



CONFIDENTIAL

THE INDIGENOUS BARRISTERS' TRUST

ABN 37 236 738 243

The Indigenous Barristers' Trust was established by a Trust Deed dated 31 October 2006 and amended by Deed of Amendment dated 20 April 2020, for the purposes of facilitating the pursuit of the practice of law at the Victorian Bar by Indigenous persons.

So far as is relevant, clause 4.1 of the Trust Deed (as amended) provides that:

- (a) The Trustees must hold the Trust Fund to pay or apply any part of the Trust Fund for the purpose of the relief of the poverty, suffering, helplessness, misfortune or other disability of Indigenous persons and, in particular, the relief of necessitous circumstances which may result in, or contribute to, an impediment to the pursuit of the practice of law at the Victorian Bar, provided there is some degree of financial necessity.
- (b) Without limiting clause 4.1(a), the Trustees may provide financial and other assistance for professional and practice development, building professional networks or increasing the practising profile of Indigenous barristers.

The Trustees of the Trust are appointed by the President of the Bar Council and the Trustees must appoint the Indigenous Justice Committee of the Victorian Bar for purposes which include:

- (a) considering grant applications;
- (b) recommending amounts to be distributed; and
- (c) recommending grant recipients.

Applications are handled confidentially and the names of applicants are generally not disclosed when the Indigenous Justice Committee reports to the Trustees, unless the Trustees request disclosure.

Depending on the nature of the application, a sub-committee of the Indigenous Justice Committee might be established to consider applications in order to maintain confidentiality of applicants. In the first instance, the Chair (or Co-Chair) or Secretary of the Indigenous Justice Committee will consider the nature of the application and any requests for confidentiality in determining whether a sub-committee will be established. Typically, a sub-committee will be established where a large grant is requested.

In order to maintain the Trust's taxation status, its funds must be used only for the relief of Indigenous persons in necessitous circumstances. For this reason, the Indigenous Justice Committee must inquire into your personal and financial circumstances where the amount of assistance sought is relatively large (over \$7,500).

An Indigenous person is in necessitous circumstances where that person is in need of money or material assistance in order to pursue the practice of law at the Victorian Bar. As set out above, this may include a need for financial or other assistance for professional and practice development, building professional networks or increasing the practising profile of Indigenous barristers.

In completing this application, please turn your mind to whether you answer the description of an Indigenous person in necessitous circumstances and direct your answers accordingly.

APPLICATION FORM

PART 1 – Background

Personal details

Name:

Bar Roll Number:

Address:

Email:

Contact number:

Are you of Aboriginal or Torres Strait Islander descent?

Please tell us a bit about your background as an Aboriginal and/or Torres Strait Islander (i.e. your First Nation, if you know it; where your traditional country is; family history; your mob).

Please indicate your expectations as to the level of confidentiality you would like to apply to this application.

Nature of assistance sought

The amount of assistance provided varies depending on the applicant's circumstances. The Trust Deed imposes no limits in this regard, but the Indigenous Justice Committee in its capacity as the advisory committee to the Trustees must be careful to preserve the capital so far as possible. Assistance could take the form of a loan, which may, in appropriate cases, be made interest-free. Where the amount is small (under \$7,500), it will usually be given in the form of a grant.

Are you seeking a loan or a grant?

What is the amount of assistance you are seeking?

For what purpose do you intend to apply the grant of assistance?

PART II – Financial circumstances – small grant (under \$7,500)

You do not need to complete Part III if you are seeking a small grant.

Please explain how the assistance sought will assist you, including:

- if it is requested for your professional and practice development, in building professional networks and/or in increasing the practising profile of Indigenous barristers, and why you need this assistance?
- if the grant is to be used for a specific purpose, whether it would be unlikely if the grant was not made you would be able to undertake such specific purpose?

PART III – Financial circumstances – large grant or loan (over \$7,500)

You do not need to complete Part II if you are seeking a large grant or loan. Please answer all the questions below to the best of your ability.

Please explain how the assistance sought will assist you, including if it is requested for your professional and practice development, in building professional networks and/or in increasing the practising profile of Indigenous barristers, and why you need this assistance.

If you seek a large amount (over \$7,500) as a grant, why do you believe you would be unable to repay a loan of that amount within a reasonable time?

If you are seeking a loan, what repayment terms do you propose?

If you seek a loan, why do you believe that your circumstances will change in the future so as to allow you to repay the loan?

Dependants

How many adult dependants do you have?

How many child dependants do you have?

Income and assets

Please state your current monthly income / estimated annual income for this financial year and your taxable income from the last available year.

What other sources of income or support are available to your household? (Eg. partner's income)

What real property do you or your partner have and what is the value of your interest and is it encumbered? If it is encumbered what is the amount and what are your monthly repayments.

How much cash do you have available to you?

What other investments or assets do you have and what is their value?

Liabilities

What are your rent, mortgage and household expenses?

Do you have any other significant debts? If so, please specify those debts and what monthly repayments are required?

What are your other major financial commitments or liabilities, including your monthly repayments?

Other sources of assistance

Do you hold an insurance policy that may pay benefits in your circumstances? (E.g. income protection or disability insurance). If so, please specify and set out what steps you have taken to make a claim on the policy, the outcome of any claim, or why you have not made a claim.

If your need for assistance results from illness or injury, have you investigated whether you are eligible to claim under a group disability or income protection policy held by your superannuation fund? If so, please provide details. If not, please explain why not.

If you are experiencing difficulty paying a mortgage or other debt to a credit provider, have you applied for a hardship variation from the lender under the National Credit Code? If so, please provide details. If not, please explain why not.

If you are experiencing hardship paying council rates or utilities, have you contacted the council or provider to seek hardship assistance? If so, please provide details. If not, please explain why not.

Have you sought chambers rental relief from Barristers Chambers Ltd? If so, please provide details. If not, please explain why not.

I confirm the above is true and correct and relevant evidence can be provided upon request.

NAME:

SIGNATURE:

Please forward this form to the Victorian Bar office:

ed@vicbar.com.au

Indigenous Barristers' Trust

The Victorian Bar Inc.

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