

2023-24

annual report



actlaw
society

2023-24

annual
report

Represent Advance Defend

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

CONTENTS

YEAR IN REVIEW 2023-24	1
President's report	2
CEO's report	4
Year in summary	6
WHO WE ARE	8
Membership	9
Governance	11
Committees	13
REPRESENTATION	17
Activities in 2023-24	19
Lobbying in focus	21
REGULATION	24
Complaints	25
Investigations	26
ACAT and Court proceedings	27
Licensing	27
Trust Account Investigations	28
EDUCATION	29
Conferences	30
Targeted sessions	33
CPD Series	34
Specialist sessions	35
Speakers	35
Sponsors	36
ENGAGEMENT	37
Members survey	38
Member services and benefits	40
Connection and collegiality	42
New Lawyers and student engagement	45
Law Week 2023	46
Community engagement	49
FUTUREPROOFING	50
Organisational review	51
Governance review	52
FINANCIAL STATEMENTS	FS/1
Treasurer's report	FS/2
General Account	FS/4
Statutory Deposits	FS/20
Statutory Interest	FS/28
Fidelity Fund	FS/39

CONTACT

Level 4, 1 Farrell Place Canberra City ACT 2601
GPO Box 1562, Canberra ACT 2601
ABN 60 181 327 029

actlawsociety.asn.au

2023-24

**annual
report**

Represent Advance Defend

actlawsociety.asn.au

YEAR IN REVIEW 2023-2024



PRESIDENT'S REPORT

It has been an incredible honour and privilege to serve as President of the ACT Law Society Council from January 2024, working with the Society to celebrate our profession's success, to enable our members to find a balance in their professional lives, and to support our team to build new member offerings for the future.



This year has been one of substantial progress and innovation, and I'm proud of the way our members have supported this change.

Milestones and celebrations

As a profession, we have had the pleasure of witnessing a range of milestones achieved by our colleagues and peers in the ACT. At the end of 2023, the profession welcomed the appointments of Mary-Therese Daniel to the role of ACT Civil and Administrative Tribunal (ACAT) President, Dr Penelope Mathew to the role of ACT Human Rights Commissioner, and Vanessa Turnbull-Roberts to the role of the inaugural Aboriginal and Torres Strait Islander Children and Young People Commissioner. 2024 brought the appointment of Beth Campbell as Chair of the ACT Law Reform and Sentencing Advisory Council, and Victoria Engel SC to the role of ACT Director of Public Prosecutions. During this financial year, the ACT Magistrates Court swore in Magistrate Burt—as well as Special Magistrates Wilson and Hassall—and following Special Magistrate Hassall's appointment, the ACT Bar Association elected Brodie Buckland to the role of President.

As a woman working in law, it has been incredible to see the number of women continuing to occupy a diverse range of roles in our profession, including those appointments already mentioned and the many impressive women on the Society's Council. Of particular note was Justice Taylor becoming the first Aboriginal woman in Australia to be appointed to a superior court. Justice Taylor is a Kamilaroi woman, originally from Sydney, who has lived in Canberra for many years now.

I must say, having met with, and heard from the remarkable people referred to above, I am incredibly proud of the ACT legal community.

With an emphasis on recognising how hard our profession works, we also took the time during this financial year to shine a light on some incredible achievements. We gathered to acknowledge 90 years of the ACT Law Society, with addresses from Presidents current and past, and sharing insights from many members throughout the evening. We also celebrated the extraordinary efforts of the profession at the 2023 Awards Night, sharing the celebration on this occasion with our colleagues at the ACT Bar.

A year of finding the right balance

With our learnings over the past few years, especially following the ongoing impact of COVID19, we have begun to shift our attention to the importance of finding balance between our professional and personal needs. The outcomes of our Biennial Member Survey, published in the 2023 Spring Edition of *Ethos*, highlighted increasing stress levels and mental health concerns among our members. Guided by these outcomes, efforts have been directed at ensuring that the ACT legal profession feels supported to find the delicate balance between professional commitments and personal wellbeing.

Working as a lawyer can be incredibly challenging for a variety of reasons. First and foremost, the legal profession often involves high levels of stress. Lawyers frequently face tight deadlines, complex casework, and the pressure of advocating for clients whose lives and livelihoods may depend on their efforts. Additionally, the emotional toll can be significant. Many lawyers deal with sensitive issues, such as family disputes, criminal cases, or corporate crises, which can be draining. Balancing empathy for clients while maintaining professional detachment is a delicate tightrope to walk.

The demand for continuous learning is another hurdle. Laws and regulations are constantly evolving, requiring lawyers to stay informed about changes that could impact their practice. This commitment to lifelong learning can feel overwhelming, especially in fast-paced areas of law. Moreover, the work-life balance can be elusive. Long hours, including nights and weekends, are often the norm, making it difficult to find time for personal life, self-care, or family.

Lastly, the competitive nature of the field can create an atmosphere of constant comparison and pressure to succeed, which can affect mental health and job satisfaction. I reiterate that members have access to the Society's Employee Assistance Program, and can also find a sounding board through the volunteers on our Practitioner Support List, who offer their time and support to aid other members. I take this opportunity to extend my sincere gratitude to the members offering their time and guidance as part of this initiative.

Wellbeing is an issue close to my heart. As both a mother of three and a partner at a law firm, I am deeply familiar with how this balancing act can be difficult to manage without adequate support. I have missed school assemblies, not volunteered for the bake stall, taken calls late in the evening when I should be making dinner, and I have certainly felt the guilt that is associated with this. But I am incredibly grateful for the people who have continually encouraged, supported and reassured me that my heart is in the right place. I can only hope that it inspires my three lovely girls to know, and understand, that they can achieve whatever it is that they set their minds to.

This was part of the reason Lifeline Canberra was selected as the President's Charity of 2024. Lifeline Canberra exists to support people in crisis and change the lives of those experiencing thoughts of suicide. I'm proud to say the proceeds arising from Law Week, held in May 2024, will go towards this important cause.

Looking forward

A balanced approach is also necessary when considering governance, which has become a focal point for the Society this year as we strive to maintain the highest

standards of integrity and professionalism and lead by example. Council approved an interim Roles & Responsibilities policy during the year which together with the Conflict-of-Interest Policy and Code of Conduct introduced in the previous six months, aims to provide greater clarity, transparency and accountability for Council – the Society's key governance mechanism.

We also commenced a broad review of our governance frameworks, supported by independent expert Phil Khoury from Cameron Ralph Khoury (CRK) and led by a working group comprising members of the Executive Committee and the CEO. The process, as guided by CRK, included a "listening exercise" with a small group of members with experience engaging with the Society's work, to first assess the level of understanding of current governance arrangements and hear their perspectives and concerns. This feedback assisted in shaping our broader member consultation survey, which was undertaken after the financial year ended. The review will continue to progress in the next financial year, with ongoing engagement with members at each step. I want to acknowledge Tim Dingwall's early contribution to this work, leading the Working Group in his then role as President and as a strong proponent of governance reform.

Finally, I would like to extend my heartfelt thanks and gratitude to Simone Carton, the Society's CEO, and the dedicated staff of the Society for their enormous effort and support throughout this financial year.

Lisa Quilty

ACT LAW SOCIETY PRESIDENT

CEO'S REPORT

Reflecting on the past year, I'm reminded of the resilience and commitment of the team at the ACT Law Society to support our members' development and maintain high professional standards, so promoting the value of the legal profession within our community



Despite challenges and major initiatives which stretched our resources, our small but dedicated team has handled these well and we now look forward to growing our capacity and capability to take on more challenges in the next financial year.

In March, our flagship educational event, the Intensive Conference, focused on the essential theme of balance, based on feedback gathered from our recent member survey, as the President has mentioned in her report. The conference featured keynote presentations from well-known author and psychologist Hugh Mackay and Carrie-Ann Leeson, CEO of Lifeline ACT, who offered practical strategies for fostering the well-being of ourselves, our colleagues and the broader community. Their insights reinforced the importance of maintaining balance in our professional lives and the value of connection, something the Society actively fosters in our membership.

Our work, as always, would not have been possible without the support of our incredible volunteers, who contribute to the Society's work in all areas, including regulation, policy, and education. Whether serving on our Council or committees, presenting at our events, contributing to articles or information resources, or representing the Society with stakeholders, our volunteers help to create a connected legal community in the ACT and to deliver our important functions to our more than 3,000 members.

As our membership has continued to grow, we have been focused on improving our members' experience. The team have been busy preparing for a planned office relocation in early 2025. This move represents a significant step, allowing us to create a more welcoming environment for our team and our members to connect and engage. Leading up to this move, aiming to ensure our members have access to the assistance they need when it comes to their questions and concerns, we introduced Member Connect, a dedicated help service available only to members and their staff.

To ensure the support we offer is rounded and holistic, we also updated the Practitioner Support List, where members can seek guidance from the incredible senior practitioners volunteering their time and lived experience to the initiative. These changes are aimed at helping our members feel professionally and personally supported by the Society.

We've also focused on ensuring we have the right governance and organisational frameworks to support the Society well into the future. We've implemented new policies and procedures, worked on updating our information resources, and supported the work of the Governance Review Working Group. I want to particularly acknowledge the work of Deputy CEO Jaime Shields who has invested significant time supporting progress of the Governance Review, taking over much of this work towards the end of the period, and also Finance and Business Services Manager Lea McLean, who has continued to drive out technology improvements and ensure our ongoing financial sustainability. As the year came to an end, we also made an important step towards a restructured regulatory team, with the appointment of a new Regulatory Services Manager, Greg Williams, who commenced with the team in July 2024. This new role brings together and oversees all of our regulatory functions and will be important for ensuring that our services remain not only relevant but also effective, especially as we continue to increase our membership and adapt to a rapidly changing landscape.

In closing, I want to acknowledge the staff of the Society who work incredibly hard behind the scenes every day to support our members to be the best lawyers they can be and to contribute your voice to government and the community. I also want to thank each of our members, volunteers, and stakeholders who help us to achieve our mission and strive for excellence in our profession, with a particular mention of our President Lisa Quilty who has been a pleasure to work with this year and demonstrates an admirable willingness to serve our members and the Society wherever she is needed. I am optimistic and excited for the coming year and what lies ahead. Thank you for being an integral part of our journey.

Simone Carton

ACT LAW SOCIETY CHIEF EXECUTIVE OFFICER

YEAR IN SUMMARY

REPRESENTATION



Maintained

regular engagement with ACT Government & Law Council of Australia



Updated

Committee EOI and frameworks to ensure the right expertise to support policy work



Focussed

on maturing our policy capability & support to committees

REGULATION



4,275

PCs and memberships processed



309

Certificates of Fitness were prepared & issued



52 CPD

Exemption requests were assessed



408

Complaint enquiries were received



88

Formal complaints raised



77

Complaints finalised

EDUCATION



70+

CPDs offered



900+

Attended CPDs



Expanded

delivery options for:

- face to face
- online streaming
- demand webinar



ENGAGEMENT



16
Social events



700+
Member enquiries addressed



Practitioner support list launched



1000+
Calls from the public



170+
Pro bono enquiries



31
Pro bono applications

FUTUREPROOFING



Governance Review



Organisational Review

WHO WE ARE



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

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

Membership

The Society represents 3348 practising lawyers in the ACT region. Our members are sole practitioners, lawyers in private firms and government departments, in-house counsel, community legal centre solicitors, legal academics, and lawyer volunteers. We also have associate members, including students, expatriates, and retirees who want to maintain contact with the Canberra legal community.

As of 30 June 2024, the Society had 3512 members, an increase of 4.7 per cent from the previous financial year (3354 members).

Women currently represent 57% of our members, compared with just over 51% ten years ago.

Our members are also incredibly diverse, with 21 per cent speaking a language other than English, and 1 per cent identifying as Aboriginal or Torres Strait Islander.

When we look at our members by sector, 95% hold a practising certificate, with 46.5% of those in private practice, and 46.5% working for local or federal government. Our remaining practising members are in-house corporate lawyers (4%), non-ACT members (2%), and volunteer lawyers (0.75%). Members without practising certificates account for the remaining 5%.


Membership Stats

3512
Members

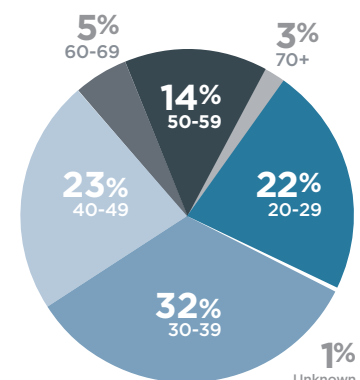
At 30 June 2024



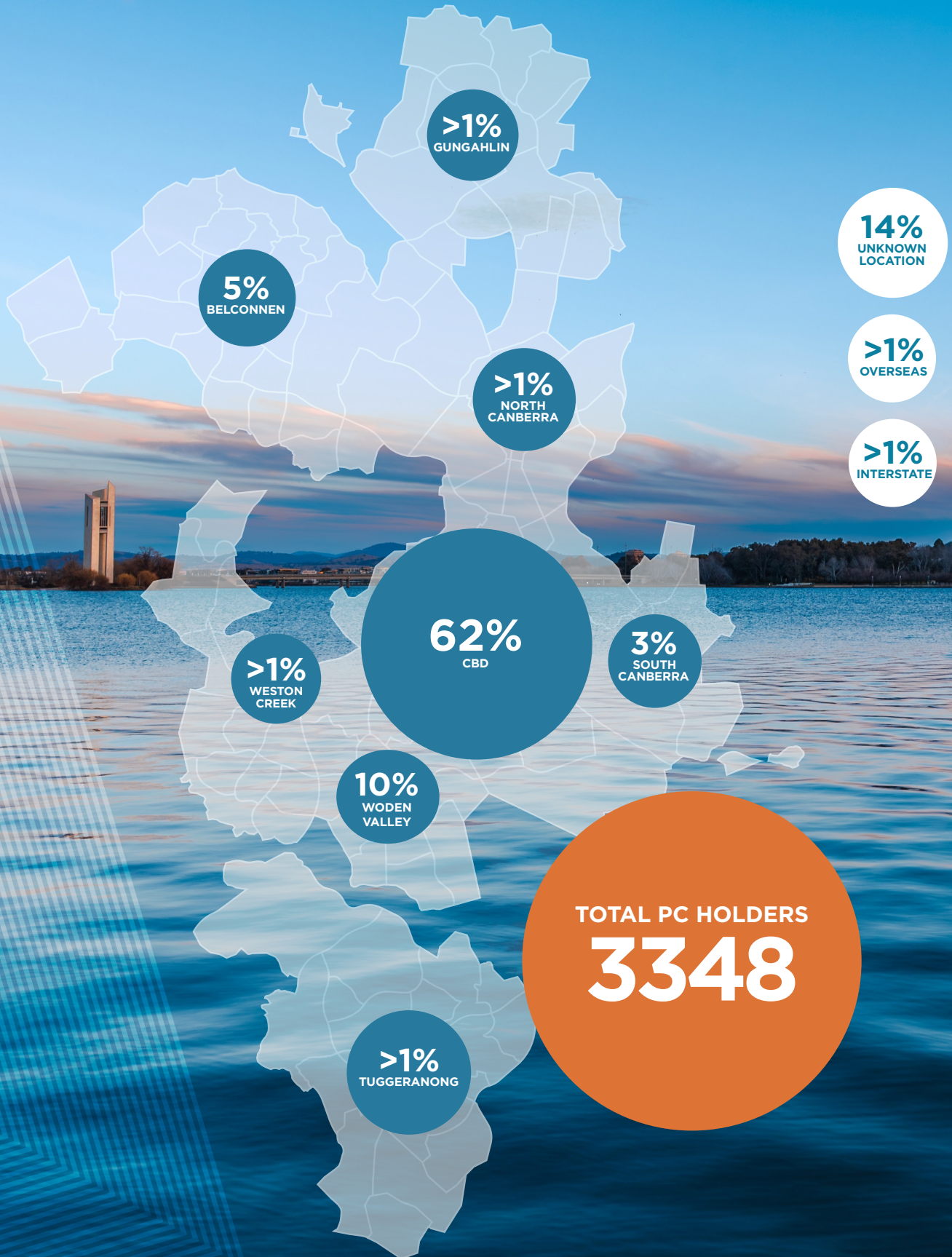
21% 
speaking a language
other than English

Women represent
57%
of our members 

Practising members by age group



Practicing members by location



Governance

The Society is governed by a Council of 16 members, including an Executive Committee of seven members with delegation for certain functions. Day-to-day operations are overseen by the Chief Executive Officer.

Council

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

Executive Committee

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

Chief Executive Officer

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



MEMBERS OF COUNCIL

Lisa Quilty

Councillor to 21 September 2023
Vice-President from 21 September 2023 to 8 January 2024
President from 8 January 2024

Kevin Robinson

Secretary

Vik Sundar

Treasurer to 21 September 2023
Council-appointed Executive Member from 21 September 2023 to 15 January 2024
Vice-President from 15 January 2024

Mark Tigwell

Council-appointed Executive Member to 21 September 2023
Treasurer from 21 September 2023

Georgia Briggs

Councillor to 21 September 2023
Vice-President from 21 September 2023

Tim Dingwall

Vice-President from 21 September 2023
President from 21 September 2023 to 1 January 2024
Immediate Past President from 1 January 2024

Amanda Wescombe

Council-appointed Executive Member from 15 January 2024

Andrew Allan

Catherine Coles

Chris Donohue

Andrew Giddings

Liz Hug

Sarah Milson-Mahy

Adam Peppinck

Amy Pyett

Farzana Choudhury

President to 21 September 2023
Immediate Past President to 1 January 2024

Elizabeth Carroll

Immediate Past President to 21 September 2023

Organisational structure

COUNCIL

The governing body (management committee or board) of the ACT Law Society and also responsible for the regulatory and disciplinary functions as provided for by the *Legal Profession Act 2006*.

Executive Committee

Manages the affairs of the Society, the implementation of Council policy, and the issuing of practising certificates.

President

Primary ambassador and spokesperson for the Society, and Chair of the Executive Committee.

Chief Executive Officer

APPOINTED BY THE COUNCIL

Responsible for the day-to-day operations of the Society and the implementation and reporting of the Strategic Plan.

Professional Standards Committee

A regulatory committee, which has delegated authority from the Council to perform certain functions under the *Legal Professional Act 2006* in relation to complaints about legal practitioners.

Regulatory Services

Responsible for regulation, licencing, complaint enquiries and assessments, investigations, professional standards and disciplinary matters.

Policy and Programs

Responsible for policy and advocacy efforts for the Society, along with member engagement, education, and outreach to stakeholders and the community.

Finance and Business Services

Responsible for the Society's financial operations, office IT systems, HR needs, and compliance requirements.

Special Interest and Segment Committees

Support the Society's efforts in legal policy, law reform, the education of the profession, and engagement with the community, as set out in the Strategic Plan.



Committees

The Law Society has established a range of committees made up of volunteers with relevant subject matter expertise and experience to support our purpose and strategic goals.

In November 2023, expression of interest (EOI) applications opened for members to apply for committee membership for 2024/2025. Applicants were asked to complete an EOI and provide information to support the assessment process. The approach focused on encouraging members to contribute in different ways with more flexibility, considering feedback from committee members and through our member survey. This included the:

- / Identification of practice areas or segments of our members before forming committees
- / Clearly defined role options to enable members to contribute in a way that best suits them
- / Identification of the time commitment members can allocate, ensuring we form committees with members that complement and support each other
- / Ability for members to choose the activity types they would like to contribute to and ensure we appoint a cross section of skills and experience to support Law Society work. The activity types included Policy and Law Reform, Education of the profession, Education of the community, Connection and Collegiality and Advocate and Represent

Our committees volunteer their time to contribute across a range of areas to support the Society in achieving our strategic goals.

In 2024 the responsibilities of the Access to Justice and Inclusion Committee were merged into all committees, given its importance and to ensure each practice area had an access to justice lens.

Considering the needs of the Society and the level of interest in particular areas, engagement occurred with select applicants to determine suitability for additional committees and/or potential working groups. This included:

- / Business/Commercial Law
- / Government/Public/Administration Law
- / Community Engagement/Pro Bono
- / First Nations
- / Military Law

These will continue to be explored over the next financial year.



Committees and membership

CIVIL LITIGATION

The Civil Litigation Committee monitors issues in relation to civil law and civil claim procedures and provides input to law reform proposals affecting aspects of civil litigation. The committee considers the impact on the profession, clients and the community including access to justice and as required assists in the development of education for the profession and community.

Members

Richard Faulks (Chair), James Treloar, Ellen Teys, Charlene Barriga, John Henry, Sarah McJannett, Chase Deans, Wayne Sharwood, Sarah Hendry, Brooke Dennington, Sarah Hein, Kathryn Day

Representatives

Registrar Jayne Reece (Supreme Court)

CRIMINAL LAW

The Criminal Law Committee monitors and provides input on criminal law reforms in the ACT and works to promote the administration of justice and the development and improvement of law in the local region. The committee considers the impact on the profession, clients and the community including access to justice and as required assists in the development of education for the profession and community.

Members

Michael Kukulies-Smith (Chair), Paul Edmonds (Deputy Chair), Adrian McKenna, Andrew Herring, Charlene Chalker-Harris, Georgia Briggs, Satomi Hamon, Nathan Deakes, Max Haesler, Sam Lynch

Representatives

Registrar Jayne Reece (Supreme Court)

DISPUTE RESOLUTION

The Dispute Resolution Committee is concerned with raising awareness in the profession and local community about mediation and arbitration options in the ACT. The committee aims to further promote Dispute Resolution as a means of resolving disputes, including mediation and arbitration, and parenting coaching, as well as regularly informing members of events and resources in the area.

Members

Debra Parker (Chair), Aditi Mohindra, Claire Naidu, Daniella Fiocco, Richard Calver, Robert Routh, Drew Buckley, Graeme Blank, Alexandra Kemp

ELDER LAW & SUCCESSION LAW

The Elder and Succession Law Committee monitors legislative changes in relation to elder and succession law and initiates proactive law reform proposals. The committee identifies education, tools and advice to support issues faced by practitioners and seeks to inform and educate the public on relevant areas of elder and succession law.

Members

Katie Binstock (Co-Chair), Timothy Morton (Co-Chair), David Toole, Emma Bragg, Lauren Babic, Perry Cabban, Rebecca Tetlow, Daniel Paterson, Julia Bridgewater, Christopher Chenoweth, Mabel Lim

Representatives

Allison Clarke (OPALS), Danae Lacey (PTG), Rosemary Budavari (OPALS)

EMPLOYMENT LAW

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

Members

Gabrielle Sullivan (Chair), Deb Mackenzie (Guest), Emma Reilly (Guest), Kristie-Lee Burt, Thomas Ficher, Aditi Mohindra, Daniel Tracey, David Endersby, Isabelle Purdy, Susan Price

Committees and membership CONTINUED



FAMILY LAW

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

Members

Averil Foster (Co-chair), Kasey Fox (Co-chair), Di Simpson, Jacquelyn Curtis, Jessica Cruise, , Kevin Robinson, Cesira Giuseppina Mussato, Holly Stapledon, Renee Mastrolembo, Renee Toy, Gavin Howard

Representatives

JR Sally Hiles (Supreme Court)

FAMILY VIOLENCE & CHILDREN LAW

The Family Violence and Children’s Committee considers issues arising in relation to family violence and children who come in contact with the legal system. The committee discusses issues experienced by family violence victims, including self-represented parties, as they seek to access legal protections in the ACT. The committee also considers laws that bring about differential treatment of children as compared to adults. Committee members regularly contribute their insights into law reform proposals, drawing on their considerable experience working with victims of family violence.

Members

Amy Begley (Chair), Anika Buckley, Catherine Coles, Ana Anzani, Anne Martens, Cesira Giuseppina Mussato, Georgia Briggs, Vanessa Graf, Shivani Banerjee

GOVERNMENT LAWYERS

The Government Lawyers Committee supports a significant proportion of Law Society members who work for government at both the Territory and Commonwealth level. They focus on skills and career development, advocating for the role of lawyers in government and maintaining connections with Federal Government bodies, including the Australian Government Legal Service (AGLS).

Members

Bronwen Shelley (Chair), Daniel Tracey, Josh Wood, Kathleen McCarron, Kristin Leece, Ming Li, Melissa Kent, Nicole Dever, Sinead de Sousa

INTERNATIONAL LAW

The International Law Committee seeks to promote an understanding of international law amongst the legal profession in the ACT. The committee monitors developments to international law and represents and supports the interests of ACT lawyers in relation to the practice, knowledge, and understanding of law in the context of an international community.

Members

Mark Jennings (Chair), Katie Haywood, Delcy Anglim, Mark Goyne, Anjali Goyal, Nicole Dever, Dominic Cookman, David Mason, Sangeeta Sharmin

PROFESSIONAL ETHICS

The Professional Ethics Committee focuses on issues relating to the application of the Legal Profession Act, legal ethics, and professional standards. In response to themes emerging from complaints, member surveys and member practice concerns, the committee will prepare guidance, CPDs and other suitable tools and resources. As required, the committee will provide quality assurance and peer review on ethics content delivered by the Society.

Members

Gerald Santucci (Chair), Amy Ward, Andrew Herring, Athol Opas, Debra Parker, Hannah Von Forell, John Buxton (Guest), Lauren Smith



Committees and membership CONTINUED

PROPERTY LAW

The Property Law Committee monitors developments to property law in the ACT and provides guidance to help local practitioners stay updated on changes to legislation, case law, and government policy relevant to property law. The committee regularly engages in consultation on draft legislation and arranges information sessions to educate practitioners on changes to property law in the ACT.

Members

Adam Peppinck (Co-Chair), Edward Campbell (Co-Chair), Alfonso del Rio, Alveer Singh, Chris Wheeler, Christine Murray, David Crowley, Helen Rodriguez, Jacinta Geaghan, John Chamberlain, Jonathon Bellato, Michael James, Peter Dascarolis, Pria O'Sullivan

Representatives

James Bennett (EPSDD), Heather McAulay, Kate Smyth (JACS), Fred Arugay, Sean Quinn (Land Titles Office), Caroline Cogger (Land Titles Office), Greg Ledwidge (EPSDD), Brett Wilesmith (ACT Revenue Office)

NEW LAWYERS

The New Lawyers Committee supports the Law Society to foster a community for members embarking on their professional journey. The committee aims to provide networking opportunities and develop educational tools and resources to support students through to members in their first 5 years of practice and provide avenues to connect, learn, and thrive.

Members

Carys Atkinson (Co-Chair), Holly Stapledon (Co-Chair), Angelique Nellis, Chris Bucknell, Corey Tibbs, Daniel Paterson, Kate Martin, Madeleine Perceval, Phillip Hansen, Richard Donaldson, Tyler O'Hare

We wish to thank all other members and representatives who served on our committees within the 2023 period.

COMMITTEE MEMBERS & REPRESENTATIVES

Jackie Antoun, Paul Armarego, Sascha Dov Bachmann, Allison Ballard, Alexander Barrett, Oneil Bernado, Stuart Bryson, Christopher Bucknell, Gregory Burn, Andrew Byrnes, Stuart Cameron, Andrew Chakrabarty, Farzana Choudhury, Dominic Cookman, Adrian Curtis, Chris Donohue, Kristy Easdale, Shireen Faghani, Andrew Giddings, Mark Goynes, Vanessa Graf, Andrew Henderson, Kristen Hurford, Gillian Hunter, Jesse Ilipoulos, Arabella Jorgensen-Hull, James King, Perpetua Kish, Andrew Klein, Amber Lawrence, Eva Logan, Tiffany Long, Mark Love, Daniel Magnussen, Ben Mason, Jill Mastrolembo, Renee Mastrolembo, Sam McLaughlin, Shelley Miller, Sarah Milson-Mahy, Sanaz Mirzabegian, Courtney Mullen, Kendall Mutton, Taryn Oxenburgh, Bianca Paridaen, Vanessa Parkins, Tich Pasipanodya, Elizabeth Reardon, Naomi Renner Gould, Anna Reynhout, Dean Rutherford, Natasha Sandhu, Jason Soderblom, Sangeeta Sharmin, Bernadette Smyth, Michael Stone, Emma Towney, Tiru Vallal, Christopher Ward, Michael Webster, Jessica White, Joshua Wood, Anna Wynne
Danielle Gatehouse (Supreme Court), Belinda Barry (Magistrates Court), Kristy Carter (ACAT), Lorana Bartels, Joel Hiscox, Daniel Morrison, Natasha Purvis, Robyn Hakelis (JACS), Sarah Boxall (Boxall Legal), Belinda Barry (Magistrates Court), Wilhelmena Corby (ACAT), Gabrielle McKinnon (JACS), Fergus Thomson (COTA), Grant Kennealy (Supreme Court), Allison Clark (Legal Aid), Louisa Bartlett (Legal Aid)

REPRESENTATION

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

REPRESENTATION

As the peak body for legal practitioners in the ACT, one of the Society's strategic goals is to lobby for 'good law' in the ACT and support the Law Council of Australia's advocacy for good law at the national level. The Society also seeks to improve the efficient and effective operation of the legal and justice system, including encouraging the government to adequately fund legal services and institutions.

What is 'good law'?

The foundation of 'good law' is evidence-based policy development and decision-making, underpinned by transparent processes and robust policy justification. Good law also upholds the rule of law and promotes human rights and access to justice. The institutions responsible for the administration and enforcement of the law must also be adequately resourced. The ongoing effectiveness of the law must also be evaluated at regular intervals and prioritised for reform where appropriate.

The primary way the Society lobbies for good law, and the efficient and effective operation of the legal and justice system, is by providing feedback on proposals for changes to public policy (including legislative reform), and to the practices, procedures, and systems of the institutions the profession engages with.

The Society actively leverages the legal expertise and experience of special interest committees to support the development of strong policy positions on proposals for reform, as well as identifying and proactively raising policy and practice issues. We combine the specialist expertise of our committees, with well-established connections to key government and institutional decision-makers and decision-making forums, and the policy and advocacy skills of our policy team.

The Society also builds the voice and influence of the ACT legal profession through regular engagement with the ACT government and other key stakeholders in the legal and justice system. The Society relies heavily on the Chairs and other members of the special interest committees as well as the President to represent the Society at high level stakeholder meetings (such as roundtables, working groups and briefing Members of the ACT Legislative Assembly), at inquiries conducted by committees of the ACT Legislative Assembly, and in the media. All representatives are approved by the CEO and President and briefed by the Society team before attending any discussions or providing public commentary.



Activities in 2023-24

The Society's engagement with ACT and national legislative reform includes informal and formal comments in response to policy proposals, and draft legislation and related instruments. Some of this is done on a confidential basis and therefore may not be suitable for inclusion in this report.

The Society also engages in legislative reviews and roundtable discussions – being conducted to evaluate practical operational experience with existing law – and inquiries into Bills before the ACT Legislative Assembly or federal Parliament. All engagement with national law reform is conducted via the Law Council of Australia.

The Society is active in providing feedback on the development and practical implementation of the rules and practices of ACT Courts and Tribunal and the Federal Circuit and Family Court of Australia. The Society also provides feedback on the profession's operational experience with other ACT government systems.

The Society seeks to proactively identify policy and practice issues – particularly in relation to civil litigation, criminal law, elder and succession law, and the regulation of the legal profession.

Further, the Society responds to questions from the media and Members of the ACT Legislative Assembly, about the Society's position on existing legislation and reform proposals.

Finally, the Society also ensures that the profession is kept up to date about changes to the law and related practice and procedure, including for example through *Hearsay* and dedicated continuing professional development activities.

ACT law reform

The Society engaged and provided input during the development, drafting and implementation of the following ACT Bills, Acts and legislative instruments:

- / *Building and Construction Legislation Amendment Act 2023;*
- / *Building (Obligations on Owners of Premises with a Regulated Swimming Pool) Guidance Material 2024;*
- / *Building (Swimming Pool Safety) Legislation Amendment Act 2023;*
- / *Civil Law (Wrongs) Amendment Act 2024;*
- / *Crimes (Coercive Control) Amendment Bill 2024;*
- / *Crimes (Disclosure) Legislation Amendment Act 2024;*
- / *Crimes Legislation Amendment Act 2024;*
- / *Crimes (Sentencing) Amendment Act 2024;*
- / *Housing and Consumer Affairs Legislation Amendment Bill 2024;*
- / *Human Rights (Complaints) Legislation Amendment Act 2023;*
- / *Human Rights (Healthy Environment) Amendment Bill 2023;*
- / *Justice and Community Safety Legislation Amendment Act (No 3) 2023;*
- / *Monitoring of Places of Detention Legislation Amendment Bill 2024;*
- / *Parentage (Surrogacy) Amendment Bill 2023;*
- / *Property Developers Bill 2023;*
- / *Road Safety Legislation Amendment Act 2024;*
- / *Sentencing (Drugs and Alcohol Treatment Orders) Legislation Amendment Act 2023;*
- / *Sexual, Family and Personal Violence Legislation Amendment Bill 2023;*
- / *Supreme Court Amendment Act 2023;*
- / *Unit Title (Management) Sale Certificate Determination 2024; and*
- / *Voluntary Assisted Dying Act 2024.*

REPRESENTATION

ACT legislative reviews

The Society participated in the following legislative reviews:

- / ACT Government response to a proposal for a Retirement Villages Ombudsman;
- / ACT Government response of a proposal for a Rental Commissioner or Ombudsman;
- / ACT Government Statutory Review of rescission of off-the-plan contracts; and
- / ACT Motor Accident Injuries Commission Three-Year Review of the *Motor Accident Injuries Act 2019*.

ACT legislative roundtables

The Society participated in the following legislative roundtables:

- / ACT Attorney-General's Roundtable: Restorative Justice (attended by Adrian McKenna, member of the Criminal Law Committee);
- / ACT Attorney-General's Roundtable: Sexual Offences Specialist Court (attended by Michael Kukulies-Smith, Chair of the Criminal Law Committee);
- / ACT Attorney-General's Roundtable: Use of character references in sentencing of child sexual abuse offenders (attended by Adrian McKenna, member of the Criminal Law Committee);
- / ACT Law Reform and Sentencing Advisory Council referral in relation to dangerous driving: sentencing and recidivism (the Society's representative on the Council is Michael Kukulies-Smith, Chair of the Criminal Law Committee); and
- / ACT Legislative Assembly Standing Committee on Justice and Community Safety into bail administration in the ACT (hearing attended by Michael Kukulies-Smith, Chair of the Criminal Law Committee).

ACT Legislative Assembly Bill inquiries

The Society engaged with the following Bill inquiries, conducted by Committees of the ACT Legislative Assembly:

- / Standing Committee on Justice and Community Safety inquiries into the:
 - Crimes Legislation Amendment Bill 2023;
 - Parentage (Surrogacy) Amendment Bill 2023;
 - Sexual, Family and Personal Violence Legislation Amendment Bill 2023;
- / Select Committee on the Voluntary Assisted Dying Bill 2023 (hearing attended by Timonthy Morton, Co-Chair of the Elder and Succession Law Committee and Tom Fischer, member of the Employment Law Committee); and
- / Standing Committee on Planning, Transport and City Services inquiry into the Property Developers Bill 2023 (hearing attended by Adam Peppinck, Co-Chair of the Property Law Committee).

ACT consultative mechanisms

The Society was represented on the following ongoing consultative mechanisms:

- / ACT Courts Joint Rules Advisory Committee (the Society's representative on the Committee is Richard Faulks, Chair of the Civil Litigation Committee);
- / ACT Supreme Court Criminal Court Users Group (the Society's representative on the Users Group is Michael Kukulies-Smith, Chair of the Criminal Law Committee);
- / ACT Retirement Villages Working Group (the Society's representative on the Working Group is Emma Bragg, member of the Elder and Succession Law Committee); and
- / ACT Witness Intermediary Program Implementation and Monitoring Group (IMG) (the Society's representative on the IMG is Adrian McKenna, member of the Criminal Law Committee).

The Society's engagement with ACT Courts consultative mechanisms allows the legal profession to provide practical insights to inform and support the court's objectives to improve procedural efficiency and access to justice. This engagement also positions the Society to more proactively communicate changes to court procedures to its membership. This more formal engagement is complemented by the inclusion of representatives from the courts and other government agencies on the Society's specialist interest committees. Through its representation on the IMG the Society also provided guidance on the expansion of the ACT Intermediary Program to enable intermediaries to work with vulnerable suspects and accused persons.



National law reform and legislative reviews

The Society provided input to the Law Council of Australia to inform submissions to the:

- / Attorney-General's Department in response to its Exposure Draft of the Family Law Amendment Bill (No.2) 2023;
- / Department of Home Affairs in response to its November 2023 Discussion Paper, 'Review of Australia's Visa Significant Cost Threshold';
- / Australian Bureau of Statistics in response to its 'Australian and New Zealand Standard Classification of Occupations Comprehensive Review – consultation round 3';
- / Senate Legal and Constitutional Affairs Legislation Committee inquiry into the Modern Slavery Amendment (Australian Anti-Slavery Commissioner) Bill 2023;
- / Treasury in relation to its December 2023 Consultation Paper, 'Winding down Australia's cheques system';
- / Fair Work Commission in relation to its March 2024 Options Paper, 'Paid Agents and the Fair Work Commission'; and
- / Senate Legal and Constitutional Affairs Committee inquiry into the Migration Amendment (Removal and Other) Measures Bill 2024.

The Society also ensured that members were kept informed of changes to laws and court procedures and practices as part of the implementation of the *Family Law Amendment Act 2023 (Cth)* and *Family Law (Information Sharing) Act 2023 (Cth)*.

Lobbying in focus

It is important that the Society maintains its credibility and influence as the trusted voice of the ACT legal profession. We do this by having a consistent independent Society voice; making evidence-based submissions with practical recommendations; and maximising opportunities to influence key stakeholders. In doing this, the Society advocates for laws that uphold the Rule of Law, fairly balance the principal forces in society, and where possible, look after minor interests.

In 2023-24, our lobbying efforts have been well-received and had a meaningful impact as demonstrated by the following case studies.

CASE STUDY 1

Supporting careful policy consideration for reform

In developing policy positions, the Society seeks to ensure that the views of the profession, clients and the community more broadly are taken into account. Where there is a diversity of views on a law reform proposal, the Society aims to adopt a balanced, neutral position.

The Society's engagement in inquiries conducted by the ACT Legislative Assembly in relation to the Voluntary Assisted Dying Bill 2023 and the Property Developers Bill 2023 are good examples of this practice.

Recognising the different, and often deeply-held, views in relation to voluntary assisted dying, the Society focussed its engagement not on whether such a scheme should be legislated, but instead on: the framing of key procedural and substantive safeguards; how they compared with other jurisdictions; and where they could benefit from clarification or strengthening. The Society also raised practical concerns about the operation of the Bill, and highlighted implementation requirements around education and training. Many of the ACT Legislative Assembly Committee's recommendations arising out of the inquiry into the Voluntary Assisted Dying Bill 2003 reflected the issues raised by the Society, along with other stakeholders.

"We do not have a position [on whether assisted dying should be legislated].... We have simply asked questions to ensure that this committee is able to interrogate the processes and what ultimately happens is a voluntary access of the voluntary assisted dying regime."

Mr Timothy Morton, Co-Chair of the Society's Elder and Succession Law Committee, giving evidence to the ACT Legislative Assembly Select Committee

REPRESENTATION

on the Voluntary Assisted Dying Bill 2023 (Transcript of Evidence, 2 February 2024, p177.

CASE STUDY 1 CONTINUED

In relation to the proposed regulation of property developers in the ACT, the Society also focussed its engagement on drawing the attention to key legal policy matters requiring careful consideration by the ACT Legislative Assembly before the amendments became law. In particular, the Society highlighted elements of the Bill which departed from fundamental principles of common and statute law.

During the Society's appearance before the ACT Legislative Assembly inquiry, the Society was complimented on our balanced approach to submissions. Further, our role in drawing attention to issues requiring careful scrutiny and policy justification was acknowledged, as was the government's 'quite heavy reliance' on our advice.

"I must say, I have been at a few inquiries lately where the Law Society has put in a submission and value-added, and it is always actually pretty good, so thank you. I also appreciate you trying to draw the committee's attention to areas that should be scrutinised as opposed to necessarily taking a position."

Ms S Orr, Deputy Chair of the ACT Legislative Assembly Standing Committee on Planning, Transport and City Services, Inquiry into the Property Developers Bill 2023 (Transcript of Evidence, 7 March 2024, p47.

"I know that a lot of your work is done by volunteers, pro bono. It is greatly appreciated, and particularly in this case, where you may be arguing against your own interests. So thank you for your objective feedback."



Ms J Clay, Chair of the ACT Legislative Assembly Standing Committee on Planning, Transport and City Services, Inquiry into the Property Developers Bill 2023 (Transcript of Evidence, 7 March 2024, p52.

CASE STUDY 2

Sustained engagement in law reform

The Society's sustained engagement in the Sexual, Family and Personal Violence Legislation Amendment Bill 2023 is an example of how we work to ensure that the profession is represented in key consultative mechanisms, and how we engage effectively with government decision-makers.

The policy development stage of the Bill occurred during the 2022-23 reporting period, with Society representatives attending two stakeholder roundtables to define the scope of reform. In 2023-24, the Society provided feedback on a confidential draft of the Bill and made a submission to an ACT Legislative Assembly inquiry into the Bill. Through that submission, the Society indicated its overall support for the Bill, noting that we had been very closely consulted and engaged on the development of policy proposals as well as the draft legislation. Our submission focussed on raising practical issues, and the need for technical clarification of some provisions, to ensure that the Bill operated as intended.

Many of the ACT Legislative Assembly Committee's recommendations arising out of the inquiry reflected the matters raised by the Society and other stakeholders, and lead to government amendments being moved during debate of the Bill.

Another example of the Society's ability to shape and influence reforms is our engagement with the Parentage (Surrogacy) Amendment Bill 2023. The positions taken in the Society's submission in response to the initial consultation paper were generally adopted in the Bill. The Society, in its submission to the ACT Legislative Assembly inquiry into the Bill, also raised a key issue for additional reform, offering a pragmatic solution based on



precedent in another jurisdiction. The Society's recommendation was adopted by the ACT Legislative Assembly Committee conducting the inquiry into the Bill, and included in government amendments moved during debate of the Bill.

CASE STUDY 3

Evidence based reform

The topic of bail has been a consistent issue of public concern during the 2023-24 reporting period. Community concern about the efficacy of bail laws has been repeatedly raised in the media at both a local and national level, reflecting the often highly emotive responses from victims and their families to matters involving persons on bail committing domestic violence offences, and young persons on bail engaging in high-risk behaviour, with tragic outcomes. The ACT Legislative Assembly also conducted an inquiry into the administration of bail in the ACT, with a focus on ways to better support people who are on bail that might be at risk of re-offending.

In engaging with these matters, the Society welcomed conversation as to whether the current operation of bail laws reflected contemporary community standards. The Society advocated that any consideration of reform should be grounded in evidence, and cognisant of the need to uphold fundamental human rights and criminal justice

principles. Further, the Society sought to focus on bail being about risk management (rather than being punitive), and for the decisions of the court to be properly informed.

“If better bail decisions are to be made, it is very important that those involved in that process are given the time, given the resources, and ability to be able to put before the court all relevant information so the court can make the best decision possible.”

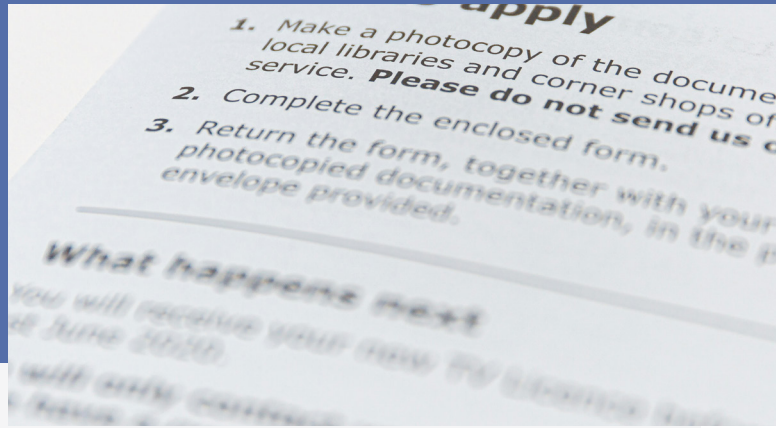
Adrian McKenna, member of the Criminal Law Committee, 9 May 2024, WIN News (TV)

“That is not to say everyone should get bailed. There are people who should promptly be refused bail. But they should be refused bail after a careful and considered analysis of the facts and circumstances pertaining to their case... Is there a way to manage this risk other than detaining the person in custody? And if there is not, then they should be detained.”

Michael Kukulies-Smith, Chair of the Criminal Law Committee, 19 June 2024, ABC Radio

REGULATION

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



The *Legal Profession Act 2006* requires the Society to regulate for the benefit of the consumers of legal services. This regulatory service includes maintaining professional standards, protecting client and trust monies, handling complaints about professional conduct, and prosecuting disciplinary matters.

The Law Society is responsible for receiving, managing, and investigating complaints about the conduct of solicitors and law firm employees in the ACT. This function is assigned to the Society under Chapter 4 of the *Legal Profession Act 2006* (ACT).

Complaints

When a formal, written complaint is received it is acknowledged by Society staff and usually, in the first instance, referred to the Professional Standards Committee (PSC) for review.

If the PSC finds that the complaint lacks substance it may be dismissed at this point. If the PSC believes the complaint has substance it will refer it to Council for further consideration. Council may opt to seek further information, including referring the matter for investigation by one of the Society’s panel solicitors. Once this additional information is received the matter will be referred to the Council for consideration and decision.

During this financial year, 408 enquiries were received resulting in the making of 88 formal complaints. After a person makes an enquiry regarding a complaint, there may be a variety of reasons why the person may not wish to proceed with a formal complaint, such as a desire to remain anonymous, wishing to continue using the solicitor for a current matter, lack of evidence to support the allegation, or a need to pursue financial compensation through the courts.

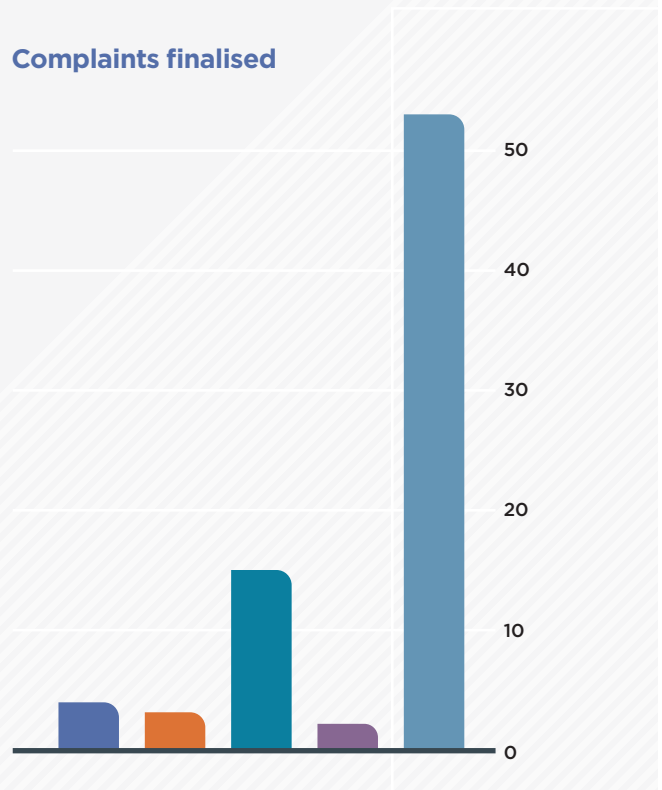
Out of those 88 complaints, 4 were initiated by the Society on its own motion. This means the Council may investigate an issue of interest even though the Society did not receive a complaint specifically about that issue.

25 complaints were made by a practitioner against another practitioner, and the remainder were made by clients of the relevant practitioner.

During the financial year, 77 complaints were finalised:

s.399 dismissal:	53
s.412 dismissal:	15
s.400 withdrawal:	2
s.413 - Summary Conclusion:	3
s.419 - Referral to ACAT:	4

Complaints finalised

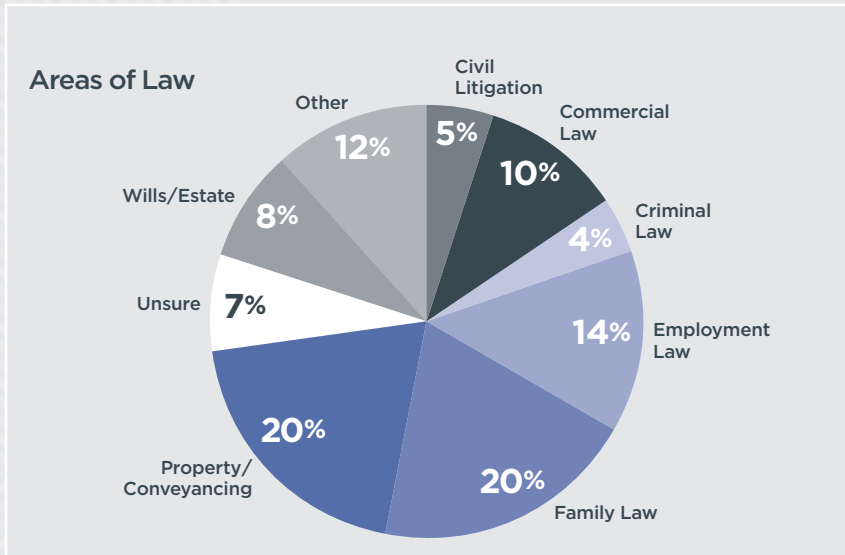


Areas of law

The areas of law attracting the most complaints were Family Law (20%) along with Property/Conveyancing (20%) followed by Employment Law (14%), unusual areas (12%), Commercial Law (10%) and more as shown in the chart to the right.

Types of complaints

Complaints often relate to more than one area of concern. However, the majority of complaints concerned competency and diligence, billing disputes, misleading conduct issues or communication issues.



Professional Standards Committee

The Professional Standards Committee is made up of 16 members who contribute a significant number of volunteer hours in support of the Society's complaints process. The Committee meets fortnightly. In between meetings, members investigate and report on complaints received. The committee consists of members from across diverse practice areas and employment sectors, providing a broad range of experience to support the effective consideration of complaints.

Thanks to:

Maurice Falcetta (Chair), Jonathon Anderson, Allan Bedford, Amy Burr, Jessica Cruise, Julie Dobinson, Vivian Holmes, Gavin Howard, Carli Kulmar, Sally McGuinness, Ann Northcote, Darryl Perkins, Aasish Ponna, Ross Reid, Alisa Taylor, Mark Tigwell.

Investigations

The Society's regulatory services team, together with the Society's instructed solicitors, manage formal investigation of serious or complex complaints.

An Investigator may use the investigation powers available under the LPA. Investigators can use coercive powers to obtain documents and/or written information from various parties including the practitioner being investigated. A practitioner is required to cooperate with the Law Society under the *Legal Profession (Solicitors) Conduct Rules 2015*.

Once an investigation is complete, a recommendation will be made to Council for its consideration and decision. When deciding upon the preferable course of action, the options available to Council under the LPA are to:

- / dismiss the complaint (s.412);
- / summarily conclude the matter, for example by way of caution, fine, reprimand (s.413); or
- / refer the matter to the ACT Civil and Administrative Tribunal (ACAT) (s.419).

Types of complaints (%)

1	No supervision
2	Personal conduct/discourtesy/rudeness
2	Failure to provide cost disclosure
3	Delays
4	Conflict of interest
4	Trust account breaches
4	Act contrary to instructions/ Failure to follow instructions
5	Bullying/harassment/intimidation
9	Failure to communicate
10	Misleading conduct
12	Billing dispute
18	Other (unusual scenarios)
23	Lack of competence/diligence

ACAT and Court proceedings

During the year, two applications were filed with the ACAT and five were determined. Each of the applications that were determined were filed before the commencement of the reporting period.

Of the matters finalised, one was determined (including sanction) as a result of consent orders, and four matters were determined after a hearing.

At the conclusion of the reporting period there were seven applications which were in progress before the ACAT. This includes both applications filed during the reporting period and applications filed prior to the reporting period.

In rare circumstances, Council may decide to commence proceedings in the ACT Supreme Court applying to strike a solicitor off the roll of practitioners. During the reporting period two such applications were commenced. As at 30 June 2024, both of these matters were in progress before the Supreme Court.

Licensing

Before a solicitor can practise in the ACT, they must be admitted to the legal profession as a lawyer and hold a current practising certificate.

In the ACT, practitioners hold either a restricted or unrestricted practising certificate. These are categorised as private, government, inhouse (corporate) or volunteer, depending on by whom a practitioner is employed. There are also supervision requirements for the first two years of practice under the legislation. A person wishing to practice as a principal (e.g. partner, sole practitioner or practice director) of a law practice must hold an unrestricted practising certificate. Applicants for unrestricted practising certificates in private practice must also complete a suitable Practice Management Course, to train them in the skills needed to manage a law practice.

Practising Certificates

A practising certificate is essential to legal practice. It defines the authority, scope and capacity in which a solicitor can engage in legal practice.

Before a person can practise as a solicitor in the ACT, they will need to be admitted to the legal profession as a lawyer and hold a current practising certificate. Also, a solicitor may change jobs during a practising certificate year (1 July to 30 June). Some solicitors will need to change the type of practicing certificate that they hold before they can start a new role, others may not. Whether a solicitor needs to do so depends on the category of practicing certificate they currently hold.

As at 1 July 2023, 2896 practising certificates issued by the Society were currently held. That number rose to 3348 by 30 June 2024. The greatest percentage increase came from practitioners holding volunteer PCs (50% increase), government (21%), in-house (12%) and private (11%).

There is generally an equal number of PCs held by private and government practitioners.

Practising Certificates

NO. OF CURRENT PC HELD	HELD AT: 1 JULY 2023	HELD AT: 30 JUNE 2024
Private	1398	1551
Government	1317	1581
In house	114	128
Volunteer	16	24
Non-ACT	51	64

MEMBERSHIP	HELD AT: 1 JULY 2023	HELD AT: 30 JUNE 2024
Full members	69	97
Associate membership	7	28
Student membership	6	39

Total PCs and memberships processed 1/7/2023–30/6/2024
4,275

Not approved:
4 unrestricted and 1 restricted



52 CPD

**Exemptions
requests** were
assessed

Certificates of Fitness

When a legal practitioner moves between jurisdictions, the new jurisdiction will typically require the practitioner provide a Certificate of Fitness (COF) from the previous jurisdiction as part of the process for applying for a Practising Certificate. A COF is used to assist the new jurisdiction assess an applicant's suitability to hold a practising certificate.

The Society can prepare a COF for lawyers who have either been admitted to practice in the ACT, and/or who have ever held a practising certificate issued by the Society.

During this financial year, 309 COFs were prepared and issued by the Society.



309 Certificate of Fitness

were prepared
and issued

Continuing Professional Development exemptions

Continuing professional development (CPD) is a mandatory requirement for all ACT legal practitioners, imposed as a condition on all practising certificates issued by the Society. All practitioners must complete ten units of CPD between 1 April and 31 March each year.

However, for a variety of reasons, a practitioner may not have been able to complete the minimum number of CPD units in a year. This could be because of extended leave, illness, hardship or other special circumstances. In those circumstances, a practitioner may apply to the Society for a partial exemption of the minimum number of CPD units required to be completed, and, where granted, is calculated on a pro rata basis, down to a minimum of 5 CPD units.

In this financial year, 52 exemptions for CPD obligations were assessed and processed by the Society.

Trust Account Investigations

Section 211 of the *Legal Profession Act 2006* sets out the purposes of the legislation and explains how the legislation is aimed at ensuring that trust money is held by law practices in a way that protects the interests of people for or on whose behalf money is held, both inside and outside the ACT.

The legislation requires a solicitor to maintain appropriate records for trust account transactions and normally requires the records to be maintained in a manner that discloses the true position; are convenient to audit; and are maintained in accordance with the regulation or rules.

On occasion, the Society may appoint an investigator to conduct a review of a trust account. During this year, numerous inspections were conducted with the vast majority revealing no or minor issues of concern.

External interventions

An external intervention occurs when the Society appoints a manager or receiver for a law practice or a trust account supervisor for a law practice's trust account.

During this year, three interventions occurred, comprising of a manager being appointed once, and a trust account supervisor twice.

EDUCATION

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

EDUCATION

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

It is a condition of holding a Practising Certificate that lawyers complete ten points of CPD each year, across four core areas. Our CPD program is designed to provide members a broad range of topics to meet their CPD obligations. From online webinars to dedicated conferences, our committees provide valuable insights and contributions to enable the Society to deliver a CPD program that meets the needs of members. This year we also introduced several new initiatives to help meet the needs of our members, including:

- / Fundamental series
- / New Lawyers dedicated sessions
- / Flexible educational opportunities – providing members with face-to-face, online streaming and on demand webinars options.

Conferences

Our conference format is designed to help legal professionals maximise their time by offering a full or half-day event packed with valuable CPD sessions.

Intensive Conference – Bringing the Balance 13-14 March 2024

The Intensive Conference is an annual event that covers a wide range of topics across all four core CPD areas, allowing members to earn all 10 CPD points in a single event. It also provides an excellent opportunity for members to connect and engage with the profession.

The theme for 2024 was ‘Bringing the Balance’ chosen to support our members' need for more wellbeing support as identified in the 2023 Members Survey. Speakers were invited to present sessions reflecting this theme.

The event officially kicked off with a welcome address by the Attorney-General Shane Rattenbury MLA and attracted over 150 attendees.

Each day started with a keynote address. On the first day, Carrie Leeson, CEO of Lifeline Canberra spoke to ‘Mental Wellness: Exploring Challenges in the Legal Field’. The second day's keynote address was presented by Hugh Mackay AO on the topic ‘Survival of the Kindest’.

Intensive Conference:
Carrie Leeson, Lisa Quilty



EDUCATION



L-R: Simone Carton, Katie Binstock, Lisa Quilty

We would like to thank all our committees that provided support and contributed to the development of these sessions.

Fairwork update

Gabrielle Sullivan

Navigating stress and cultivating success in legal practice

Malcolm Heath

Time management for New Lawyers

Averil Foster and Caitlin Maher

Tackling imposter syndrome

Lucy Chapple

How mental health can affect legal professionals

Desi Vlahos and Owen Bradfield

Psychosocial risk in the workplace

Desi Vlahos

Navigating key updates: Contract for sale & The Planning Act 2023 (ACT)

Adam Peppinck and Chris Wheeler

Understanding updates: Land Titles Office & Property Developers Bill

Alfonso del Rio, Fred Arugay and Sean Quinn

Recent property law cases

Danielle Mildren

Ethics for property

Pria O’Sullivan

Overcoming challenges in estate administration

Andrew Freer

Recent developments in estate legislation and case law

Katie Binstock

Will drafting

Tim Morton

Navigating the shift: Transitioning between government and private sector roles

Gregory Burns, Sarah Byrne, Lyndall Buik, Daniel Tracey and Carla Stocks

Government lawyers and the Anti-corruption Commission

Commissioner Paul Brerton SC

Procurement and contract management cybersecurity

Annie Haggar and Amanda Wescombe

ACT legal ethics cases 2023 year in review

Athol Opas

Legal ethics hypothetical

Athol Opas, Katie Binstock and Rob Reis

Prenuptial agreements: What your clients need to know

Averil Foster and Kasey Fox

Mastering communication: Strategies for complaint mitigation

Rob Reis, Stuart Bryson, Sally McGuinness and Leah Hovenden

Dispute resolution: Tips and tricks

Debra Parker, Drew Buckley, Richard Calver, Claire Naidu and Graeme Blank

Annie Haggar and Amanda Wescombe, Hugh Mackay AO, Desi Vlahos



EDUCATION



Conferences

9th Wills and Estates Conference

13 October 2023

The Wills and Estates Conference was an all-day conference that was designed to appeal both to experienced practitioners and those aspiring to specialise in this field. The Elder and Succession Law Committee sourced a range of local and interstate speakers to focus on practical aspects of succession law, covering both the ACT and NSW jurisdictions.

Everything you need to know about wills and estate litigation in the ACT Supreme Court

The Honourable Justice Mossop

Trustees' duties

Simon Chapple SC

Estate planning strategies for blended families

Rebecca Tetlow

How to run a validity claim

Graeme Blank

Ethical issues in estate matters

Danny Moujalli

Family Law Conference

9 November 2023

The Family Law Conference was focused on the latest family law issues. The Family Law Committee sourced a range of speakers to deliver valuable insights on the latest issues family lawyers are grappling with.

Coercive control

Sarah Milson-Mahy and Rosa Grahame

Drafting binding child support agreements

Catherine Devine

Independent children's lawyers

Kevin Robinson and Jessica Cruise

Risk and family violence in interim hearings

Senior Judicial Registrar Evans

Arbitration - worth considering again these days

Colin Forrest SC

Presenting trial material

The Honourable Justice Gill

Alternative Dispute Resolution morning

10 October 2023

The ACT Law Society's Alternative Dispute Resolution (ADR) Committee presented a morning seminar that appealed to both experienced practitioners and those wanting to learn about alternative dispute resolution across a range of practice areas. Designed by specialists in the ADR field, the morning featured speakers with a wealth of experience in mediation and conciliation.

Human Rights Commission's statutory conciliation multi-jurisdictional model

Liz Samra and Maria De Fatima Vieira

Alternative dispute resolution in criminal prosecution

Dr Bernadette Boss

Dispute resolution in the FCFCOA: Tips and tricks

Anna Wynne

Above L-R, Stock image, Family Law Conference: Catherine Devine, Stock image



Targeted sessions

Targeted sessions are designed to meet the specific needs of distinct segments of our membership.

New Lawyers Afternoon

1 March 2024

The New Lawyer's Afternoon is designed specifically for upcoming, young, and new lawyers to provide them with practical tools to advance their careers. The New Lawyers Committee sourced a range of speakers to deliver valuable insights and incorporated a networking opportunity for attendees.

How to survive and thrive in the first couple of years of legal practice

Athol Opas

Collegiality in the legal profession

Ian Metz

Court Etiquette and Advocacy for Early Career Lawyers

30 August 2023

This CPD designed by the FCFCOA and supported by the Family Law Committee intended to assist practitioners who may not have had opportunities to appear in person at court and to give an opportunity to talk to and ask questions of members of the bench in an informal environment.

Government Law Afternoon

8 November 2023

The Government Law Afternoon is designed for members who work in government at territory or commonwealth level. The Government Lawyers Committee sourced a range of speakers to deliver valuable insights on artificial intelligence, the new National Anti-Corruption Commission and legal ethics.

Government lawyers and the new Anti-Corruption Commission

Commissioner Paul Brereton SC

Artificial intelligence and the law

Professor Nicholas Davis

Ethics and government lawyers

The Honourable Justice David Mossop

Practice Management Workshops

October 2023, February 2024, June 2024

The ACT Law Society's Practice Management Workshop is a requirement for solicitors who are applying for Unrestricted Practising Certificates.

Over the course of three days, a range of expert speakers covered topics essential to the successful operation of an effective legal practice (private or government) and helped members make their business sustainable.

The workshop was run in spring, summer and winter.

CPD Series

Our CPD Series offers a continuous learning experience run consistently over a designated period. This format allows members to build their knowledge progressively, offering flexibility to attend sessions that align with their specific interests or practice areas.

Let's talk about rights: Human Rights and Inclusion Series

September – December 2023

A free series of monthly virtual learning lunches, delivered by the Access to Justice and Inclusion Committee about First Nations, human rights, and inclusion and diversity issues that impact on the legal profession and the wider community.

Human Rights and the criminal justice system

Professor Lorana Bartels and
Dr Helen Watchirs OAM

Disability justice in the ACT:

A cross sector reform agenda
Isabel Moss, Nick Glasson and
Jamie Layton

First Nations-led legal services

Rachael Clark, Emma Towney and
Vanessa Graf

T-minus 3, 2, 1 Lift Off:

Human rights in outer space
Art Cotteral

Human rights and the environment

Melanie Montalban

Homelessness, human rights and discrimination law

Farzana Choudhury

Fundamental Series

26 March, 30 April, 28 May,
25 June 2024

Designed for both new and experienced lawyers, the monthly sessions were intended to provide insights into key issues and practice areas.

Chat GPT – uses in legal practice

Kate Ritchie

Estate planning basics

Timothy Morton

Introduction to anti-money laundering

Lana Nadj and Jeremy Moller

Power of Attorney basics

Lauren Babic

Court etiquette basics

Katrina Musgrove and Kate Martin

Superannuation basics

Paul Salinas

Becoming a better lawyer

*Applying trauma informed principles
to build better client relationships*
Claudia Maclean

How to apply for probate/letters of administration and administer an estate

Timothy Morton

Introduction to using the *Human Rights Act*

Naomi Reiner Gould and
Jane McCosker





Jeffrey Goldberger - Contract Law Masterclass

Specialist sessions

Specialist sessions are tailored to provide in-depth coverage on specific legal topics. The sessions and topics we held over the year were:

ACT intermediary program

Laura Cilesio and Dr John Taggart

Circle of security

The impact of family violence

Susan Williams and Clare Southgate

Unfair contracting terms

Massimo Di Maio and Charlene Barriga

The new Register of Foreign Ownership of Australian Assets:

Using the Online Services for Foreign Investors Platform

Australian Taxation Office (ATO) and King & Wood Mallesons' foreign investment team

Menslink and the vital mental health, counselling and mentoring services they provide for our community

Des Linehan

Mental health first aid for legal professionals

Desi Vlahos

Contract law masterclass

Jeffrey Goldberger

Harman parliamentary privilege collaborative event with the ACT Bar Association

Tim Begbie KC

Speakers

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

We thank everyone who contributed to our program during the year. Other speakers who contributed to events and engagement for the Society included:

/ Michael Bannon

/ Skye Charry

/ Kim Chapman

/ Laura Cilesio

/ Jessica Cruise

/ Jacquelyn Curtis

/ Jennifer Farley

/ Chris Frith

/ Duncan Harrington

/ Katie Haywood

/ Judicial Registrar Hiles

/ Gavin Howard

/ The Honourable Justice Hughes

/ Eveline Kuang

/ The Honourable Judge Mansfield

/ The Honourable Justice Neville

/ Rebecca Northey

/ Kevin Robinson

/ Di Simpson

/ Dr John Taggart

/ Anne Trimmer AO

EDUCATION



Above L-R, James Myerscough (Lawcover); Tiffany Long and Lara Anstie (Leo Cussen) with Vanessa Graf and Stuart Bryson

Sponsors

We would like to thank all sponsors for their ongoing support and generous contributions through speaking spots and sponsorship of our events.



SPEAKER

Malcolm Heath

EVENTS

2024 Intensive Conference
2024 Law Week
2023 Law Awards
and Annual Dinner



SPEAKERS

Kalista Pakkiyaretnam
Rodney Johnston
Michael Bannon

EVENT

Members Meet events

PUBLICATION

Ethos



SPEAKERS

Alexandra Elliott
Vicky Choice
Mikey Richardson
Elsa Murphy-Gray

EVENT

Members Meet events



EVENTS

90th Anniversary Dinner
2023 Young Professionals Ball



EVENT

2023 Law Awards
and Annual Dinner



HOLDING REDLICH

EVENT

Law Week Quiz Night



EVENT

2023 Young Professionals Ball

ENGAGEMENT

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

ENGAGEMENT

Member survey

Background

During the 2022-23 financial year, the Society conducted its biennial member survey in order to garner a clearer understanding of the challenges faced by our members, and to help determine ways we could continue to improve the support we offer.

Specifically, the objectives of the survey were to:

- / Collect demographic and workforce data to develop a profile of the legal industry in the ACT.
- / Examine important member benefits, service awareness, usage and satisfaction and determine any additional services the ACT Law Society could provide to enhance the member experience.
- / Measure member engagement with continuing professional development and understand how the ACT Law Society can implement improvements.
- / Understand the issues facing the legal profession and legal practitioners in the ACT, and how the ACT Law Society can help address these.

Data

In the Spring 2023 edition of *Ethos*, the Society's journal, the results of the survey were published for our membership to see. About 12 per cent of members responded to the survey, providing 95 per cent confidence that actual results are within a +/- 4.5 per cent confidence interval.

As we have progressed through the 2023-24 financial year, we have continued to place these results at the forefront of our planning to guide and shape the way we engage with our membership.

66%

report work-life balance issues

42%

have recently seen bullying/harassment

81%

plan to stay in profession for **next 5 years**



Two in five

say staff attraction and retention is a major challenge



Members

are concerned for junior staff welfare

Key Findings Membership



CPD, standards and collegiality are main benefits

A clear benefit of membership of the ACT Law Society are the CPD opportunities (59 per cent), however members also commented that membership provides them with a “link to other members of the profession” and allows them to maintain a “connection with [their] local professional community”. Those starting out in their career see networking opportunities as a more important benefit than those members with greater experience in the profession.



New and private lawyers more engaged with the Society

The participation index highlights that new lawyers (10.6) are the most engaged with the Society, participating in more activities or using more services than those more progressed in their career (8.4). Members employed in the private sector also reported a higher engagement score (9.9) than those working for governments (7.3).



Usage of services is strong, but more awareness needed

The most accessed services continue to be the Hearsay e-newsletter (84 per cent), the *Ethos* journal (65 per cent) and CPD (61 per cent). The proportion of members using the Guidelines for Legal Practitioners is up 20 percentage points since 2020 to 37 per cent.



Most believe CPD training is high quality, value for money

Approximately four in five (79 per cent) members agree that the Law Society’s CPD offerings are of high quality (81 per cent) and are delivered in a suitable and flexible format (80 per cent). Nearly half (49 per cent) of all members have a preference for a face-to-face format.



Satisfaction with ACT Law Society services is high

More than four in five members are also satisfied with the online fact sheets for clients, networking events, Guidelines for Legal Practitioners, Hearsay newsletter and CPD. However, it should be noted that satisfaction with the most utilised services has dipped slightly since 2020. More than nine in 10 members are satisfied with the Society’s Practice Hub.



Overall satisfaction moderate, with concerns about value evident

While three in five (61 per cent) members are satisfied with their membership, less than half (49 per cent) believe membership provides them with value for money, with little difference in evidence across sectors.

Member services and benefits

Outside of the regulatory functions we perform, members have access to a range of services and benefits as part of their membership.

This year we introduced a number of key initiatives to enhance how we support members:

- / The introduction of Member Connect, our dedicated member line and email, designed to make it easier for members to connect with us and access the information they need.
- / The Practitioner Support List was updated, providing members with a way to connect with others who can speak from their own experience to provide peer or mentoring support on practice and personal matters.
- / The development of interim arrangements with the Ethics and Practice Support Team at LIV for advice and guidance to members on ethical matters.

Member service and benefits



Advice and support

- / Practitioner Support List
- / Trust Accounting guidance
- / Complaints guidance and support
- / Practising Certificate guidance
- / Certificate of Fitness guidance



Professional development and networking

- / Discounted and complimentary CPDs on a range of topics.
- / Specialised training in practice areas or career stages
- / Access to join committees
- / Networking and social events



Resources and information

- / Solicitor ID cards
- / Room hire
- / Positions vacant
- / Reserved judgements
- / Missing wills notices
- / *Hearsay* and *Ethos*
- / Pro bono guidelines
- / Practice area guidelines and information (forms, law firms, PII insurance)
- / Practice forms



Resilience and wellbeing

- / Crisis information
- / Mental health resources
- / Discrimination, harassment and bullying support services
- / Confidential counselling service
- / Flu shot
- / Mental health first aid training



Commercial benefits

- / Preferred partner program – Alfa Romeo, Fiat and Jeep
- / BMW advantage and Mercedes
- / Virgin and Qantas
- / Hertz
- / Legal Home Loans
- / Law Society reciprocity of member benefits
- / Reduced pricing for ACT online contracts of sale
- / Free listing of firm on Law Society website

Member communication and publications

The Society engages with members across a range of communications and publications, with a focus on keeping members informed with relevant and up-to-date information. This year, our efforts were concentrated on tailoring and delivering our communications to better meet the needs of our diverse and expanding membership base. This included the following initiatives:

- / Transitioning our e-newsletter to a new look, delivered at the start of each month, ensuring our key regular source of information for members is easy to digest.
- / Providing targeted emails on social and CPD events, so members remain informed about opportunities to connect with and learn from their peers.
- / Maintaining member specific updates such as New Lawyers, Government Lawyers, Family Law and Property Law, giving members access to topical information and reminders as they arise.

In 2023-24 financial year period, the Society released two editions of our journal *Ethos*, a collation of articles and case notes on a wide range of legal issues, contributed by our members, government bodies, and other key organisations in the ACT legal community. Alongside regular features and topical articles, these editions included a series of contributions curated by our communications team around themes of interest to the profession.

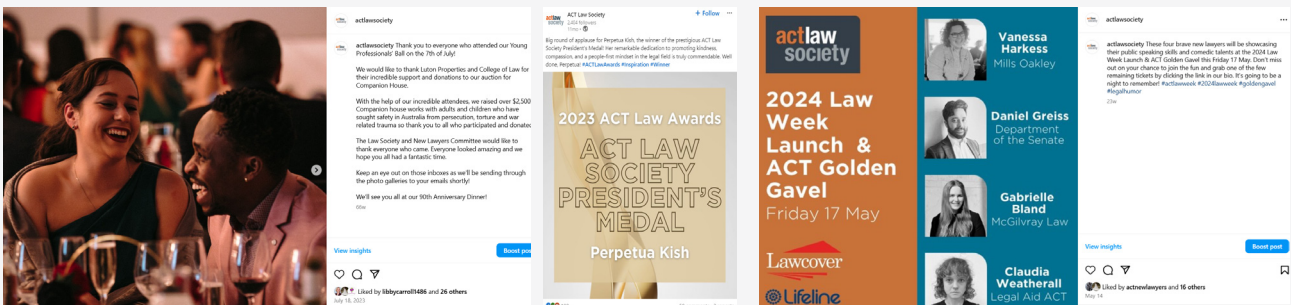


- / Wellbeing – Spring 2023
- / Career Reflections – Autumn 2024

Both editions are now available on the Society's website for our members to access.

Social media

The Society also continued to utilise its online presence to share Society news and updates directly with its members.



Connection and collegiality

The Society is committed to promoting a strong sense of community and collegiality among our members. Beyond professional development, we create opportunities for members to connect, and aim to support a collegial culture where members not only enhance their legal expertise but also enjoy meaningful interactions and a sense of belonging within the professional community



90th anniversary dinner

In 2023, the Society celebrated a significant milestone: its 90th anniversary. Over nine decades, the Society has evolved remarkably, playing a crucial role in shaping the legal profession and the broader system of law and justice in the ACT. This anniversary provided a moment to reflect on our collective journey and the transformative impact we've had on the legal landscape.

To commemorate this milestone, we hosted a gala dinner at the National Portrait Gallery. This event brought together members of the legal community to honour the achievements and progress we've made over the years. Attendees had the opportunity to hear from esteemed past presidents, whose insights and reflections highlighted the Society's enduring legacy and its pivotal role in advancing justice in our region. The evening was a celebration of our past, present, and future, marking a proud chapter in the Society's distinguished history.

90th anniversary dinner





ACT Law Awards

For the first time the 2023 ACT Law Awards was held in collaboration with the ACT Bar Association. The event was held on 3 November at the Hyatt Hotel.

Each year a local artist is commissioned to create a new and unique set of awards for the ACT Law Awards. In 2023, Canberra designer and maker Joel Douglas of Wooden created the trophies, using reclaimed timber from the former ACT Supreme Court courtrooms.

Mr Douglas' timber design is an extension of his architecture studies which is heavily influenced by Scandinavian design and modern and traditional practices. The award design lets the quality materials shine with simple lines and timeless form. The designs provide a lasting memento for our award recipients to treasure.

2023 Award winners

- / **New lawyer of the year**
Angelique Nelis
- / **Highly commended**
Vanessa Graf
- / **Pro bono service Award**
Jeanine Lloyd
- / **ACT firm of the year**
Parker Coles Curtis
- / **ACT Bar Association
President's Medal**
Robert Crowe SC
- / **ACT Law Society
President's Medal**
Perpetua Kish

2023 Law Awards and Annual Dinner



ENGAGEMENT



Autumn Members Meetup: Alex Elliot, Lisa Quilty, Michael Richardson

Member meet ups

This year we revamped our traditional member lunches and delivered varying formats to attract a broader membership segment. This commenced with the newly introduced New Lawyers' takeover of the Christmas lunch and marked the beginning of a successful transition from a traditional lunch to a cocktail event. This change resulted in a significant increase in attendance, attracting professionals from various career stages and fostering greater connections within the profession

Collegiate events

The Family Law Committee focused on a number of social events to connect with colleagues from the Courts and the wider family law community.

- / Judge Tonkin Dinner
- / FCFCOA Christmas Party
- / Welcome Reception for the Honourable Justices Christie and Curran

This year the Society launched a dedicated Committee Christmas Lunch to recognise and thank members of each committee for their contributions. This is a great opportunity for all committees to connect with one another and acknowledge the achievements. This event helped to build collegiate relationships and foster future collaboration between committees.

New Lawyers takeover Members Christmas Party



ENGAGEMENT



New Lawyers and student engagement

The New Lawyers Committee supports the Law Society to foster a community for members embarking on their professional journey. This includes networking opportunities and developing educational tools and resources to support students through to members in their first five years of practice and provide avenues to connect, learn, and thrive.

New lawyers and students have access to discounted rates to attend networking and educational events.

This year we launched a number of initiatives:

- / Emerging Lawyers Webinar Series, targeted at law students and new lawyers as an informal discussion with members around different career opportunities in the legal sector.
- / Student support network where students can speak directly with a member of the New Lawyers committee and gain valuable insight on admission processes, graduate programs and career options.

The New Lawyers Committee also brought fresh energy to the profession with events like the lively New Lawyers Lawn Bowls, the celebratory Post-Admission Drinks, and takeover of the members' Christmas lunch. These events provided fun and engaging opportunities for new lawyers to connect and unwind.

Young Professionals Ball



ENGAGEMENT



L-R: Caroline Atkins Partner, Maddocks.
Carys Atkinson Senior Solicitor, ACT Government Solicitor

Emerging Lawyers Webinar Series: Exploring Careers in Law!

Caroline Atkins and Co-Chair of the New Lawyers Committee Carys Atkinson launched the first webinar series. An opportunity for students and new lawyers to gain invaluable insights into the diverse career trajectories within the legal field.

The Society also funded prizes for those studying in law at the University of Canberra and College of Law.

College of Law

/ 2023 Law Society of the ACT Award for Overall Excellence in Practical Legal Training (ACT)

University of Canberra

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

Golden Gavel judging panel: Lisa Quilty, Ngunnawal Elder Aunty Violet Sheridan, Attorney-General Shane Rattenbury MLA



Law Week

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

The society provided information to the public in relation to wills with an information session held at Carers ACT with the support of our Elder and Succession Law Committee.

The 2024 Law Week event calendar was made possible with the support of our principal sponsor Lawcover.

Law Week 2024 commenced with the official ACT Law week launch event opened with a speech from ACT Attorney-General Shane Rattenbury MLA, followed by the ACT's Golden Gavel competition.

Captions

ENGAGEMENT



The winner on the night was Claudia Weatherall from Legal Aid ACT who spoke on the topic 'Office icks for which you need injunctive relief'. The People's Choice Award was won by Vanessa Harkess from Mills Oakley, with 'Struth in Statutes: advocating for a ripper bill that mandates including true blue slang in every piece of future legalisation to crank up the Aussie spirit.' Our other brave competitors on the night were Daniel Greiss from the Department of the Senate and Gabrielle Bland from McGilvray Law.

Law week continued with six-a-side 'Law Week Soccer' held at the ANU sports ovals with Clayton Utz Soccer Angels taking home the first-place trophy, Norton Rose FC fought hard for second place and HCC Lawyers went home with the wooden spoon.

This year's Annual Blackburn Lecture was delivered by Anne Trimmer AO who presented on "Do Lawyers Have a Future? Legal Practice in the Age of AI," offering invaluable insights into the evolving role of AI in the legal profession. The transcript of the presentation was published in the Society's *Ethos* publication for Autumn 2023, with a recording made available to members via the Society website.

We also commenced our Emerging Lawyers Webinar Series, targeted at law students and new lawyers as an informal discussion with members around different career opportunities in the legal sector.



Anne Trimmer AO
Annual Blackburn Lecture

ENGAGEMENT

Other Law Week events were supported by our colleagues:

- / The Law Week Dinner hosted by the Women Lawyers Association ACT, with keynote speaker Professor Megan Davis
- / The Annual Bar Breakfast hosted by the ACT Bar Association's Women Barristers Committee, with Victoria Engel SC
- / "You be the judge" and Law Week Exhibition hosted by the ACT Courts and Tribunal.

The final event for Law Week 2024 was the Quiz Night, sponsored by Holding Redlich and hosted by our New Lawyers Committee. The winners of the quiz night for 2024 were Geered Up in first place, Terracon Legal in second place and the Department of Agriqziture in third place.

With the help of many in the ACT Law community and support of several local businesses, the ACT Law Society was able to donate to our Law Week 2024 charity, Lifeline Canberra a charity which exists to support people in crisis and save the lives of those contemplating suicide.

The final total donation, which also includes an annual disbursement from the ACT Law Society Foundation, will be presented later in the year. Lifeline Canberra provides the support of skilled volunteers providing 24/7 support via local crisis support service on 13 11 14. Telephone crisis support workers listen with care and acceptance, whatever the circumstance.

Quiz Night donors

The New Lawyers Committee would like to thank the generous donors who contributed to the raffle prizes:

- / The Boat House by the Lake
- / Birdsnest
- / Briggs Law
- / Saint Malo
- / Alia Bar.

Law Week Quiz Night





Community engagement

The Society connects the public with legal information, lawyers, and community legal centres (CLC). We provide vulnerable groups with support by facilitating access to our Pro Bono Clearing House, linking them to legal resources and services that can help address their legal issues effectively.

This year community engagement initiatives included:

- / Creation of a community engagement and pro bono working group to assess how we can improve community engagement and deliver a more efficient and effective option
- / Provide a main contact point for public calls and collate data to ensure a more seamless connection with information, lawyers and services

Phone call inquiries

36	Trust accounting
825	Member support
177	Pro bono
266	Professional standards
1152	Find a lawyer

Pro-Bono Clearing House

The Law Society provides a referral matching service through the ACT Pro Bono Clearing House to connect eligible people with legal assistance. Applications can be made directly by members of the public, as well as referrals from community legal centres, members of the legal profession, politicians, and public agencies. The Clearing House is intended as a 'last resort' for legal help after all other avenues for assistance have been exhausted. Financial eligibility and merit criteria apply, considering prospects of success and the public interest.

Over the 2023-2024 period, we received 31 applications to the Clearing House that met the criteria. Eight were successfully accepted for referral to a law firm. Fourteen applications were unsuccessful due to not meeting eligibility criteria.

Secondees

Over the 2023-2024 period, operational secondees and referrals have been provided by Blumers, Terracon Legal, Clayton Utz and Adaptabl. We would like to thank all the operational secondees who worked with the Clearing House during the year.

Charitable donations

The Society continues to support the less fortunate in our community through a range of initiatives. In 2023 the President's charity was the Rainbow Paws Program, a local Caberra charity providing food, shelter, care and respect to animals. The Society donated over \$8,800.

In 2024 the Presidents charity was Lifeline Canberra, the local branch of Lifeline, a charity supporting people in crisis and changing the lives of those contemplating suicide. The final donation which includes funds from Law Week 2024, and the Law Society Foundation disbursement, will be presented later in the year.

FUTUREPROOFING

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



Organisational review

The aim of the organisational review was to strategically position the Society for future success by addressing key HR challenges and aligning our workforce with requirements for the Society. An external advisor was appointed to advise and support the delivery of key aspects of the review.

This included:

- / **Current organisational structure review:** Assess the effectiveness of the existing structure, identifying any inefficiencies, overlaps, or gaps that may have developed over time.
- / **Role anomalies:** Examine instances where employees were performing tasks beyond their original job scope.
- / **Skill gap identification:** A critical part of the review was to identify any gaps in skills across the organisation, to enable us to develop targeted strategies to upskill, reskill, or recruit for those areas.
- / **Organisational structure recommendations:** Based on the review, we were able to refine the organisational structure, ensuring that roles are clearly defined and that key responsibilities are appropriately assigned.
- / **Position description updates:** All position descriptions were updated or newly created to reflect any changes in responsibilities, required skills, competencies, and qualifications. This was to ensure clarity and alignment with the organisation's future needs and to meet contract and HR requirements
- / **Salary benchmarking:** An external advisor conducted market analysis to benchmark salaries, ensuring the remuneration offered is competitive and aligned with comparable roles in the industry.

This review equips the Society with the right structure, talent, and processes to adapt and thrive in a dynamic market environment.

To support our new staff, we have enhanced our onboarding training with a focus on managing difficult interactions. Additionally, we have invested in developing workplace health and safety policies to promote staff well-being.

Staff resourcing continues to be a challenge in the current employment market, and we anticipate these difficulties will persist into 2024-25 based on prevailing trends.

Governance review

The governance review was initiated by the Council of the ACT Law Society. It was prompted by:

- / A concern over perceived gaps and weaknesses in the current Constitution
- / A desire to generally modernise and align with modern good governance practice
- / A consciousness of the Society's regulatory role and the need for its governance mechanisms to be and be seen as good practice

A Governance Review Working Group appointed by the Council has been overseeing this work. The group comprises members of the Executive Committee (President, two Vice-Presidents, Treasurer, Secretary and Council elected member), together with the CEO and is guided by our independent governance advisor Phil Khoury (Cameron Ralph Khoury).

This group will continue to progress the governance review process to move forward at a time where we now represent more than 3,000 members and there is far greater scrutiny and expectations on organisations to ensure their governance frameworks are sound.

Constitutional changes are still to be considered by the Working Group, and recommendations will be made to Council in the next financial year. Once Council has agreed on proposals with respect to the constitution, these will be put to members who will be asked to vote on those changes at a Special General Meeting expected to be held in the first half of 2025.

Anti-Money Laundering

During the reporting period, the federal government continued to consult on its proposed expansion of the Anti-Money Laundering and Counter Terrorism Financing (AML/CTF) regime to include professional service providers – including lawyers – at risk of exploitation by organised crime and terrorist groups.

In response, the Law Council of Australia, supported by its constituent bodies including the Society, has continued to lobby for any such reforms to be evidence-based, proportionate, and aligned with existing risk management practices. In anticipation of the reforms, the Society developed an AML/CTF Hub to keep members informed and promote guidance and case studies issued by the Law Council of Australia, 'frequently asked questions' answered by the Queensland Law Society, and seminars offered by the Law Institute of Victoria.

In the coming years the Society will continue to work with its counterparts to support the profession to understand and mitigate the risk of money-laundering and terrorist-financing, under existing professional obligations and criminal laws, and in compliance with the AML-CTF reforms once passed by federal Parliament.



Statutory Interest Account (SIA) grant funding

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

Funds are sourced from interest on solicitor trust accounts and interest on the statutory deposit account administered by the Society.

Taking into account feedback from the local legal assistance sector, the Society initiated a change to the timing of the SIA grant funding process we administer.

The intent of the change is to provide greater certainty to grant recipients of funding available ahead of a financial year period, and this will also improve visibility for the government of funding made available to the sector to support its own grant decision-making processes.

The change will be implemented for grant applications made in the 2025-26 financial year, with transitional funding made available during the 2024-25 financial year.

Call to Parties

The Society issued a 'Call to Parties' ahead of the ACT Election on 19 October 2024. The Call to Parties represents an important part of the Society's advocacy for good law in the ACT, and forms part of our efforts to pursue key issues of concern for the Territory's legal profession. It is intended that the Call to Parties will provide a framework for the development of policy and law reform that is evidence-based, upholds the rule of law – including promoting human rights and access to justice – and adequately resources and evaluates the implementation of policies. The Society intends to use this framework to hold the incoming government to account over the next four years and ensure that efficient, effective and just operation of the ACT legal system.

2023-24

annual
report

Represent Advance Defend

FINANCIAL STATEMENTS

actlaw
society

TREASURER'S REPORT

Overview of accounts

The Society maintains four sets of accounts relating to general operations, statutory deposits, statutory interest, and the fidelity fund.

1. General Account

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

2. Statutory Deposits Trust Account

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

3. Statutory Interest Account

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

4. 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 higher than expected surplus of \$590,855 which increased the Society's accumulated funds to \$5,097,061 as at 30 June 2024.

The higher surplus was a result of higher income from interest received and Practising Certificate fees which continue to increase due to growing member numbers, seminar income as well as an adjustment required due to the Society's lease remeasurement calculations.

The higher surpluses over recent years have allowed the Society to build reserves which will assist with the Society's relocation costs in 2025, along with an investment in resourcing to improve services to be offered to members. The 2024-25 year is expected to return a modest deficit predominantly due to costs required to support the Society's relocation and fit-out of the new office premises.

Statutory Deposits Trust Account

Total deposits held by the Society as at 30 June 2024 amounted to \$122,918,765 which is an approximate 2.6% decrease on deposits held in the previous year.

Interest earned on statutory deposit funds invested in term deposits is an important revenue component for the Statutory Interest Account. Interest rate increases which had shown signs of improvement at the end of the last financial year, have continued at an unexpected rate and have had a significant impact on higher returns. The Society continues to pursue attractive investment rates where possible through a number of avenues.

Statutory Interest Account

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

Total revenue in 2023-24 was again higher than the previous year. The increase in interest rates paid by the banks on ACT solicitor trust accounts improved the return received on those funds to an unprecedented level, and the revenue received on the investment of statutory deposits also provided a higher than expected increase in income.

Total expenses paid from the SIA were slightly higher than the previous year, predominantly due to some ongoing disciplinary matters increasing the legal costs incurred. The Society is hopeful that these particular matters will be finalised in the coming year. Recovery of costs incurred where the Society has been successful in pursuing these matters, are generally accounted for in future years when Orders and costs are granted.

The improvement in revenue enabled the SIA to return another strong surplus result and Council was able to disburse approximately \$2.4m in grant funds to assist the Legal Aid Commission and other community legal centres. Council has proposed a future disbursement again to the ACT legal assistance sector as well as a disbursement to the Solicitors’ Fidelity Fund. These future disbursements are subject to approval by the Attorney-General of the ACT and will be reflected as an expense in the 2024-25 financial statements.

Solicitors’ Fidelity Fund

The accumulated funds of the Fidelity Fund increased by \$151,409 giving a total of \$5,563,952 as at 30 June 2024. Revenue increased, predominantly due to the increase in interest rates providing greater returns on the investment of funds and expenses were slightly lower than the previous year due to a decrease in costs associated with supervisor and manager appointments.

It is pleasing to note that there have not been any claims on the Fidelity Fund since 2014. However, in recent years there have been higher balances held in solicitor trust accounts, as well as an increase in law firm numbers and employee numbers, impacting the potential exposure to risk that the Fidelity Fund is intended to address. An actuarial assessment of the Fidelity Fund was completed in 2022, with a recommendation to increase the Fidelity Fund, but this was not able to be actioned at the time due to the low return on funds. Due to the improvement in the SIA results, Council had proposed a distribution from the SIA to the Fidelity Fund to implement the recommendation from 2022, subject to the Attorney-General of the ACT’s approval. The additional funds are expected to be reflected as revenue in the Fidelity Fund’s 2024-25 financial statements.

Report prepared by Lea McLean

FINANCE & BUSINESS SERVICES MANAGER

Reviewed by Mark Tigwell

TREASURER

I take this opportunity to acknowledge and thank Lea McLean and her team for her continued dedication and work throughout the year. Returns of the nature achieved by the Society this year don’t happen without Lea’s attention and diligence to seeking out and negotiating better investment rates. The management of the Society’s budgets, multiple accounts and compliance with regulatory requirements is no easy task. It is Lea who ensures those last-minute calls on trust account statutory deposits are paid well within 24 hours. The membership continues to benefit from Lea’s attentive stewardship of the Finance and Business Services team. Thank you Lea!

MARK TIGWELL, TREASURER

GENERAL ACCOUNT

LAW SOCIETY OF THE AUSTRALIAN CAPITAL TERRITORY

GENERAL ACCOUNT

Statement of comprehensive Income

For the year ended 30 June 2024

	Notes	2024	2023
Revenue	2	4,079,288	3,405,531
Amortisation of right-of-use assets	8	(163,444)	(171,453)
Audit fees	12	(20,690)	(19,195)
Capitation fees		(286,363)	(268,717)
Cleaning, outgoing and car park expenses		(34,498)	(32,696)
Committee and executive catering		(17,117)	(10,653)
Consultancy and legal fees		(106,147)	(30,893)
Depreciation expense	7	(236,441)	(96,801)
Employee benefits expense		(1,697,603)	(1,421,867)
Functions		(125,902)	(95,780)
Insurances		(46,870)	(43,662)
IT maintenance and services		(189,433)	(124,158)
Lease interest expense		(50,459)	(65,925)
Membership services		(16,954)	(41,931)
President's allowance		(128,527)	(125,286)
Printing and stationery		(4,272)	(8,028)
Seminars		(162,120)	(130,525)
Staff agency fees		(74,919)	(80,233)
Other expenses		(126,674)	(122,011)
Profit for the year		590,855	515,717
Total comprehensive income		590,855	515,717

(Notes to the financial statements are annexed)

Statement of financial position

As at 30 June 2024

	Notes	2024 \$	2023 \$
Current assets			
Cash and cash equivalents	4	3,547,400	3,901,934
Investments	5	4,300,000	3,300,000
Trade and other receivables	6	278,593	180,484
Prepayments		89,904	80,120
Rental bond		54,287	-
Total current assets		8,270,184	7,462,538
Non-current assets			
Lease right-of-use asset	8	71,983	1,128,732
Office furniture and equipment	7	125,499	294,439
Rental bond		-	54,287
Total non-current assets		197,482	1,477,458
Total assets		8,467,666	8,939,996
Current liabilities			
Trade and other payables	9	2,936,127	2,675,228
Provisions	10	276,521	201,577
Lease liability	8	148,267	194,736
Total current liabilities		3,360,915	3,071,541
Non-current liabilities			
Provisions	10	9,690	7,772
Lease liability	8	-	1,354,477
Total non-current liabilities		9,690	1,362,249
Total liabilities		3,370,605	4,433,790
Net assets		5,097,061	4,506,206
Equity			
Accumulated funds		5,097,061	4,506,206
Total equity		5,097,061	4,506,206

(Notes to the financial statements are annexed)

Statement of changes in equity

For the year ended 30 June 2024

	Notes	2024 \$	2023 \$
Accumulated funds			
Balance at the beginning of the financial year		4,506,206	3,990,489
Total comprehensive income for the year		590,855	515,717
Balance at the end of the financial year		5,097,061	4,506,206

Statement of cash flows

For the year ended 30 June 2024

Cash flows from operating activities

Receipts from members and others		3,960,755	3,577,785
Payments to suppliers and employees		(3,266,595)	(2,745,107)
Interest received		272,004	114,300
Interest paid on lease liability		(50,459)	(65,925)
Net cash inflow/(outflow) from operating activities		915,705	881,053

Cash flows from investing activities

Receipts/(payments) for investments		(1,000,000)	100,000
Payments for office furniture and equipment		(67,501)	(29,700)
Net cash inflow/(outflow) from investing activities		(1,067,501)	70,300

Cash flows from financing activities

Repayment of lease liabilities		(202,738)	(179,896)
Net cash inflow/(outflow) from investing activities		(202,738)	(179,896)

Net increase/(decrease) in cash and cash equivalents held		(354,534)	771,457
Cash and cash equivalents at the beginning of the financial year		3,901,934	3,130,477
Cash and cash equivalents at the end of the financial year	4	3,547,400	3,901,934

(Notes to the financial statements are annexed)

Notes to the financial statements

For the year ended 30 June 2024

Note 1 *Material accounting policy information*

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

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

Basis of preparation

Reporting basis and conventions

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

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

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

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

Accounting Policies

(a) Income tax

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

(b) 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.

(c) Depreciation

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

/ Office furniture and equipment 3–10 years.

(d) Financial instruments

Initial recognition and measurement

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

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

Classification and subsequent measurement

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

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

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

Financial assets

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

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

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

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

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

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

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

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

Financial liabilities

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

Impairment of financial assets

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

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

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

(e) 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.

(f) Cash and cash equivalent

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

(g) 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.

(h) 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.

(i) Revenue

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

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

Timing of revenue recognition

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

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

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

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

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

Sales of goods and services

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

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

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

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

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

(j) 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.

(k) 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.

(l) 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.

(m) Leases

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

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

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

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

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

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

(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.

	2024	2023
	\$	\$
Note 2 Revenue		
Revenue from contracts with customers		
Practising Certificate fees	2,319,987	2,122,626
Members' subscriptions	17,743	15,653
Capitation fees	286,665	268,721
Certificates of Fitness	15,600	15,650
Ethos advertising and subscriptions	-	2,991
Functions	105,545	87,372
Sale of standard forms	116,029	101,132
Reimbursement of expenses		
- Statutory Accounts - administration*	80,932	76,520
- Statutory Interest Account - professional standards*	121,895	121,855
- Solicitors' Fidelity Fund of the Australian Capital Territory - administration*	45,213	46,496
Settlements Office contributions	79,871	82,396
Seminar income		
- Continuing Professional Development	197,890	139,500
- Practice management courses	118,016	105,287
	3,505,386	3,186,199
Represented by:		
Revenue recognised at a point in time	1,087,785	965,524
Revenue recognised over time	2,417,601	2,220,675
	3,505,386	3,186,199
Other income		
Interest	315,664	164,349
Gain on lease remeasurement	212,353	-
Miscellaneous income	20,140	16,683
Sponsorship	25,745	38,300
	573,902	219,332
Total revenue and other income	4,079,288	3,405,531

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

2024
\$

2023
\$

Note 3 *Profit for the year*

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

Superannuation contributions	(176,460)	(141,643)
------------------------------	-----------	-----------

Note 4 *Cash and cash equivalents*

Cash on hand	115	115
Cash at bank - Law Society General Acc	3,541,153	3,899,205
Undeposited funds	6,132	1,927
	3,547,400	3,901,247
Cash at bank - Compensation Rights Acc	-	687
	3,547,400	3,901,934

Note 5 *Investments*

Term deposits*	4,300,000	3,300,000
	4,300,000	3,300,000

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

Note 6 *Trade and other receivables*

Trade debtors	57,035	40,685
Deposits paid	81,625	39,359
Accrued interest receivable	106,517	62,856
Other accrued income	12,291	19,751
GST refund receivable	21,125	17,833
	278,593	180,484

	2024 \$	2023 \$
Note 7 <i>Office furniture and equipment</i>		
Office furniture and equipment		
At cost	1,032,073	964,572
Less: accumulated depreciation	(906,574)	(670,133)
Total office furniture and equipment	125,499	294,439

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	294,439	361,540
Additions	67,501	29,700
Depreciation expense	(236,441)	(96,801)
Carrying amount at the end of the year	125,499	294,439

Note 8 *Lease assets and liabilities*

Right of use assets and lease liabilities

Right-of-use assets – office at cost	921,239	1,814,544
Accumulated amortisation	(849,256)	(685,812)
	71,983	1,128,732

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

Balance at the beginning of the year	1,128,732	1,300,185
Amortisation	(163,444)	(171,453)
Remeasurement on change of lease term	(985,855)	-
Remeasurement of make good	92,550	-
Balance at the end of the year	71,983	1,128,732

Lease liabilities

Current	148,267	194,736
Non-current	-	1,354,477
	148,267	1,549,213

The total future lease payments at the end of the reporting period are:

- not later than one year	150,251	253,196
- between one year and five years	-	1,063,656
- later than five years	-	454,083
	150,251	1,770,935

The amount expensed in the statement of profit or loss and other comprehensive income in relation to short term and low value leases was \$0 (2023: \$0).

During the year the Society negotiated to commence a new lease in a different office space. As a result, the lease liability and right-of-use asset have been remeasured to reflect the existing lease ending during the 2024-25 financial year. As the new lease had not been fully executed by 30 June 2024, the new lease will not be recognised until the financial statements for the year ending 30 June 2025.

	Notes	2024 \$	2023 \$
Note 9 Trade and other payables			
Current			
Subscriptions and other contract liabilities		2,730,260	2,475,011
Accruals		31,787	19,878
Payable - Solicitors' Fidelity Fund of the Australian Capital Territory		105,148	97,228
Fair Comp Compensation Rights account		-	687
Young Lawyers funds		-	2,858
Trade creditors		68,932	79,566
		2,936,127	2,675,228

Note 10 Provisions

Current			
Provision for annual leave		114,809	93,691
Provision for long service leave		69,162	107,886
Provision for make-good		92,550	-
		276,521	201,577

Non-Current

Provision for long service leave		9,690	7,772
---	--	--------------	--------------

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

Note 11 Financial risk management

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

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

The entity is not subject to any significant liquidity, credit or interest rate risk. The totals for each category of financial instrument, measured in accordance with AASB 9 as detailed in the accounting policies to these financial statements, are as follows:

Financial assets at amortised cost

Cash and cash equivalents	4	3,547,400	3,901,934
Term deposit investments	5	4,300,000	3,300,000
Trade and other receivables	6	257,468	162,651
Total financial assets		8,104,868	7,364,585

Financial liabilities at amortised cost

Trade and other payables	9	2,936,127	2,675,228
Total financial liabilities		2,936,127	2,675,228

Net fair values

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

	Notes	2024 \$	2023 \$
Note 12 Remuneration of auditors			
Audit of the Society's financial statements		14,340	13,600
Audit of Statutory Deposits Trust Account		2,350	2,070
Audit of Statutory Interest Account		4,000	3,525
		20,690	19,195
<hr/>			
Audit of Solicitors' Fidelity Fund		4,000	3,525
Other services		15,912	6,950
		40,602	29,670

Other services relate to advice regarding the Society's tax exempt status, *Long Service Leave Act*, advice regarding fringe benefits tax compliance and business continuity planning.

No other benefits were received by the auditors.

Note 13 Compensation rights account

Funds had been held in a separate cheque account on behalf of the contributing legal practices and a final disbursement to cover expenses incurred was made in 2023-24 and the account has been closed. The Society does not separately record revenues or expenses in its statement of comprehensive income in relation to these funds. Funds received were previously held as a liability to meet future expenses.

Financial assets at amortised cost

Cash and cash equivalents Compensation Rights Account	4	-	687
Total financial assets		-	687

Financial liabilities at amortised cost

Trade and other payables	9	-	687
Total financial liabilities		-	687

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

Receipts		-	-
Payments		(687)	-
Net receipts/(payments)		(687)	-

Reconciliation

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

Unexpended funds

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

Note 14 *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 L Quilty	President from 8 January 2024 Vice-President 21 September 2023 – 8 January 2024 Councillor to 21 September 2023
/ Mr K Robinson	Secretary
/ Mr V Sundar	Vice-President from 15 January 2024 Councillor 21 September 2023 – 15 January 2024 Treasurer to 21 September 2023
/ Mr M Tigwell	Councillor to 21 September 2023 Treasurer from 21 September 2023
/ Ms G Briggs	Councillor to 21 September 2023 Vice-President from 21 September 2023
/ Mr T Dingwall	Immediate Past President from 1 January 2024 President 21 September 2023 – 1 January 2024 Vice-President to 21 September 2023
/ Mr A Allan	
/ Ms C Coles	
/ Mr C Donohue	
/ Mr A Giddings	
/ Ms L Hug	
/ Ms S Milson-Mahy	
/ Mr A Peppinck	
/ Ms A Pyett	
/ Ms A Wescombe	
/ Ms F Choudhury	Immediate Past President 21 September 2023 – 1 January 2024 President to 21 September 2023
/ Ms E Carroll	Immediate Past President to 21 September 2023
/ Ms S Platis	Vice-President to 21 September 2023

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

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

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

During the year the Society paid \$10,000 (2023: \$8,902) in premiums for Councillors and Officers liability insurance.

2024
\$

2023
\$

Note 15 *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.

Total key management personnel compensation	377,461	363,577
---	---------	---------

Note 16 *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 17 *Contingent liabilities and contingent assets*

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

Note 18 *Legislation*

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

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

Councillors' declaration

For the year ended 30 June 2024

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

- (a) comply with Australian Accounting Standards – Simplified Disclosures and other mandatory professional reporting requirements; and
- (b) present fairly the Society's financial position as at 30 June 2024 and its performance, as represented by the results of its operations and its cash flows, for the financial year ended on that date.

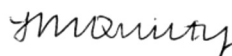
In the Councillors' opinion:

- (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
19 August 2024



Councillor
19 August 2024



Nexia Canberra
Level 5, 17 Moore Street
Canberra ACT 2601
GPO Box 500
Canberra ACT 2601
P: +61 2 6279 5400
nexia.com.au

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 (the Society) which comprise the statement of financial position as at 30 June 2024, and the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year ended on that date, including material accounting policy information and other explanatory notes.

In our opinion the financial statements present fairly, in all material respects, the financial position of the Law Society of the Australian Capital Territory as at 30 June 2024 and of its financial performance and its cash flows for the year then ended in accordance with Australian Accounting Standards – Simplified Disclosures.

Basis for opinion

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

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

Responsibilities of the Council for the financial statements

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

In preparing the financial statements, the Council is responsible for assessing the Society'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 Society or to cease operations, or has no realistic alternative but to do so.

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

Audit. Tax. Advisory.

Nexia Duesburys (Audit) (ABN 21 841 510 270) is a firm of Chartered Accountants. It is affiliated with, but independent from Nexia Australia Pty Ltd. Nexia Australia Pty Ltd is a member of Nexia International, a leading, global network of independent accounting and consulting firms. For more information please see www.nexia.com.au/legal. Neither Nexia International nor Nexia Australia Pty Ltd provide services to clients.

Liability limited under a scheme approved under Professional Standards Legislation.



Auditor's responsibility for the audit of the financial statements

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

A further description of our responsibilities for the audit of the financial statements is located at The Australian Auditing and Assurance Standards Board website at: http://www.auasb.gov.au/auditors_responsibilities/ar4.pdf. This description forms part of our auditor's report.

A handwritten signature in blue ink that reads 'Nexia Duesbury'.

Nexia Duesburys (Audit)
Canberra, 19 August 2024

A handwritten signature in blue ink that reads 'Rod Scott'.

Rod Scott
Partner

STATUTORY DEPOSITS

LAW SOCIETY OF THE AUSTRALIAN CAPITAL TERRITORY

THE STATUTORY DEPOSITS TRUST ACCOUNT

Statement of comprehensive income

For the year ended 30 June 2024

	Notes	2024 \$	2023 \$
Revenue		-	-
Net surplus/(deficit)		-	-
Total comprehensive income for the year		-	-

Statement of financial position

As at 30 June 2024

Current assets

Cash and cash equivalents	2	26,018,765	37,333,789
Investments	3	96,900,000	88,900,000
Total current assets		122,918,765	126,233,789
Total assets		122,918,765	126,233,789

Current liabilities

Trade and other payables	4	122,918,765	126,233,789
Total current liabilities		122,918,765	126,233,789
Total liabilities		122,918,765	126,233,789

Net assets

		-	-
--	--	---	---

Equity

Accumulated funds		-	-
Total equity		-	-

(Notes to the financial statements are annexed)

Statement of changes in equity

For the year ended 30 June 2024

	Notes	2024 \$	2023 \$
Accumulated funds			
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 2024

Cash flows from investing activities

Proceeds from investments		52,000,000	52,270,700
Payments for investments		(60,000,000)	(60,500,000)
Net cash inflow/(outflow) from investing activities		(8,000,000)	(8,229,300)

Cash flows from financing activities

Proceeds from statutory deposits		22,593,096	42,522,676
Repayments of statutory deposits		(25,908,120)	(53,135,717)
Net cash inflow/(outflow) from financing activities		(3,315,024)	(10,613,041)

Net increase/(decrease) in cash and cash equivalents held		(11,315,024)	(18,842,341)
--	--	---------------------	---------------------

Cash and cash equivalents at the beginning of the financial year		37,333,789	56,176,130
--	--	------------	------------

Cash and cash equivalents at the end of the financial year	2	26,018,765	37,333,789
---	---	-------------------	-------------------

(Notes to the financial statements are annexed)

Notes to the Financial Statements

For the year ended 30 June 2024

Note 1 *Material accounting policy information*

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

Basis of preparation

Reporting basis and conventions

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

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

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

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

Accounting policies

(a) Income tax

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

(b) Cash and cash equivalents

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

(c) Investments

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

(d) Monies deposited by solicitors

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

(e) Financial instruments

Initial recognition and measurement

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

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

Classification and subsequent measurement

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

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

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

Financial assets

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

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

- / the financial asset is held within a business model whose objective is to hold financial assets in order to collect contractual cash flows; and

- / the contractual terms of the financial asset give rise on specified dates to cash flows that are solely payments of principal and interest on the principal amount outstanding.

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

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

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

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

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

Financial liabilities

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

Impairment of financial assets

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

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

(f) Comparatives

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

Critical accounting estimates and judgements

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

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

	Notes	2024 \$	2023 \$
Note 2 <i>Cash and cash equivalents</i>			
Cash at bank		25,818,765	37,133,789
AMP Notice Account and Saver Account		200,000	200,000
		26,018,765	37,333,789

Note 3 *Investments*

Term deposits*		96,900,000	88,900,000
		96,900,000	88,900,000

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

Note 4 *Trade and other payables*

Monies deposited by solicitors		122,918,765	126,233,789
		122,918,765	126,233,789

Note 5 *Legislation*

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

Note 6 *Remuneration of auditors*

Audit fees of \$2,350 (2023: \$2,070) were ultimately paid by the Statutory Interest Account on behalf of the Statutory Deposits Trust Account.

Note 7 *Financial risk management*

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

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

The entity is not subject to any significant liquidity, credit or interest rate risk. The totals for each category of financial instrument, measured in accordance with AASB 9 as detailed in the accounting policies to these financial statements, are as follows:

Financial assets at amortised cost

Cash and cash equivalents	2	26,018,765	37,133,789
Term deposit investments	3	96,900,000	88,900,000
Total financial assets		122,918,765	126,233,789

Financial liabilities at amortised cost

Trade and other payables	4	122,918,765	126,233,789
Total financial liabilities		122,918,765	126,233,788

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 2024

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

- (a) comply with Australian Accounting Standards – Simplified Disclosures and other mandatory professional reporting requirements; and
- (b) present fairly the Trust Account's financial position as at 30 June 2024 and its performance, as represented by the results of its operations and its cash flows, for the financial year ended on that date.

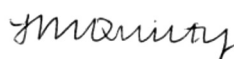
In the Councillors' opinion:

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

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



Councillor
19 August 2024



Councillor
19 August 2024



Nexia Canberra
Level 5, 17 Moore Street
Canberra ACT 2601
GPO Box 500
Canberra ACT 2601
P: +61 2 6279 5400
nexia.com.au

**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 (the Trust Account) which comprises the statement of financial position as at 30 June 2024, and the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year ended on that date, including material accounting policy information and other explanatory notes.

In our opinion the financial statements present fairly, in all material respects, the financial position of the Law Society of the Australian Capital Territory Statutory Deposits Trust Account as at 30 June 2024 and of its financial performance and its cash flows for the year then ended in accordance with Australian Accounting Standards – Simplified Disclosures.

Basis for opinion

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

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

Responsibilities of the Council for the financial statements

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

In preparing the financial statements, the Council is responsible for assessing the Trust Account'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 Trust Account or to cease operations, or has no realistic alternative but to do so.

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

Audit. Tax. Advisory.

Nexia Duesburys (Audit) (ABN 21 841 510 270) is a firm of Chartered Accountants. It is affiliated with, but independent from Nexia Australia Pty Ltd. Nexia Australia Pty Ltd is a member of Nexia International, a leading, global network of independent accounting and consulting firms. For more information please see www.nexia.com.au/legal. Neither Nexia International nor Nexia Australia Pty Ltd provide services to clients.

Liability limited under a scheme approved under Professional Standards Legislation.



Auditor's responsibility for the audit of the financial statements

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

A further description of our responsibilities for the audit of the financial statements is located at The Australian Auditing and Assurance Standards Board website at: http://www.auasb.gov.au/auditors_responsibilities/ar4.pdf. This description forms part of our auditor's report.

A handwritten signature in blue ink that reads 'Nexia Duesburys'.

Nexia Duesburys (Audit)
Canberra, 19 August 2024

A handwritten signature in blue ink that reads 'Rod Scott'.

Rod Scott
Partner

STATUTORY INTEREST

LAW SOCIETY OF THE AUSTRALIAN CAPITAL TERRITORY THE STATUTORY INTEREST ACCOUNT

Statement of comprehensive income

For the year ended 30 June 2024

	Notes	2024 \$	2023 \$
Revenue	2	14,220,693	8,914,706
Expenses			
Law Society of the Australian Capital Territory - reimbursement of administration expenses		(80,932)	(76,520)
Disciplinary legal costs and other legal costs		(1,609,088)	(982,284)
Grant disbursements under s253		(2,399,898)	-
Professional Standards Office costs		(122,985)	(123,029)
Surplus/(deficit) for the year		10,007,790	7,732,873

From the final surplus, Council has proposed future distributions totalling \$5,500,000 which will be paid in 2024-25, subject to approval by the Attorney-General of the ACT, and the amount will be reflected as an expense in the 2024-25 financial statements. *Refer Note 8.*

(Notes to the financial statements are annexed)

Statement of financial position

For the year ended 30 June 2024

	Notes	2024 \$	2023 \$
Current assets			
Cash and cash equivalents	3	10,720,481	5,880,337
Investments	4	6,500,000	1,500,000
Trade and other receivables	5	2,728,389	2,283,214
Total current assets		19,948,870	9,663,551
Non-current assets			
Other receivables	5	3,750	26,250
Total assets		19,952,620	9,689,801
Current liabilities			
Trade and other payables	6	540,907	285,878
Total current liabilities		540,907	285,878
Total non-current liabilities		-	-
Total liabilities		540,907	285,878
Net assets		19,411,713	9,403,923
Equity			
Accumulated funds		19,411,713	9,403,923
Total equity		19,411,713	9,403,923

Statement of changes in equity

For the year ended 30 June 2024

Accumulated funds			
Balance at the beginning of the financial year		9,403,923	1,671,050
Surplus/(deficit) for the year		10,007,790	7,732,873
Balance at the end of the financial year		19,411,713	9,403,923

(Notes to the financial statements are annexed)

Statement of cash flows

For the year ended 30 June 2024

	Notes	2024 \$	2023 \$
Cash flows from operating activities			
Recovered disciplinary legal costs and fines imposed		282,435	174,046
Miscellaneous receipts & GST refunds		338,387	100,564
Disbursements and other operating payments		(1,933,035)	(1,236,096)
Interest		13,552,255	6,767,581
Net cash inflow/(outflow) from operating activities		12,240,042	5,806,095
Cash flows from investing activities			
Payments for investments		(5,000,000)	(2,200,000)
Receipts from investments		-	1,353,934
Net cash inflow/(outflow) from investing activities		(5,000,000)	(846,066)
Cash flows from financing activities			
Section 253 disbursements	7	(2,399,898)	-
Net cash inflow/(outflow) from financing activities		(2,399,898)	-
Net increase/(decrease) in cash and cash equivalents held		4,840,144	4,960,029
Cash and cash equivalents at the beginning of the financial year		5,880,337	920,308
Cash and cash equivalents at the end of the financial year	3	10,720,481	5,880,337

(Notes to the financial statements are annexed)

Notes to the financial statements

For the year ended 30 June 2024

Note 1 *Material accounting policy information*

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

Basis of preparation

Reporting basis and conventions

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

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

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

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

Accounting policies

(a) Income tax

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

(b) Cash and cash equivalents

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

(c) Investments

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

(d) Revenue recognition

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

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

Timing of revenue recognition

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

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

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

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

Interest revenue

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

Recovered disciplinary costs and fines

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

(e) Financial instruments

Initial recognition and measurement

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

Financial instruments (except for trade receivables) are initially measured at fair value plus transaction costs, except where the instrument is classified "at fair value through profit

or loss”, in which case transaction costs are expensed to profit or loss immediately.

Classification and subsequent measurement

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

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

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

Financial assets

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

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

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

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

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

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

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

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

Financial liabilities

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

Impairment of financial assets

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

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

(f) Goods and Services Tax (GST)

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

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

(g) 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.

	2024	2023
	\$	\$
Note 2 Revenue		
Revenue from contracts with customers		
Recovered disciplinary costs and fines	190,414	299,284
Represented by:		
Revenue recognised at a point in time	190,414	299,284
Revenue recognised over time	-	-
	190,414	299,284
Other income		
Interest on investments by the Statutory Interest Account	1,005,830	117,297
Interest on investments by the Statutory Deposits Account	5,488,440	3,411,651
Interest on Solicitors' Trust Accounts	7,536,009	5,086,474
	14,030,279	8,615,422
Total revenue and other income	14,220,693	8,914,706

Note 3 Cash and cash equivalents

Cash at bank	10,720,481	5,880,337
--------------	------------	-----------

Note 4 Investments

Term deposits*	6,500,000	1,500,000
----------------	-----------	-----------

*Term deposits were held with maturities of up to 12 months from the date of deposit.

	2024 \$	2023 \$
Note 5 Trade and other receivables		
Current		
Accrued interest		
- Investments	1,747,545	1,469,959
- Solicitors' Trust Accounts	720,917	588,385
- Other	166,572	98,667
	2,635,034	2,157,011
Debtors	49,738	148,870
Provision for doubtful debts	(20,271)	(49,882)
Prepayments	-	1,229
GST receivable	63,888	25,986
	93,355	126,203
	2,728,389	2,283,214
Non-current		
Debtors	82,442	124,013
Provision for doubtful debts	(78,692)	(97,763)
	3,750	26,250
	2,732,139	2,309,464

Note 6 Trade and other payables

Sundry creditors and accruals	540,907	285,878
-------------------------------	---------	---------

Note 7 Disbursements paid

Disbursements paid, on a cash basis, from the Statutory Interest Account under s253(4) of the *Legal Profession Act 2006* were:

Canberra Community Law	205,000	-
Care Inc (Consumer Law)	200,000	-
Environmental Defender's Office	45,000	-
Legal Aid Commission (ACT)	1,500,000	-
Women's Legal Centre	449,898	-
	2,399,898	-

Note 8 *Disbursements under s253*

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

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

	Notes	2024 \$	2023 \$
Within one year		49,739	148,870
Later than one year		82,442	124,013
Possible disbursements under s253 are calculated as follows:			
Surplus/(deficit)		10,007,790	7,732,873
Add previous year's revenue received in current year		94,831	
Less amounts recognised in revenue to be received in future years		(2,810)	(125,239)
		10,099,811	7,607,634
Proposed disbursements under s253*		5,500,000	5,500,000

* Council has proposed future distributions totalling \$5,500,000 which will be paid in 2024-25, subject to approval by the Attorney-General of the ACT and the amount will be reflected as an expense in the 2024-25 financial statements. 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 Solicitor's Fidelity Fund.

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

The entity is not subject to any significant liquidity or credit risk. Interest rate risk is managed by the Account reviewing the interest rate profile, current interest rates and the market outlook, and taking action as necessary to ensure that risk levels are maintained at a satisfactory level for its own cash and investments. A 1% movement in interest rates across the Account's cash and investments, and the cash and investments of the Statutory Deposits Account and solicitors' trust accounts would have a significant impact on profit and equity, however it is not practical to quantify the impact given the variables involved. Movements in the amounts held by Solicitors in their trust accounts can also have a significant impact on interest received by the Account. A number of the variables associated with interest risk are not able to be influenced by the Account. The totals for each category of financial instrument, measured in accordance with AASB 9 as detailed in the accounting policies to these financial statements, are as follows:

Financial assets at amortised cost

Cash and cash equivalents	3	10,720,481	5,880,337
Term deposit investments	4	6,500,000	1,500,000
Trade and other receivables	5	2,668,251	2,283,478
Total financial assets		19,888,732	9,663,815

Financial liabilities at amortised cost

Trade and other payables	6	540,907	285,878
Total financial liabilities		540,907	285,878

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 assets*

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

Note 11 *Contingent liabilities*

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

Note 12 *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 13 *Remuneration of auditors*

Audit fees of \$4,000 (2023: \$3,525) were ultimately paid by the Statutory Interest Account.

Note 14 *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 2024

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

- (a) comply with Australian Accounting Standards – Simplified Disclosures and other mandatory professional reporting requirements; and
- (b) present fairly the Account's financial position as at 30 June 2024 and its performance, as represented by the results of its operations and its cash flows, for the financial year ended on that date.

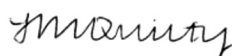
In the Councillors' opinion:

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

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



Councillor
19 August 2024



Councillor
19 August 2024



Nexia Canberra
Level 5, 17 Moore Street
Canberra ACT 2601
GPO Box 500
Canberra ACT 2601
P: +61 2 6279 5400
nexia.com.au

**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 (the Account) which comprises the statement of financial position as at 30 June 2024, and statement of comprehensive income, statement of changes in equity and statement of cash flows for the year ended on that date, including material accounting policy information 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 2024 and of its financial performance and its cash flows for the year then ended in accordance with Australian Accounting Standards – Simplified Disclosures.

Basis for opinion

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

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

Responsibilities of the Council for the financial statements

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

In preparing the financial statements, the Council is responsible for assessing the Account'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 Account or to cease operations, or has no realistic alternative but to do so.

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

Audit. Tax. Advisory.

Nexia Duesburys (Audit) (ABN 21 841 510 270) is a firm of Chartered Accountants. It is affiliated with, but independent from Nexia Australia Pty Ltd. Nexia Australia Pty Ltd is a member of Nexia International, a leading, global network of independent accounting and consulting firms. For more information please see www.nexia.com.au/legal. Neither Nexia International nor Nexia Australia Pty Ltd provide services to clients.

Liability limited under a scheme approved under Professional Standards Legislation.



Auditor's responsibility for the audit of the financial statements

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

A further description of our responsibilities for the audit of the financial statements is located at The Australian Auditing and Assurance Standards Board website at:
http://www.auasb.gov.au/auditors_responsibilities/ar4.pdf. This description forms part of our auditor's report.

A handwritten signature in blue ink that reads 'Nexia Duesburys'.

Nexia Duesburys (Audit)
Canberra, 19 August 2024

A handwritten signature in blue ink that reads 'Rod Scott'.

Rod Scott
Partner

FIDELITY FUND

THE SOLICITORS' FIDELITY FUND OF THE AUSTRALIAN CAPITAL TERRITORY

Statement of comprehensive income

For the year ended 30 June 2024

	Notes	2024 \$	2023 \$
Revenue	2	384,044	254,614
Audit fees		(4,000)	(3,525)
Administration expenses		(45,213)	(46,496)
Consultancy/professional advice		-	(1,485)
Investigations, examinations, supervisor and managers' costs		(14,102)	(79,850)
Random inspections expenses		(169,320)	(174,310)
Surplus/(deficit) for the year		151,409	(51,052)
Total comprehensive income for the year		151,409	(51,052)

(Notes to the financial statements are annexed)

Statement of financial position

As at 30 June 2024

	Notes	2024 \$	2023 \$
Current assets			
Cash and cash equivalents	3	1,022,965	1,835,713
Investments	4	4,490,000	3,490,000
Trade and other receivables	5	179,836	187,885
Total current assets		5,692,801	5,513,598
Total assets		5,692,801	5,513,598
Current liabilities			
Trade and other payables	6	128,849	101,055
Total current liabilities		128,849	101,055
Total liabilities		128,849	101,055
Net assets		5,563,952	5,412,543
Equity			
Accumulated funds		5,563,952	5,412,543
Total equity		5,563,952	5,412,543

Statement of changes in equity

For the year ended 30 June 2024

Accumulated funds			
Balance at the beginning of the financial year		5,412,543	5,463,595
Total comprehensive income for the year		151,409	(51,052)
Balance at the end of the financial year		5,563,952	5,412,543

(Notes to the financial statements are annexed)

Statement of cash flows

As at 30 June 2024

	Notes	2024 \$	2023 \$
Cash flows from operating activities			
Receipts from contributions		102,312	83,472
Recoveries & GST refunds		14,511	34,120
Payments to suppliers and others		(227,272)	(387,017)
Interest received		297,701	111,847
Net cash inflow/(outflow) from operating activities		187,252	(157,578)
Cash flows from investing activities			
Payments for investments		(2,500,000)	-
Proceeds from investments		1,500,000	-
Net cash inflow/(outflow) from investing activities		(1,000,000)	-
Net increase/(decrease) in cash and cash equivalents held		(812,748)	(157,578)
Cash and cash equivalents at the beginning of the financial year		1,835,713	1,993,291
Cash and cash equivalents at the end of the financial year	3	1,022,965	1,835,713

(Notes to the financial statements are annexed)

Notes to the financial statements

For the year ended 30 June 2024

Note 1 *Material accounting policy information*

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

Basis of preparation

Reporting basis and conventions

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

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

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

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

Accounting policies

(a) Income tax

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

(b) Cash and cash equivalents

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

(c) Revenue recognition

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

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

Timing of revenue recognition

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

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

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

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

Contributions

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

Interest revenue

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

Recovered investigation/management costs

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

(d) Investments

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

(e) Financial instruments

Initial recognition and measurement

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

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

Classification and subsequent measurement

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

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

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

Financial assets

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

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

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

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

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

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

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

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

Financial liabilities

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

Impairment of financial assets

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

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

(f) Goods and Services Tax (GST)

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

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

(g) 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.

	2024 \$	2023 \$
Note 2 Revenue		
Revenue from contracts with customers		
Contributions from levies	102,312	83,472
Recovery of investigations/management, supervisor costs and doubtful debt recovery	-	-
	102,312	83,472
Represented by:		
Revenue recognised at a point in time	102,312	83,472
Revenue recognised over time	-	-
	102,312	83,472
Other income		
Interest on investments	281,732	171,142
Distribution from the Statutory Interest Account	-	-
	281,732	171,142
Total revenue and other income	384,044	254,614

Note 3 Cash and cash equivalents

Cash at bank	1,022,965	434,760
AMP Notice account	-	1,400,953
	1,022,965	1,835,713

Note 4 Investments

Term deposits*	4,490,000	3,490,000
	4,490,000	3,490,000

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

	2024	2023
	\$	\$
Note 5 <i>Trade and other receivables</i>		
Trade debtors - The Law Society of the Australian Capital Territory	105,148	97,228
Trade debtors - other	13,380	13,380
Accrued interest	61,308	77,277
	179,836	187,885

Note 6 *Trade and other payables*

Trade creditors and accruals	23,701	3,827
Contributions received in advance	105,148	97,228
	128,849	101,055

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	4,000	3,525
Conduct of random inspections	48,770	66,295
	52,770	69,820

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 \$44,900 on profit and equity.

A previous actuarial assessment of the Fund noted that the level of exposure to risk had increased due to the substantial increase in trust monies held in the ACT by law firms. The recommendation in 2022 was that the prudential optimal size of the Fund should be \$8.5m. Council have recommended an increase to the balance of the Fund in line with the actuarial report.

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

	Notes	2024 \$	2023 \$
Financial assets at amortised cost			
Cash and cash equivalents	3	1,022,965	1,835,713
Term deposit investments	4	4,490,000	3,490,000
Trade and other receivables	5	179,836	187,885
Total financial assets		5,692,801	5,513,598
Financial liabilities at amortised cost			
Trade and other payables	6	128,849	101,055
Total financial liabilities		128,849	101,055

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 2024

The Councillors declare that the financial statements and notes set out on pages 39 to 46:

- (a) comply with Australian Accounting Standards – Simplified Disclosures and other mandatory professional reporting requirements; and
- (b) present fairly the Fund's financial position as at 30 June 2024 and its performance, as represented by the results of its operations and its cash flows, for the financial year ended on that date.

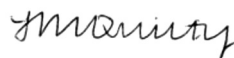
In the Councillors' opinion:

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

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



Councillor
19 August 2024



Councillor
19 August 2024



Nexia Canberra
Level 5, 17 Moore Street
Canberra ACT 2601
GPO Box 500
Canberra ACT 2601
P: +61 2 6279 5400
nexia.com.au

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 (the Fund) which comprises the statement of financial position as at 30 June 2024, and statement of comprehensive income, statement of changes in equity and statement of cash flows for the year ended on that date, including material accounting policy information 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 2024 and of its financial performance and its cash flows for the year then ended in accordance with Australian Accounting Standards – Simplified Disclosures.

Basis for opinion

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

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

Responsibilities of the Council for the financial statements

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

In preparing the financial statements, the Council is responsible for assessing the Fund'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 Fund or to cease operations, or has no realistic alternative but to do so.

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

Audit. Tax. Advisory.

Nexia Duesburys (Audit) (ABN 21 841 510 270) is a firm of Chartered Accountants. It is affiliated with, but independent from Nexia Australia Pty Ltd. Nexia Australia Pty Ltd is a member of Nexia International, a leading, global network of independent accounting and consulting firms. For more information please see www.nexia.com.au/legal. Neither Nexia International nor Nexia Australia Pty Ltd provide services to clients.

Liability limited under a scheme approved under Professional Standards Legislation.



Auditor's responsibility for the audit of the financial statements

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

A further description of our responsibilities for the audit of the financial statements is located at The Australian Auditing and Assurance Standards Board website at:
http://www.auasb.gov.au/auditors_responsibilities/ar4.pdf. This description forms part of our auditor's report.

A handwritten signature in blue ink that reads "Nexia Duesburys".

Nexia Duesburys (Audit)
Canberra, 19 August 2024

A handwritten signature in blue ink that reads "Rod Scott".

Rod Scott
Partner

Represent Advance Defend



MEMBER
Law Council
OF AUSTRALIA

The Law Society of the Australian Capital Territory
actlawsociety.asn.au