having available funds, there was no disbursement made to the Fidelity Fund. Total expenses paid from the Fidelity Fund remained similar to the previous year.

An actuarial assessment of the Fidelity Fund has just recently been completed and Council will consider the report to determine whether it is possible to increase the Fidelity Fund balance in the future. The current balance was only achieved with some assistance by way of a disbursement from the Statutory Interest Account to the Fidelity Fund when funds were available in the past. In recent years there have been higher balances held in solicitor trust accounts, along with the increase in law firm numbers and employee numbers, requiring a continued need to manage any exposure to risk. It is also pleasing to note that there have not been any claims on the Fidelity Fund since 2014.

Staff support

On behalf of the Council I record my thanks for the continued diligent and hard work Lea Mclean and her team in the Secretariat have undertaken. Lea provides your Council with regular updates and practical advice on the financial challenges the Society faces arising from low interest rates (fortunately now improving marginally) and the provision of assistance to members in relation to trust account issues. Lea constantly hunts for better returns for the Society's investments to achieve improved returns for the funds managed by the Society. Thank you Lea.

Mark Tigwell
TREASURER

GENERAL ACCOUNT

The Law Society of the ACT – General Account

Statement of Comprehensive Income

For the year ended 30 June 2022

	Notes	2022 \$	2021 \$
Revenue	2	3,129,098	2,656,987
Amortisation of right-of-use assets		(171,453)	(171,453)
Audit fees	13	(17,705)	(19,065)
Capitation fees		(233,408)	(148,371)
Cleaning, outgoings, and car park expenses		(30,545)	(32,658)
Committee and executive catering		(6,065)	(7,855)
Consultancy fees		(16,970)	(3,412)
Depreciation expense	8	(98,691)	(99,511)
Employee benefits expense		(1,308,592)	(1,257,489)
Functions		(139,896)	(21,457)
Insurances		(38,446)	(33,545)
IT maintenance and services		(99,183)	(106,874)
Lease interest expense		(72,814)	(79,157)
Membership services		(17,590)	(32,872)
Postage and couriers		(24,413)	(26,963)
President's allowance		(120,881)	(116,682)
Printing and stationery		(11,837)	(19,788)
Seminars		(137,512)	(127,963)
Other expenses		(106,697)	(99,641)
Profit for the year		476,400	252,231
Total comprehensive income		476,400	252,231

Statement of Financial Position

As at 30 June 2022

	Notes	2022 \$	2021 \$
Current assets			
Cash and cash equivalents	4	3,130,477	3,438,822
Investments	5	3,400,000	2,200,000
Trade and other receivables	6	146,053	180,713
Inventory	7	40	84
Prepayments		65,059	61,736
Total current assets		6,741,629	5,881,355
Non-current assets			
Lease right-of-use asset	9	1,300,185	1,471,638
Office furniture and equipment	8	361,540	419,696
Rental bond		54,287	54,287
Total non-current assets		1,716,012	1,945,621
Total assets		8,457,641	7,826,976
Current liabilities			
Trade and other payables	10	2,510,689	2,193,228
Provisions	11	227,354	224,702
Lease liability	9	179,896	165,848
Total current liabilities		2,917,939	2,583,778
Non-current liabilities			
Lease liability	9	1,549,213	1,729,109
Total non-current liabilities		1,549,213	1,729,109
Total liabilities		4,467,152	4,312,887
Net assets		3,990,489	3,514,089
Equity			
Accumulated funds		3,990,489	3,514,089
Total equity		3,990,489	3,514,089

Statement of Changes in Equity

For the year ended 30 June 2022

	Notes	2022 \$	2021 \$
Accumulated Funds			
Balance at the beginning of the financial year		3,514,089	3,261,858
Total comprehensive income for the year		476,400	252,231
Balance at the end of the financial year		3,990,489	3,514,089

Statement of Cash Flows

For the year ended 30 June 2022

Cash flows from operating activities			
Receipts from members and others		3,306,655	2,996,451
Payments to suppliers and employees		(2,154,872)	(2,193,952)
Interest received		19,069	57,570
Interest paid on lease liability		(72,814)	(79,157)
Net cash inflow/(outflow) from operating activities		1,098,038	780,912
Cash flows from investing activities			
Receipts/(payments) for investments		(1,200,000)	600,000
Payments for office furniture and equipment		(40,535)	(36,057)
Net cash inflow/(outflow) from investing activities		(1,240,535)	563,943
Cash flows from financing activities			
Repayment of lease liabilities		(165,848)	(152,554)
Net cash inflow/(outflow) from investing activities		(165,848)	(152,554)
Net increase/(decrease) in cash and cash equivalents held		(308,345)	1,192,301
Cash and cash equivalents at the beginning of the financial year		3,438,822	2,246,521
Cash and cash equivalents at the end of the financial year	4	3,130,477	3,438,822

Notes to the Financial Statements

For the year ended 30 June 2022

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 (Simplified Disclosures of the Australian Accounting Standards Board), including Australian Accounting Interpretations, and other authoritative pronouncements of the Australian Accounting Standards Board, and the requirements of the *Legal Profession Act 2006*.

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

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) New, revised or amended accounting standards adopted

The Society has adopted all of the new, revised or amended accounting standards and interpretations issued by the Australian Accounting Standards Board that are mandatory for the current reporting period.

For the year ended 30 June 2022, the Society has adopted *AASB 1060 General Purpose Financial Statements – Simplified Disclosures for For-Profit and Not-for-Profit Tier 2 Entities*.

Prior to the adoption of AASB 1060, the Society prepared financial statements under the Reduced Disclosure Requirements framework. The adoption of AASB 1060 has not had any material impact on the financial performance or position of the Society in either the current or prior financial reporting periods. As a result, comparative information has not been restated.

The adoption of AASB 1060 has resulted in some minor disclosure changes in the financial statements.

(b) Income Tax

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

(c) 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.

(d) Office Furniture and Equipment

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

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

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

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

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

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

(e) Depreciation

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

/ Office furniture and equipment 3-10 years.

(f) Financial Instruments

Initial recognition and measurement

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

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

Classification and subsequent measurement

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

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

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

Financial assets

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

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

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

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

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

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

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

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

Financial liabilities

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

Impairment of financial assets

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

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

(g) 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.

(h) Cash and Cash Equivalent

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

(i) 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.

(j) 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.

(k) Revenue

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

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

Timing of Revenue Recognition

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

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

A contract liability is recognised where funds have been received but the Society has not yet satisfied its performance obligations. A financial liability is recognised for unspent funds for which a refund obligation exists.

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

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

Sales of Goods and Services

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

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

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

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

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

(l) 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.

(m) 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.

(n) 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.

(o) Leases

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

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

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

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

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

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

(p) 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.

	2022 \$	2021 \$
Note 2: Revenue		
Revenue from contracts with customers		
Practising certificate fees	1,941,898	1,578,813
Members' subscriptions	16,823	19,432
Capitation fees	233,366	148,230
Certificates of fitness	12,046	12,987
Ethos advertising and subscriptions	3,900	4,141
Functions	131,274	14,075
Sale of standard forms	137,043	133,423
Reimbursement of expenses		
Statutory Accounts – administration*	73,584	76,944
Statutory Interest Account – Legal Advice Bureau*	-	30,115
Statutory Interest Account – professional standards*	121,810	121,934
Solicitors' Fidelity Fund of the Australian Capital Territory – administration*	48,869	52,640
Settlements Office contributions	83,067	75,779
Seminar income		
Continuing Professional Development	172,995	173,401
Practice management courses	76,018	141,592
	3,052,693	2,583,506
Represented by:		
Revenue recognised at a point in time	1,010,905	909,482
Revenue recognised over time	2,041,788	1,674,024
	3,052,693	2,583,506
Other income		
Interest	23,051	36,162
Miscellaneous income	15,622	5,854
Sponsorship	37,732	31,465
	76,405	73,481
Total Revenue and Other income	3,129,098	2,656,987

Note 3: Profit for the Year

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

Superannuation contributions	(115,482)	(106,035)
------------------------------	-----------	-----------

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

	2022	2021
	\$	\$
Note 4: Cash and Cash Equivalents		
Cash on hand	115	120
Cash at bank — Law Society General Acc	3,128,831	3,431,708
Undeposited funds	844	6,307
	3,129,790	3,438,135
Cash at bank — Compensation Rights Acc	687	687
	3,130,477	3,438,822

Note 5: Investments

Term deposits*	3,400,000	2,200,000
	3,400,000	2,200,000

Note 6: Trade and Other Receivables

Trade debtors	84,000	113,816
Deposits paid	19,550	28,728
Accrued interest receivable	12,807	8,826
Other accrued income	19,706	19,830
GST refund receivable	9,990	9,513
	146,053	180,713

Note 7: Inventory

Contracts for sale	40	84
	40	84

* A number of term deposits are held with maturities of 9 to 16 months from the date of deposit.

2022

\$

2021

\$

Note 8: Office Furniture and Equipment

Office furniture and equipment

At cost	947,271	906,736
Less: accumulated depreciation	(585,731)	(487,040)
Total office furniture and equipment	361,540	419,696

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	419,696	483,316
Additions	40,535	36,057
Disposal of asset	-	(166)
Depreciation expense	(98,691)	(99,511)
Carrying amount at the end of the year	361,540	419,696

Note 9: Lease Assets and Liabilities

Right of use assets and lease liabilities

Right-of-use assets — Office at cost	1,814,544	1,814,544
Accumulated amortisation	(514,359)	(342,906)
	1,300,185	1,471,638

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

	Right of use assets - Office \$	Total \$
Year ended 30 June 2022		
Balance at the beginning of the year	1,471,638	1,643,091
Amortisation	(171,453)	(171,453)
Balance at the end of the year	1,300,185	1,471,638

	2022	2021
	\$	\$
Lease Liabilities		
Current	179,896	165,848
Non current	1,549,213	1,729,109
	1,729,109	1,894,957
The total future lease payments at the end of the reporting period are:		
not later than one year	245,822	
between one year and five years	1,316,852	
later than five years	454,083	
	2,016,757	

The amount expensed in the statement of profit or loss and other comprehensive income in relation to short term and low value leases was \$0 (2021: \$0).

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

Note 10: Trade and Other Payables

Current

Subscriptions and other contract liabilities	2,332,561	2,042,028
Accruals	23,406	23,245
Payable – Solicitors' Fidelity Fund of the Australian Capital Territory	80,410	75,139
Fair Comp Compensation Rights account	687	687
Young Lawyers funds	8,085	11,242
Trade creditors	65,540	40,887
	2,510,689	2,193,228

Note 11: Provisions

Current

Provision for annual leave	96,393	75,618
Provision for long service leave	130,961	149,084
	227,354	224,702

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

2022

\$

2021

\$

Note 12: Financial Risk Management

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

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

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

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

Financial Assets at amortised cost

Cash and cash equivalents	4	3,130,477	3,438,822
Term deposit investments	5	3,400,000	2,200,000
Trade and other receivables	6	136,063	171,200
Total Financial Assets		6,666,540	5,810,022

Financial Liabilities at amortised cost

Trade and other payables	10	2,510,689	2,193,228
Total Financial Liabilities		2,510,689	2,193,228

Net Fair Values

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

Note 13: Remuneration of Auditors

Audit of the Society's financial statements	12,275	11,900
Audit of Statutory Deposits Trust Account	2,010	1,950
Audit of Statutory Interest Account	3,420	3,315
	17,705	17,165
Audit of Solicitors' Fidelity Fund	3,420	3,315
Assistance with implementation of new accounting standards and updating of disclosures	-	1,900
Other services	11,330	2,274
	32,455	24,654

Other services relate to advice regarding the Long Service Leave Act, advice regarding superannuation and presentations at practice management workshops.

No other benefits were received by the auditors.

Notes 2022 2021
\$ \$

Note 14: Compensation Rights Account

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

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

Financial Assets at amortised cost

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

Financial Liabilities at amortised cost

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

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

Receipts		-	20
Payments		-	-
Net receipts/(payments)		-	20

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

Note 15: Related Parties

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

- / Ms E Carroll – President
- / Mr C Donohue – Immediate Past President
- / Ms F Choudhury – Vice President
- / Ms S Platis – Vice President from 23 September 2021, Councillor to 23 September 2021
- / Mx S Avery – Vice President to 23 September 2021
- / Mr G Marques – Secretary
- / Mr M Tigwell – Treasurer
- / Ms V Bedekar
- / Mr T Dingwall
- / Mr G Lee
- / Ms G Briggs – Councillor from 23 September 2021
- / Ms C Coles – Councillor from 23 September 2021
- / Mr B Hamack – Councillor from 23 September 2021
- / Ms L Quilty – Councillor from 23 September 2021
- / Ms S Milson-Mahy – From 23 September 2021
- / Mr I Temby – Councillor from 23 September 2021
- / Ms A Wescombe – Councillor from 23 September 2021
- / Mr A Tye – Councillor to 23 September 2021
- / Ms A Haggar – Councillor to 23 September 2021
- / Mr A Hill – Councillor to 23 September 2021
- / Mr K Robinson – Councillor to 23 September 2021
- / Mr D Swanson – Councillor to 23 September 2021

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

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

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

During the year the Society paid \$7,878 (2021: \$7,442) in premiums for Councillors and Officers liability insurance.

Note 16: Key Management Personnel Compensation

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

	2022	2021
	\$	\$
Total key management personnel compensation	351,163	335,454

Note 17: Events After the Balance Date

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

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

Note 18: Contingent Liabilities and Contingent Assets

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

Note 19: Legislation

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

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

Councillors' Declaration

For the year ended 30 June 2022

The Councillors declare that the financial statements and notes set out on pages 4 to 17:

- (a) comply with Australian Accounting Standards — Simplified Disclosures and other mandatory professional reporting requirements; and
- (b) present fairly the Society's financial position as at 30 June 2022 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

15 August 2022



Councillor

15 August 2022



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 2022, 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 Law Society of the Australian Capital Territory as at 30 June 2022 and of its financial performance and its cash flows for the year then ended in accordance with Australian Accounting Standards – Simplified Disclosures.

Basis for opinion

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

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

Responsibilities of the Council for the financial statements

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

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

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

Canberra Office
Level 5, 17 Moore Street
Canberra ACT 2601
GPO Box 500
Canberra ACT 2601
p +61 2 6279 5400
e mail@nexiacanberra.com.au
w nexia.com.au

Nexia Duxbury (Audit) (ABN 21 541 510 270) is a firm of Chartered Accountants. It is affiliated with, but independent from Nexia Australia Pty Ltd. Nexia Australia Pty Ltd is a member of Nexia International, a leading global network of independent accounting and consulting firms. For more information www.nexia.com.au/legal. Neither Nexia International nor Nexia Australia Pty Ltd provide services to clients.

Liability limited by a scheme approved under Professional Standards Legislation.

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, 15 August 2022



Rod Scott
Partner

STATUTORY DEPOSITS

Statutory Deposits Trust Account

Statement of Comprehensive Income

For the year ended 30 June 2022

	Notes	2022 \$	2021 \$
Revenue		-	-
Net surplus / (deficit)		-	-
Total comprehensive income for the year		-	-

Statement of Financial Position

As at 30 June 2022

Current assets

Cash and cash equivalents	2	56,176,130	29,802,499
Investments	3	80,670,700	55,200,000
Total current assets		136,846,830	85,002,499
Total assets		136,846,830	85,002,499

Current liabilities

Trade and other payables	4	136,846,830	85,002,499
Total current liabilities		136,846,830	85,002,499
Total liabilities		136,846,830	85,002,499

Net assets		-	-
-------------------	--	----------	----------

Equity

Accumulated Funds		-	-
Total equity		-	-

Statement of Changes in Equity

For the year ended 30 June 2022

	Notes	2022 \$	2021 \$
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 2022

Cash flows from investing activities

Net interest received/(transferred) to Statutory Interest Account		(37,150)	-
Proceeds from investments		32,266,450	23,200,000
Payments for investments		(57,700,000)	(46,700,000)
Net cash inflow/(outflow) from investing activities		(25,470,700)	(23,500,000)

Cash flows from financing activities

Proceeds from statutory deposits		65,646,177	33,346,832
Repayments of statutory deposits		(13,801,846)	(11,278,910)
Net cash inflow/(outflow) from financing activities		51,844,331	22,067,922

Net increase/(decrease) in cash and cash equivalents held		26,373,631	(1,432,078)
Cash and cash equivalents at the beginning of the financial year		29,802,499	31,234,577
Cash and cash equivalents at the end of the financial year	2	56,176,130	29,802,499

Notes to the Financial Statements

For the year ended 30 June 2022

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 (Simplified Disclosures of the Australian Accounting Standards Board), including Australian Accounting Interpretations, and other authoritative pronouncements of the Australian Accounting Standards Board, and the requirements of the *Legal Profession Act 2006*.

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

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) New, revised or amended accounting standards adopted

The Trust Account has adopted all of the new, revised or amended accounting standards and interpretations issued by the Australian Accounting Standards Board that are mandatory for the current reporting period.

For the year ended 30 June 2022, the Trust Account has adopted *AASB 1060 General Purpose Financial Statements – Simplified Disclosures for For-Profit and Not-for-Profit Tier 2 Entities*.

Prior to the adoption of AASB 1060, the Trust Account prepared financial statements under the Reduced Disclosure Requirements framework. The adoption of AASB 1060 has not had any material impact on the financial performance or position of the Trust Account in either the current or prior financial reporting periods. As a result, comparative information has not been restated.

The adoption of AASB 1060 has resulted in some minor disclosure changes in the financial statements.

(b) Income Tax

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

(c) 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.

(d) 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*.

(e) 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*.

(f) Financial Instruments

Initial recognition and measurement

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

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

Classification and subsequent measurement

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

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

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

Financial assets

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

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

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

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

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

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

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

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

Financial liabilities

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

Impairment of financial assets

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

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

(g) Leases

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

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

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

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

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

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

(h) Comparatives

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

Critical Accounting Estimates and Judgements

The Councillors evaluate estimates and 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 judgements used in the development of the financial statements that give rise to a significant risk of material adjustment in the future.

	Notes	2022 \$	2021 \$
Note 2: Cash and Cash Equivalents			
Cash at bank		44,976,130	18,602,499
AMP Notice Account and Saver Account		11,200,000	11,200,000
		56,176,130	29,802,499

Note 3: Investments

Term deposits*		80,670,700	55,200,000
		80,670,700	55,200,000

Note 4: Trade and Other Payables

Monies deposited by solicitors		136,846,830	85,002,499
		136,846,830	85,002,499

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 \$2,010 (2021: \$1,950) were ultimately paid by the Statutory Interest Account on behalf of the Statutory Deposits Trust Account.

Note 7: Financial Risk Management

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

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

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

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

Financial Assets at amortised cost

Cash and cash equivalents	2	56,176,130	29,802,499
Term deposit investments	3	80,670,700	55,200,000
Total Financial Assets		136,846,830	85,002,499

Financial Liabilities at amortised cost

Trade and other payables	4	136,846,830	85,002,499
Total Financial Liabilities		136,846,830	85,002,499

* A number of term deposits are held with maturities of 6 to 19 months from the date of deposit.

Net Fair Values

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

Note 8: Contingent Liabilities and Contingent Assets

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

Note 9: Events After the Balance Date

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

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

Councillors' Declaration

For the year ended 30 June 2022

The Councillors declare that the financial statements and notes set out on pages 20 to 25:

- (a) comply with Australian Accounting Standards — Simplified Disclosures and other mandatory professional reporting requirements; and
- (b) present fairly the Trust Account's financial position as at 30 June 2022 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 Trust Account 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

15 August 2022



Councillor

15 August 2022



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 2022, 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 Law Society of the Australian Capital Territory Statutory Deposits Trust Account as at 30 June 2022 and of its financial performance and its cash flows for the year then ended in accordance with Australian Accounting Standards – Simplified Disclosures.

Basis for opinion

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

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

Responsibilities of the Council for the financial statements

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

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

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

Canberra Office
Level 5, 17 Moore Street
Canberra ACT 2601
GPO Box 500
Canberra ACT 2601
p +61 2 6279 5400
e mail@nexiacanberra.com.au
w nexia.com.au

Nexia Duesbery's (Audit) (ABN 21 641 510 270) is a firm of Chartered Accountants. It is affiliated with, but independent from Nexia Australia Pty Ltd. Nexia Australia Pty Ltd is a member of Nexia International, a leading global network of independent accounting and consulting firms. For more information www.nexia.com.au/legal. Neither Nexia International nor Nexia Australia Pty Ltd provide services to clients.

Liability limited by a scheme approved under Professional Standards Legislation.

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, 15 August 2022



Rod Scott
Partner

STATUTORY INTEREST

The Statutory Interest Account

Statement of Comprehensive Income

For the year ended 30 June 2022

	Notes	2022 \$	2021 \$
Revenue	2	967,762	1,300,687
Expenses			
Law Society of the Australian Capital Territory - reimbursement of administration expenses		(73,584)	(76,944)
Disciplinary legal costs and other legal costs		(830,980)	(804,861)
Legal Advice Bureau operating costs		-	(32,020)
Professional Standards Office costs		(122,941)	(121,934)
Surplus before any disbursements	9	(59,743)	264,928
Proposed disbursements under s253	9	-	(220,481)
Surplus/(deficit) for the year		(59,743)	44,447
Total comprehensive income		(59,743)	44,447

Statement of Financial Position

As at 30 June 2022

	Notes	2022 \$	2021 \$
Current assets			
Cash and cash equivalents	3	920,308	1,003,333
Investments	4	653,934	1,150,034
Trade and other receivables	5	343,515	265,878
Total current assets		1,917,757	2,419,245
Non-current assets			
Other receivables	5	-	-
Total assets		1,917,757	2,419,245
Current liabilities			
Trade and other payables	6	246,707	267,971
Provisions	7	-	420,481
Total current liabilities		246,707	688,452
Total non-current liabilities		-	-
Total liabilities		246,707	688,452
Net assets		1,671,050	1,730,793
Equity			
Accumulated funds		1,671,050	1,730,793
Total equity		1,671,050	1,730,793

Statement of Changes in Equity

For the year ended 30 June 2022

Accumulated funds			
Balance at the beginning of the financial year		1,730,793	1,686,346
Surplus/(deficit) for the year		(59,743)	44,447
Balance at the end of the financial year		1,671,050	1,730,793

Statement of Cash Flows

For the year ended 30 June 2022

	Notes	2022 \$	2021 \$
Cash flows from operating activities			
Recovered disciplinary legal costs and fines imposed		224,659	733,213
Miscellaneous receipts & GST refunds		128,230	188,708
Disbursements and other operating payments		(1,175,665)	(1,153,197)
Interest		664,132	861,906
Net cash inflow/(outflow) from operating activities		(158,644)	630,630
Cash flows from investing activities			
Payments for investments		(500,000)	(650,034)
Receipts from investments		996,100	650,000
Net cash inflow/(outflow) from investing activities		496,100	(34)
Cash flows from financing activities			
Section 253 disbursements	8	(420,481)	(1,360,147)
Net cash inflow/(outflow) from financing activities		(420,481)	(1,360,147)
Net increase/(decrease) in cash and cash equivalents held		(83,025)	(729,551)
Cash and cash equivalents at the beginning of the financial year		1,003,333	1,732,884
Cash and cash equivalents at the end of the financial year	3	920,308	1,003,333

Notes to the Financial Statements

For the year ended 30 June 2022

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, incorporated and 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 (Simplified Disclosures of the Australian Accounting Standards Board), including Australian Accounting Interpretations, and other authoritative pronouncements of the Australian Accounting Standards Board, and the requirements of the *Legal Profession Act 2006*.

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

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) New, revised or amended accounting standards adopted

The Account has adopted all of the new, revised or amended accounting standards and interpretations issued by the Australian Accounting Standards Board that are mandatory for the current reporting period.

For the year ended 30 June 2022, the Account has adopted *AASB 1060 General Purpose Financial Statements – Simplified Disclosures for For-Profit and Not-for-Profit Tier 2 Entities*.

Prior to the adoption of AASB 1060, the Account prepared financial statements under the Reduced Disclosure Requirements framework. The adoption of AASB 1060 has not had any material impact on the financial performance or position of the Account in either the current or prior financial reporting periods. As a result, comparative information has not been restated.

The adoption of AASB 1060 has resulted in some minor disclosure changes in the financial statements.

(b) Income Tax

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

(c) 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.

(d) Investments

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

(e) Revenue Recognition

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

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

Timing of Revenue Recognition

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

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

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

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

Interest Revenue

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

Recovered disciplinary costs and fines

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

(f) Financial Instruments

Initial recognition and measurement

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

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

Classification and subsequent measurement

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

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

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

Financial assets

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

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

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

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

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

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

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

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

Financial liabilities

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

Impairment of financial assets

The entity recognises a loss allowance for expected credit losses on financial assets that are measured at amortised cost or at

FVTOCI. No impairment loss is recognised for investments in equity instruments. The amount of expected credit losses is updated at each reporting date to reflect changes in credit risk since initial recognition of the respective financial asset.

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

(g) 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.

(h) Leases

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

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

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

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

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

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

(i) 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.

	2022 \$	2021 \$
Note 2: Revenue		
Revenue from contracts with customers		
Recovered disciplinary costs and fines	180,213	581,289
Represented by:		
Revenue recognised at a point in time	180,213	581,289
Revenue recognised over time	-	-
	180,213	581,289
Other income		
Interest on investments by the Statutory Interest Account	6,430	11,441
Interest on investments by the Statutory Deposits Account	594,834	576,965
Interest on Solicitors' Trust Accounts	186,285	130,992
	787,549	719,398
Total Revenue and Other income	967,762	1,300,687

Note 3: Cash and Cash Equivalents

Cash at bank	920,308	1,003,333
---------------------	----------------	------------------

Note 4: Investments

Term deposits*	653,934	1,150,034
	653,934	1,150,034

* Term deposits were held with maturities of up to 18 months from the date of deposit.

	2022 \$	2021 \$
Note 5: Trade and Other Receivables		
Current		
Accrued interest		
Investments	210,469	166,675
Solicitors' Trust Accounts	63,163	8,279
Other	35,538	10,799
	309,170	185,753
Debtors	38,141	110,094
Provision for doubtful debts	(38,141)	(65,648)
Prepayments	1,174	1,131
GST receivable	33,171	34,548
	34,345	80,125
	343,515	265,878
Non-current		
Debtors	167,386	186,570
Provision for doubtful debts	(167,386)	(186,570)
	-	-
	343,515	265,878

Note 6: Trade And Other Payables

Sundry creditors and accruals	246,707	267,971
--------------------------------------	----------------	----------------

Note 7: Provisions — Current

Proposed disbursements*	-	420,481
--------------------------------	---	----------------

* The Account invited submissions for disbursements from the Statutory Interest Account under s253(4) of the *Legal Profession Act 2006* in 2021.

2022

\$

2021

\$

Note 8: Disbursements

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

Canberra Community Law	41,837	128,567
Care Inc (Consumer Law)	11,772	36,179
Environmental Defender's Office	11,772	36,179
Legal Aid Commission (ACT)	313,263	962,648
Women's Legal Centre	41,837	128,567
	420,481	1,292,140

Disbursement to the Solicitor's Fidelity Fund	-	68,007
	420,481	1,360,147

Note 9: Proposed Disbursements under s253

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

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

Within one year	38,140	110,094
Later than one year	167,386	186,570

Possible disbursements under s253 are calculated as follows:

Surplus/(deficit) before disbursements	(59,743)	264,928
Add prior year revenue amounts received in the current year	44,447	-
Less amounts recognised in revenue to be received in future years	-	(44,447)
	(15,296)	220,481

Proposed disbursements under s253*	-	220,481
---	----------	----------------

Due to the lack of significant funds available for disbursement, there are no proposed disbursements under s253 from the 2022 year. Council will consider disbursements in future years when there are significant funds available to be disbursed.

Note 10: Financial Risk Management

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

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

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

2022
\$

2021
\$

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

Financial Assets at Amortised Cost

Cash and cash equivalents	3	920,308	1,003,333
Term deposit investments	4	653,934	1,150,034
Trade and other receivables	5	310,344	231,330
Total Financial Assets		1,884,586	2,384,697

Financial Liabilities at Amortised Cost

Trade and other payables	6	246,707	267,971
Provision – proposed disbursements	7	-	420,481
Total Financial Liabilities		246,707	688,452

Net Fair Values

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

Note 11: Contingent Assets

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

Note 12: Contingent Liabilities

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

Note 13: Legislation

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

Note 14: Remuneration of Auditors

Audit fees of \$3,420 (2021: \$3,315) were ultimately paid by the Statutory Interest Account.

Note 15: Events After the Balance Date

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

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

Councillors' Declaration

For the year ended 30 June 2022

The Councillors declare that the financial statements and notes set out on pages 28 to 36:

- (a) comply with Australian Accounting Standards – Simplified Disclosures and other mandatory professional reporting requirements; and
- (b) present fairly the Account's financial position as at 30 June 2022 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 Account 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

15 August 2022



Councillor

15 August 2022



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 2022, 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 2022 and of its financial performance and its cash flows for the year then ended in accordance with Australian Accounting Standards – Simplified Disclosures.

Basis for opinion

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

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

Responsibilities of the Council for the financial statements

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

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

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

Canberra Office
Level 5, 17 Moore Street
Canberra ACT 2601
GPO Box 500
Canberra ACT 2601
p +61 2 6279 5400
e mail@nexiacanberra.com.au
w nexia.com.au

Nexia Duesbery's (Audit) (ABN 21 641 510 270) is a firm of Chartered Accountants. It is affiliated with, but independent from Nexia Australia Pty Ltd. Nexia Australia Pty Ltd is a member of Nexia International, a leading global network of independent accounting and consulting firms. For more information www.nexia.com.au/legal. Neither Nexia International nor Nexia Australia Pty Ltd provide services to clients.

Liability limited by a scheme approved under Professional Standards Legislation.

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, 15 August 2022



Rod Scott
Partner

FIDELITY FUND

The Solicitors' Fidelity Fund of the ACT

Statement of Comprehensive Income

For the year ended 30 June 2022

	Notes	2022 \$	2021 \$
Revenue	2	122,188	210,789
Audit fees		(3,420)	(3,315)
Administration expenses		(48,869)	(52,640)
Consultancy/Professional advice		(8,415)	-
Investigations, examinations, supervisor and managers' costs		(37,223)	(39,510)
Random inspections expenses		(124,630)	(134,975)
Surplus/(deficit) for the year		(100,369)	(19,651)
Total comprehensive income for the year		(100,369)	(19,651)

Statement of Financial Position

As at 30 June 2022

	Notes	2022 \$	2021 \$
Current assets			
Cash and cash equivalents	3	1,993,291	1,854,265
Investments	4	3,490,000	3,635,000
Trade and other receivables	5	117,272	162,242
Total current assets		5,600,563	5,651,507
Total assets		5,600,563	5,651,507
Current liabilities			
Trade and other payables	6	136,968	87,543
Total current liabilities		136,968	87,543
Total liabilities		136,968	87,543
Net assets		5,463,595	5,563,964
Equity			
Accumulated funds		5,463,595	5,563,964
Total equity		5,463,595	5,563,964

Statement of Changes in Equity

For the year ended 30 June 2022

	Notes	2022 \$	2021 \$
Accumulated Funds			
Balance at the beginning of the financial year		5,563,964	5,583,615
Total comprehensive income for the year		(100,369)	(19,651)
Balance at the end of the financial year		5,463,595	5,563,964

Statement of Cash Flows

For the year ended 30 June 2022

Cash flows from operating activities			
Receipts from contributions		78,187	142,094
Recoveries & GST refunds		84,312	101,223
Payments to suppliers and others		(189,736)	(263,261)
Interest received		21,263	64,515
Net cash inflow/(outflow) from operating activities		(5,974)	44,571
Cash flows from investing activities			
Payments for investments		(1,990,000)	(1,150,000)
Proceeds from investments		2,135,000	2,425,000
Net cash inflow/(outflow) from investing activities		145,000	1,275,000
Net increase/ (decrease) in cash and cash equivalents held		139,026	1,319,571
Cash and cash equivalents at the beginning of the financial year		1,854,265	534,694
Cash and cash equivalents at the end of the financial year	3	1,993,291	1,854,265

Notes to the Financial Statements

For the year ended 30 June 2022

Note 1: Summary of Significant Accounting Policies

The Solicitor's Fidelity Fund (the Fund) of the Australian Capital Territory is a statutory body incorporated and domiciled 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 (Simplified Disclosures of the Australian Accounting Standards Board), including Australian Accounting Interpretations, and other authoritative pronouncements of the Australian Accounting Standards Board, and the requirements of the *Legal Profession Act 2006*.

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

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) New, revised or amended accounting standards adopted

The Fund has adopted all of the new, revised or amended accounting standards and interpretations issued by the Australian Accounting Standards Board that are mandatory for the current reporting period.

For the year ended 30 June 2022, the Fund has adopted *AASB 1060 General Purpose Financial Statements – Simplified Disclosures for For-Profit and Not-for-Profit Tier 2 Entities*.

Prior to the adoption of AASB 1060, the Fund prepared financial statements under the Reduced Disclosure Requirements framework. The adoption of AASB 1060 has not had any material impact on the financial performance or position of the Fund in either the current or prior financial reporting periods. As a result, comparative information has not been restated.

The adoption of AASB 1060 has resulted in some minor disclosure changes in the financial statements.

(b) Income Tax

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

(c) 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.

(d) Revenue Recognition

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

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

Timing of Revenue Recognition

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

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

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

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

Contributions

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

Interest Revenue

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

Recovered Investigation/management costs

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

(e) 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.

(f) Financial Instruments

Initial recognition and measurement

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

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

Classification and subsequent measurement

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

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

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

Financial assets

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

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

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

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

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

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

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

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

Financial liabilities

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

Impairment of financial assets

The entity recognises a loss allowance for expected credit losses on financial assets that are measured at amortised cost or at FVTOCI. No impairment loss is recognised for investments in

equity instruments. The amount of expected credit losses is updated at each reporting date to reflect changes in credit risk since initial recognition of the respective financial asset.

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

(g) 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.

(h) Leases

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

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

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

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

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

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

(i) 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.

	2022 \$	2021 \$
Note 2: Revenue		
Revenue from contracts with customers		
Contributions from levies	78,187	74,087
Recovery of investigations/management, supervisor costs and doubtful debt recovery	8,554	14,925
	86,741	89,012
Represented by:		
Revenue recognised at a point in time	86,741	89,012
Revenue recognised over time	-	-
	86,741	89,012
Other income		
Interest on investments	35,447	53,770
Distribution from the Statutory Interest Account	-	68,007
	35,447	121,777
Total Revenue and Other income	122,188	210,789

Note 3: Cash and cash equivalents

Cash at bank	592,338	450,832
AMP Notice account	1,400,953	1,403,433
	1,993,291	1,854,265

Note 4: Investments

Term deposits*	3,490,000	3,635,000
	3,490,000	3,635,000

Note 5: Trade and other receivables

Trade debtors - The Law Society of the Australian Capital Territory	80,410	75,139
Trade debtors - other	18,880	129,684
Provision for doubtful debts	-	(46,379)
Accrued interest	17,982	3,798
	117,272	162,242

* A number of term deposits are held with maturities of 6 to 14 months from the date of deposit.

2022
\$

2021
\$

Note 6: Trade and other payables

Trade creditors and accruals	56,558	12,404
Contributions received in advance	80,410	75,139
	136,968	87,543

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	3,420	3,315
Conduct of random inspections	51,590	41,010
	55,010	44,325

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 \$34,900 on profit and equity.

A previous actuarial assessment of the Fund noted that the level of exposure to risk had increased due to the substantial increase in trust monies held in the ACT by law firms. The recommendation in 2017 was that the prudential optimal size of the Fund should be between \$5.5m and \$6.0m. A further assessment of the Fund is currently underway and it is expected that there will be a recommendation that the Society endeavour to further increase the Fund balance, given the substantial increase in trust monies held in the ACT.

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

Financial Assets at amortised cost

Cash and cash equivalents	3	1,993,291	1,854,265
Term deposit investments	4	3,490,000	3,635,000
Trade and other receivables	5	117,272	162,242
Total Financial Assets		5,600,563	5,651,507

Financial Liabilities at amortised cost

Trade and other payables	6	136,968	87,543
Total Financial Liabilities		136,968	87,543

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 2022

The Councillors declare that the financial statements and notes set out on pages 40 to 47:

- (a) comply with Australian Accounting Standards — Simplified Disclosures and other mandatory professional reporting requirements; and
- (b) present fairly the Fund's financial position as at 30 June 2022 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 Fund 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

15 August 2022



Councillor

15 August 2022



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 2022, 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 2022 and of its financial performance and its cash flows for the year then ended in accordance with Australian Accounting Standards – Simplified Disclosures.

Basis for opinion

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

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

Responsibilities of the Council for the financial statements

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

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

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

Canberra Office
Level 5, 17 Moore Street
Canberra ACT 2601
GPO Box 500
Canberra ACT 2601
p +61 2 6279 5400
e mail@nexiacanberra.com.au
w nexia.com.au

Nexia Duesbery's (Audit) (ABN 21 641 510 270) is a firm of Chartered Accountants. It is affiliated with, but independent from Nexia Australia Pty Ltd. Nexia Australia Pty Ltd is a member of Nexia International, a leading global network of independent accounting and consulting firms. For more information www.nexia.com.au/legal. Neither Nexia International nor Nexia Australia Pty Ltd provide services to clients.

Liability limited by a scheme approved under Professional Standards Legislation.

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, 15 August 2022



Rod Scott
Partner



THE LAW SOCIETY OF THE AUSTRALIAN CAPITAL TERRITORY

A MEMBER OF THE LAW COUNCIL OF AUSTRALIA

ABN 60 181 327 029

02 6274 0300 | MAIL@ACTLAWSOCIETY.ASN.AU

WWW.ACTLAWSOCIETY.ASN.AU