

ACT
LAW
SOCIETY
**ANNUAL
REPORT**
2017-18

ANNUAL REPORT

act**law**society

ART

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PRESIDENT'S REPORT



2017-18 has again been a busy year for the Society and legal practitioners in the ACT

During my second (and final) term as President, I continued to focus on enhancing the standing of lawyers in the broader community, and on the connected goals of collegiality and wellbeing within the ACT legal profession. I continued to advocate on your behalf, to highlight what you can be proud of, and to build bridges to connect our diverse practitioners with each other and with the broader community.

With these goals in mind, the Society has run or participated in a range of activities throughout the financial year, including informal Fresh Air and Sunshine Walks, quarterly members' lunches, other social functions, and the launch of the ACT Law Society's Reflect Reconciliation Action Plan (RAP).

Community events

The Society has continued to engage with the broader community.

Our committees participated in community events (such as the Law Week Wills Day), and we were pleased to provide support to a local charity for the year, ADACAS (the ACT Disability, Aged and Carer Advocacy Service). The Society also continues to build the funds in the Law Society Foundation.

This is on top of the untold hours spent by firms and individual practitioners, as well as other members of the legal community, who have attended events such as Fair Day and other open days, and who have run events like trivia nights and golf days to raise funds for deserving causes.

Pro bono work

I acknowledge with pride and gratitude the considerable pro bono work of so many of our ACT legal practitioners. The Society relies on the generous support of its members to conduct its Legal Assistance Bureau and its Pro Bono Clearing House. Together, these initiatives have assisted over a thousand people this year alone.

In addition, the Society recognises that so many of our practitioners and firms perform pro bono work

independently or through local groups. Your support of the ideal of access to justice is greatly appreciated.

Law reform

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

This year, we have made submissions in relation to a range of issues including tendency and coincidence law, combat immunity, compulsory third party insurance and its impacts on injured people, and sexual offences. We also contributed to the ALRC's report *Pathways to Justice—Inquiry into the Incarceration Rate of Aboriginal and Torres Strait Islander Peoples* (ALRC Report 133). This is just a very small snapshot of the submissions that the Society has made for the betterment of the profession and the community.

The Family Law Committee is presently in the thick of the Commonwealth Government's family law reform project. We thank them for their tenacity and recognise that this is going to be an uncertain period for family law practitioners. We invite any member who feels under pressure or stress to contact the Law Society's EAP provider Acacia (phone 1300 364 273) or to contact a Members Advisor for some pastoral assistance.

Continuing Professional Development

CPD continues to be a focus of the Society as we ensure that we make a variety of quality seminars and presentations available to our members. We conducted 38 CPD events over the year, including the annual two-day intensive. The Elder Law conference and Government Law afternoons were again very popular. Members' feedback during my visits to firms was that you would like more technical, black-letter CPD sessions, and we are aiming to deliver.

Again, we are grateful to the many practitioners who happily share their expertise and participate in our CPD program as presenters. If you would like to be a presenter or suggest a topic, please contact us.

Our Courts

This year we also saw some changes in our Courts. We were honoured to host a farewell dinner for the Hon Hilary Penfold. This well-attended event enabled the profession to express their high regard for the first woman appointed to the role of Resident Judge of the ACT Supreme Court.

We were also pleased to welcome the Hon Justice Chrissa Lukas-Karlsson to the ACT Supreme Court.

We were also very pleased to welcome local solicitor and Law Society member Louise Taylor to the bench of the ACT Magistrates Court.

Thank you

I would like to thank the Immediate Past President, Martin Hockridge, for his tireless work for the Society over his three-year term as President and his two-year term as Immediate Past President (as well as his many years as Councillor and Vice President).

In addition, I acknowledge the invaluable assistance and the hard work of the members of the Executive and the Council. It is not easy to make decisions about discipline, and I thank you for your dedication to the good governance of the Law Society and in maintaining the good reputation of our profession. I also thank you for ensuring that as best we can, the Council tempers protection of the public with mercy for our members.

On behalf of the Law Society, I thank Louise Vardanega PSM, who has been a constant and steady hand on the Executive in the position of Secretary, a role she has held for 25 years. Louise Vardanega is stepping out of the role after September 2018 and I could not let her immense contribution go unacknowledged.

I would also like to record my sincere thanks to the Law Society secretariat staff for their hard work and dedication throughout the year. I will certainly miss them, and I will miss interacting with you.

Sarah Avery
PRESIDENT

TREASURER'S REPORT



I am pleased to present the Annual Report on the Society's Accounts for 2017-18.

Overview of accounts

General Account

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

Statutory Deposits Trust Account

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

Statutory Interest Account

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

Solicitors' Fidelity Fund

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

General Account

The General Account recorded a surplus of \$414,690 which increased the Society's accumulated funds to \$2,551,743 as at 30 June 2018.

The favourable result was higher than budgeted predominantly due to the Society's increasing membership numbers and higher than budgeted revenue from CPD seminars, practice management

course income and sales of residential contracts. There were a number of budgeted expenses not finalised in 2017-18 which also contributed to the higher surplus.

The Society is expecting to record a surplus for the 2018-19 financial year.

Statutory Deposits Trust Account

Total deposits at 30 June 2018 amounted to \$48,781,077 which is a substantial increase of 45.5% on deposits held in the previous year. This follows an increase from the year prior of 24.5%, indicating that balances held in solicitor trust accounts continue to grow.

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

Statutory Interest Account

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

The revenue received of \$2,797,662 was an increase of approximately 3.6% on the previous year. Although interest rates remain low, balances held in solicitor trust accounts from which the Society earns interest continue to remain at higher levels than previous years which resulted in an increase of interest received. Also, the greater amount of deposits held in the Statutory Deposits Account have contributed to an increase in revenue on those investments.

This year there was a substantial decrease in the amount incurred by the Society for disciplinary

expenses. The decrease can be attributed to changes made in the disciplinary processes along with the finalisation of some long running matters.

For the 2017-18 financial year Council agreed that \$1,477,000 will be disbursed. An amount will be allocated towards grants to the Legal Aid Commission and other community legal aid organisations. It is also intended that part of the disbursement will be paid to the Fidelity Fund as it has failed to increase in line with the increased balances held in solicitor trust accounts, meaning a greater exposure to risk. After the full disbursement, the Statutory Interest Account remains in a break-even position.

Solicitors' Fidelity Fund

The accumulated funds of the Fidelity Fund increased by approximately 4.5% to a total of \$5,441,079 as at 30 June 2018. This increase is predominantly due to the disbursement of \$233,400 paid out of the Statutory Interest Account from the 2016-17 financial year.

The Fidelity Fund continued to outlay significant costs for management appointments. Some of these costs were recovered in 2017-18 and the Society expects that a further recovery of costs will be received in 2018-19.

Following an actuarial assessment of the Fidelity Fund in 2017 it was determined that the Fidelity Fund balance should increase. With higher balances held in solicitor trust accounts, along with the increase in law firm numbers and employee numbers, there is a need to cover the greater exposure to risk and the current balance is lower than the prudential optimal size. The increase will continue to be addressed by Council on an annual basis.

Vik Sundar
TREASURER

CORPORATE OVERVIEW

Role of the Law Society

The objects of the Society are:

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

Governance

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

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

Executive

President — Sarah Avery

Sarah's election was first declared at the Society's AGM on Thursday 22 September 2016. She is a lawyer with ten years' experience practising in the ACT. Sarah has assisted clients with personal injury claims, other civil issues, and criminal matters. She has also represented specialised professional indemnity insurers, and has a keen interest in assisting professionals (including lawyers) facing occupational discipline proceedings and negligence claims. Admitted in 2007, Sarah has been engaged with people across the whole of the legal community and the ACT community. She was appointed senior Vice-President of the Law Society in 2015. Sarah served as a member of the Law Society Council during 2009-12, and has also been a member of the Criminal Law Committee, the Pro-Bono Clearing House Panel, the Legal Aid Review Panel, the Functions and Law Week Committee, and the Legal Profession Act & Ethics Committee. She has also been a mentor in the Young Lawyers Mentor Program and the Out for Australia Mentor Program.

Vice President — Craig Painter

Craig has worked as a litigator in the civil and commercial law areas and now in commercial advice and estate planning. He has practiced at a range of local firms but is now the Principal at McSpeddenHarvey Lawyers. Craig also tutors at the ANU. He has been a member of the Council for the past four years and Vice-President for two, was a member of the ACT branch committee of the Australian Lawyers Alliance, and has assisted in the Legal Advice Bureau and participated in Mock Trials.

Vice President — Peter Cain

Peter was admitted in 2002, and is currently the Manager of Objections and Appeals, ACT Revenue Management at the ACT Chief Minister, Treasury & Economic Development Directorate. He was elected as Vice President in 2016. He has been a member of the Government Law Committee since July 2009, and from the beginning of 2014 has held the position of Chair. He is a mentor in the Young Lawyers' Mentor Program, and a member of the Papers Committee for the 2019 National Access to Justice and Pro Bono Conference.

Secretary — Louise Vardanega PSM

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

Treasurer — Vik Sundar

Vik Sundar is the Managing Director of Law at Evans Dixon, an ASX listed company, practising in taxation, private business restructuring, stamp duty, and estate



planning. He was admitted in 2010 after graduating from the ANU in 2008 with a Juris Doctor and has previously worked as the managing director of Chamberlains Law Firm. He has served as a Councillor and as the Treasurer of the ACT Law Society since 2014.

Immediate Past President — Martin Hockridge

Martin Hockridge was President of the Law Society for three years. He was admitted to practice in 1982. Prior to becoming President, he was employed in various capacities at the Legal Aid Commission of the ACT. He worked primarily as a lawyer in the criminal defence area, but also undertook family law and civil litigation. He was for many years the solicitor in charge of the Criminal Law Practice. In 2007 he was appointed to the position of Deputy Chief Executive Officer where he remained until July 2013. His particular interests are access to justice, criminal law, and human rights. Martin is a member of the ACT Legal Practitioners Admission Board and the ACT Law Reform Advisory Council. He is Chair of the Society's Pro Bono Clearinghouse Management Committee. He is on the ANU Legal Workshop Management Committee. He has been on the Council of the Law Society for 13 years, including serving as Vice President for four years and Immediate Past President for two years, and has served on the Criminal Law Committee (for several years as Chair), the Access to Justice Committee, the Complaints Committee, the Mental Health Committee and various other ad hoc committees. While President he was a Director of the Law Council of Australia. He has also been a member of the Law Council of Australia's Criminal Law Liaison Committee, the ACT Criminal Law Consultative Committee, and was invited to participate in the SCAG Criminal Trial Reform process.

Council-Appointed Member — George Marques

George has served on the Council for the last four years and has been elected to the Executive for the preceding two years. He is a partner of HWL Ebsworth Lawyers and is the joint office leader in Canberra. He has over 30 years' experience providing commercial legal advice to public and private companies, Commonwealth and State governments and not-for-profit organisations. Since 2011, George has been recognised in the 'Best Lawyers®' as one of Australia's leading lawyers in a range of fields including corporate governance, commercial law and real property. In 2013 and 2018 he was listed in 'BestLawyers®' as Canberra's 'Commercial Lawyer of the Year'.

Councillors

- / Sarah Avery (President)
- / Peter Cain (Vice President from 22 September 2017, General Councillor to 22 September 2017)
- / Chris Donohue (Vice President to 22 September 2017)
- / Craig Painter (Vice President)

- / Louise Vardanega PSM (Secretary)
- / Vik Sundar (Treasurer)
- / Martin Hockridge (Immediate Past President)
- / Valerie Bradley (to 11 December 2017)
- / Agnus Bucknell (to 22 September 2017)
- / Matthew Carmody (from 22 September 2017)
- / Martin Carrick (from 22 September 2017)
- / Elizabeth Carroll (from 22 September 2017)
- / Catherine Coles (to 22 September 2017)
- / Chase Deans (from 19 December 2017)
- / Amy Eager (to 22 September 2017)
- / Paul Edmonds (from 22 September 2017)
- / Roger Hambly (to 22 September 2017)
- / Sama Khan (from 22 September 2017)
- / Gavin Lee
- / Sage Leslie (from 22 September 2017)
- / George Marques
- / Bronwyn McNeil (to 22 September 2017)
- / Susan Platis (from 22 September 2017)
- / Phil Schubert (to 22 September 2017)

Council-appointed observers

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

Committees

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

The Law Society operates the following committees:

Access to Justice & Human Rights

Chaired by Walter Hawkins

Civil Litigation

Chaired by Richard Faulks

Criminal Law

Chaired by Michael Kukulies-Smith

Elder Law & Succession Law

Chaired by Rebecca Tetlow (on maternity leave) and Emma Bragg (Acting Chair)

Family Law

Chaired by Di Simpson

Functions & Law Week

Chaired by David Metcalf

Government Law

Chaired by Peter Cain

Inclusion & Diversity

Chaired by Ranjini Nayager

Industrial Relations

Chaired by John Wilson

International Lawyers

Chaired by Ilona Krolkowska (up to June 2018) and Lynette Molloy (from June 2018)

Legal Professional Act & Ethics

Chaired by Michael Phelps

Military Law

Chaired by James King

Practice Management

Chaired by Bill Baker

Professional Conduct

Chaired by Ross Reid

Property Law

Chaired by Adam Peppinck

Young Lawyers

Chaired by Lisa Sherman

Secretariat

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

Chief Executive Officer

Dianne O'Hara

Professional Standards Manager

Rob Reis

Finance & Business Services Manager

Lea McLean

Executive Secretary

Debbie Sims

Professional Development Officer

Margaret Ryan (to December 2017)

Research Officer

Natasha Del Piero

Communications Officer

Nicole Karman

Committee Administrator

Tanya Holt

Complaints Committee Secretary

Linda Mackay

Bookkeeper

Kathleen Lui

Receptionist & LAB Administrator

Robyn Guilfoyle

Administrative Support

Nicole Crossley

Elaine Gray

CPD Support

Bwalya Chifuntwe

Tien Pham

Claudia Silano-Malouf

Sponsors

CPD Program

legalsuper

***Ethos* quarterly magazine**

Nexia Australia

***Hearsay* fortnightly e-newsletter**

The College of Law

Event Partner

ANU College of Law

Members Lunches

Nexia Australia

Arthur J Gallagher

Annual Dinner

Vincent's

Arthur J Gallagher

Principal Law Week sponsor

LawCover

Individual event sponsors

Australian Government Solicitor

Chamberlains Law Firm

Clayton Utz

DFAT

Hays Legal

HWL Ebsworth

Moray & Agnew

Proximity

TIMG

Yeend & Associates

COMMUNITY

Legal Advice Bureau

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

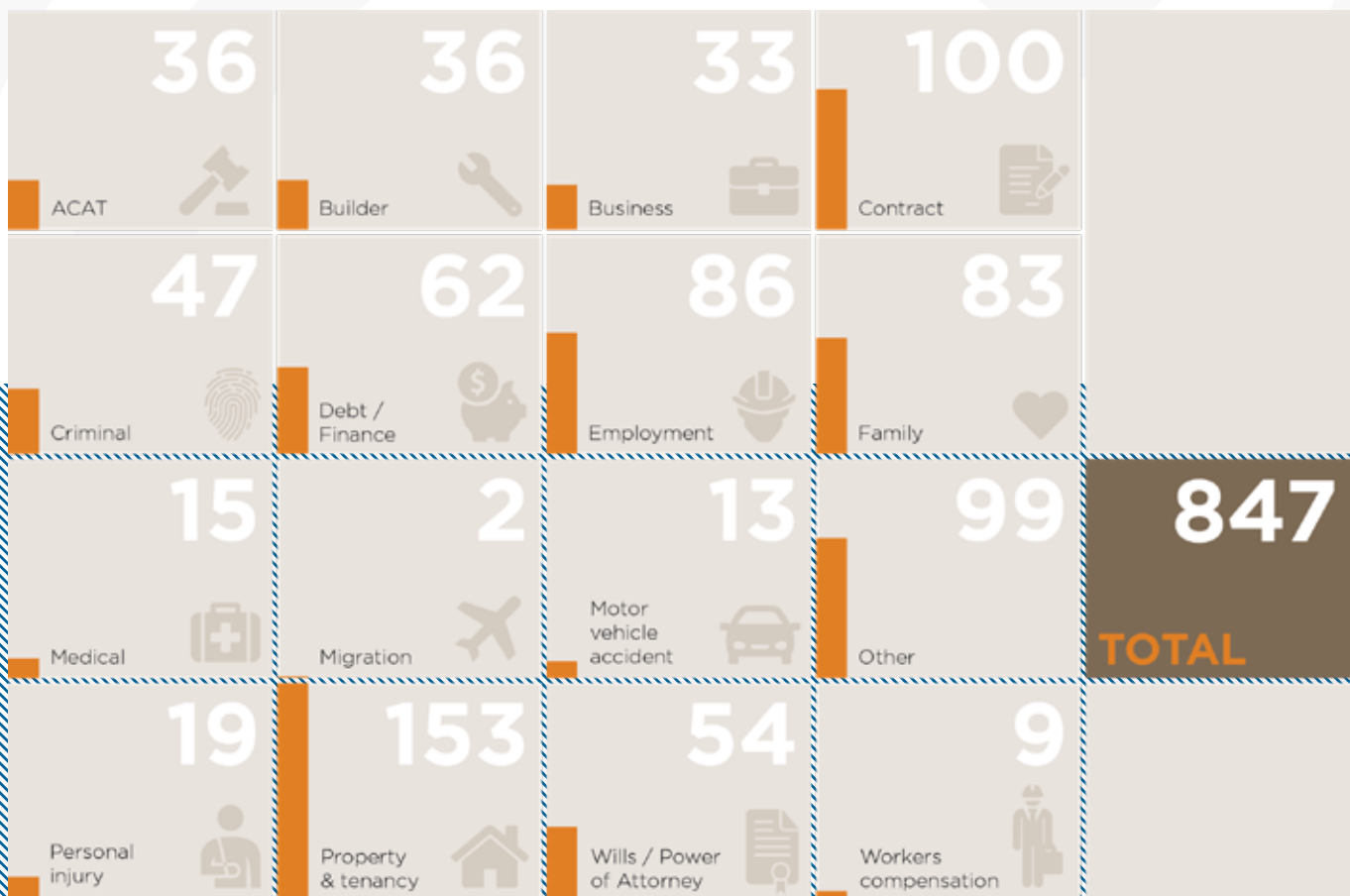
LAB volunteers see more than a thousand clients every year, and give advice on issues such as family law, criminal law, debt, personal injury, tenancy issues, motor vehicle accidents, employment law, workers compensation, migration law, and contract law. The volunteer work at the LAB represents around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

Legal matters covered by LAB

In the 2017-18 financial year, LAB saw 847 clients.

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

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



Pro Bono Clearing House

The Law Society also provides legal assistance through the Pro Bono Clearing House (PBCH) to disadvantaged people who are otherwise unable to secure a lawyer. The Clearing House is a 'last resort' for legal help after all other avenues for assistance have been exhausted.

The Clearing House accepts applications in two types of matters: 'public interest' law matters that affect a significant number of people or that raise a matter of broad public concern; and 'private interest' law matters that have a reasonable prospect of success.

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

PBCH Management Committee report

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

For the period 1 July 2017 to 30 June 2018, 95 applications were received, 27 more than during the previous financial year. 89 were from individuals and six from organisations. Of the 95 applications, 49 were successfully referred out to firms; 43 were unsuccessful and three require more information before further consideration.

The secondee system

The PBCH is assisted by a rotating 'operational secondee', a lawyer from a Canberra law firm or government agency who spends approximately three months working with the PBCH. Their primary role is to meet with potential applicants, assist them with preparing their PBCH application, provide a summary report to the panel and attend panel meetings. Over the 2017-18 period, Operational Secondees have been provided by McInnes Wilson, Sparke Helmore, Proximity, Minter Ellison, and Meyer Vandenberg.

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

2017-18 snapshot

During the course of the year the PBCH has been averaging four applications per week with the last couple of months four or five applications per week.

This year the Operational Secondees and the PBCH was assisted by Hansika Chopra, a student undertaking the clinical legal course — Public Interest Law at the College of Law, ANU. The ANU course is designed to provide students who have a commitment to working in social justice, opportunities to discover the range of settings in which public interest work is carried out. Hansika was with the PBCH for six weeks. Following that successful placement, the PBCH will be taking on another student.

I would like to thank the following firms for accepting referrals from the PBCH: Minter Ellison, John O'Keefe, King & Wood Mallesons, Chamberlains, Harris Wake, Johannessen Legal, Maddocks, Elringtons, JR Baker (Law) Capital Lawyers, KJB Law, HWL Ebsworth, Lexicon Lawyers, Sean Kikkert, Frank Wilson, Darryl Perkins, Bradley Allen Love, Meyer Vandenberg, Matt O'Brien, David Lander, Blumers Personal Injury Lawyers, Clayton Utz, Sharman Robinson Lawyers, Just Law, Chamberlains and Minter Ellison.

I would also like to thank all the Operational Secondees for the 2017-18 year: Eric Goonetilleke (McInnes Wilson), Dorea Ho and Alice Bolt (Sparke Helmore), Caitlin Morgan (Proximity) and Tristan Dimmock (Minter Ellison). Madeline Ness and Nicholas Scotton (Meyer Vandenberg) have started off the 2018-19 financial year. Also, a big thank you to all the Assessment Panel Members for volunteering their time to the PBCH. Without the support of the firms and individuals the Pro Bono Clearing House would not be able to operate. I also take the opportunity to thank Debbie Sims at the Law Society for organising the smooth running of the PBCH program.

Martin Hockridge

CHAIR

Committee members

- / Martin Hockridge (Chair)
- / Emma Boland
- / Katy Grimes
- / Rebekha Pattison
- / Susan Platis
- / Debbie Sims (Executive Secretary)

Law Week

Law Week is an annual event held in May across Australia. Law Week's goal is to promote public

understanding of the law and its role in society. Each year in Canberra we run a range of events, including public lectures, sporting and collegiate events, free will consultations, information sessions about wills and powers of attorney, and tours of the ACT Supreme Court.

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

Law Week 2018

The theme of Law Week 2018, shared nationally with our interstate counterparts, was "Law and Justice in Your Community".

Law Week 2018 ran 14-19 May 2018, with a variety of events designed to engage the legal community and the broader community, celebrating and educating the public about the role of lawyers in seeking justice and upholding the rule of law. Collegiality was another focus of the week, with social, educational and sporting events taking pride of place.

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

The Law Week profit in 2018 was \$5,739.60. This amount is split equally between the President's Charity and the ACT Law Society Foundation.

Launch and Golden Gavel

ACT Attorney-General Gordon Ramsay MLA formally launched Law Week 2018. We very much appreciate his continued enthusiastic and good-humoured participation in the judging.

Justice Chrissa Loukas-Karlsson joined our President, Sarah Avery, and Gordon Ramsay MLA on the judging panel, and 2017 winner Adam Moynihan, who emceed the evening.

Congratulations to all of our excellent Golden Gavel competitors: Annie Caligari (Department of Home Affairs), Sebastian Marquez (Canberra Legal Group), Richard Murray (Adero), and Anna Reynhout (Moray & Agnew), and of course to the winner of the Golden Gavel, Liv Ronan (Australian Government Solicitor), and winner of the People's Choice Award, Callum MacLeod (Department of the Environment and Energy).

Lectures and forums

Our showcase lecture for Law Week is always the Blackburn, and this year's did not disappoint. The 33rd Annual Sir Richard Blackburn Lecture was held in partnership with the ANU College of Law at the Finkel Lecture Theatre. The Hon John Pascoe AC CVO, Chief Justice of the Family Court of Australia, presented "Sleepwalking through the minefield: commercial surrogacy and the global response", an at-times harrowing examination of 'wombs for hire'.

The Women Lawyers Association of the ACT hosted the Annual Law Week Dinner, which was generously sponsored by Maurice Blackburn Women's Network. Keynote speaker Virginia Haussegger AM, addressed

Justice Chrissa Loukas-Karlsson, ACT Law Society President Sarah Avery, ADACAS CEO Fiona May, and ACT Attorney-General Gordon Ramsay MLA at the Law Week Launch.



Winner of the 2018 ACT Golden Gavel, Liv Ronan (Australian Government Solicitor).



guests on the “F-words: Fear, Failure, Feminism and making a Fuss”. Virginia was inspiring and spoke eloquently on modern day issues for feminism.

In the forum “Disability Justice—Equal before the Law?”, Professor Eileen Baldry of UNSW, ACT Victims of Crime Commissioner Heidi Yates, and autistic advocate Jeanette Purkis discussed the impact of disability on people’s access to the law.

Ken Archer, President of the ACT Bar Association, spoke at the Bar Breakfast, asking “Is there a role for mediation in the criminal law?”

The Women’s Legal Centre presented a seminar on “Managing family violence issues in a workplace context”.

And in “Sentencing in the ACT”, the ANU and University of Canberra came together with the ACT Supreme Court and Legal Aid ACT to give members of the public an introduction to sentencing law, including the factors courts take into account when imposing a sentence.

Quiz Night

The quiz night was again a great success, and is the major fundraiser of Law Week. Our ACT Young Lawyers Committee work very hard to run a fun night. Thank you to Hays Legal for being the event sponsor.

Other events

The Law Society hosted our annual Wills Day, where members of the public could make a free appointment

with one of our volunteer solicitors for advice on how to set up a Will.

The ACT Supreme Court ran tours of their new building for members of the profession.

Mock Trial

The ACT Director of Public Prosecutions ran their annual DPP Plate Mock Trial Competition, pitting ANU law students Ben McCarthy, Prisca Ochan, and Monique Munro against University of Canberra law students Bwalya Chifuntwe, Tayla Ayers and Perri Hollis. According to Justice Mossop, who judged the competition, UC won “by a nose”.

Law Week Soccer

The Law Week Soccer was postponed due to bad weather and did not, in fact, run during Law Week, but thankfully the weather was glorious on 25 May. 16 teams joined in the fun, from Aulich Criminal Law, Blumers Lawyers, Bradley Allen Love, Commonwealth Director of Public Prosecutions, Elringtons, EY, Harrington Kibbey Law, Howes Kaye Halpin, Meyer Vandenberg Lawyers, Mills Oakley, Moray & Agnew, Proximity Legal, Slater & Gordon, Snedden Hall & Gallop, Sparke Helmore, and Trinity Law.

First place went to the Commonwealth Director of Public Prosecutions “Absolute Liabilities”, and second to Aulich Criminal Law “The Aulich Empire”.

Reconciliation

The Society is committed to the national reconciliation movement. We have long been committed to promoting ‘good’ law, pushing to ensure that any new

Virginia Haussegger AM, Ngunnawal Elder Auntie Jannette Phillips and ACT Law Society President Sarah Avery at the Law Week Dinner.



The Hon Chief Justice John Pascoe AC CVO with ACT Law Society President Sarah Avery at the 2018 Blackburn Lecture.



law reform proposal takes into account the effect on vulnerable groups such as the Aboriginal and Torres Strait Islander members of our community.

In 2018, we invited Aboriginal entrepreneur and ACT Australian of the Year Dion Devow to deliver the Address at the Opening of the Legal Year.

The Society is committed to promoting equality for all Australians and supporting reconciliation. We believe that lawyers can play a meaningful role in the reconciliation process as they are well placed to be catalysts for change.

'Reflect' Reconciliation Action Plan

The ACT Law Society's Inclusion and Diversity Committee produced the Society's first 'Reflect' Reconciliation Action Plan (RAP), which was launched on Monday 4 June 2018.

The launch provided guests with an opportunity to show support for the Law Society in its reconciliation journey, learn more about how best to contribute to reconciliation, and network with like-minded colleagues.

Special thanks to HWL Ebsworth Lawyers for supporting the launch, including use of their facilities and provision of catering by Koori Kulcha.

The Law Society's RAP is now published on the Reconciliation Australia web site.

About our RAP

We invite all members to actively engage with our RAP and support the national reconciliation movement. Our RAP was developed after careful deliberations over

a period of three years, including consultations with Aboriginal colleagues and friends.

The Society has established a RAP Working Group to actively monitor and grow our commitment to reconciliation.

LGBTI+

As part of our ongoing support of the LGBTI community, the Law Society and co-host King & Wood Mallesons held Canberra's first LGBTI networking event for the legal industry to raise the profile and visibility of the LGBTI experience within Canberra and in the legal industry more generally. The event included a special musical performance by the Canberra Gay and Lesbian Qwire.

Charitable donations

President's charity

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

The Society's annual charity for 2018 is the ACT Disability, Aged and Carer Advocacy Service (ADACAS). ADACAS is an independent, not-for-profit, advocacy organisation helping people with disabilities, older people and their carers. Their mission is 'to assert, promote and protect the rights and responsibilities of people with disabilities, people who are older and their carers'. ADACAS has been

Dion Devow delivers the Address at the Welcome the 2018 New Legal Year.



Deputy CEO of Reconciliation Australia Andrea Kelly, Chair of the RAP Working Group Sara Wedgwood, Law Society President Sarah Avery, and Minister for Aboriginal and Torres Strait Islander Affairs Rachel Stephen-Smith MLA at the RAP Launch.



providing free independent advocacy and information in the ACT for more than 25 years.

In 2018, the President's Charity, ADACAS, received \$7,870, representing the Foundation disbursement plus 50 per cent of the Law Week profit.

Law Society Foundation

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

The Foundation was seeded with three years' worth of Law Week profit (2013, 2014 and 2015), matched by Law Society funds. The total amount in the Foundation as at 30 June 2018 is now \$89,254, and the disbursement for 2018 was \$5,000.

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

Awards to university students

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

Australian National University

- / BC Meagher Prize for Commonwealth Constitutional Law — Helen Whalan
- / Law Society of the ACT Prize for Contracts (shared) — Charltte Michalwski and Priyanka Tomar
- / Liz and Bill Allen Prize for Practical Legal Training — Samantha Senior

University of Canberra

- / ACT Law Society Prize for the Highest Achieving Student in Contract Law — Ellen Farrell
- / ACT Law Society Prize for the Highest Achieving Student in Equity Law (shared) — Emma Hunt and Grace Issa
- / ACT Law Society *Canberra Law Review* Prize — Clarissa Shortland
- / Sarah Avery Prize for Advanced Legal Research and Writing — Tait Keller

Law Society President Sarah Avery with the winner of the *Canberra Law Review* Prize, Clarissa Shortland.



Law Society President Sarah Avery with the winners of the Equity Law Prize, Emma Hunt and Grace Issa.



MEMBERS

Our members

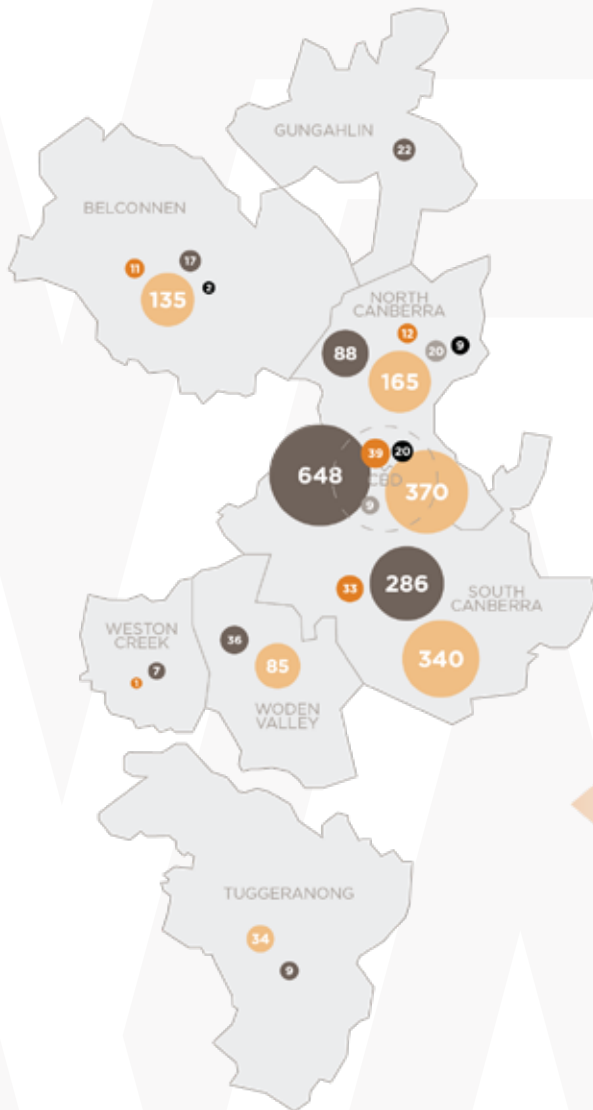
The Law Society represents over 2,400 lawyers in the ACT region. Our members are sole practitioners, lawyers in private firms and government departments, in-house counsels, community legal centre solicitors, legal academics, and lawyer volunteers. We also have a number of associate members — students, expatriates, and retirees for example, who want to maintain contact with the Canberra legal community.

As at 30 June 2018, the Society had 2,624 members. This represents an increase of 6.3 per cent from the previous financial year.

94 percent of our members hold a practising certificate. 58 per cent are female. 42.4 percent are in private practice, and 43 per cent work for local or federal government. The remaining members are in-house or corporate lawyers (3.6 per cent), members overseas (2.6 per cent), volunteers or community legal centre lawyers (2.2 per cent), and members without practicing certificates (six per cent).



MEMBERSHIP AS AT 30 JUNE 2018



96 IN HOUSE/CORPORATE

1113 PRIVATE

1129 GOVERNMENT

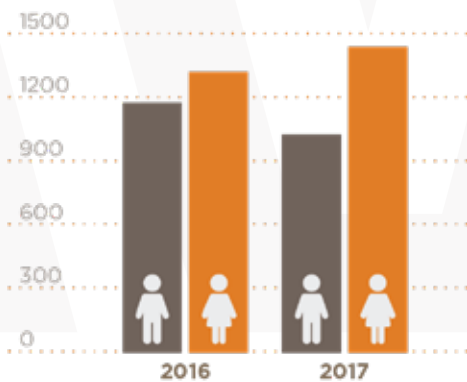
29 CLC

31 VOLUNTEER

70 OVERSEAS

TOTAL
2624
AN INCREASE OF
156 FROM 2017

PRACTISING MEMBERS



96 IN HOUSE/
CORPORATE

1113 PRIVATE

1129 GOVERNMENT

29 CLC

31 VOLUNTEER

70 OVERSEAS



7 ACADEMIC

27 GOVERNMENT

12 BARRISTER

15 RETIRED

95 OTHER

Recognising member achievements

President's Medal

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

The Award is presented at the Society's Annual Dinner in late August each year. The winner in 2017 was Liz Huang Hughes-Brown.

Liz Huang Hughes-Brown is a former refugee, born in Pulau Bidong refugee camp in Malaysia after her family fled Vietnam after the fall of Saigon in 1979. Her family were granted refugee status when she was six months old, and she grew up in regional New South Wales.

Liz holds a Bachelor of Asian Studies and a Bachelor of Laws (Hons) from ANU, and a Master of Laws with a major in Human Rights and Social Justice from UNSW.

Liz is the founder and Principal Lawyer of Welcome Legal, a boutique law firm in Canberra specialising in immigration and citizenship law, anti-discrimination law and dealing with government.

Prior to establishing Welcome Legal, Liz practised in commercial and corporate law. She has worked in private legal practice in Canberra and Sydney. She served as Senior Legal Counsel at the then Department of Industry and Science, where she advised on some of the largest procurements and funding programs administered by the Department, including the Australian Government's \$484 million Entrepreneurs' Programme.

While working for the Department, she completed her Masters degree part-time (through two pregnancies and the ongoing needs of two small children). Her studies in Human Rights and Social Justice, her reflection on her own family history as refugees and her observation of negative attitudes towards today's refugees and people seeking asylum led her to helping clients navigate immigration law.

Liz took leave from the Department to work as an unpaid legal intern with the United Nations High Commissioner for Refugees (UNHCR), describing it as a rewarding experience to contribute to the work of an organisation that had helped her family in their time of need.

That was her 'moment of clarity', and upon finishing the internship with UNHCR in 2015, she started Welcome Legal as a sole practitioner. She now has three staff members. They are a multicultural and multilingual team who have empathy for their clients and deliver a personalised service to individuals and businesses. Liz has provided an important avenue of referral for legal colleagues whose clients require advice on immigration and citizenship.

Liz has contributed substantial pro bono time to assisting people in need of advice in the community. She has supported the work of Legal Aid ACT and Companion House. Liz has a particular interest in assisting same sex couples apply for partner visas and in helping LGBTIQ refugees.

In 2016, Liz was the inaugural winner of the ACT Women Lawyers Association Woman Lawyer of the Year in the category of Culturally and Linguistically Diverse (CALD) Background. She is also a committee

Liz Huang Hughes-Brown, winner of the 2017 President's Medal, with President of the ACT Law Society Sarah Avery.



The refugee visa that allowed Liz's family to enter Australia from Vietnam after the fall of Saigon in 1979.



member of the Law Society's Inclusion and Diversity Committee. She is passionate about promoting diversity in all forms in the legal profession. In particular, she has worked to improve the visibility of CALD women in the profession and encourages other CALD women to take up opportunities in the law.

She has recently founded the Mother's Uplift Movement (MUM). The movement supports and encourages mothers to take time out for themselves to maintain their mental health and sense of identity. Liz and her associate from MUM have recently delivered a sell-out seminar for working mothers in the legal profession to provide them with support to deal with the daily challenge of juggling work with family responsibilities. For her work for and on behalf of the migrant community, for her tireless dedication to the needs of refugees, for her support of women in the profession and the LGBTIQ community, Liz is an outstanding addition to the President's Medal.

ACT Young Lawyer of the Year

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

The Award is presented at the Society's Annual Dinner in late August each year. The winner in 2017 was Belinda Miller, who was presented with the Award by the chair of the judging panel, the Hon Justice David Mossop of the ACT Supreme Court.

Belinda is an Employment and Discrimination Lawyer at the Women's Legal Centre ACT, providing all the

Centre's employment and discrimination legal advice and representation services. She has been an advocate for the whole ACT community legal sector, attending rallies, writing for the Canberra Times, and meeting with politicians to promote the important work that CLCs do.

She has delivered seminars to both legal practitioners and to the wider community about employment law, including the management of disability in the workplace. She has also delivered training on sexual harassment for young women, and spoken on radio about employment rights.

She is currently drafting a best practice tool kit for dealing with how domestic and family violence impacts on the workplace, and initiated training sessions with the Community and Public Sector Union around this issue. Union delegates who attended the training are now implementing it in large government departments.

Belinda has worked to mentor and encourage female law students in the ACT. She has been a mentor through the ANU Women in Law Organisation since its inception in mid-2016, and has supervised interns considering legal careers at the Women's Legal Centre.

She is the Secretary of the Women Lawyers' Association of the ACT, and is a member of the ACT Law Society's Industrial Relations Committee and the ACT Community Legal Assistance Forum's Community Legal Education Committee.

Outside of her legal role, Belinda is a volunteer English tutor for newly arrived refugees through the Navitas Adult Migrant English Program.

ACT Young Lawyer of the Year Belinda Miller with chair of the judging panel, the Hon Justice David Mossop, and Law Society President, Sarah Avery.



Belinda Miller with Law Society Council member Bronwyn McNeil.



Government Law Award

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

The Award is presented at the Society's Annual Dinner in late August each year. The winner in 2017 was Chris Behrens.

Chris Behrens is a Senior Executive Lawyer working for the Australian Government Solicitor (AGS) as a commercial litigation specialist. He has almost 30 years post admission experience.

Chris leads the AGS Dispute Resolution Civil Claims team, comprising approximately 50 lawyers dispersed nationally in AGS offices in Adelaide, Brisbane, Melbourne, Perth, Sydney and Canberra. In the last two years, he has overseen growth of about 40 per cent in the volume of the team's work, with commensurate growth in the complexity and diversity of matters.

Chris's skills as a leader, manager, supervisor, mentor and capacity builder mean he has been able to attract, develop, and retain excellent staff.

He has been responsible for several significant legal projects, including in the last two years, representing the Commonwealth in the landmark Federal Court class action brought by residents of Williamstown about PFAS firefighting foams contamination, tenancy agreements over land at the site of the proposed Second Sydney Airport, and claims arising from the early closure of the Home Insulation Program.

He delivers internal training to AGS lawyers on commercial litigation topics, including a very well-received seminar on Contract Termination. He is well-regarded in the department as a supervisor and mentor, and is always willing to share his expertise, and to guide junior lawyers, helping them find solutions and develop their knowledge, skills, and confidence.

Chris was a founding member of the Law Society's Government Law Committee, serving as its inaugural chair from 2009 to 2013.

Chris has had a long association with the Canberra Southern Cross Club, a not for profit organisation with over 83,000 members that has contributed over \$14 million to the Canberra community over the last decade. He is the Vice President of the Club as well as the chair of its Risk and Audit Committee, and has been a director of the Club for the last ten years.

According to his colleagues, Chris is also a talented musician and valued member of choral groups, not least of which is the AGS Dispute Resolution Christmas choir.

The ACT Golden Gavel

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

The winner in 2018 was Liv Ronan from the Australian Government Solicitor with *Swipe right, I am a lawyer*. Liv will go on to represent the ACT in the National Golden Gavel Awards.

Government Law Award winner Chris Behrens with Chair of the Government Law Committee Peter Cain and Sarah Avery.



Winner of the 2018 ACT Golden Gavel People's Choice Award, Callum MacLeod, with ACT Attorney-General Gordon Ramsay MLA.



The winner of the People's Choice Award was Callum MacLeod from the Department of Environment and Energy with *Finding Dory: The story of forgetful witnesses*.

40 years' service

The Law Society recognises the contribution of Canberra members who have practised for forty-plus years. In 2014, the Society produced a commemorative lapel pin to congratulate members who had completed forty years' service to the legal profession. Pins are given out at the Society's Annual Dinner in late August each year. Recipients in 2017 were:

- / Mr Stephen Mason
- / Mr Mark Ernest Cunliffe PSM
- / Mr James Robert Millea
- / Mr David Robert Charles Briggs
- / Ms Eunice Catherine Mary Ryan
- / Mr Brian Patrick Kildea
- / Mr Richard John Lewis
- / Mr Ian Donald Stevens.

Social events

Functions & Law Week Committee report

I would like to thank the committee members for their work, organising the several ceremonial and social functions held during the year, including the many events run during Law Week. The committee represents a broad cross-section of the Society's membership (including representatives of the Young Lawyers Committee and the Women Lawyers Association of the ACT). I also want to thank Sarah Avery for her work as chair of the committee until December 2017.

The committee continues to work to organise functions that meet the needs of all members of the Society. In 2017, members' quarterly lunches have alternated between venues on the north and south sides of the lake, to make it easier for our southside members to attend, and a discount for young lawyer members has been introduced. A program is being developed for Mental Health Week, with an emphasis on the mental health of lawyers.

In November, the committee will hold a planning session to review the functions and Law Week program, to ensure that the events remain relevant to the members.

I particularly want to thank Nicole Karman (ACT Law Society Communications Officer) for her participation in the committee, and for doing so much of the legwork in ensuring the success of the many functions held.

—David Metcalf, Chair

Committee members

- / David Metcalf (Chair)
- / Paul Armarego
- / Sarah Avery
- / Adam Bak
- / Rod Barnett
- / Jennifer Newman (from April 2018)
- / Anna Reynhout
- / Emily Bowler* (Young Lawyers Committee)
- / Tori Cumner* (Women Lawyers Association)
- / Madeleine Harrington* (Women Lawyers Association)
- / Kahlia Jenkins* (Young Lawyers Committee)
- / Nicole Karman (Communications Officer)

* Shared membership

40 years' service pins



Law Society President Sarah Avery with 40 years' service pin recipients Brian Kildea and Mark Cunliffe PSM



Gala events

DATE	EVENT	VENUE
6 July 2017	Welcome Dinner for Justice Gill and Judge Tonkin	Chairman & Yip
1 August 2017	Cocktail Party to Welcome Justice Mossop and Associate Justice McWilliam	Kokomo's
25 August 2017	Annual Dinner & Awards Night	Boathouse
29 January 2018	Ceremony to Welcome the 2018 New Legal Year	ACT Supreme Court
7 April 2018	Young Professionals Ball	National Gallery of Australia
12 April 2018	Farewell for Justice Penfold	Pialligo Estate
14 May 2018	Law Week Launch and ACT Golden Gavel Competition	Great Hall, University House
16 May 2018	Law Week Dinner: Virginia Haussegger AM, " <i>F-words: Fear, Failure, Feminism and making a Fuss</i> "	The Boathouse By The Lake

Lectures and forums

DATE	EVENT	VENUE
26 July 2017	Inclusion and Diversity Committee panel discussion: " <i>Inclusion and diversity in the ACT legal community</i> "	Clayton Utz
27 September 2017	International Lawyers Committee panel discussion: " <i>Global legislative developments: Bottom up or top down?</i> "	Meyer Vandenberg
28 September 2017	The Annual Richardson Oration: Fiona McLeod SC, " <i>National interest and the rule of law</i> "	High Court
10 October 2017	Mental Health Week lecture: " <i>I am not your therapist, or; LLB, not Bpsych</i> "	Finkel Theatre
15 May 2018	ACT Office For Disability panel discussion: " <i>Disability Justice - Equal before the Law?</i> "	Finkel Theatre, ANU
15 May 2018	Annual Blackburn Lecture: The Hon John Pascoe AC CVO, " <i>Sleepwalking through the minefield: commercial surrogacy and the global response</i> "	Finkel Theatre, ANU
15 May 2018	Women's Legal Centre panel discussion: " <i>Managing family violence issues in a workplace context</i> "	ACT Law Society
17 May 2018	Bar Breakfast: Ken Archer, " <i>Is there a role for mediation in the criminal law?</i> "	King & Wood Mallesons
17 May 2018	ACT Supreme Court education session: " <i>Sentencing in the ACT</i> "	ACT Supreme Court

Collegiate and networking events

DATE	EVENT	VENUE
6 July 2017	Meet the DPP	ACT Law Society
13 July 2017	July 2017 Members' Lunch	Alice's Thai
17 August 2017	Winter 2017 Government Law Drinks	DFAT
25 August 2017	Young Lawyers Networking Drinks	Highball Express
13 September 2017	Young Professionals Speed Networking 2017	Treehouse Bar
21 September 2017	September 2017 Members' Lunch	Briscola
12 October 2017	Meet a Greyhound	ACT Law Society
21 October 2017	Young Lawyers Spring Wine Tasting Day	Long Rail Gully Wines
27 October 2017	Young Lawyers Networking Drinks	Highball Express
31 October 2017	ACT Bar Association and ACT Law Society Equitable Briefing Networking Event	ANU Law School
16 November 2017	Spring 2017 Government Law Drinks	Moray & Agnew
24 November 2017	Young Lawyers Christmas Garden Party	House of Reps Rose Garden
1 December 2017	Christmas 2017 Members' Lunch	Chairman & Yip
15 December 2017	Young Lawyers Networking Drinks	Highball Express
1 February 2018	Drinks to Celebrate the 2018 New Legal Year	ACT Law Society
10 February 2018	Young Lawyers Afternoon Rendezvous	Pialligo Estate
22 February 2018	Summer 2018 Government Law Drinks	Australian Government Solicitor
23 February 2018	Young Lawyers Networking Drinks	Kokomo's
8 March 2018	March 2018 Members' Lunch	Tipsy Bull
20 April 2018	Young Lawyers Networking Drinks	Kokomo's
3 May 2018	Autumn 2018 Government Law Drinks	Proximity
18 May 2018	Law Week Quiz Night	National Convention Centre
4 June 2018	Reflect Reconciliation Action Plan Launch	HWL Ebsworth
14 June 2018	Young Lawyers Mentor Program Cocktail Event	Street Theatre
22 June 2018	Young Lawyers Networking Drinks	Kokomo's

Sporting events

DATE	EVENT	VENUE
21 July 2017	Young Lawyers Ski Trip	Snowy Valley Resort
25 May 2018	Law Week 6-A-Side Soccer Afternoon	Willows Oval, ANU

OPERATIONS

Submissions

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

We maintain a strong relationship with the ACT Government's Justice and Community Safety directorate, which gives us the opportunity to comment

on proposed legislation. We also respond to requests from other entities, including ACT Legislative Assembly Committees, and the Shadow Attorney-General, for our comments on exposure drafts of proposed legislation.

The list below sets out many of the submissions made by the Law Society in the 2017-18 financial year. Please note that consultation-in-confidence correspondence and submissions are not listed.

DATE	SUBJECT OF SUBMISSION / CORRESPONDENCE	RECIPIENT
8 August 2017	Submission re drink spiking legislation	Justice and Community Safety Directorate (JACS)
7 August 2017	Correspondence re claims harvesting	JACS
24 October 2017	Correspondence re 'Mr Fluffy' blocks	Chief Minister, Treasury and Economic Development Directorate (CMTEDD)
13 December 2017	Correspondence re costs in criminal appeals from the Magistrates Court to the Supreme Court	ACT Attorney-General
20 December 2017	Correspondence re the provision of Court Alcohol and Drug Assessment Service (CADAS) reports	ACT Attorney-General
22 December 2017	Correspondence re financial assistance for victims of crime	ACT Attorney-General
12 April 2018	Correspondence re CTP	ACT Chief Minister
27 April 2018	Submission re criminal law reform	JACS
4 May 2018	Submission regarding peremptory challenges	JACS
7 May 2018	Correspondence re CTP	ACT MLAs Shane Rattenbury and Caroline Le Couteur
14 May 2018	Submission re regulatory four year plan	CMTEDD
14 May 2018	Submission re immunity for combatants	Federal Attorney-General, Minister for Defence
23 May 2018	Correspondence re Government announcement to provide funding for an eighth magistrate	ACT Attorney-General
23 May 2018	Correspondence re the appointment of the ACT Director of Public Prosecutions	ACT Attorney-General
25 May 2018	Submission re questions posed by the Sexual Assault Reform Program (SARP) group	JACS
29 May 2018	Correspondence re the raising of the retirement age of ACT Magistrates	Shadow ACT Attorney-General
4 June 2018	Submission re proposed changes to the Legal Profession Act	JACS
27 June 2018	Correspondence regarding the appointment of the ACT DPP	ACT Attorney-General
11 July 2018	Submission re amendments to the definition of tainted property in section 10 of the <i>Confiscation of Criminal Assets Act 2003</i> (ACT)	JACS
18 July 2018	Comment to JACS on consultation paper <i>Developing the National Plan on Elder Abuse</i>	JACS

Continuing Professional Development

The Society aims to provide relevant, timely and high quality CPD to assist practitioners to fulfil their CPD obligations productively and efficiently. During the 2017-18 financial year, the Society offered the following CPD events.

CPD TYPE	EVENTS	ATTENDEES
Seminar (1-2 hours)	19	822
Workshop (3+ hours)	6	217
Themed day/afternoon	9	683
Two-day Intensive	1	261
Multi-day workshop	2	47
Webinar	1	23

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

Speakers

In addition to interstate and international speakers, our CPD program relies heavily on the voluntary contributions of local practitioners with expertise in particular areas of law. The Society greatly appreciates the time and effort our speakers devote to the preparation and presentation of seminars. We thank everyone who contributed to our program during 2017-18.

People who presented, or were part of a panel, in 2017-18 were:

- / Ken Archer, Burley Griffin Chambers
- / Louisa Bartlett, Legal Aid ACT
- / Katie Binstock, McInnes Wilson Lawyers
- / Rosemary Budavari, Disability Discrimination Legal Services
- / Athena Cains, McInnes Wilson Lawyers
- / Kim Chapman, Legalcost
- / Dr Dalma Demeter
- / Phillip Davey, DDCS Lawyers
- / Barbara Deegan, Ashurst Australia
- / Alfonso del Rio, Clayton Utz
- / Sonia Di Mezza, ADACAS

- / Julie Dobinson, Dobinson Davey Clifford Simpson
- / Elliott Dunn, King & Wood Mallesons
- / Paul Edmonds, Paul Edmonds & Associates
- / Charlie Faulder, Tenant's Union of the ACT
- / Paula Gonzalez, Attorney Generals Department
- / James Haddock, Legal Aid ACT
- / Patricia Holmes
- / Christina Huesch, Alliance Family Law
- / Michael Johnson
- / Sean King, Proximity Legal
- / James Lawton, Burley Griffin Chambers
- / Rachael Lewis, King & Wood Mallesons
- / Jon Lovell, Ashurst Australia
- / James Macken, Henry Parkes Chambers
- / Deborah Mackenzie, Mackenzie Workplace Law
- / John Masters, Blackburn Chambers
- / Lea McLean, ACT Law Society
- / Sanaz Mirzabegian, ACT Government Solicitor
- / Seyi Onitiri, Blackburn Chambers
- / Athol Opas, Blackburn Chambers
- / Adam Peppinck, Mills Oakley Lawyers
- / Rob Reis, ACT Law Society
- / David Robens, Territory Chambers Canberra
- / John Solomon, Moray & Agnew
- / Philippa Spence, ACT Magistrates Court
- / Rebecca Tetlow, DDCS Lawyers
- / Jane Thomson, Legal Aid ACT
- / Jo Twible, KJB Law
- / Alexandra Wedutenko, Clayton Utz
- / Geoff Wilson, Comcare
- / John Wilson, BAL Lawyers

CPD Program sponsor

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

CPD Program Sponsor
legalsuper



List of CPD events run in 2017-18

DATE	PRESENTATION TITLE
19 July 2017	Better Business Series Workshop: Trust accounting
20 July 2017	Recent changes to family violence legislation in the ACT
24 July 2017	Good, bad, indifferent? The civil claims Practice Direction three years on
26 July 2017	Insolvency update—latest issues, cases, and legislation
27 July 2017	Webinar: Generating quality client referrals
10 August 2017	Retirement Villages legislation—what it was, what it is and what it might be
17 August 2017	Workshop: Excellent not average—becoming a first rate negotiator
17 August 2017	Workshop: Understanding emotion—the key to successful negotiation
29 August 2017	Access to Justice Seminar Series: Assisting clients with a disability
7 September 2017	Code of conduct—employment investigations in the Cth and ACT public sectors
19 September 2017	Young Lawyers Advocacy Afternoon
22 September 2017	Fourth ACT Wills and Estates Conference
27 September 2017	Global legislative developments—bottom up or top down?
6, 13 & 20 October 2017	Spring Legal Practice Management Workshop
11 October 2017	FVOs from go to whoa
17 October 2017	Advocacy Afternoon
25 October 2017	Property Law Afternoon
2 November 2017	Mediation in estate disputes
8 November 2017	General protections under the Fair Work Act—workplace rights and adverse action
16 November 2017	The role of the Public Trustee and Guardian for the ACT
21 November 2017	Money laundering—the new catastrophic risk
22 November 2017	Spring Government Law Afternoon
30 November 2017	Workshop: Priorities, productivity and personal effectiveness
1 December 2017	New Lawyers Afternoon
14-15 February 2018	The 2018 Intensive
28 February 2018	Overview of the NSW CTP changes
1 March 2018	Contracts Law Masterclass
7 March 2018	Workshop: Avoiding the train wreck—ethical dilemmas, stress, and maintaining a successful legal practice
14 March 2018	Autumn Government Law Afternoon
21 March 2018	Conflicts of interest and obligations to former clients
28 March 2018	Young Lawyers Afternoon
4, 11 & 18 May 2018	Autumn Legal Practice Management Workshop
10 May 2018	Residential tenancies in the ACT—Sorting fact from fiction
6 June 2018	Property law and conveyancing update series: GST at settlement measure
13 June 2018	The role of the Public Trustee and Guardian for the ACT
15 June 2018	Access to Justice Seminar Series: World Elder Abuse Awareness Day
20 June 2018	Better Business Series Workshop: Trust accounting
28 June 2018	Successful bail applications

CPD event breakdown

SEMINARS
(1-2 HOURS)



19 **822**
EVENTS ATTENDEES

9 THEMED
AFTERNOONS
683 ATTENDEES

WORKSHOPS
217 **3+** **6**
ATTENDEES AT HOURS EVENTS

2 **47**
EVENTS ATTENDEES

**MULTI-DAY
WORKSHOP**

1 **261**
EVENT ATTENDEES
**TWO-DAY
INTENSIVE**

Practice Management Committee report

The ACT Law Society again conducted two Practice Management Courses during the past year with a total of 46 participants. It has been pleasing to receive positive feedback from many of the participants.

In addition, the committee has run risk management and trust accounting seminars for solicitors and support staff.

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

—Bill Baker, Chair

Presenters

- / Michael Bannon, Partner, Duesburys Nexia
- / Jonathon Beaumont, Director, Beaumont Legal
- / Kim Chapman, Partner, Legalcost
- / Julie Dobinson, Managing Partner, Dobinson Davey Clifford Simpson
- / Billy Kang, Management Consultant, Nexia Australia
- / Jon Lovell, Senior Associate, Ashurst Australia
- / Lea McLean, Finance & Business Services Director, ACT Law Society
- / Rob Reis, Professional Standards Manager, ACT Law Society
- / John Wilson, Managing Legal Director, Bradley Allen Love

Committee members

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

Professional Conduct

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

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

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

Complaints are handled through the Law Society's Professional Conduct Committee.

Professional Conduct Committee report

In May 2018, after 18 years' service to the Professional Conduct Committee (formerly the Complaints Committee), Jim Dunn resigned. On behalf of the committee and the Law Society, I express my gratitude to him for the countless voluntary hours he dedicated to the important work of the committee. Jim's insightful and fearless contributions over this time have been invaluable, and will be missed.

The committee welcomes Ann Northcote, a director of Farrar Gesini Dunn and a well-regarded and experienced senior family law practitioner. Ann's presence will be of great benefit to the committee.

In addition to the handling of formal complaints, our Professional Standards Manager, Robert Reis, and Professional Conduct Committee Secretary, Linda Mackay, dealt with numerous telephone and email enquiries from potential complainants. Not all enquiries escalate into formal complaints. At the time of an enquiry, where appropriate, opportunities to resolve issues are canvassed.

Formal complaints are not automatically forwarded to solicitors for their response. The committee's initial task is to consider and determine whether an investigation is required. Following a preliminary assessment, further information is often sought from the complainant to specifically identify the conduct that is alleged to have occurred. Upon receipt of that information, a decision will be made by the committee whether a response is required from the solicitor or whether the complaint can be summarily dismissed. If a response is not required, a copy of the complaint and the committee's reasons for dismissal will be forwarded to the solicitor for information only.

If an investigation commences, the committee will ultimately consider all the material provided by the parties and assess whether the complaint should be dismissed pursuant to s.399 of the *Legal Profession Act 2006*.

Complaints which the committee concludes are unable to be dismissed under s.399 are referred to the Council of the Law Society. The Council has the discretion to dismiss under s.412, summarily conclude the matter under s.413 or prosecute the complaint. Prosecution of complaints under s.419 of the *Legal Profession Act 2006* are referred to the ACT Civil and Administrative Tribunal (ACAT).

The committee dealt with 92 formal complaints in the 2017-18 financial year, two fewer than the previous year.

The following analysis shows the type of conduct raised in complaints, and the major areas of law and concern. This year has seen an increase in complaints in estate and migration matters, with most other areas remaining steady.

CONDUCT RAISED IN COMPLAINT	QTY
Costs	17
Communication and services (failure to carry out instructions, acting without instructions, bullying, delay, discourtesy, lack of competence and diligence, lack of communication)	41
Trust account matters	6
Personal conduct (negligence, misleading behaviour, conflict of interest)	12
Non-compliance	6
Other (general conduct)	16

AREA OF LAW / CONCERN	QTY
Family Law	15
Property	16
Civil Litigation	18
Criminal Law	6
Compensation (Personal Injuries/Medical Negligence/Worker's Compensation)	11
Estate matters	12
Employment	2
Migration	8
Other	6

During the reporting period, 34 complaints were dismissed pursuant to s.399 without requiring an investigation, 21 were dismissed pursuant to s.399 following an investigation, 15 were dismissed pursuant to s.412 following the completion of an investigation, one was referred to the NSW Law Society, seven were summarily dealt with pursuant to s.413 and three matters were filed with the ACAT.

The ACAT made findings of professional misconduct against two practitioners.

There are currently five disciplinary matters before the ACAT or the Supreme Court. Of these, the Society has filed applications to have two practitioner's names removed from the Roll. In addition, there are 19 matters currently before the Council of the Law Society awaiting consideration as to whether disciplinary proceedings should commence.

The committee is well-placed to identify areas of practice experiencing an escalation in complaints received about specific types of conduct. For the assistance of members' professional development, this information informs the Law Society's CPD program. Articles about developments are also written for *Ethos*, highlighting how practitioners can greatly reduce the likelihood of receiving a formal complaint.

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

—Ross Reid, Chair

Committee members

- / Ross Reid (Chair)
- / Allan Bedford
- / Sarah Boxall
- / Mary Burgess
- / Amy Burr
- / Sally Campbell
- / Michael Deasey
- / Julie Dobinson
- / Jim Dunn (until May 2018)
- / Maurice Falcetta
- / Bridie Harders
- / Vivien Holmes
- / Gavin Howard
- / Ken Hubert
- / Ann Northcote
- / Scott Pearsall
- / Darryl Perkins
- / John Solomon
- / Alisa Taylor
- / Mark Tigwell
- / Gillian Yeend

COMMITTEES

Access to Justice & Human Rights

Priorities for the Access to Justice and Human Rights Committee for 2017-18 were:

- / Continuing to pressure the Federal and local government for increased funding for legal assistance.
- / Access to justice for people with a disability, for Aboriginal and Torres Strait Islander people, and for refugees, migrants, and people from non-English speaking backgrounds.
- / The National Disability Insurance Scheme (NDIS).
- / Family violence matters in Courts and Tribunals.
- / The rights of people in closed environments (i.e. in care or detention).
- / The practice of involuntary restraint in mental health care.
- / Education and assistance for practitioners to undertake pro bono work.

The committee continues to monitor local developments, including litigation guardianship.

The committee continued to work with the Law Council of Australia's Justice Project and locally to provide education and assistance to lawyers interested in undertaking pro bono work, and works closely with other Society committees including the Civil Litigation Committee and the Criminal Law Committee. The committee is also represented on the ACT Legal Assistance Forum and the Law Council of Australia's Access to Justice Committee.

I would like to express my gratitude to all members of the committee for their input and also give thanks to Tanya Holt and Jean-Marie Nshimirimana for their valuable assistance as committee administrators.

—Walter Hawkins, Chair

Committee Members

- / Walter Hawkins (Chair)
- / Anya Aidman
- / Allison Ballard
- / Adele Banks
- / Stephanie Chow
- / Amy Eager
- / Simon Henderson
- / Tich Pasipanodya
- / Deb Phippen
- / Kath Taplin (from February 2018)
- / Jane Thomson
- / Kate Waterford
- / Alexia Zsigmondy (to February 2018)
- / Samantha Grundy (JACS)
- / Simone King (ACT Human Rights Commission)

Civil Litigation

During the past 12 months there have been some membership changes on the committee. We continue to have a good mix of senior practitioners from firms representing individuals, as well as those with corporate and insurance clients. This allows us to have constructive input across a range of issues in a balanced format.

The committee continues to include the Registrars of the Supreme and Magistrates Courts, as well as senior representatives from ACAT, which allows us to receive timely and helpful input about issues affecting litigation.

One issue that has been ongoing is the proposed amendments to the CTP scheme in the ACT. Committee members have been involved in a working group involving the Law Society, ACT Bar Association and Australian Lawyers Alliance. The working group was critical of the Citizen's Jury process but, as members of the Society will be well aware, the process resulted in a recommendation for a new model which will implement significant change to the CTP scheme and, unfortunately, limit the rights of those injured in motor vehicle accidents. It is expected that the next 12 months will see a draft Bill and further action from the committee in this space.

The committee has continued to meet with the AFP on a regular basis to try and improve processes for the production of police records and reports with only limited success. Further meetings are planned.

I continue to serve on the Joint Rules Advisory Committee as the Law Society's representative and have been able to update the Society about proposed rule changes. The major change that will occur in the next few months is the introduction of electronic filing and file management in the courts, and new rules relating to that are almost finalised.

The committee has had input into the planning of a number of CPD sessions over the next 6-12 months covering a variety of issues affecting civil litigation.

—Richard Faulks, Chair

Committee Members

- / Richard Faulks (Chair)
- / Belinda Barry
- / Angus Bucknell (to March 2018)
- / Alyssa Dunn
- / Lisa Eldridge (to January 2018)
- / Richard Garnett*
- / Annie Glover
- / Walter Hawkins
- / John Henry
- / Sarah McJannett*
- / John McPherson

- / Matthew Needham (to February 2018)
- / Amanda Nuttall (to May 2018)
- / Jane Reece (from May 2018)
- / Kristy Soper
- / Ellen Teys (from January 2018)
- / James Treloar
- / Nikolas Willing (from February 2018)
- / Karl Pattenden (ACT Bar Association)

* Shared membership

Criminal Law

The criminal law remains a barometer for our society, reflecting its problems and concerns. The test for the Criminal Law Committee is always to stay on top of large volumes of legislative reform and attempt to sift through those which are reactive and those that promote positive social change. This year has definitely been an active one for the committee, dealing not only with the recent changes to the criminal law focusing on family violence, but also working on submissions about the government's proposed responses to the Royal Commission into Institutional Responses to Child Sexual Abuse. It is clear these responses will involve the most significant changes to the laws of evidence since the introduction of the Uniform Evidence Act in the mid 1990s. The proposed changes will impact beyond prosecution of institutional sexual abuse offences or even sexual offences and instead will extend to effect how all criminal proceedings are heard and determined.

Whilst these large scale changes have been debated and introduced there has also been a continuing debate on anti-association laws in the ACT and other measures focusing on outlaw motor cycle gangs. In this space the committee advocates for a balanced response that focuses on actual need. The committee has advocated for policing the criminal actions of such organisations

through existing laws, rather than unnecessarily expanding the number of offences.

In the last twelve months the committee has commented favourably on the introduction and use of intensive correction orders and the government's introduction of pill testing—harm minimisation around drug use is significantly more effective than zero tolerance approaches. It is unfortunate that the government's drug driving laws fall into the latter category, focusing on the mere presence of a trace of a drug rather, than on the effects of impairment. The committee, on behalf of the Society, will continue to advocate for this approach, linking criminality to the degree of risk/harm posed to society.

In the year ahead we look forward to working in the new court precincts and we also look forward to working with our new Director of Public Prosecutions, who will no doubt shape the criminal law in the ACT in the short to medium term. The last six months has shown the significant impact both DPP policy and DPP funding have had on the criminal justice landscape, with the recent expansion of Confiscation of Criminal Assets proceedings following the formation of a dedicated unit within the DPP. The committee will monitor the effects of this over the next year.

Whilst there has been much work done, there has also been some good humoured fun on the committee this year that reflects the dedicated lawyers who serve on it. I thank all members for their tireless work on reading and responding to draft legislation. Special thanks to Paul Edmonds for his work with me providing first drafts of several key submissions over the last twelve months. Thank you also to Natasha, the Law Society's research officer, who provides much support to the committee—the benefits of which are seen in the quality of our submissions.

—Michael Kukulies-Smith, Chair

Chair of the Government Law Committee, Peter Cain, and Chris Behrens and Louise Vardanega of AGS, at the Summer 2018 Government Law Drinks.



Guests at the Fourth ACT Wills and Estates Conference, held in September 2017 at the Boat House by the Lake.



Committee Members

- / Michael Kukulies-Smith (Chair)
- / Sarah Avery*
- / Adele Banks
- / Diana Barnes
- / Lorana Bartels*
- / Sarah Boxall
- / Jane Campbell*
- / Richard Davies*
- / Paul Edmonds
- / Andrew Fraser
- / Annie Glover*
- / Charlene Harris
- / David Hoitink*
- / Michael Lalor
- / James Lawton
- / Chantel Potter*
- / Adrian McKenna
- / Amanda Nuttall* (to May 2018)
- / Jacob Robertson
- / Megan Valler*
- / Dianne O'Hara (CEO)
- / Natasha Del Piero (Research Officer)

* Shared membership

Elder Law & Succession Law

The Elder Law and Succession Law Committee has had a very demanding year as it continues to make significant contributions to law reform projects, community engagement and practitioner education.

Due to the aspirations of the committee for greater education and reform, particularly in the areas of elder abuse and elder law issues, a need was identified for new members to help assist with the increasing

workloads and to release some of the pressure on the committee's ever-committed existing membership. We sought expressions of interest to join the committee and received responses from a number of enthusiastic and talented practitioners. Valerie Bradley, Christie Gardiner, Mabel Lim and Golnar Nekoev joined the committee in late 2017. The committee continues to be well-represented, with members from private practice, Commonwealth and ACT Government, the ACT Supreme Court, the Public Trustee & Guardian, the community legal sector, the ANU College of Law and COTA (ACT).

The current landscape

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

Elder abuse is starting to capture the collective attention of the media, government and community, which can be seen in the recent release of the Australian Law Reform Commission's report into elder abuse (*Elder Abuse—A National Legal Response*). This has led to a number of law reform projects and opportunities for the committee to make meaningful contributions to the profession and community at large.

Law reform projects

Elder abuse

The primary focus for the committee this year has been to advocate for reform, as well as improve education in the profession and the wider community, in relation to elder abuse. As part of their work, the committee was invited to respond to the *Consultation Paper—Developing the National Plan on Elder Abuse* and is also currently working on a number of projects, including:

- / Improving education and regulation surrounding Enduring Powers of Attorney. It is noted that a new brochure on attorney obligations has been produced by the committee for circulation amongst members and the community. The brochure can be located on the Law Society's website.

Guests at the Fourth ACT Wills and Estates Conference, held in September 2017 at the Boat House by the Lake.



Guests at the Winter 2017 Government Law Drinks, hosted by the Department of Foreign Affairs and Trade.



- / Developing Best Practice Guidelines for ACT practitioners in relation to preparing Wills and Enduring Powers of Attorney, particularly, where capacity may be in question.
- / A review of the powers of ACAT to order compensation if an attorney has breached their obligations and the possibility of extending ACAT's powers to hear equitable claims for property as is now the case in its Victorian equivalent, VCAT.

In looking at this national issue, the Law Council of Australia's Elder Law and Succession Law Committee has undertaken a significant amount of work over the past 12 months and is examining ways to try and help combat this culture of abuse, including abuse in the context of; residential aged care, the financial sector, retirement villages and in state-based powers of attorney legislation. The Law Council of Australia has scheduled a face-to-face meeting on 31 August 2018, which Emma Bragg as the ACT representative will attend, to help facilitate discussions of these issues at a national level.

Civil Unions Act

Following the recent introduction of marriage equality laws in Australia, the committee was invited to comment on how proposed reforms to various pieces of ACT legislation, including the Civil Unions Act, may impact on succession law issues. The committee will continue to monitor amendments in this area to ensure that there are no unintended consequences as a result of these legislative reforms.

Enduring Powers of Attorney

The committee has played a key role in recent years by engaging with JACS regarding a number of amendments to the *Powers of Attorney Act 2006* (ACT). Following the release of the ALRC's Elder Abuse Report, and the national recommendations it made in relation to Powers of Attorney, the committee is currently identifying potential areas of reform to the *Powers of Attorney Act 2006* (ACT) in the context of helping to prevent, or at least minimise the risks of, elder abuse.

Review of Guardianship and Management of Property Act 1991

The ACT Law Reform Advisory Committee released a report on guardianship with a view to changing the emphasis in ACT legislation from substitute decision making and a 'best interests' approach to a supported decision making with a 'rights-based' approach. The committee will continue to monitor developments in this area following release of this report.

Intestacy

In recent years, the committee has advocated a substantial review of current intestacy laws under the *Administration and Probate Act 1929* (ACT). To assist the Attorney-General in considering the need for a review, the committee prepared a substantial issues paper. The brief identifies potential problems

with the current intestacy provisions and contrasting approaches adopted in other Australian jurisdictions and the recommendations of the Uniform Succession Law Reform Report. The committee appreciates that the matters raised in the paper contemplated significant changes which may involve extensive community consultation in relation to any reform. The committee has since identified a number of what we believe to be non-controversial issues which would in the meantime help with clarifying procedural aspects of administering an intestate estate.

Retirement villages

The committee continues to have a representative on the Working Group for review of the *Retirement Villages Act 2012* (ACT). A draft *Retirement Villages Amendment Bill 2018* has been circulated amongst the Working Group and it is hoped that the Bill may be introduced in the second half of 2018.

Family provision

The committee has advocated a substantial review of the current regime under the *Family Provision Act 1969* (ACT). To assist the Attorney-General in considering the need for a review, the committee prepared a substantial issues paper. The committee looks forward to receiving a response from the Attorney-General and would welcome a review of these laws.

In the past year, the committee has also hosted two sessions with guests Geoff McCarthy, ACAT Member, and David Ferguson, Legal Adviser, Office of Gordon Ramsay MLA Attorney-General to discuss their roles and how the committee may continue to work with them in relation to elder law and succession law issues.

Community engagement

The committee continues to welcome opportunities to engage with and provide education to members of the general public on matters related to elder law and succession law. Once again, the Law Society hosted a stall at the Seniors Expo in March 2018, which was staffed by volunteer practitioners throughout the day. Members of the committee have also provided information sessions to a local Probus Club on Wills and estates law, to Carers ACT on aged care and participated in the Access to Justice Series hosted on World Elder Abuse Day (15 June 2018). We understand that all information sessions were well attended and have received glowing feedback.

Continuing Professional Development

One of the main aims of the committee continues to be raising the profile of elder law and succession law within the profession. In the context of an ageing Australian population, it is an important and growing practice area that requires a high degree of skill and diligence from practitioners. Given the increasing complexities facing practitioners in this area, the committee aims to encourage and support practitioners through relevant and expert CPD programs.

One of the committee's biggest CPD events continues to be the annual Wills & Estates Conference that it holds in September of each year. We had great success with our Fourth Annual Wills & Estates Conference which was held at The Boathouse in September 2017. We had just under 100 registrations for the event which was a wonderful turnout and the highest we have had since the committee commenced running these events. We had five presenters with a combination of both local and interstate speakers. The feedback was extremely positive and attendees seemed most impressed with the selection of speakers.

The committee is now well underway planning for the Fifth Wills & Estates Conference which is scheduled for 21 September 2018. It will again involve five highly regarded speakers, amongst them many of the judiciary, as well as a brief address by the Attorney-General.

The committee has worked with the Society to ensure there are CPD sessions throughout the year that are relevant and engaging for wills and estates practitioners, including:

- / Phil Davey, DDCS Lawyers, presenting on "Mediation in Estate Disputes" in November 2017.
- / Katie Binstock, McInnes Wilson Lawyers, presented at the February 2018 Intensive on "Capacity—When it is in Doubt".
- / Rebecca Tetlow, DDCS Lawyers, presented at the February 2018 Intensive on "Enduring Powers of Attorney".
- / "Probate Practices for Young Lawyers and Support Staff," which is scheduled for 14 November 2018 and will be run by Emma Bragg, Tim Morton and Katie Binstock.

Throughout the year, the committee has also made an effort to keep practitioners informed about changes to the law through notices in *Hearsay* and articles in *Ethos*.

I would like to express my gratitude for the continuing passion, commitment and dedication the members of this committee provide, as ambassadors for the Law Society and the profession, in the areas of elder law and succession law.

—Emma Bragg, Acting Chair

Committee Members

- / Rebecca Tetlow (Chair, on maternity leave since March 2018)
- / Emma Bragg (Acting Chair from March 2018)
- / Erin Bedford
- / Katie Binstock
- / Glenda Bloomfield
- / Christie Gardiner
- / Michelle Gold (to February 2018)
- / Grant Kennealy
- / Jady Kwong*

- / Mabel Lim
 - / Tim Morton
 - / Golnar Nekoe
 - / Elizabeth Samra
 - / Loretta Zamprogno (to February 2018)
 - / Jennifer Bauer (JACS)
 - / Kevin Campbell (JACS)
 - / Stephen Kellett (Public Trustee and Guardian)
 - / Hamish Kerr* (Department of Health, to July 2018)
 - / Peter Prince* (Department of Health)
 - / Fergus Thomson (Council on the Ageing ACT)
- * Shared membership

Family Law

The last 12 months have seen the proposal of a series of major reforms in family law (some of which were underway at the time of my last report).

ALRC review of the Family Law Act

The landmark ALRC review of the Family Law Act is well and truly in progress. The Issues Paper was released on 14 March 2018 and the committee (with the Canberra Region Family Lawyers and Practitioners Association) convened a meeting at the Law Society that month to directly engage with local members and others interested in or working in family law. The discussions were lively and a range of constructive suggestions in response to many of the questions in the Issues Paper were explored.

A number of local practitioners then travelled to Sydney to attend a forum convened by the Family Law Section (FLS) of the LCA where key elements of the Issues Paper were explored in more detail. The FLS prepared a comprehensive memorandum in response to the Issues Paper, which was provided to the committee for comment, and was subsequently endorsed by the committee.

Family violence

Other important reform initiatives continued in 2018, including changes to how the courts respond to victims of family violence and a range of protections to ensure they are not subject to direct cross-examination by the alleged perpetrator of that violence. The draft legislation will be presented to Parliament in the spring sittings and the committee provided a submission on an earlier draft.

Parental Management Hearings

The legislation for the widely reported Parental Management Hearings (PMH) is also listed for consideration in the spring sittings. The committee, along with all constituent bodies of the LCA and the FLS, opposed the creation of the PMH pilot and urged reconsideration of this plan—it would appear, to little avail. Funding in excess of \$12M has been earmarked

for the pilot (to begin in Parramatta), money which the committee urged would be better allocated to the existing family law courts and related services.

Courts merger

In late May 2018, the Commonwealth Attorney-General announced (it would appear, with no consultation of relevant family law bodies) the government's decision to merge the Federal Circuit Court and the Family Court in January 2019, to remove the appellate division of the Family Court (where matters may be heard by three Judges unless the Full Court determines that an appeal from the Federal Circuit Court may be heard by a single Judge) and instead have appeals heard by one Judge only in the Federal Court (in a family division). No new Family Court Judges will be appointed to that court.

While significant efficiencies of the merger of the courts have been claimed, the relevant (PWC) report commissioned by the government, has only recently been released.

There have subsequently been a series of criticisms in the press made by the Attorney-General, of that court and its judges—which comments should be of concern to all lawyers.

The proposed merger has met considerable protest and criticism—and the articulation (by specialist family lawyers and expert bodies, including the FLS) of deficiencies in the declared justifications for such a move. The abolition of the Family Court, after more than 40 years of world-first development of specialised responses to family law disputes is extreme and disappointing—in circumstances where the most obvious and significant challenge for delivery of timely and expert outcomes for families in both the Federal Circuit and Family Court is serious underfunding by successive governments. Virtually no additional funding is presently allocated to assist the new “merged court” to manage the enormous logistics of this change.

While returning to “one court” has long been advocated by many family law groups, this model, it is feared, will not result in better experiences for families turning to the court system.

The personnel in the Canberra Registry of the Federal Circuit Court and the Family Court have continued to work tirelessly and patiently and the workloads, in particular, of the Federal Circuit Judges, Court Registrars and Consultants (indeed all staff) are enormous. The committee is grateful for the continuation of the very positive relationship we have with the courts—which will be especially important if the proposed reforms are implemented in 2019.

Looking ahead

The next 12 months will be “interesting” for family lawyers. The final report of the ALRC will be released in March 2019 (after the proposed merger of the courts has occurred!). The ALRC discussion paper is scheduled to be released on 2 October 2018 and the committee will engage further with our members about what it says, in order to make submissions in response.

We will continue our advocacy on behalf of family lawyers for sensible reform that protects the vulnerable users of our services and recognising the important work done by hard working lawyers (including Judges!) around the country.

I thank the committee members for their positive engagement and substantial contribution and to Jean-Marie for his assistance and good humour.

—Di Simpson, Chair

Committee Members

- / Di Simpson (Chair)
- / Stuart Cameron (from June 2018)
- / Amanda Di Placido
- / Andrea Evans

Chair of the Government Law Committee, Peter Cain, and DFAT Senior Legal Adviser, James Larsen, at the Winter 2017 Government Law Drinks.



Members of the Young Lawyers Committee with their donation to Lifeline Canberra, at the Young Lawyers Christmas Garden Party.



- / Averil Foster*
- / Kasey Fox
- / Ron Friesen
- / Cristina Huesch
- / Brooke Johnson*
- / Claudia Maclean
- / Tanya Nadin (to February 2018)
- / Kevin Robinson
- / Brigitte Smithies (from April 2018)
- / Emily Tighe
- / Carlos Turini
- / Anna Wynne
- / Gavin Howard (ACT Bar Association)

* Shared membership

Government Law

The Government Law Committee has a focus on government lawyers and private practitioners involved with government law, both Commonwealth and ACT. The committee is comprised of lawyers from the Commonwealth, the ACT, and private practice. During 2017-18 the committee has met six times, and members have contributed to the presentation of two CPD afternoons, three evening drinks functions, and to the Society's consideration of a number of issues concerning government law.

The committee held CPD afternoons covering all four CPD areas on 22 November 2017 at ANU Commons and 14 March 2018 at The Boathouse. As in previous years these were very well attended, with about 80-90 practitioners attending each afternoon. The committee continued its practice of seeking to provide a variety of topics from local and interstate presenters, with a mixture of government and private practitioners and members of the Bar.

The committee also organised four evening drinks functions at which an invited guest spoke about the relevance of their work in the government law arena. I especially appreciated the generous offer from firms and government agencies to host these networking events and (again) had more offers for hosting than were required. The guests and host venues were:

- / 17 August 2017—James Larsen, DFAT Senior Legal Advisor, hosted by the Department of Foreign Affairs & Trade.
- / 16 November 2017—Group Captain Patrick Keane AM, Chief Legal Advisor to the Australian Defence Force Headquarters Joint Operations Command, hosted by Moray & Agnew.
- / 22 February 2018—Christopher Behrens, Senior Executive Lawyer at AGS and winner of the 2017 Government Law Award, hosted by the Australian Government Solicitor.
- / 3 May 2018—Annette Musolino, General Counsel at the Department of Human Services, and Mark Cunliffe, General Counsel at the Department of Defence, hosted by Proximity Legal.

The committee, on behalf of the Society, continues to administer the Government Law Award, which recognises the outstanding contributions by a practitioner working for or with government. It is hoped that this award will continue to raise the awareness of the substantial contribution that government law practitioners make to the legal profession and to the community. The 2017 winner was Christopher Behrens, Australian Government Solicitor.

It was a privilege for the committee to facilitate the approval by Council of practising certificate arrangements that were required for the launching of the Pilot Reciprocal Secondment Program. This program, an initiative of the Office of Legal Services

Guests at the Young Professionals Ball "Puttin' on the Glitz" at the National Gallery of Australia's Gandel Hall.



Guests at the Winter 2017 Government Law Drinks, hosted by the Department of Foreign Affairs and Trade.



Coordination, Attorney-General's Department (Cwlth), provides for the exchange of a private practitioner with a government lawyer. The program is a wonderful development opportunity for participants and an enhancement of each host's understanding of the distinctions between private and government practice.

I'd like to thank the committee members for their enthusiastic support for the committee's agenda and for providing input into Law Society submissions as requested. Special thanks must go to the Society's Tanya Holt (on leave) and Jean-Marie Nshimirimana, for supporting the committee with its administration.

—Peter Cain, Chair

Committee Members

- / Cain Peter (Chair)
- / Simon Blake (from April 2018)
- / Peter Brooks
- / Athena Cains
- / Elizabeth Carroll (from April 2018)
- / Dominic Cookman (from April 2018)
- / Louise Futol (to September 2017)
- / Paula Gonzalez
- / Rohan Goynes (to October 2017)
- / Julie Heckscher (to February 2018)
- / Vicki Hogarth
- / Brian Kildea
- / Timothy Matthews (to December 2017)
- / Kathleen McCarron (from April 2018)
- / Sanaz Mirzabegian
- / Guy O'Brien (from April 2018)
- / Athol Opas
- / Rebekha Pattison
- / Adam Peppinck
- / Christine Plevy
- / Mark Smith (from April 2018)
- / Lynne Thompson
- / Rebecca Wheeler (Young Lawyers Committee)

Inclusion & Diversity

2017-18 was a year where the Inclusion and Diversity Committee continued to engage with stakeholders and to speak out on issues of professional relevance. During the year, the committee contributed to profession-wide discussions and developed content for the Society's web site. Committee members wrote on areas that ignited their passion for equality for all. Clayton Utz co-hosted with the committee a discussion panel to celebrate, promote and discuss inclusion and diversity in the ACT legal community with speakers including Associate Professor Asmi Wood, Liz Huang Hughes-Brown and Caroline Bush compared by the committee's Dominic Cookman.

The committee's Sara Wedgewood facilitated the finalisation of the Society's 'Reflect' Reconciliation Action Plan, which was three years in the making. The Reflect RAP seeks to strengthen and develop relationships, increase member's engagement with the culture of first peoples, increase mindful respect of first people's culture and establish sustainable and meaningful avenues into the profession for first peoples. The Society's Reflect RAP was launched on 4 June with venue and catering kindly provided by HWL Ebsworth.

We are a relatively new committee whose remit compasses all aspects of the lifecycle of being a lawyer. Being so broad, the key challenge faced by the committee is how and where to devote its limited resources, especially when all members are passionate about their profession, their Society and creating a professional environment which is respectful to all lawyers. The challenge for the committee in the next year will be to increase its visibility and engagement with other committees. The committee thanks the unending support of the Society's CEO and her team, and Law Society President Sarah Avery, who has lent her support and advice when it was most needed and who, like her predecessor Martin Hockridge, were instrumental in the Society's RAP being adopted.

As committee Chair, this will be my last Annual Report and I thank the efforts, encouragement, humour, ideas and hard work of the committee. Works of committees are the product of all involved bringing together teamwork and dedication. Thank you.

With all the important work all committees do, sometimes it is the small things we do in our personal lives that impact those in our community. I have a seven year old niece who recently stood up to a group of boys four years her senior because they were laughing at a boy who had a physical ailment. She told them to stop being mean and stop. They stopped. The child being laughed at felt worthy and his parents grateful. We taught her to value all people and not judge. A single action of selflessness recognising another human being's need is what we can all do every day and teach each other. If a seven year old can, why can't we all?

—Ranjini Nayager, Chair

Committee Members

- / Ranjini Nayager (Chair)
- / Jan Baker
- / Veena Bedekar
- / Avinesh Chand
- / Farzana Choudhury (from April 2018)
- / Dominic Cookman
- / Walter Hawkins
- / Liz Hughes-Brown
- / Kahlia Jenkins
- / Sama Khan

- / Angela Lauman
- / Tamara Sullivan- Smith (to August 2017)
- / Anna-Kate Visser
- / Sara Wedgwood
- / Senzeni Zambezi

Industrial Relations

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

This year, issues that the committee has dealt with include making submissions in relation to the ACT government's review of the *Workplace Privacy Act 2011*, legal aid for employment matters, air tasking and the gig economy, and workplace bullying.

The committee has provided CPD seminars in the Society's program (including "Code of conduct: employment investigations in the Commonwealth and ACT public sectors", "General Protections under the Fair Work Act", and "Social Media and Employment") and prepared an article for *Ethos* on disability discrimination and prospective employees and employers.

—John Wilson, Chair

Committee Members

- / John Wilson (Chair)
- / Allison Ballard
- / Ashlee Berry (from June 2018)
- / Kirsty Easdale
- / Alana Heffernan (to December 2017)
- / Rachael Hyde
- / Andrew Klein
- / Deborah Mackenzie
- / Jasmine Millar
- / Belinda Miller
- / Jamie Ronald
- / Rebekah Smith
- / Gabrielle Sullivan (from June 2018)

International Lawyers

I was appointed to the role of committee Chair in June 2018 when Ilona Krolikowska resigned her position. The membership of the committee experienced some further changes, with two new members joining the committee in April.

In September 2017, the committee sponsored an event held at Meyer Vandenberg — 'Global legislative developments: Bottom up or top down?'. A member of the committee, Suzanne Howarth, then had an article published in the December issue of *Ethos* about the

panel discussion and the drivers of global public policy and legislation. More articles are forecast for 2017-18.

In February 2018, the committee supported the Jessup International Moot Court Competition at the Australian National University, with most of the committee participating as judges.

The committee continues to communicate and promote international law items of interest through the established LinkedIn group and *Hearsay*. This has included the listing of the 2018 UNCITRAL seminar presented by the UNCITRAL National Coordination Committee Australia (UNCAA) and the upcoming Institute for the Unification of Private Law (UNIDROIT) consultation workshop on the Protocol to the Cape Town Convention on matters specific to Agricultural, Construction and Mining Equipment, which is being co-sponsored by the International Lawyers Committee and UNCAA.

—Lynette Molloy, Chair

Committee Members

- / Ilona Krolikowska (Chair up to June 2018)
- / Lynette Molloy (Chair from June 2018)
- / Bechor Aharoni (from April 2018)
- / Mark Goyne
- / Suzanne Howarth
- / Zoe Hutchinson
- / Briony Martin
- / Debra Parker (from April 2018)
- / Barbara Pearson
- / Jason Soderblom
- / Lucy Turonek
- / Tiru Vallal

Legal Profession Act & Ethics

The committee met formally on six occasions throughout the year to address a range of issues, either referred to it by the Executive or otherwise brought to the committee for consideration. The committee also dealt with a number of other matters out of session as the need arose.

The topics addressed have been stimulating and relevant to the day to day practice of members.

In particular, considerable time has been devoted to potential conflicts of interests arising in the following circumstances:

- / Business structures put in place by firms;
- / Family Law Mediations; and
- / Developer's lawyers' contact and direct dealings with buyers of units in property developments, including in circumstances where the buyer was legally represented.

Indeed, these particular issues dominated the committee's agenda throughout the year with significant and well reasoned contributions made by all members to the committee's deliberations.

Discussions were conducted with JACS in relation to a broadening of Section 433 of the *Legal Profession Act 2006* empowering the Tribunal to make a costs order against a non-qualified employee of a solicitor after a finding of unsatisfactory employment conduct by ACAT.

Finally, the committee considered and resolved a number of ethical and practice issues raised by members seeking clarification or guidance from the Society.

I again thank the members of the committee for their dedication, and the good humour which they brought to the table. I am indebted to each and all of them for the immense contributions they have made to the committee's deliberations.

I also extend my thanks to Tanya Holt, the Society's Committee Secretary, and whilst on maternity leave, her successor Jean-Marie Nshimirimana, for their support.

—Michael Phelps, Chair

Committee Members

- / Michael Phelps (Chair)
- / Paul Armarego
- / Sarah Avery
- / Rahul Bedi (from June 2018)
- / John Buxton
- / Jennifer Crawley
- / Owen Harris (from June 2018)
- / Mark Love
- / Athol Opas
- / Anna Reynhout (from June 2018)

- / Gerald Santucci
- / Dianne Simpson
- / Ross Watch
- / Rob Reis (Professional Standards Manager)

Military Law

The Military Law Committee had a productive year.

The committee benefited from a previous influx of new members and is now drawing on their range of skills and experience. Committee members include Australian Defence Force legal officers, both regular and reserve, private practitioners, academics, and government lawyers.

Committee members participated in an information brief from the Department of Veterans' Affairs in relation to a veterans' advocacy and support services scoping study. The President then made submissions to the study.

The committee is available to provide advice and comment to the President on military law issues. Such issues impact on Law Society members, the Defence community, and the wider public.

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

—James King, Chair

Guests at the Young Lawyers Spring Wine Tasting Day at Long Rail Gully Wines, Murrumbateman.



Speakers and hosts at the Autumn 2017 Government Law Drinks, generously hosted by Proximity.



Committee Members

- / James King (Chair)
- / Genevieve Butler
- / Alexandra Collins
- / David Letts
- / Eva Logan
- / Don Malcolmson
- / Ben Mason
- / Tristan Skousgaard (to May 2018)
- / Peter Sutherland
- / Michael Webster

Property Law

The Property Law Committee had a very busy 2017-18 year. We continue to meet monthly, and have some sub-committees that meet in addition to the monthly meetings.

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

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

GST residential withholding measures

The committee liaised extensively with the Australian Taxation Office in the lead up to and following the 1 July 2018 introduction of changes to the collection of GST

by the Australian Taxation Office in relation to the sale of certain new residential property and vacant land.

Foreign Resident Withholding Tax

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

Barrier Free Stamp Duty

The committee liaised extensively with the ACT Revenue Office in the lead up to and following the September 2017 introduction of the 'Barrier Free' method of collecting stamp duty. This included recommending a number of changes to the ACT Revenue Office's processing procedures and recommending a number of changes to relevant ACT Land Titles Office forms.

Contract for Sale

The committee twice redrafted the ACT Law Society's standard Contract for Sale to accommodate the abovementioned Access Canberra, ACT Revenue Office, and Australian Taxation Office changes. The redrafts have also been designed to enable the introduction of an electronic version of the standard Contract for Sale, which is expected to become available during the 2018-19 year.

Strata Title Reform

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

Red Tape Reform

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

'Mr Fluffy'

The committee assisted the ACT Law Society with its contributions to media reporting in relation to the indemnity provisions contained in the contracts for sale for remediated 'Mr Fluffy' blocks.

Members of the Young Lawyers Committee with their 2018 charity, Orange Sky Laundry, at the Young Lawyers Afternoon Rendezvous.



Guests at the Fourth ACT Wills and Estates Conference, held in September 2017 at the Boat House by the Lake.



Other committee activities

The committee ran a Property Law Afternoon CPD on each of 25 October 2017 and 6 June 2018, both of which were extremely well attended.

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

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

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

—Adam Peppinck, Chair

Committee Members

- / Adam Peppinck (Chair)
- / Fred Arugay (Access Canberra)
- / Julie Beddoe (JACS)
- / John Chamberlain
- / David Claxton (from April 2018)
- / Alfonso del Rio
- / Geoff Hay
- / Mussa Hijazi
- / Michael James
- / Roberta McRae
- / Rhys Mitchell (Young Lawyers Committee)
- / Christine Murray (from February 2018)
- / Brett Phillips (Environment, Planning and Sustainable Development Directorate)
- / Helen Rodriguez
- / David Toole (to January 2018)
- / Peter Waight
- / Chris Wheeler

Young Lawyers

The Young Lawyers Committee currently has 19 members (our capacity is 20). The committee meets once a month with a view to facilitating a positive and collegiate young lawyers community through social events, CPD seminars, networking events and a mentor program. It is fair to say that the committee enjoys a strong reputation in the legal community for being a very active and engaged committee. That reputation is down to the hard work of the committee members, who work to organise and publicise a strong, interesting and exciting calendar of events.

The committee is also very lucky to have an incredibly healthy budget at present, due to the success of our CPD program, the hard work of committee members in

sourcing sponsorship and running cost-effective events, and the support of young lawyers in attending our events. The committee is putting these funds back into our members through cheaper ticket prices, an extra CPD event on financial planning for young lawyers, and providing assistance for the winner of the Golden Gavel to travel to South Australia. We will also contribute extra monies towards our donation to our chosen charity for 2018, Orange Sky Laundry.

As usual, we have had a very active calendar of events for the 2017-18 year, including (but not limited to) our CPD events, Speed Networking, the Spring Wine Tasting, the Christmas Garden Party, Networking Drinks, the Golden Gavel competition, the Law Week Quiz Night, An Afternoon Rendezvous, Networking Drinks, and our Mentor Program. We did not run the ski CPD weekend in 2018, as it takes a lot of organisation and numbers have been down for the last few years, however, we will review whether it should be run again next year. Sarah Boxall and Rahul Bedi also continue to coordinate Counsel to move the admissions of new lawyers, and to organise Networking Drinks to celebrate the newly admitted lawyers and to provide a regular and free networking event for all new and young lawyers.

The mentor program, presently coordinated by Emily Bowler and Deblina Mitra, continues to grow. We now run two intakes per year, with about 40 mentors and mentees in each intake. We also held our first 'end of mentor program cocktail function' on 14 June 2018 at the Street Theatre, which was well attended. Justice Loukas-Karlsson (Patron of Young Lawyers in the ACT) graciously agreed to attend and give a speech, which was equal parts wise advice and entertaining. This event will likely become a regular fixture on our calendar in the future.

Our CPD program is also very successful, and is ably coordinated by Angela Li, Alyssa Dunn and Adrien Hearne. We held our Young Lawyers Spring CPD afternoon in September 2017, which focused on Advocacy. In December 2017, we held our New Lawyers Workshop, which provides an introduction to Court etiquette. Deputy Registrar Kennealy of the ACT Supreme Court and Registrar Amanda Nuttall, then of the ACT Magistrates Court presented, along with Rob Reis of the Law Society and Seyi Onitiri of Counsel. We began the year with our Autumn CPD Afternoon, which involved a panel of experienced legal practitioners providing practical advice and 'war stories'.

We are also working on a project to engage more closely with students undertaking the GDLP at ANU and College of Law at UC, which is being coordinated by Steve McMahon and Rhys Mitchell. The project involves preparing a brochure to provide to these students with information on the practicalities of admission, what the committee does, and directing

them to job placement opportunities. We also plan to attend face to face sessions to introduce the committee and provide the brochures.

The Young Professionals Ball continues to be our flagship event, which in 2018 was organised by Rahul Bedi and his subcommittee. It was held at the National Gallery again, and was a fantastic night with about 250 attendees. This event also continues to grow and attract young professionals from all different industries, creating a fantastic opportunity for young lawyers to grow their networks and have fun at the same time.

Thanks must also go to our sponsors, TIMG (An Afternoon Rendezvous), Hays (Networking Drinks, Christmas Garden Party, Speed Networking and Law Week Quiz Night), Chamberlains (Spring Wine Tasting) and Vincents (Young Professionals Ball). We are very lucky that local companies are keen to engage with us and support us in what we do.

I would like to thank all members of the committee for their ongoing dedication and hard work to making the ACT a great place to be a Young Lawyer, as well as all the people who attend our events. I would also like to thank the ACT Law Society staff and the Council for their continual support which ensures we can facilitate amazing events and programs.

Young Lawyers Charity

Each year the committee chooses a local charity to support. In 2017, our charity was Lifeline Canberra, Lifeline exists to support people in crisis and to save the lives of those experiencing thoughts of suicide. We (through the generous support of young lawyers) raised \$2,500 for Lifeline Canberra and this effort was coordinated by Rebecca Wheeler. The committee presented representatives of Lifeline Canberra with a giant cheque at the Christmas Garden Party in December 2017. Lifeline Canberra was incredibly thankful for the donation.

In 2018 we are supporting Orange Sky Laundry, and Deblina Mittra is this year's charity coordinator. We held our dedicated charity fundraiser event at Pialligo Estate in February 2018, which was organised by Amanda Di Placido. It was very well attended, we received great feedback and we raised \$1,950 for the charity. We raised a further \$380 for the charity at the Young Professionals Ball in April 2018. We are hopeful of being able to donate \$5,000 to Orange Sky Laundry at the end of 2018.

In other charity activities, Mitchell Wright and his subcommittee organised the Quiz Night for Law Week, which raised funds for the Law Society's charity, ADACAS. We will also be participating in the running of Mental Health Week, through organising the Touch Football Competition.

—Lisa Sherman, Chair

Committee Members

- / Lisa Sherman (Chair)
- / Kahlia Jenkins (Vice Chair)
- / Rebecca Wheeler (Secretary)
- / Rahul Bedi (Treasurer)
- / Thomas Barrington-Smith
- / Emily Bowler
- / Sarah Boxall
- / Adrienne Davis
- / Amanda Di Placido
- / Alyssa Dunn
- / Adrien Hearne
- / Angela Li
- / Steven McMahon
- / Rhys Mitchell
- / Deblina Mittra
- / Karena Pendergast
- / Kumu Samarakoon
- / Monica Serci
- / Mitchell Wright

Committees listed elsewhere in this report

- / Functions & Law Week (found under *Our Members*)
- / Practice Management (found under *Operations*)
- / Professional Conduct (found under *Operations*)

FINANCIAL STATEMENTS

AIR

GENERAL ACCOUNT

The Law Society of the ACT – General Account

Statement of Comprehensive Income

For the year ended 30 June 2018

	Notes	2018 \$	2017 \$
Revenue	2	2,848,286	2,706,917
Audit fees		(15,745)	(15,650)
Capitation fees		(249,275)	(238,603)
Committee and executive working lunches		(17,649)	(16,048)
Consultancy fees		(8,000)	(1,800)
CTP Fair Comp campaign		(20,000)	-
Depreciation expense	8	(73,212)	(69,274)
Employee benefits expense		(1,166,545)	(1,054,996)
Ethos magazine expenses		(33,319)	(32,780)
Functions		(122,704)	(168,886)
Insurances		(28,127)	(29,305)
IT maintenance and services		(61,046)	(48,748)
Membership services		(19,456)	(10,464)
Postage and couriers		(35,335)	(30,755)
President's allowance		(111,218)	(108,820)
Printing and stationery		(27,130)	(28,078)
Rent and related expenses		(205,638)	(201,673)
Seminars		(125,608)	(102,111)
Travel and accommodation		(6,509)	(11,788)
Other expenses		(107,080)	(147,330)
Profit for the year		414,690	389,808
Total comprehensive income		414,690	389,808

Statement of Financial Position

As at 30 June 2018

	Notes	2018 \$	2017 \$
Current assets			
Cash and cash equivalents	4	2,932,622	2,972,382
Investments	5	1,450,000	900,000
Trade and other receivables	6	282,496	189,504
Inventory	7	42	135
Prepayments		60,672	48,808
Total current assets		4,725,832	4,110,829
Non-current assets			
Office furniture and equipment	8	419,050	477,982
Rental bond		54,287	54,287
Total non-current assets		473,337	532,269
Total assets		5,199,169	4,643,098
Current liabilities			
Trade and other payables	9	2,013,553	1,850,737
Provisions	10	217,713	192,060
Total current liabilities		2,231,266	2,042,797
Non-current liabilities			
Trade and other payables	9	406,832	442,908
Provisions	10	9,328	20,340
Total non-current liabilities		416,160	463,248
Total liabilities		2,647,426	2,506,045
Net assets		2,551,743	2,137,053
Equity			
Accumulated funds		2,551,743	2,137,053
Total equity		2,551,743	2,137,053

Statement of Changes in Equity

For the year ended 30 June 2018

	Notes	2018 \$	2017 \$
Accumulated Funds			
Balance at the beginning of the financial year		2,137,053	1,747,245
Total comprehensive income for the year		414,690	389,808
Balance at the end of the financial year		2,551,743	2,137,053

Statement of Cash Flows

For the year ended 30 June 2018

Cash flows from operating activities			
Receipts from members and others		2,919,443	3,042,395
Payments to suppliers and employees		(2,443,859)	(2,267,127)
Interest received		48,936	32,454
Net cash inflow/(outflow) from operating activities		524,520	807,722
Cash flows from investing activities			
Receipts/(payments) for investments		(550,000)	(186,386)
Payments for office furniture and equipment		(14,280)	(51,880)
Net cash inflow/(outflow) from investing activities		(564,280)	(238,266)
Net increase/(decrease) in cash and cash equivalents held		(39,760)	569,456
Cash and cash equivalents at the beginning of the financial year		2,972,382	2,402,926
Cash and cash equivalents at the end of the financial year	4	2,932,622	2,972,382

Notes to the Financial Statements

For the year ended 30 June 2018

Note 1: Summary of Significant Accounting Policies

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

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

Basis of Preparation

Reporting Basis and Conventions

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

A number of Australian Accounting Standards have been issued or amended prior to the date of these statements but are only applicable to future reporting periods and accordingly have not been applied in preparing these financial statements. On the introduction of various standards there will be minor disclosure changes and operating leases will come 'on balance sheet'. Apart from this the Councillors are of the opinion that when the Accounting Standards are first applied there will be no material impact on the accounting policies of the Society and no material impact on the statement of comprehensive income or statement of financial position of the Society.

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

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

Accounting Policies

(a) Income Tax

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

(b) Inventory

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

(c) Office Furniture and Equipment

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

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

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

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

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

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

(d) Depreciation

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

Office furniture and equipment — 3-15 years.

(e) Financial Instruments

Recognition

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

Financial assets at fair value through profit and loss

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

Loans and receivables

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

Held-to-maturity investments

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

Available-for-sale financial assets

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

Financial liabilities

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

Impairment

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

(f) Investments

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

(g) Cash and Cash Equivalents

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

(h) Trade and Other Receivables

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

(i) Trade and Other Payables

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

(j) Revenue

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

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

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

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

(k) Goods and Services Tax (GST)

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

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

(l) Employee Benefits

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

(m) Provisions

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

(n) Comparative Figures

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

Critical Accounting Estimates and Judgements

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

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

Note 2: Revenue

	2018	2017
	\$	\$
Revenue from operating activities		
Practising certificate fees	1,490,233	1,385,267
Members' subscriptions	17,311	17,907
Capitation fees	252,224	239,400
Certificates of good standing	14,200	14,100
Ethos advertising and subscriptions	8,254	12,914
Functions	107,142	163,887
Profit on standard forms	111,285	94,072
Project Officer contributions	-	7,497
Reimbursement of expenses		
Statutory Interest Account — administration*	96,594	82,238
Statutory Interest Account — Legal Advice Bureau*	40,667	39,852
Statutory Interest Account — professional standards*	121,811	121,708
Solicitors' Fidelity Fund of the Australian Capital Territory — administration*	53,178	45,780
Settlements Office contributions	69,342	66,104
Seminar income		
Continuing Professional Development	279,889	235,200
Practice management courses	69,285	75,537
	2,731,415	2,601,463
Revenue from outside the operating activities		
Interest	54,633	44,752
Miscellaneous income	26,683	28,054
Sponsorship	35,555	32,648
	116,871	105,454
	2,848,286	2,706,917

Note 3: Profit for the Year

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

Rental payments on operating lease	(185,754)	(182,785)
Superannuation contributions	(106,724)	(97,233)
Loss on disposal of assets	-	(333)

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

	2018 \$	2017 \$
Note 4: Cash and Cash Equivalents		
Cash on hand	300	300
Cash at bank — Law Society General Acc	2,907,353	2,953,897
Undeposited funds	2,054	4,593
	2,909,707	2,958,790
Cash at bank — Compensation Rights Acc	22,915	13,592
	2,932,622	2,972,382

Note 5: Investments

Held-to-Maturity Investments*

Commonwealth Bank	-	250,000
National Australia Bank	500,000	350,000
Westpac Bank	950,000	300,000
	1,450,000	900,000

Note 6: Trade and Other Receivables

Trade debtors	213,738	120,514
Deposits paid	-	9,902
Accrued interest receivable	26,411	20,713
Other accrued income	30,739	30,545
GST refund receivable	11,608	7,830
	282,496	189,504

Note 7: Inventory

Contracts for sale	42	15
Tenancy agreements	-	120
	42	135

* These deposits have maturities of 7 to 12 months from the date of their deposit.

2018

\$

2017

\$

Note 8: Office Furniture and Equipment

Office furniture and equipment

At cost	701,068	688,305
Less: accumulated depreciation	(282,018)	(210,323)
Total office furniture and equipment	419,050	477,982

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	477,982	495,709
Additions	14,280	51,880
Disposals	-	(333)
Depreciation expense	(73,212)	(69,274)
Carrying amount at the end of the year	419,050	477,982

Note 9: Trade and Other Payables

Current

Subscriptions and other income in advance	1,762,254	1,659,638
Accruals	61,755	48,102
Payable — Solicitors' Fidelity Fund of the Australian Capital Territory	63,000	56,905
Fair Comp Compensation Rights account	22,915	13,592
Young Lawyers funds	25,349	18,444
Trade creditors	78,280	54,056
	2,013,553	1,850,737

Non-Current

Lease incentive liability	406,832	442,908
Total liabilities	2,420,385	2,293,645

Note 10: Provisions

Current*

Provision for annual leave	102,312	102,161
Provision for long service leave	115,401	89,899
	217,713	192,060

Non-Current

Provision for long service leave	9,328	20,340
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* There is no known current long service leave expected to be settled within 12 months of the end of the financial year.

2018

\$

2017

\$

Note 13: Leasing Commitments

Lease commitments

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

Within one year*	218,445	212,082
Later than one year but not later than 5 years*	941,309	913,892
Later than 5 years	403,513	649,374
	1,563,267	1,775,348

Note 14: Legislation

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

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

* The Society's current 10 year lease was signed effective 1 February 2015 expiring 31 January 2025, with an option for another 5 years. The overall cost of the lease is accounted for on a straight-line basis for the term of the lease.

Note 15: Compensation Rights Account

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

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

	Notes	2018	2017
	\$	\$	
Financial Assets			
Cash and cash equivalents Compensation Rights Account	4	22,915	13,592
Total Financial Assets		22,915	13,592

Financial Liabilities

Trade and other payables	9	22,915	13,592
Total Financial Liabilities		22,915	13,592

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

Receipts	193,986	2,957
Payments	(184,663)	(31,427)
Net receipts/(payments)	9,323	(28,470)

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	13,592	42,062
Net receipts/(payments) during the year	9,323	(28,470)
Carrying amount at the end of the year	22,915	13,592

Note 16: Related Parties

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

Ms S Avery	President
Mr M Hockridge	Immediate Past President
Ms L E Vardanega PSM	Secretary
Mr V Sundar	Treasurer
Mr C Painter	Vice President
Mr P Cain	Vice President from 22 September 2017 General Councillor to 22 September 2017
Mr C Donohue	Vice President to 22 September 2017
Mr G Lee	
Mr G Marques	
Mr M Carmody	From 22 September 2017
Mr M Carrick	From 22 September 2017
Ms E Carroll	From 22 September 2017
Mr P Edmonds	From 22 September 2017
Ms S Khan	From 22 September 2017
Ms S Leslie	From 22 September 2017
Ms S Platis	From 22 September 2017
Mr C Deans	From 19 December 2017
Ms V Bradley	To 11 December 2017
Ms C Coles	To 22 September 2017
Ms A Eager	To 22 September 2017
Mr R Hambly	To 22 September 2017
Ms B McNeil	To 22 September 2017
Mr P Schubert	To 22 September 2017
Mr A Bucknell	To 22 September 2017

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

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

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

During the year the Society paid \$4,075 (2017: \$3,044) in premiums for Councillors and Officers liability insurance.

Note 17: Key Management Personnel Compensation

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

	2018	2017
	\$	\$
Total key management personnel compensation	328,883	320,095

Note 18: Events After the Balance Date

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

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

Note 19: Contingent Liabilities and Contingent Assets

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

Councillors' Declaration

For the year ended 30 June 2018

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

- (a) comply with Australian Accounting Standards — Reduced Disclosure Requirements and other mandatory professional reporting requirements; and
- (b) present fairly the Society's financial position as at 30 June 2018 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
20 August 2018



Councillor
20 August 2018



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 2018, and the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year ended on that date, a summary of significant accounting policies and other explanatory notes.

In our opinion the financial statements present fairly, in all material respects, the financial position of the Australian Capital Territory as at 30 June 2018 and of its financial performance and its cash flows for the year then ended in accordance with Australian Accounting Standards – Reduced Disclosure Requirements.

Basis for opinion

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

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

Responsibilities of the Council for the financial statements

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

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

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

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Auditor's responsibility for the audit of the financial statements

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

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

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



Nexia Duesburys (Audit)
Canberra, 20 August 2018



Rod Scott
Partner



STATUTORY DEPOSITS

Statutory Deposits Trust Account

Statement of Comprehensive Income

For the year ended 30 June 2018

	Notes	2018 \$	2017 \$
Revenue		-	-
Net surplus / (deficit)		-	-
Total comprehensive income for the year		-	-

Statement of Financial Position

As at 30 June 2018

Current assets

Cash and cash equivalents	2	14,681,077	6,967,803
Investments	3	34,100,000	26,553,033
Total current assets		48,781,077	33,520,836

Total assets		48,781,077	33,520,836
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Current liabilities

Trade and other payables	4	48,781,077	33,520,836
Total current liabilities		48,781,077	33,520,836

Total liabilities		48,781,077	33,520,836
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Net assets		-	-
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Equity

Accumulated Funds		-	-
Total equity		-	-

Statement of Changes in Equity

For the year ended 30 June 2018

	Notes	2018 \$	2017 \$
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 2018

Cash flows from investing activities

Net interest received/(transferred) to Statutory Interest Account		-	(21,113)
Proceeds from investments		25,153,033	19,850,000
Payments for investments		(32,700,000)	(26,000,000)
Net cash inflow/(outflow) from investing activities		(7,546,967)	(6,171,113)

Cash flows from financing activities

Proceeds from statutory deposits		23,970,298	11,343,703
Repayments of statutory deposits		(8,710,057)	(4,719,379)
Net cash inflow/(outflow) from financing activities		15,260,241	6,624,324

Net increase/(decrease) in cash and cash equivalents held		7,713,274	453,211
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Cash and cash equivalents at the beginning of the financial year		6,967,803	6,514,592
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Cash and cash equivalents at the end of the financial year	2	14,681,077	6,967,803
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Notes to the Financial Statements

For the year ended 30 June 2018

Note 1: Summary of Significant Accounting Policies

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

Basis of Preparation

Reporting Basis and Conventions

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

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

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

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

Accounting Policies

(a) Income Tax

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

(b) Cash and Cash Equivalents

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

(c) Investments

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

(d) Monies Deposited by Solicitors

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

(e) Financial Instruments

Recognition

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

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

Financial assets at fair value through profit and loss

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

Loans and receivables

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

Held-to-maturity investments

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

Available-for-sale financial assets

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

Financial Liabilities

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

Impairment

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

(f) Comparatives

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

Critical Accounting Estimates and Judgements

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

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

	2018	2017
	\$	\$
Note 2: Cash and Cash Equivalents		
Cash at bank	14,481,077	6,767,803
Cash at bank — AMP Saver Account	200,000	200,000
	14,681,077	6,967,803

Note 3: Investments

Held-to-Maturity Investments*

AMP Bank	2,500,000	3,000,000
Bank of Qld	-	2,000,000
Bendigo Bank	2,500,000	1,000,000
Commonwealth Bank	500,000	-
ING	-	1,000,000
ME Bank	1,000,000	-
National Australia Bank	500,000	4,350,000
Rural Bank	3,000,000	-
Suncorp Bank	5,200,000	6,900,000
Westpac	18,900,000	8,303,033
	34,100,000	26,553,033

Note 4: Trade and Other Payables

Monies deposited by solicitors	48,781,077	33,520,836
	48,781,077	33,520,836

Note 5: Legislation

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

Note 6: Remuneration of Auditors

Audit fees of \$1,775 (2017: \$1,775) were ultimately paid by the Statutory Interest Account on behalf of the Statutory Deposits Trust Account.

* These deposits have maturities of 7 to 18 months from the date of their deposit.

Note 7: Financial Risk Management

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

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

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

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

	Notes	2018 \$	2017 \$
Financial Assets			
Cash and cash equivalents	2	14,681,077	6,967,803
Held-to-maturity investments	3	34,100,000	26,553,033
Total Financial Assets		48,781,077	33,520,836
Financial Liabilities			
Trade and other payables	4	48,781,077	33,520,836
Total Financial Liabilities		48,781,077	33,520,836

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 2018

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

- (a) comply with Australian Accounting Standards — Reduced Disclosure Requirements and other mandatory professional reporting requirements; and
- (b) present fairly the Society's financial position as at 30 June 2018 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
20 August 2018



Councillor
20 August 2018



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 2018, and the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year ended on that date, a summary of significant accounting policies and other explanatory notes.

In our opinion the financial statements present fairly, in all material respects, the financial position of the Australian Capital Territory Statutory Deposits Trust Account as at 30 June 2018 and of its financial performance and its cash flows for the year then ended in accordance with Australian Accounting Standards – Reduced Disclosure Requirements.

Basis for opinion

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

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

Responsibilities of the Council for the financial statements

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

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

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

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Auditor's responsibility for the audit of the financial statements

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

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

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



Nexia Duesburys (Audit)
Canberra, 20 August 2018



Rod Scott
Partner

STATUTORY INTEREST

The Statutory Interest Account

Statement of Comprehensive Income

For the year ended 30 June 2018

	Notes	2018 \$	2017 \$
Revenue	2	2,797,662	2,700,074
Expenses			
Law Society of the Australian Capital Territory – reimbursement of administration expenses		(96,594)	(82,238)
Disciplinary legal costs and other legal costs		(1,058,823)	(1,420,194)
Legal Advice Bureau operating costs	8	(42,287)	(41,335)
Professional Standards Office costs		(122,929)	(122,810)
Surplus before disbursements		1,477,029	1,033,497
Proposed disbursements under s253		(1,477,000)	(1,033,400)
Surplus/(deficit) for the year		29	97
Total comprehensive income		29	97

Statement of Financial Position

As at 30 June 2018

	Notes	2018 \$	2017 \$
Current assets			
Cash and cash equivalents	3	1,220,015	953,571
Investments	4	1,400,000	1,300,000
Trade and other receivables	5	664,504	603,117
Total current assets		3,284,519	2,856,688
Non-current assets			
Other receivables	5	-	-
Total assets		3,284,519	2,856,688
Current liabilities			
Trade and other payables	6	131,117	146,915
Provisions	7	1,477,000	1,033,400
Total current liabilities		1,608,117	1,180,315
Total non-current liabilities		-	-
Total liabilities		1,608,117	1,180,315
Net assets		1,676,402	1,676,373
Equity			
Accumulated funds		1,676,402	1,676,373
Total equity		1,676,402	1,676,373

Statement of Changes in Equity

For the Year Ended 30 June 2018

Accumulated funds			
Balance at the beginning of the financial year		1,676,373	1,676,276
Surplus/(deficit) for the year		29	97
Balance at the end of the financial year		1,676,402	1,676,373

Statement of Cash Flows

For the Year Ended 30 June 2018

	Notes	2018 \$	2017 \$
Cash flows from operating activities			
Recovered disciplinary legal costs and fines imposed		217,462	292,223
Miscellaneous receipts & GST refunds		194,100	185,890
Disbursements and other operating payments		(1,516,996)	(1,933,771)
Interest		2,505,278	2,179,132
Net cash inflow/(outflow) from operating activities		1,399,844	723,474
Cash flows from investing activities			
Payments for investments		(100,000)	-
Net cash inflow/(outflow) from investing activities		(100,000)	-
Cash flows from financing activities			
Section 253 disbursements	9	(1,033,400)	(823,000)
Net cash inflow/(outflow) from financing activities		(1,033,400)	(823,000)
Net increase/(decrease) in cash and cash equivalents held		266,444	(99,526)
Cash and cash equivalents at the beginning of the financial year		953,571	1,053,097
Cash and cash equivalents at the end of the financial year	3	1,220,015	953,571

Notes to the Financial Statements

For the year ended 30 June 2018

Note 1: Summary of Significant Accounting Policies

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

Basis of Preparation

Reporting Basis and Conventions

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

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

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

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

Accounting Policies

(a) Income Tax

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

(b) Cash and Cash Equivalents

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

(c) Investments

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

(d) Revenue Recognition

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

(e) Goods and Services Tax (GST)

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

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

(f) Financial Instruments

Recognition

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

Financial assets at fair value through profit and loss

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

Loans and receivables

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

Held-to-maturity investments

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

Available-for-sale financial assets

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

Financial liabilities

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

Impairment

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

(g) Comparatives

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

Critical Accounting Estimates and Judgements

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

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

Note 2: Revenue

	2018 \$	2017 \$
Interest on investments by the Statutory Interest Account	45,733	47,284
Interest on investments by the Statutory Deposits Account	812,982	737,336
Interest on Solicitors' Trust Accounts	1,710,123	1,602,923
Recovered disciplinary costs and fines	228,824	312,531
	2,797,662	2,700,074

	2018 \$	2017 \$
Note 3: Cash and Cash Equivalents		
Cash at bank	1,220,015	953,571

Note 4: Investments

Held-to-Maturity Investments*

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

Note 5: Trade and Other Receivables

Current

Accrued interest		
Investments	360,581	358,100
Solicitors' Trust Accounts	160,849	155,532
Other	55,762	-
	577,192	513,632
Debtors	102,443	26,000
Provision for doubtful debts	(65,081)	-
Prepayments	2,148	2,018
GST receivable	47,802	61,467
	87,312	603,117

Non-current

Debtors	71,419	-
Provision for doubtful debts	(71,419)	-
	-	-
	664,504	603,117

Note 6: Trade And Other Payables

Sundry creditors and accruals	131,117	146,915
--------------------------------------	----------------	----------------

* These deposits have maturities of 9 to 12 months from the date of their deposit.

2018
\$

2017
\$

Note 7: Provisions – Current

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

Proposed disbursements	1,477,000	1,033,400
-------------------------------	------------------	------------------

Note 8: Legal Advice Bureau Operating Costs

Cleaning	935	888
Depreciation	1,155	1,155
Electricity	248	203
Insurance	245	245
Publications and subscriptions	1,620	1,483
Rental of premises	8,450	8,450
Salaries and superannuation	29,634	28,911
	42,287	41,335

Note 9: Disbursements

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

Canberra Community Law	76,800	79,008
Care Inc (Consumer Law)	14,400	14,814
Environmental Defender's Office	14,400	14,814
Legal Aid Commission (ACT)	612,269	671,568
Women's Legal Centre	82,131	42,796
	800,000	823,000
Disbursement to the Solicitor's Fidelity Fund	233,400	-
	1,033,400	823,000

Note 10: Financial Risk Management

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

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

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

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

	Notes	2018 \$	2017 \$
Financial Assets			
Cash and cash equivalents	3	1,220,015	953,571
Held-to-maturity investments	4	1,400,000	1,300,000
Loans & receivables	5	616,702	541,650
Total Financial Assets		3,236,717	2,795,221
Financial Liabilities			
Trade and other payables	6	131,117	146,915
Total Financial Liabilities		131,117	146,915

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 \$3,025 (2017: \$3,025) 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 2018

The Councillors declare that the financial statements and notes set out on pages 26 to 32:

- (a) comply with Australian Accounting Standards – Reduced Disclosure Requirements and other mandatory professional reporting requirements; and
- (b) present fairly the Society's financial position as at 30 June 2018 and its performance, as represented by the results of its operations and its cash flows, for the financial year ended on that date.

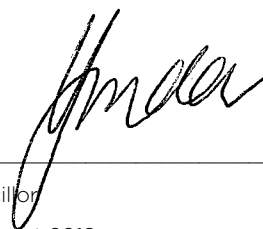
In the Councillors' opinion:

- (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
20 August 2018



Councillor
20 August 2018



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 2018, 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 2018 and of its financial performance and its cash flows for the year then ended in accordance with Australian Accounting Standards – Reduced Disclosure Requirements.

Basis for opinion

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

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

Responsibilities of the Council for the financial statements

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

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

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

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Auditor's responsibility for the audit of the financial statements

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

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

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



Nexia Duesburys (Audit)
Canberra, 20 August 2018



Rod Scott
Partner

FIDELITY FUND

The Solicitors' Fidelity Fund of the ACT

Statement of Comprehensive Income

For the Year Ended 30 June 2018

	Notes	2018 \$	2017 \$
Revenue	2	560,069	261,779
Audit fees		(3,025)	(3,025)
Administration expenses		(53,178)	(45,780)
Investigations, examinations, legal and managers' costs		(161,493)	(111,755)
Random inspections expenses		(108,980)	(110,635)
Surplus / (deficit) for the year		233,393	(9,416)
Total comprehensive income for the year		233,393	(9,416)

Statement of Financial Position

As at 30 June 2018

	Notes	2018 \$	2017 \$
Current assets			
Cash and cash equivalents	3	379,156	134,588
Investments	4	4,902,994	5,002,995
Trade and other receivables	5	232,261	190,518
Total current assets		5,514,411	5,328,101
Total assets		5,560,790	5,328,101
Current liabilities			
Trade and other payables	6	73,332	120,415
Total current liabilities		73,332	120,415
Total liabilities		73,332	120,415
Net assets		5,441,079	5,207,686
Equity			
Accumulated funds		5,441,079	5,207,686
Total equity		5,441,079	5,207,686

Statement of Changes in Equity

For The Year Ended 30 June 2018

	Notes	2018 \$	2017 \$
Accumulated Funds			
Balance at the beginning of the financial year		5,207,686	5,217,102
Total comprehensive income for the year		233,393	(9,416)
Balance at the end of the financial year		5,441,079	5,207,686

Statement of Cash Flows

For the Year Ended 30 June 2018

Cash flows from operating activities			
Receipts from contributions		340,992	57,821
Recoveries & GST refunds		42,459	22,773
Payments to suppliers and others		(411,528)	(235,612)
Interest received		172,644	117,391
Net cash inflow/(outflow) from operating activities		144,567	(37,627)
Cash flows from investing activities			
Payments for investments		-	(95,600)
Proceeds from investments		100,001	-
Net cash inflow/(outflow) from investing activities		100,001	(95,600)
Net increase/(decrease) in cash and cash equivalents held		244,568	(133,227)
Cash and cash equivalents at the beginning of the financial year		134,588	267,815
Cash and cash equivalents at the end of the financial year	3	379,156	134,588

Notes to the Financial Statements

For the year ended 30 June 2018

Note 1: Summary of Significant Accounting Policies

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

Basis of Preparation

Reporting Basis and Conventions

The financial statements are general purpose financial statements that have been prepared in accordance with Australian

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

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

The financial statements have been prepared on an accruals basis and are based on historical costs modified by the revaluation of

selected non-current assets, and financial assets and financial liabilities for which the fair value basis of accounting has been applied. The functional and presentation currency of the Fund is Australian dollars. The amounts presented in the financial statements have been rounded to the nearest dollar.

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

Accounting Policies

(a) Income Tax

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

(b) Cash and Cash Equivalents

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

(c) Revenue Recognition

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

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

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

(d) Investments

Investments in bank bills and deposits are brought to account at cost and interest income is recognised in the profit or loss when receivable. The investments are classified as non-current assets as they are held for longer terms and the deposits are expected to be rolled over upon maturity.

(e) Financial Instruments

Recognition

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

Financial assets at fair value through profit and loss

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

Loans and receivables

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

Held-to-maturity investments

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

Available-for-sale financial assets

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

Financial liabilities

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

Impairment

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

(f) Goods and Services Tax (GST)

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

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

(g) Comparatives

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

Critical Accounting Estimates and Judgements

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

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

	2018	2017
	\$	\$
Note 2: Revenue		
Interest on investments	137,075	149,950
Contributions from levies	58,957	54,724
Recovery of investigations/management costs	130,637	57,105
Distribution from the Statutory Interest Account	233,400	-
	560,069	261,779

Note 3: Cash and Cash Equivalents

Cash at bank	379,156	134,588
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Note 4: Investments

Held-to-Maturity Investments*

Bank of Queensland	-	400,000
Bendigo Bank	-	1,800,000
Commonwealth	550,000	-
National Australia Bank	502,994	952,995
Westpac	3,850,000	1,850,000
	4,902,994	5,002,995

Note 5: Trade and Other Receivables

Trade debtors — The Law Society of the Australian Capital Territory	63,000	57,053
Trade debtors — other	166,380	48,636
Provision for doubtful debts	(46,379)	-
Accrued interest	49,260	84,829
	232,261	190,518

* These deposits have maturities of 9 to 12 months from the date of their deposit.

	Notes	2018 \$	2017 \$
Note 6: Trade and Other Payables			
Trade creditors and accruals		10,332	63,362
Contributions received in advance		63,000	57,053
		73,332	120,415

Note 7: Legislation

The Solicitors' Fidelity Fund of the Australian Capital Territory is maintained by the Law Society of the Australian Capital Territory, a related entity, in accordance with s320 of the *Legal Profession Act 2006*. The Fund has no employees.

Note 8: Auditors' Remuneration

Audit of the Fund's financial statements		3,025	3,025
Conduct of random inspections		30,840	33,180
		33,865	36,205

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 \$49,030 on profit and equity.

An actuarial assessment of the Fund was made in August 2017. It was noted that the level of exposure to risk had increased due to the substantial increase in trust monies held in the ACT by law firms. The recommendation was that the prudential optimal size of the Fund should be between \$5.5m and \$6.0m and the Council of the ACT Law Society is taking steps to increase the balance over the coming years.

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

Financial Assets

Cash and cash equivalents	3	379,156	134,588
Held-to-maturity investments	4	4,902,994	5,002,995
Loans and receivables	5	232,261	190,518
Total Financial Assets		5,514,411	5,328,101

Financial Liabilities

Trade and other payables	6	73,332	120,415
Total Financial Liabilities		73,332	120,415

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 2018

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

- (a) comply with Australian Accounting Standards — Reduced Disclosure Requirements and other mandatory professional reporting requirements; and
- (b) present fairly the Society's financial position as at 30 June 2018 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
20 August 2018



Councillor
20 August 2018



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 2018, 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 2018 and of its financial performance and its cash flows for the year then ended in accordance with Australian Accounting Standards – Reduced Disclosure Requirements.

Basis for opinion

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

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

Responsibilities of the Council for the financial statements

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

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

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

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Auditor's responsibility for the audit of the financial statements

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

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

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



Nexia Duesburys (Audit)
Canberra, 20 August 2018



Rod Scott
Partner



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