

***Annual Report
of The Victorian Bar
Inc. for the year
ended 30 June 2010***

TO BE PRESENTED TO ANNUAL GENERAL MEETING OF
THE VICTORIAN BAR INC. TO BE HELD 26 OCTOBER 2010
IN OWEN DIXON CHAMBERS EAST, WILLIAM STREET, MELBOURNE

22 October 2010

The Victorian Bar Inc. Registered No. A0034504S

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PART I - BAR COUNCIL 2009-2010

CATEGORY A

Eleven counsel who are Queen's Counsel, Senior Counsel or junior counsel of not less than fifteen years standing

CHAIRMAN	Michael J Colbran QC
SENIOR VICE-CHAIRMAN	Mark K Moshinsky S.C.
JUNIOR VICE-CHAIRMAN	Cameron C Macaulay S.C. (until 14 September 2010)
	Melanie Sloss S.C. (from 23 September 2010)
MEMBER	Jacob (Jack) I Fajgenbaum QC
MEMBER	Brendan A Murphy QC
MEMBER	Timothy P Tobin S.C.
MEMBER	Fiona M McLeod S.C.
MEMBER	Richard W McGarvie S.C.
MEMBER	Christopher M Caleo S.C.
HONORARY TREASURER	Edvard (Will) Alstergren

CATEGORY B

Six counsel who are not of Queen's Counsel or Senior Counsel and are of not more than fifteen nor less than six years standing

ASSISTANT HONORARY TREASURER	Sara L Hinchey
MEMBER	Matthew J Walsh
MEMBER	P Justin Hannebery
MEMBER	Paul X Connor
MEMBER	Kim J Knights
MEMBER	Katharine (Kate) J D Anderson

CATEGORY C

Four counsel who are not of Queen's Counsel or Senior Counsel and are of less than six years standing

MEMBER	Anthony T Strahan
MEMBER	Simon T Pitt
MEMBER	Richard H Stanley
MEMBER	Kim M Southey

HONORARY SECRETARIES APPOINTED BY THE VICTORIAN BAR COUNCIL

HONORARY SECRETARY	Stewart J Maiden
ASSISTANT HONORARY SECRETARY	Samuel D Hay

MEMBERS OF THE BAR COUNCIL 2009-2010



BAR OFFICE STAFF

GENERAL MANAGER	Stephen Hare
EXECUTIVE OFFICER	Denise Bennett
FINANCIAL CONTROLLER	Mal Bowatta
SENIOR ACCOUNTANT	Bruce Timbs
MANAGER ASSISTING THE GENERAL MANAGER	Ross Nankivell
MANAGER, LEGAL POLICY & GOVERNMENT RELATIONS	Jacqueline Stone
MANAGER, PROFESSIONAL DEVELOPMENT	Mark Halse
MARKETING MANAGER	Norma Binding
MANAGER, COMPLIANCE	Alison Rock
CO-ORDINATOR, PROFESSIONAL DEVELOPMENT	Wendy Pollock
ADMINISTRATION ASSISTANT, PROFESSIONAL DEVELOPMENT	Barbara Toohey
ADMINISTRATION ASSISTANT, PROFESSIONAL DEVELOPMENT	Daniella Mattiuzzo
WEBSITE & NEWSLETTER EDITOR	Miriam Sved
ADMINISTRATION ASSISTANT, MEMBERSHIP	Daphne Ioannidis
RECEPTION/ADMINISTRATION ASSISTANT	Courtney Bow
MEDIATION CENTRE CO-ORDINATOR:	Peta Hansen

PART II - CHAIRMAN'S REPORT

FINANCIAL STRENGTH UNDERPINS SERVICES FOR MEMBERS

The Group surplus for the year was \$4.0M (\$4.8M last year) and the surplus for the parent entity, Victorian Bar Inc was \$174,059 (\$415,073 last year).

Financial year 2009/10 was the third year of the program to renew the Bar's governance and administration. Restructuring from 2007/8 onwards has enabled progressive improvement in services. Restructuring also has allowed the Bar to adapt to reducing reimbursements from the Legal Services Board (LSB).

	2006/7 \$000	2007/8 \$000	2008/9 \$000	2009/10 \$000
REPORTED SURPLUS/DEFICIT	39	585	415	174
Interest revenue	(166)	(540)	(391)	(103)
Depreciation	51	29	30	33
EARNINGS BEFORE INTEREST AND DEPRECIATION (EBID)	(76)	74	54	104
LSB regulatory reimbursements	(511)	(449)	(376)	(339)
EBID BEFORE LSB REIMBURSEMENTS	(587)	(375)	(322)	(235)

That overall subscription rates (rates were varied up and down between categories in 2009/10) have not been increased since 2005/6 - a five year period, which is an achievement given the Bar's focus on improving services. Bar Associations and Committees are beneficiaries of better servicing while members are benefiting from improved health and well being services and improving profile, marketing and other projects mentioned later. Subscription income has grown but solely due to growth in membership numbers. The three year trial period for income determined subscriptions will be reviewed in the term of the 2010/11 Bar Council.

	2006/7	2007/8	2008/9	2009/10
Membership (#s)	1,690	1,738	1,777	1,840
<i>Increase (%)</i>	2.5	2.8	2.2	3.6
Subscription income (\$000s)	2,563	2,616	2,638	2,719
<i>Increase (%)</i>	2.6	2.1	0.8	3.1

The financial highlight for the year was the purchase in December of Owen Dixon Chambers West (ODW). Net Property Plant and Equipment rose by \$57.8M funded by borrowings of \$43M with the remainder \$14.8 M coming from net cash. The seamless way that the purchase was accomplished, with so little impact on the financial result, reflects well both on the decision to purchase and on the Bar's financial management. It is notable already that the lower net third party rent and fit out expense almost matches the additional finance expense, demonstrating that Barristers Chamber Limited's (BCL) refurbishment program can be sustained. Impending rent increases that might otherwise have been in prospect, including catch-up rent increases at ODW, have been ameliorated by moving to ownership of ODW. Ownership also allows the Bar to accelerate refurbishment of the Bar's 'home'. Group net cash remained strong at \$6.7M after net expenditure of \$10.4M.

CHAMBERS AND DATA & VOICE TECHNOLOGY

For more than half a century, careful investment in property has allowed the Bar to provide low barriers to entry for aspiring barristers, and to provide competitively priced chambers for practising barristers. These assets are not merely the accumulation of the current members of the Bar and they are not just for the benefit of the current members. They are held by the current generation of barristers both for themselves and for future members of the Bar. Regard for the contributions of the current and past members and concern for the needs of current and future members was and continues to be the guiding principle rather than short term financial or commercial objectives. The Bar's assets properly underpin the 'community of the Bar' in various ways, including by fostering collegiality, enabling the sharing of resources, and assisting the

mentoring of junior barristers by senior colleagues. If not for the presence of BCL in the market, other commercial operators would have little incentive to try and match the terms offered by BCL.

As well as the purchase of ODW, the Board and Management of BCL had a very positive year culminating in the establishment of the new Gorman Chambers at 533 Little Lonsdale Street - a rapid response to the difficult circumstances being experienced by disenfranchised members on the third floor of Equity Chamber - and the conclusion of a new lease on the 38th floor of 140 William Street, just after financial year end. The number of BCL tenants rose in the year by 39 which is two thirds of the net increase in members during the year. Rounding off the year, BCL completed refurbishments at Douglas Menzies and Isaacs Chambers; and reached agreement late in the year with the landlord for refurbishments at Joan Rosanove Chambers, completed the IT review and commenced its roll out; commenced the telecommunications review and made offers to independent chambers for connection to BCL's IT&T; and implemented the new Group Registration element of the Chambers Allocation Policy.

Personally, and on behalf of Bar Council, I record our appreciation to BCL Chairman Mark Derham QC and other Board members, together with Managing Director Edwin Gill and his staff, for BCL's achievements and also for their contribution to a very constructive relationship with Bar Council.

SERVING THE PUBLIC INTEREST

In February 2010, Fiona McLeod S.C. became the Bar's representative on the LCA replacing me after 2 ½ years as the Bar's representative. Similarly, Peter Riordan SC has been the Bar's representative on the ABA since December 2007, and this year was its Chairman. While time consuming, our presence on these bodies has given the Bar a voice on matters of national importance, especially so in a year of dramatic reform. Through these bodies, the Bar has been an active contributor to the future structure and regulation of the profession.

I particularly acknowledge the work of Philip Selth OAM, Executive Director of the NSW Bar. Philip has acted as the ABA liaison through the reform process, has been immersed in the work of the National Taskforce and with submissions by the ABA and the LCA to the Taskforce. I have had the pleasure of working closely with Philip in the last 18 months and together we worked with the other Australian Bars to find commonality between each state's conduct rules to formulate the national Conduct Rules for Australian Barristers which awaits final ratification.

Two years ago, the Bar revived the role of the Counsel Committee through a jurisdictional clarification of the roles of Bar Council, the Counsel Committee and the Ethics Committee in respect of matters of regulation and discipline. The role of Chair of the Counsel Committee falls to the Senior Vice-Chairman - it is timely to acknowledge the considerable work of Mark Moshinsky S.C., who as well as chairing the Counsel Committee, chairs the Clerking Review Working Group, is the Bar's representative on the Civil Procedures Review Advisory Group, has been instrumental to the implementation of the Strategic Plan 2008-2012 and worked with me on committee roles and composition, and several other projects. In the last eighteen months, the weight of Counsel Committee business has more than justified the new direction. As well as the Committee's own determinations, on two occasions formal hearings were conducted. The Applications Review Committee, which had formerly handled disclosures for new applicants, was wound up with its remaining responsibilities dispensed to the Readers Course Committee. Similarly, the CPD Committee chaired by Fiona McLeod S.C. has changed the focus of its work from course accreditation to development of the new education curriculum. Much work has been invested in clarifying committee responsibility and accountability this year and last and the Bar will increasingly see the benefits from improved responsiveness.

The relationship of the Ethics Committee with the new Legal Services Commissioner, Michael McGarvie, is extremely constructive and will undoubtedly increase the flow of referrals to the Committee. Already, older complaints that had stalled are beginning to flow to the Committee as the LSC's office expedites its own investigatory processes. The Commissioner's direct involvement in resolving committee concerns, and even attending committee meetings as deemed appropriate, is a very welcome initiative. Complaint statistics provided by the Commissioner to the Committee show that at 30 June 2010 there were 64 open complaints regarding barristers. During the course of the year, 99 new complaints against barristers were received by the Commissioner and 94 were closed. The Commissioner referred 21 complaints to the Ethics Committee for investigation and the Committee completed 21 investigations and returned the files to the Commissioner. At 30 June 2010, the Ethics Committee was investigating 6 complaints referred by the Commissioner. My thanks to Phillip Priest QC who has been acting as Chairman since November 2009.

Announcements by the State and Federal governments of a \$49.9M increase in funding over two years and a \$92.3M increase over 4 years respectively are welcomed but do not remove Legal Aid funding as a concern. To illustrate, the Bar and

others sought a \$43M per annum increase from the Federal Government simply to take legal aid funding back to 1997 levels. Dr David Neal S.C., with support from the Bar has been tireless in the pursuit of better funding, for which he receives our gratitude. The Bar funded the 2008 PWC report to the State Government and with the LCA, the ABA and the LIV shared the cost of the 2010 PWC report to the Federal Government, *Current challenges and the opportunities of cooperative federalism*, and the cost of Canberra based lobbyist Hawker Britton. With government budgets settled for the time being, the focus of work has turned to persuading VLA to direct funding increases already announced into fee increases for the profession where the fees are so desperately low. Bar Council and Criminal Bar Association are determined to work together to pursue a better outcome.

I also thank our Chief Justice, The Hon. Marilyn Warren AC for her support of the Bar during the year. One of the Bar's unique strengths is its independent but enduring relationship with the judiciary. Chief Justice Warren is generous with her time, assists the Bar with the appointments of Silk, and has made the library venue available for use by the Bar on many occasions during the year. One such occasion was the tenth anniversary of the Victorian Bar Pro Bono Scheme where Chief Justice Warren delivered a speech titled "Propping up the system", applauding the Bar for its long commitment and contribution to pro bono work and calling on the Victorian and Commonwealth Governments to commit to a properly funded Legal Aid System. The function on 18 May 2010, hosted by the Bar through the Pro Bono Committee, was expanded beyond the usual thank-you to those barristers who have accepted referrals from VBPBS and included the announcement of the inaugural winners of the Victorian Bar Pro Bono Awards. Alex Richards QC and the Pro Bono Committee deserve significant praise for the contribution they make to the running of the Scheme that this year received a total of 566 inquiries, only slightly lower than last year which was affected by the February bushfires. The number of referrals to Barristers rose to 300 with a further 38 made through 'public interest' and 'not-for-profit' organisations by PILCH. As the anniversary attests, the Bar's Pro Bono contribution totals many millions of dollars each year. The 'grass roots' pro bono work of the Duty Barristers Scheme continues to grow and I congratulate William Alstergren and the committee for their efforts in making the Scheme a success.

Few areas of the law have experienced as much recent change as the organisation of Alternative Dispute Resolution. Last year the Bar became a Recognised Mediation Accreditation Body under the new nationally operative dispute resolution framework. Through a rigorous process of accreditation, (and this year re-accreditation), the ADR committee has accredited 240 mediators and advanced mediators, who wished to continue as mediators, under the national scheme. As well as dealing with several submissions to government, this year the committee has run education programs, instituted a co-mediation scheme for junior barristers and through the Magistrates Court has assisted in the establishment of the Single List of External Mediators Scheme for which the Bar's mediators have been invited to express their interest. Subsequent to year end the staffing at the Mediation Centre was restructured to reduce the cost of its operation. A refurbishment program will be implemented in the vacation period.

PROJECTING OUR BRAND

In early 2009, the Bar Council through the Communications Committee, chaired by Sara Hinchey, approved the engagement of an external consultant to help develop the Bar's Marketing Plan. Early steps were taken to respond to the consultant's recommendations with Bar Council accepting the Committee's recommendation to recruit a media liaison consultant and a Manager Legal Policy and Government Relations. In February, the Bar appointed a Marketing Manager with the first task of delivering the new website. Improving the Bar's capability is an important first step in delivering the Plan.

The new website is nearing completion and will soon 'go live' – contextually, websites can never be said to be complete. One of the major advantages of the new website is its usability and ability to evolve with the Bar. The differentiation between the Bar's two main target audiences, the public and members, will be immediately recognisable. The public page features an expanded member search function, and direct linkage into Bar Associations, the Clerks and others to make briefing a barrister easier. Members will have a new personalised landing page which gives them concurrent access to the public-access tool-bar and also the members-only tool-bar which includes material such as member news and events, CPD and member's own personalised CPD record, committee work, member benefits and offers, useful links and many others.

The new website is accompanied by a suite of new marketing material which will give the Bar a readily identifiable livery; some of this is already in evidence through In Brief, media releases and the CPD program.

The Marketing Manager has worked extensively with Bar Associations and Committees on the delivery of events. The events are a prime way to build up a database of professionals who share an interest in the Bar. The true benefit of these activities will come from follow-up and will be evaluated over coming months. One event of particular note was the Bar's sponsorship of the Australian Corporate Lawyers Association's (ACLA) conference, encouraged by the already active involvement of the

Commercial Bar Association. The Bar and ACLA have each established that there is merit in working more closely together. Most recently, the Bar teamed with the Commercial Bar's Asia Law Section, Monash University Law and the Commercial Court of the Supreme Court of Victoria in the delivery of the conference, 'Engaging the Asian Economies – Law and Practice'. William Lye, in particular is to be commended for this well received conference.

The Criminal Bar Association, working with the Manager Legal Policy and Government Relations, has developed several new initiatives to assist members. They include, the development of 'CrimBar Connect', a group of senior criminal barristers who have made themselves available as a 'sounding board' for criminal barristers needing advice, the creation of 'Practice Groups' which meet monthly and share experiences and challenges and 'professional credentialing' to better align training and development with the requirements of being a criminal barrister.

Having the services of the Manager Legal Policy and Government Relations available to the Chairman and office bearers has been enormously valuable in creating a more constructive relationship with government at many levels of government and across a broad range of policy areas.

MEMBER SERVICES

The Clerking Review working group was formed this year as an action of the Strategic Plan. The review has been hastened in the last eighteen months by enquiries and applications received by the Bar for status as an 'Approved' and/or Licensed Clerk. The Review is well advanced and having the benefit of input from the Clerks and the Chairs of the List Committees. The primary objective is to review the working of the current clerking system and see whether any improvement can be suggested. Particular attention will be directed to the respective roles of the Bar Council, the List Committees and the Clerks.

The Victorian Professional Standards Scheme reached a membership of 554 at 30 June and by October had jumped to 634. Last year, the Bar was successful in having the operation of the Scheme extended into New South Wales, Queensland, the Australian Capital Territory and the Northern Territory. This year the Bar has made submissions to the Victorian Attorney-General to enable the extension of professional standards schemes to personal injuries practitioners and the Department of Treasury of the Commonwealth of Australia for the prescription of the Bar's scheme, by regulations, for the purposes of limiting liability under the Corporations Act 2001 and the Australian Securities and Investments Commission Act 2001.

In May 2009, the Health and Wellbeing Committee facilitated the appointment of Psychologist Bernadette Healy of the Re-Vision Group to provide psychological services to the Bar. From inception to 30 June 2010, 44 members have sought assistance through the scheme. Additionally, Bernadette has participated in the Readers Course, at CPD activities and lunchtime forums during the Bar's Health Test Week in May which saw 323 members undertake work health tests. If the evidence from attendances at seminars and use of the counselling service is accepted, then awareness of psychological well being seems to be rising. Even some partners of barristers have sought advice about dealing with the impacts of their partner's work on family life and also about how to get their partner to seek help.

During the year the Bar's parental leave policy has attracted interest from other Bars for adoption in those states. In the last 12 months, 17 female barristers have taken parental leave and received the rental subsidy. On the related theme of encouraging diversity at the Bar, the Equal Opportunity and Diversity Committee was encouraged to prepare an Equality and Diversity policy which the Bar Council ratified as a Bar policy in June. Among the programs being pursued by the EOD Committee is how to facilitate more constructive relationships between female barristers and their clerks, the retention of women at the Bar and the 'Return to Work' initiative. This last initiative has LIV support and focuses on assisting female barristers to maintain their relationship with their briefing solicitors and currency of CPD to facilitate re-entry.

Responding to the Indigenous Lawyers Committee, the Bar Council has this year introduced a policy, which is similar to the Parental Leave policy, to subsidise the rent of Indigenous barristers. Last year the Bar through the ILC was joined by the LIV in launching the joint model briefing policy to promote the briefing of Indigenous barristers. The ILC continues to work with the LIV and law firms for the practical application of this policy. Another program of the ILC which has been going since 2007, is the Bar's annual Clerkship program. In its current form, three students undertake a three week paid clerkship, each spending a week at the Bar, the Supreme Court and the Federal Court. An exciting new program started in 2010, which will offer work experience for Indigenous secondary school students and by the end of year, it is expected that about six students will have each completed one week with a barrister.

This year marked the 30th anniversary of the Bar Readers Course. As well as assuming a number of functions from the Applications Review Committee, the Readers Course Committee has carriage of the project to revise the Readers Course structure. This is a major piece of work, started last year with receipt of two independent reviews. The project will be broken

down into discrete areas for reassembly in time for the September 2011 course. The Bar is proud of its tradition of assisting countries in the South Pacific – around 110 lawyers have attended the Readers course from this region since 1987.

The diversity and talent of entrants coming to the Bar through the Readers Course is encouraging. On most courses now the split between men and women is about even, with women outnumbering men in the latest intake. The rich diversity of those coming to the Bar from a range of backgrounds can only grow with the work on the Schools and University programs now under way fostered by the Bar through the New Barristers Committee. The New Barristers Committee is particularly energetic. Its work on survey and analysis of member input in the 1 to 6 year category will help guide future Bar services for this category. It contributes to the Readers and CPD programs and has an active social function calendar to facilitate peer group networking. A new initiative led by Simon Pitt is the University and Schools program which holds considerable promise.

The Continuing Professional Development Committee has prepared amendments to the CPD Rules which the Bar has submitted to the Legal Services Board for approval. The proposed new CPD Rules will provide a degree of national consistency and encourage barristers to self-assess. The new Rules refine the definitions of what constitutes a CPD activity; when CPD points may be claimed and the number of points available for any given activity. The new CPD rules will also facilitate a change in focus of the Committee from accreditation to developing the Bar's CPD curriculum to ensure basic skills and important refreshers are built into the annual CPD program. Ad hoc seminars will continue, but there will also be a specific focus on building the skills of new barristers from the Readers Course onwards. The Bar will conduct an inaugural CPD Conference for barristers and the bench from 4th -6th March 2011 in Torquay.

Two projects in progress: Bar Council has made the decision to build greater flexibility into the education and meeting rooms on the 1st floor of ODE, beginning with a soon-to-be constructed seminar and conference room adjoining the Essoign and the Bar Council Chamber. This change will give greater functionality to existing space and flexibility to service a number of needs and purposes. The finishing touches are being applied to the new Member Benefits Program and this will be circulated to members soon.

I trust that the distillation of the work of Committees and their Chairs included within the Chairman's Report gives some insight into the progress being made across the Bar. Considerable work was invested in the roles and composition of Committees over the last two years and Committees are embracing the challenge. Regrettably I cannot mention everyone, but on behalf of the Bar, I thank every Committee member for being willing to volunteer and commit so selflessly for the betterment of the Bar.

THANK YOU

It has been my privilege to serve as Chairman of Bar Council. It is often overlooked that the role of Chairman is the culmination of in most cases at least three years of work, so I particularly thank Mark Moshinsky S.C. and Cameron Macaulay S.C., (now Justice Macaulay), and more recently Melanie Sloss S.C., for their commitment to this path as Senior and Junior Vice Chairmen; they have worked so closely with me for the year. I also thank the members of this year's Bar Council for their service to the Bar and their support, and especially Will Alstergren in the underrated but important role of Treasurer.

Also on behalf of the members of the Bar, I thank Stephen Hare and his staff in the Bar Office; and in particular Denise Bennett and Ross Nankivell for their personal service to me in the role of Chairman.

PART III - GROUP ENTITIES

THE VICTORIAN BAR INC.

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BARRISTERS CHAMBERS LTD

A.C.N 004 454 004

Board of Directors

Mark Derham QC (Chairman), Jacob (Jack) I Fajgenbaum QC (Deputy Chairman), Cameron C Macaulay S.C., Peter W Lithgow, Edvard (Will) Alstergren, Scott W Stuckey, Wendy A Harris, Paul X Connor, Katharine (Kate) J D Anderson (Members), Edwin Gill (Managing Director)

THE MELBOURNE BAR PTY LTD

A.C.N 004 640 108

Board of Directors

Michael J Colbran QC, Edvard (Will) Alstergren, Mark Derham QC

PART IV - OTHER ENTITIES

BARRISTERS' BENEVOLENT ASSOCIATION OF VICTORIA

Committee of Management

Michael J Colbran QC and Edvard (Will) Alstergren

ESSOIGN CLUB LTD

A.C.N 005 785 937

Board of Directors

Colin L Lovitt QC (Chairman), Christopher J Blanden S.C. (Vice Chairman) Peter Crofts (Honorary Treasurer), Simone L Bingham (Honorary Secretary), Michael Richards, John Saunders, William Lye and Edvard (Will) Alstergren (Members)

PART V - ENTITY REPORTS

THE VICTORIAN BAR INC. - OFFICERS' REPORT

The officers, members of the Council of the Victorian Bar Inc, submit herewith the annual financial report of the association for the financial year ended 30 June 2010. In order to comply with the provisions of the Associations Incorporation Act 1981 (Vic) and generally appropriate good practice disclosure, the officers report as follows:

The names of the officers of the association during or since the end of the financial year are included on page 3 of the Annual Report under Bar Council, except for the following who retired from the previous Bar Council during the year:

- John Digby QC
- Philip G Priest QC
- Paul E Anastassiou S.C.
- Scott W Stuckey
- Simon J Gannon
- Michelle R Sharpe
- Benjamin J Murphy

Principal activities

The Victorian Bar Inc is a professional association for lawyers practising solely as barristers. As well as serving its barrister members, the Bar serves the public interest through its activities in improving access to justice and law reform and its pro-bono work. The Bar has two wholly owned subsidiary companies, Barristers Chambers Limited which owns and leases buildings which are provided as chambers to barristers and provides office services to members of the Bar and, The Melbourne Bar Pty Ltd which is a non-operating nominee company. There has been no change in these activities during the year.

Review of operations

During the financial year ended 30 June 2010 the association achieved a profit from ordinary activities of \$174,059 (2009: \$447,849) after an income tax benefit of \$nil (2009: \$32,776). Its consolidated profit from ordinary activities was \$3,979,510 (2009: \$4,755,491) after income tax benefit of \$nil (2009: \$32,776)

During the financial year, the association subscribed \$4,171,116 for a new issue of 8,342,232 shares in Barristers Chambers Limited. This subscription was made at the time of Barristers Chambers Limited's purchase of Owen Dixon Chambers West.

Changes in state of affairs

Except as set out in the accompanying financial statements, there was no significant change in the state of affairs of the association during the financial year.

Subsequent events

Except as set out in Note 19 of the accompanying financial statements, there has not been any matter or circumstances occurring subsequent to the end of the financial year that has significantly affected, or may significantly affect, the operations of the association, the results of those operations, or the state of affairs of the association in future financial years.

Future developments

Future developments are as set out in the accompanying reports.

Environmental regulations

The association is not subject to any significant environmental regulations under Australian law.

Dividends

The association is incorporated under the Associations Incorporation Act (Vic). It is precluded under the Act and its constitution from paying a dividend to its members.

Indemnification of officers

During the financial year, the company paid a premium in respect of a contract insuring the officers of the association (as named above and on page 3 of the Annual Report) and all executive officers of the association and of any related body corporate against a liability incurred as such an officer or executive officer to the extent permitted by the association's constitution. The contract of insurance prohibits disclosure of the nature of the liability and the amount of the premium.

The association has not otherwise, during or since the financial year, except to the extent permitted by law, indemnified or agreed to indemnify an officer or auditor of the association or of any related body corporate against a liability incurred as such by an officer or auditor.

Proceedings on behalf of the association

No person has applied for leave of the court to bring proceedings on behalf of the association or to intervene in any proceedings to which the association is a party for the purpose of taking responsibility on behalf of the association for all or part of those proceedings.

Signed in accordance with a resolution of the Council made pursuant to the Victorian Bar's Constitution.

On behalf of the Officers



M Colbran QC
Chairman



E (Will) Alstergren
Honorary Treasurer

Melbourne

22 October 2010

BARRISTERS CHAMBERS LIMITED REPORT

This has been a year of significant development for BCL.

Upon the appointment of our new Managing Director, Edwin Gill, in April 2009, the Board and management of BCL undertook a strategic review of the purposes, objectives and goals of the Company. This facilitated the identification, and setting the priority, of a number of projects to be pursued during the year.

Overview

The following major projects were completed during the year:

- The acquisition of Owen Dixon Chambers West
- The refurbishment of Douglas Menzies Chambers bathrooms, kitchens and lobbies
- The refurbishment of Isaacs Chambers
- The establishment of Gorman Chambers
- Completion of a significant IT review and commencement of implementation
- Commencement of the telecommunications review
- Initial offers to independent chambers for connection to BCL IT&T
- Implementation of the new Group Registration of the Chambers Allocation Policy
- The redesign of the BCL website
- The inclusion of a refurbishment plan on the website home page

Other projects have commenced during this period.

Financial performance

BCL has continued to perform well financially. The Operating Profit for 2009/10 was \$3.8M.

Purchase of Owen Dixon Chambers West

The most significant project for the year was the acquisition of Owen Dixon Chambers West.

I wish to record the thanks of the Board for the strong support provided by the Bar Council led by John Digby QC as Chairman, and also for the continuing support of Michael Colbran QC upon his election as Chairman.

Particular thanks go to Ed Gill for his adept handling of the acquisition, including the reporting, guidance and advice provided to the Board and Bar Council during the lengthy period of the negotiations and implementation. BCL's General Manager, Geoff Bartlett, also deserves our sincere thanks for his significant contribution to all aspects of the due diligence and implementation process.

New Chambers – Gorman Chambers and 140 William Street

BCL has established Gorman Chambers at 533 Little Lonsdale Street to accommodate a group moving from the third floor of Equity. The Chambers honour Sir Eugene Gorman who was instrumental in the foundation of Equity Chambers and a leader of our Bar in the pre Second World War era.

Late in the year BCL negotiated to lease the 38th floor of 140 William Street for the purpose of setting up further new chambers. That project is continuing.

Joan Rosanove Chambers

During the year significant concerns about the quality of services in Joan Rosanove Chambers came to a head and, as a result, in co-operation with the landlord, the refurbishment of the bathrooms and the lifts, and the proper balancing of the air-conditioning system are now in progress.

Vacancies and the property market

There has been a net increase of 39 in the number of BCL tenants during the financial year.

Our strategic objective is to have available a range of chambers of varying sizes, costs and locations for barristers joining the Bar or wishing to take up chambers.

The Melbourne commercial property market has remained quite strong applying upward pressure on rental rates. This is expected to increase over the next 3 years.

Management and staff

I would like to thank Edwin Gill, Managing Director, Geoff Bartlett, General Manager and all staff for their contribution to these achievements during the year.

Retirements and new appointments to the Board

I wish to place on record my appreciation for the support of all members of the BCL Board.

I would like to thank Michael Colbran QC, who retired as Deputy Chairman to take up the position as Chairman of the Bar, and Matt Walsh, who retired from the Board last year.

Michael Colbran QC served as a director for about 19 years. He was a member of a variety of sub-committees over the years. His contribution to the management of BCL has been exemplary.

Matt Walsh retired from the Board at the AGM in 2009 having joined in 2005. During that time he served on a variety of sub-committees. He was a valuable member of the Board and I thank him sincerely for his contribution.

Mark Derham QC
Chairman

October 2010

THE ESSOIGN CLUB LIMITED REPORT

The year was difficult. After the unsettling changes of manager over the last two years, the club needed some experience and managerial leadership. Our accountant, Leanne Hardy, had stepped into the breach but eventually went back to run the accounts early in 2010, and Nicholas Kalogeropoulos returned. The Board, the staff, and I'm sure the membership were delighted to see Nicholas back on the floor and running things behind the scenes.

Meanwhile, the effect of the global financial crisis was felt in the club with numbers in the core operating areas such as the dining room and catering dropping significantly. Whilst other core areas such as the cafe continued to be well-patronised, the changes in management, and reduction in numbers and spend in the dining room and catering produced results that were not in keeping with previous years.

The return of Nicholas has revived the club in many aspects. Together with his admirable team, he hopes to reinvigorate the club, with improvements in quality of food, wines, and service - and these in an ambient and friendly environment. We are fortunate to have Nicholas back and we thank him and his team for their continued efforts. Meanwhile, outside catering is back on the rise.

I stress that the Essoign continues to provide a range of services outside the core facilities offered within the club walls. The professional catering service offers members a wide range of options from simple lunches, to beverage deliveries, to full 3-course sit-down dinners or cocktail parties in the venue of their choice.

From a financial perspective, 2009/10 presented challenges. The ever increasing cost of food and beverages, fuel and interest rate rises, and the effects of the GFC, resulted in the club posting a substantial loss. But the club has survived for many years and has experienced hardship before. We have a vision for the year ahead and with continued support from our members; we will recover from this financial setback. Meanwhile, the latest figures strongly suggest that the club is back on the path to renewed success. Nicholas and the Board are optimistic about the financial future of the Essoign.

Finally, my grateful appreciation to the members of the Essoign Board; many thanks to Leanne for her wonderful help in a crisis; and a special mention to Michael Colbran QC and the Victorian Bar Council for their continued, multi-tiered, invaluable support.

Colin Lovitt QC
Chairman

October 2010

PART VI - BAR ASSOCIATIONS

COMMERCIAL BAR ASSOCIATION (Executive Committee)

John Digby QC (President), Melanie Sloss S.C. (Senior Vice-President), Albert A Monichino (Vice-President [Convenor]), Ian Percy (Treasurer), William Lye (Executive member and Website Moderator), Caroline Kirton, Edvard (Will) Alstergren

The Commercial Bar Association (CommBar) has had a very busy and successful year in 2009-2010, including:

1. Increasing its membership to in excess of 460 members
2. Assisting the Victorian Bar by conducting, as part of the CPD program, more than 25 CPD events since the previous CommBar Report with a further 9 CPD events planned for 2010
3. A seminar involving Corporate Lawyers in February 2010 and another similar event planned later in 2010
4. Cocktail party in the Supreme Court Library on 6 May 2010 involving in excess of 350 judges, barristers and solicitors
5. Regular publication of the excellent *CommBar News*
6. Many other activities including maintaining and upgrading CommBar's excellent website and promoting CommBar to the commercial legal practitioners in Victoria and beyond

CommBar has also created a new Section - 'Asia Practice Section' – chaired by William Lye (with Charmaine Lye – Secretary; Roderick Tan - Finance/BD; Mark Holden - Media Relations). This section has already assisted CommBar by conducting a most successful Asia Law & Practice Conference on 13 October 2010 in the Banco Court of the Supreme Court.

During the year, CommBar lost members of the Executive who have contributed greatly to CommBar's work over the years and to its present capabilities, namely Peter Bick QC, Past President, who retired last year after years of hard work and enormous contribution to CommBar as its President and who also retired from the CommBar Executive in September 2010. Maryanne Loughnan S.C. who, likewise, has worked assiduously for CommBar including in relation to the production of just under 20 editions of CommBar News and has been instrumental in organising all of CommBar's special presentations and social events, including many very successful annual cocktail parties. Maryanne has retired due to her ever-increasing practice commitments.

CommBar has also lost its long serving Treasurer, John Dixon S.C., and its former Chair of Insurance & Professional Negligence Law Section, Cameron Macaulay S.C., both of whom have been appointed to the Supreme Court of Victoria. CommBar congratulates Justices Dixon and Macaulay on their appointments and thanks them both for their valuable contribution to CommBar.

CommBar acknowledges the excellent work which has been undertaken by Cornelia Fourfouris Mack in stepping into the breach in relation to the production of CommBar News and working tirelessly to produce the most recent series of excellent CommBar Newsletters, as well as her excellent work in relation to organising the May 2010 CommBar cocktail party.

CommBar also thanks Bar Office staff for the excellent support they often provide to CommBar.

CommBar now has 15 separate specialist Sections which in addition to contributing to the bulk of the Victorian Bar's CPD Seminars, conduct discussion groups and promote education and standards of professional conduct both in their specific sections and more generally at the Victorian Bar.

CHILDREN'S COURT BAR ASSOCIATION

Robert T Burns (President), Geoffrey R Martin (Honorary Treasurer), Emma M Swart (Secretary)

COMMON LAW BAR ASSOCIATION

Ross H Gillies QC (Chairman), Richard J Stanley QC, The Honourable James H Kennan S.C. (deceased), Timothy P Tobin S.C., Fiona M McLeod S.C., Michael F Wheelahan S.C., Mary Anne Hartley S.C. (Treasurer), Andrew J Keogh S.C., David J Martin (Secretary), Simon K McGregor, Andrew D Clements, David J N Purcell, Michelle Britbart, Bree Y Knoester

COMPENSATION BAR ASSOCIATION

Michael O'Loughlen QC (Chairman), Stanley B Spittle (Treasurer), Anthea E L MacTiernan (Secretary), Clyde A Miles, Michael J Richards, Ian D McDonald, Timothy J Ryan, Bruce R McKenzie, Amanda C Ryan

Currently, our Association has some 61 financial members.

On 14 October 2009, the Association through the Chairman and Bruce McKenzie made a written response to the Law Council of Australia's draft position paper on "Workers Compensation – Toward National Harmonisation".

On 26 November 2009, the Association welcomed Judge Parrish's appointment to the County Court at an informal occasion.

Following the enactment of the Accident Compensation Amendment Act 2010 (a statute of some 350 pages that largely flowed from the Hanks report of August 2008), we sponsored three CPD seminars. Those were given by Michael O'Loughlen QC and Michael Fleming on 12 May 2010; by Tim Tobin SC and Greg Wicks on 24 June 2010; and by Magistrate Brian Wright on 27 July 2010.

On 31 August 2010 being the 25th anniversary of "the appointed day", we marked the occasion appropriately, at a function attended by many current and former members. The Chairman spoke in memory of John Hanlon QC and his active role in the events that led up to the "appointed day".

Towards the end of 2010, the Association plans to sponsor a dinner, marking the 40th anniversaries at the Bar of three members – Michael O'Loughlen QC, Peter Rattray QC and Jeff Moore QC.

Next year, and no doubt in future years, the Compensation Bar will face new challenges when dealing with the legislative amendments made by the 2010 amending Act and the additional changes proposed by the Transport Accident and Accident Compensation Legislation Amendment Bill 2010 .

Special thanks go to Anthea MacTiernan and Stan Spittle for their invaluable work as Secretary and Treasurer.

CRIMINAL BAR ASSOCIATION

John Champion S.C. (Chair), Michael O'Connell S.C. (Deputy Chair), Thomas F Danos (Treasurer), Megan Tittensor (Secretary), Antony D Trood, Stephen Lindner, Michael P Cahill, Carolene R Gwynn, Peter J Morrissey S.C., Sarah F Thomas, Robert W O'Neill, Paul J F Higham, Agusia M Kapitaniak

The Criminal Bar Association has been very active in the last year on a range of issues that concern both the public interest and the membership of the Association.

In April, the Association contributed to the Legal Aid rally to gain public support for greater government funding. The rally supported a significant lobbying effort led by Dr David Neal S.C. based on a Price Waterhouse report commissioned by the Bar, the Australian Bar Association, the Law Council of Australia and the LIV. The Association has met with the VLA several times about the restructuring of fees.

The Association has also been working on the issue of court delays and held a joint brainstorming session with the LIV to devise ways to tackle delays, particularly in the County Court and on circuit.

Committee members have on numerous occasions represented the Association on working groups including the educational sub-committee for the LSB Interactive Education Project, at meetings with the Department of Justice on jury directions, at a newly formed Media/Courts Liaison Committee, and at the Sexual Assault Reform Steering Group.

With the abiding aim of fostering collegiality and mentoring, 'CrimBar Connect' - a list of experienced criminal barristers willing to be "on-call" mentors to other barristers in need of advice and guidance, or simply answer questions - was launched in December. Similarly, Practice Advice Groups were established at the start of this year. These groups meet every month to share experiences and discuss recent developments. Every member of the group takes a turn of directing the discussion each month and all members are expected to actively participate and contribute. All members of the Association are invited to attend a practice advice group.

Members of the Committee also met with the Attorney-General and his advisors, with the Sentencing Advisory Council, the OPP, heads of jurisdictions and others.

FAMILY LAW BAR ASSOCIATION

Ian F Mawson S.C. (Chair), Rohan N Hoult (Deputy Chair), Noel J Ackman QC, Michael J Wood (Treasurer), Darren A Mort (Secretary), Michael L Pavone, Emma M Swart, Laura Colla, Patricia A Byrnes

The Committee meets on a monthly basis to review ongoing issues as well as agenda items raised by members of the Committee or those drawn to attention by members of the association. Information is relayed to members via the occasional email newsletter and otherwise by email notice. The Association has in excess of 100 paid up members all of whom are active family law barristers.

The Committee has an ongoing relationship with the Family Court and the Federal Magistrates Court. Regular meetings are held with Judges and with Magistrates to discuss issues relevant to our members as well as to Family Law in the broader context. This has become particularly important given the uncertain future of the proposed merger of the two courts.

Members of the Association are actively involved in committees within and outside of the Victorian Bar and they have been encouraged to relay practical messages and developments to the Family Law Bar Association so information can be passed on to members. The important work of those barristers is acknowledged.

The Committee acknowledges the efforts of Martin Bartfeld QC and Minal Vohra who are on the Executive of the Family Law Section of the Law Council of Australia. As a consequence, the Committee is able to have an input into the submissions by the Law Council of Australia to the Commonwealth Attorney General's Department regarding the ongoing Review of the delivery of family law services by the Family Court of Australia and the Federal Magistrates' Court. Whilst the outcome remains a mystery and the Family Court continues to lose Judges to retirement, but without replacement, this is not in any way reflective of the representations made by our members.

The Secretary, with the assistance of Laura Colla, structured the Victorian Bar's Family Law Continuing Professional Development (CPD) topics including, ethics and Court behaviour and the complaints system. In particular, Darren Mort - in conjunction with various psychologists - organised "hypotheticals" which were entertaining as well as informative. As usual, we had wonderful support from Family Court Judges and Federal Magistrates.

The highlight of the social calendar was our Cocktail Party at Wheat which was supported by many of our members as well as a very good representation from the Courts. We also enjoyed a wonderful evening celebrating the retirement of the Honourable Justice Sally Brown; whilst we will miss Her Honour, it was a perfect opportunity to reminisce and to thank her for the contribution she made to the court and to our professional lives.

We were able to welcome our new silk Kirsty MacMillan S.C. during the year - a very widely supported appointment.

The ever-changing legislation, rules, practice and procedure in the Family Court continue to present challenges for barristers. The lack of Judges and the significant delays in both Courts is not only impacting on the practice of family law but attracts unwarranted and ill-informed criticism in the "popular press. Legal aid continues to be an issue with inadequate funding for ICL representation in cases of real need

INDUSTRIAL BAR ASSOCIATION

Warren L Friend (President), Gerard C P McKeown (Senior Vice-President), Eugene P White (Vice-President), Craig W Dowling (Secretary), Rohan A Millar (Treasurer), Frank Parry S.C., Phillip J Ginnane, Jan M Maclean, Timothy Jacobs, Nicholas A T Harrington, Cassie J Serpell

TAX BAR ASSOCIATION

The Honourable Justice G (Tony) Pagone (Patron), Alexandra Richards QC (President and Web Convenor), Gregory J Davies QC (Vice-President), Helen M Symon S.C. (Treasurer), Simon A Tisher (Joint CPD Convenor), F John Morgan (Joint CPD Convenor), Lachlan W L Armstrong (Secretary), Elefteria Sotiropoulos (Assistant Secretary), John W de Wijn QC Terrence Murphy S.C., Simon H Steward S.C.

Since its reconstitution in 2006, the Tax Bar Association has sought to promote the cause of, and further the professional development of barristers wishing to practice in tax and to foster relations of barristers and other tax practitioners. The Association initiates educative and social forums with the broader tax community and to invite key note speakers from outside the bar to speak to tax barristers. It liaises with universities, the Australian Taxation Office and other associations in

the tax field with a view to co-ordinating and providing cross promotion for continuing education, conferences and other opportunities. The Association is a member of the Australian Taxation Office convened Legal Practice Working Party.

The Association delivers an extensive range of CPD sessions in taxation law and related areas for tax practitioners and the wider legal profession. During the 2010 financial year, ten seminars were presented, covering a broad range of topics at general and specialist levels. Contributors involved both senior and junior members of the Association together with academics and members of the Judiciary and the Australian Taxation Office.

A monthly "Tax Discussion Group" lunch is held, chaired by John Morgan.

The Association's website enables barristers and other tax practitioners to keep up to date with current developments. The website is updated regularly. It includes new papers presented by barristers and other tax professionals, provides an easy reference for practitioners wanting to find a tax barrister, offers links to research material and advertises forthcoming seminars and social events. The Association publishes a weekly newsletter which is emailed to all members and over 100 external subscribers from legal and accounting firms, the Australian Taxation Office and universities.

Many thanks are extended to Alexandra Richards QC and Lachlan Armstrong who retired as President and Secretary during the course of the financial year.

WOMEN BARRISTERS' ASSOCIATION

Joye S Elleray (Convenor), Jan M Maclean (Assistant Convenor), Suzanne A Kirton (Assistant Convenor), Cilla Brookes (Secretary), Anna L Robertson (Treasurer), Sarah A Mansfield (Membership Secretary), Jennifer Batrouney S.C., Kim J Knights, Simone M Jacobson, Kaye L McNaught, Anne M Sheehan, Amanda Wynne, Kathleen E Foley (Committee Members)

The WBA has had a busy and productive year, and its membership has grown to over 100, showing there is still a strong need for a voice for women barristers in Victoria.

A cocktail party "Celebrating Female Judiciary in Victoria" was held at the Essoign Club on 14 October 2009 to respond to a request from female judiciary interested in maintaining their links with the Bar and it provided an opportunity for barristers to get to know the judiciary.

The WBA then co-hosted the now famous Legal Laneway Breakfast in Hardware Lane in February 2010 which celebrates the opening of the legal year. The Women Lawyers' Achievement Awards (Victoria) 2010 was jointly hosted by the Women Barristers Association and Victorian Women Lawyers and was held on 26 May 2010 at the Chapter House. A great deal of work and behind-the-scenes effort was contributed by the Committee members of VWL and WBA.

On 26 June 2010 the WBA hosted a lunch time forum, chaired by senior women at the Bar, and open to women of less than 6 years call to the Bar. The theme was "Life as a Junior Barrister - the good, the bad and the ugly" and demonstrated that some of our younger members' experiences continue to be at times "ugly". Mentoring and assisting new female barristers that encounter this unfortunate type of behaviour is a WBA priority.

The Association's Committee wrote a letter of complaint to the Editors of *Victorian Bar News* about the series entitled 'The Portia Woods Diary'. The Committee felt that the Diary was disrespectful to women and also to parties involved in the Bushfire Royal Commission, The Committee was pleased to see the Diary discontinued shortly thereafter.

On 23 June 2010 a "Meet the Magistrates" event was held whereby Deputy Chief Magistrate Jelena Popovic invited members of the female Bar to meet Magistrates in the Melbourne Magistrates Court. The WBA assisted the Court in the organising of this event. That some of the notices were defaced and/or removed completely was a cause for concern. Nevertheless, over 70 barristers attended and it was a resounding success.

On 10 August 2010 the WBA held a networking breakfast with special guest speaker Justice Margaret Stone of the Federal Court of Australia. The breakfast was held at the Essoign Club and was very well attended by members of Judiciary and barristers who also took the opportunity to invite instructing solicitors.

The WBA also made a submission to the Attorney General in respect of its Discussion Paper on the process for appointing judicial officers in Victoria.

BARRISTERS' ANIMAL WELFARE ASSOCIATION

Graeme J McEwen (Chair), Dr Michelle Sharpe (Secretary), The Honourable Ronald Merkel QC, B Richard St A Kendall QC, Peter J Haag, Andrew P Phillips, Alexander Albert, Carolyn M Burnside, Matthew P Barrett, Maya Rozner, Anthony D O'Donoghue, Anne Hassan, Joanne Lardner, Frances L Dalziel, Francesca E Holmes, Jane E Treleaven, Georgia King-Siem

PART VII - STANDING COMMITTEES

CHAIRS OF LIST COMMITTEES

Chairman:		Michael J Colbran QC
List A:	List A Barristers Pty Ltd	C James Delany S.C.
List B:	Michael Green Pty Ltd	David E Curtain QC
List C:	Gerard Hyland Barristers Clerk	Ronald Meldrum QC
List D:	Dever's List	Ross Gillies QC
List F:	Foley's List Pty Ltd	Philip A Dunn QC
List G:	G J McNaught Pty Ltd	Paul J Cosgrave S.C.
List H:	Lennon's List Pty Ltd	W Ross Middleton S.C.
List L:	Paul Holmes Barrister's Clerk Pty Ltd	Patrick F Tehan QC
List M:	G W Meldrum Pty Ltd	Remy van de Wiel QC
List P:	Lawrence's List Pty Ltd	Andrew P Phillips
List Q:	Lysus Legal	Prof David H Denton RFD S.C.
List R:	R J Howells Pty Ltd	Dr Ian R L Freckelton S.C.
List S:	Gordon & Jackson Barristers Clerks	Maryanne B Loughnan S.C.
List T:	Barrister's Logistics	Norman O'Bryan AM S.C.
List W:	Patterson's List	Brendan A Murphy QC

COUNSEL COMMITTEE

Mark K Moshinsky S.C., (Chair), Brendan A Murphy QC, Melanie Sloss S.C., Cameron C Macaulay S.C., Richard W McGarvie S.C., Katharine (Kate) J D Anderson, Anthony T Strahan, Simon T Pitt, Stewart J Maiden (Honorary Secretary), Samuel D Hay (Assistant Honorary Secretary), Alison Rock (Bar Office)

DUTY BARRISTERS' SCHEME COMMITTEE

E W (Will) Alstergren (Chair), Her Honour Magistrate Lesley A Fleming, Nicholas Papas S.C., William E M Lye, David C Turner, John J Oswald-Jacobs, Paul F White, Amanda R Wynne, Sarah J Keating, David W Gibson

The Duty Barristers Scheme has continued to be a great success. It has provided over \$2 million of pro bono assistance to otherwise unrepresented litigants in the Melbourne and Dandenong Magistrates Courts, the County Court, the Supreme Court and the Court of Appeal. The Scheme continues to strive to meet the challenge of the ever increasing number of unrepresented litigants in our Courts.

The success of the Scheme is due to the support of the Committee and the Bar Office (especially Peta Hansen), the Courts and the Duty Barristers. Special thanks to the Self Represented Litigants Coordinator, Shane Draper.

EQUALITY & DIVERSITY COMMITTEE

Fiona M McLeod S.C. (Chair), Philip A Dunn QC, Michael D Wyles S.C., Carmella Ben-Simon, Jeremy A F Twigg, Philip H Solomon, Kim J Knights, Jacinta M Forbes, Anne M Sheehan, Anna L Robertson, Dr Michelle R Sharpe, Timothy J Donaghey, Ingrid R Braun, Meredith A Schilling, Hans P Bokelund, Paul J F Higham

State Court Consultants: Chief Justice Marilyn L Warren AC (Supreme Court), Justice G (Tony) Pagone (Supreme Court), Judge Frances Millane (County Court), Ian L Gray (Magistrates' Court),

Federal Court Consultants: Justice Richard R S Tracey RFD (Federal Court), Justice Linda M Dessau AM (Family Court),

Other Consultants: Pamela Tate (Solicitor General), Michael Shand QC and Alexandra Richards QC.

The Committee welcomed Caroline Kirton and thanks retiring members Hans Bokelund and Paul Higham. We are also grateful for the many years of support provided by Justice Tate as a long standing member of this Committee.

It has been a full year for the Committee. As well as helping shape the Bar's Equality and Diversity Policy, the Committee:

- established a working party (chaired by Jeremy Twigg) to address retention of women at the Bar. A number of strategies designed to support the return to work of new mothers are currently underway and discussion has commenced regarding practice development with the support of the clerks.
- through Fiona McLeod S.C. and Meredith Schilling, provided:
 - a report, which was adopted by the Bar Council for presentation to the House of Representatives Pay Equity for Women Inquiry and presented on behalf of the Bar at the House of Representatives Committee hearings
 - a report to the Bar Council on the Victorian Government briefing practices and an analysis of the government response. While there have been some notable areas of improvement in the briefing of women by the State government, there are some areas where considerable improvements could be made. The Committee will continue the dialogue with the Attorney General, Department of Justice and Victorian Government Solicitor next year.
- contributed to the drafting of the Law Council of Australia Strategic Response to the 2009 National Court Appearance Survey and Action Plan now adopted by the Law Council. These documents aim to improve the number of women going to and remaining at the private Bars; promote an increase in the number and quality of briefs to female barristers particularly by private firms; and promote discussion of the shorter appearance times of female barristers in some jurisdictions. The documents require constituent bodies of the Law Council, including the Victorian Bar, to adopt a range of measures to address the statistically significant gap in female appearances.
- responded to reviews of the Equal Opportunity for Women in the Workplace Act (Cth), Sex Discrimination Act (Cth) and exemptions and exceptions to the Equal Opportunity Act (Vic)
- conducted CPD seminars on a proposed Human Rights Charter with Fr. Frank Brennan and on health and wellbeing
- contributed to a review of Educational material provided to Mentors and Senior Members and reviewed the role of the Bar Sexual Harassment and Discrimination Officers.
- also participated in initiatives aimed at improving equality of opportunity for Indigenous barristers, including discussions with the Bar and Law Institute Aboriginal Lawyers Committee to develop an Indigenous barristers briefing policy

ETHICS COMMITTEE

Richard W McGarvie S.C. (Chair), Phillip G Priest QC (Deputy Chair), Douglas R Meagher QC, Joseph G Santamaria QC, Malcolm R Titshall QC, Helen M Symon S.C., Jeremy W St John S.C., James W S Peters S.C., Aaron Shwartz, E W (Will) Alstergren, Kevin J A Lyons, Charles E Shaw, Dr Michelle R Sharpe, Simon J Gannon, Rena Sofroniou, Alison Rock (Manager, Compliance – Bar Office)

Since the last report, the Committee has met 19 times (usually fortnightly) and given in excess of 60 rulings and dispensations. Members of the Ethics Committee continue to devote many hours to reading voluminous materials, preparing draft recommendations, responding to countless emails, and giving urgent rulings and guidance to individual barristers as required. The Committee continues to conduct education sessions in both the Readers' Course and CPD program and publish bulletins such as in February 2010 on Counsel's obligations where instructing solicitor's instructions are withdrawn.

In November 2009, the Chairman, Richard McGarvie S.C. temporarily stood down from the Committee, and Deputy Chairman, Phillip Priest QC, became the acting Chairman for the remainder of the reporting year. The Committee is grateful to the retiring members Ian Williams and Rozeta Stoikovska for their contribution and dedication and welcomes Dr Michelle Sharpe and Simon Gannon as new members.

Recently appointed Legal Services Commissioner, Michael McGarvie, has been receptive to the concerns of the Ethics Committee about delays in the resolution of complaints and has been rigorous in addressing and minimising delays and expanding investigation techniques. The Commissioner has attended two Ethics Committee meetings and expressed a preference for more interaction with the Committee and the Chairman for discussions about aspects of the Committee's work. The Commissioner's enthusiasm and determination has been welcomed by the Committee, together with the proposal that the flow of referrals to the Committee will increase - particularly older complaints where the investigation has stalled.

Complaint statistics provided by the Commissioner to the Committee over the reporting year show that at 30 June 2010 there were 64 open complaints regarding barristers. During the course of the year, 99 new complaints against barristers were received by the Commissioner and 94 were closed. The Commissioner referred 21 complaints to the Ethics Committee for investigation and the Committee completed 21 investigations and returned the files to the Commissioner. At 30 June 2010, the Ethics Committee was investigating 6 complaints referred by the Commissioner.

HEALTH AND WELLBEING COMMITTEE

Phillip G Priest QC (Chair), Richard W McGarvie S.C., Michael F Wheelahan S.C., Joshua D Wilson S.C., Mark A Robins, Peter Fox, Charles E Shaw, Laura Colla, Kaye L McNaught, Daniel J Crennan, Dr Michelle R Sharpe, Patrick Over, Sarah Leighfield, David C Turner, Robert W O'Neill, Mark A J McKillop (Members), Stephen Hare, (Bar Office)

The primary focus of the Health and Well-Being Committee is to promote cultural change among barristers, so as to advance and maintain their mental and physical health in the performance of what can undoubtedly be a stressful occupation. Another important function of the Committee is to provide support to members of the Bar (and their families) who find themselves in difficulty as a result of stress or other difficulties.

Last year a new service provider was appointed – Psychologist Bernadette Healy of the Re-Vision Group – to provide psychological services to the Bar. Over the past year the service has been very well patronised by barristers and barristers' families, seeking help with regard to a range of issues. The Bar's website now prominently displays a "Personal Helpline" link, so that contact details for the service are readily accessible. Moreover, details of the service were contained in an "infomail" delivered to barristers with their subscription renewals. Bernadette has also assisted the Health and Wellbeing Committee in guiding cultural change, through the conduct of seminars directed at readers and the Bar generally. In the year past she also has had frequent contact with the clerks, many of whom refer barristers on their lists to her.

Bernadette also took part in Health Week in May 2010, which was launched on 13 April 2010, commencing with a presentation by well-known cardiologist, Dr Ross Walker, and media personality, Peter Hudson. Free health checks were available to members during Health Week.

Other seminars presented throughout the year under the auspices of the Committee included a presentation by Des Grogan of the Prostate Cancer Institute and Dr Kate Price, Osteopath.

The Committee has also provided "behind the scenes" pastoral care to a number of members in the year.

HUMAN RIGHTS COMMITTEE

Debra S Mortimer S.C. (Chair), Eliza S Holt (Secretary), Alexandra Richards QC, Glenn C McGowan S.C., Simon E Marks S.C., Stephen G E McLeish S.C., Sturt A Glacken S.C., Peter J Billings, B A Toby Shnookal, Richard B C Wilson, Dr Stephen P Donaghue, Kristen L Walker, Chris Young, Michael D Stanton, David W Gibson

There have been a number of important decisions that have involved the Charter of Human Rights and Responsibilities Act 2006 (the Charter) in 2010. To mention a few:

- Director and Housing v Sudi [2010] VCAT 328
- R v Momcilovic [2010] VSCA 50
- WBM v Chief Commissioner of Police [2010] VSC 219
- Castles v Secretary to the Department of Justice [2010] VSC 310

A significant achievement of the Committee was the CPD seminar on "The Importance of the Court of Appeal's Decision in R v Momcilovic for the Conduct of Charter Litigation" presented by Mark Moshinsky SC and Chris Young, and hosted by the Public Law Section of the Commercial Bar Association and the Human Rights Committee on 15 April 2010

Consistent with its 2010 focus, the Committee is in the process of compiling a Report on the working of the Charter from the perspective of the Victorian Bar. The purpose of undertaking the Report is to inform the five year review of the Charter which shall take place in 2011, and to ensure the Bar makes a substantial contribution to that review. Whilst still in its early stages, it is hoped the Report will focus on the working of the Charter in practice, and include topics such as:

- pre-trial processes and how the Charter is dealt with in practice at pre-trial stage;
- whether sufficient resources are available to the profession to deal with Charter issues as they arise in litigation, including whether better research resources could be made available to the profession;

- whether there is adequate Legal Aid funding for cases involving Charter issues;
- judicial attitudes to the Charter, as encountered by members of the Bar; and
- attitudes of members of the Bar to the Charter

The Committee has agreed to organise, with the Criminal Bar Association, a proposed full day conference on the Charter and its application to criminal law. The conference will be modelled upon the Supreme Court Commercial Court conference. The emphasis will be on use and operation of the Charter in day to day criminal trials. The Committee is attempting to find an experienced New Zealand practitioner prepared to give the lead paper at the conference, so that members of the Victorian Bar have an opportunity to learn at the practical litigation level from a jurisdiction where there has been a Bill of Rights for some ten years. The Committee hopes the conference can still be held before the end of the year.

The Committee understands that the LIV is to make a submission to the Australian Government on what it believes should be included in the Government's Universal Periodic Review in Australia in February 2011. The Committee has agreed to review the LIV's submission when it has been completed and to forward it to the Bar Council for comment.

I thank the very experienced and able Committee members for their contributions. In particular I thank Eliza Holt for taking over the position of Secretary, and supporting and assisting me in a most efficient and professional way.

INDIGENOUS LAWYERS COMMITTEE

Daniel I Star (Chair), Jane A Dixon S.C., Robin A Robinson, John E Goetz, Patrick R C Southey, Francesco Tallarida, Matthew J Stirling, Michael W Wise, Andrew P Phillips, Paul J Hayes, Daniel V Aghion, Richard B C Wilson, Angus R Frith, Peter G Willis, Andrew Woods, Linda A Lovett, Vinod C Nath, Hans P Bokelund, Munya Andrews, Eliza S Holt, Elizabeth A Bennett, Cathy M Dowsett, Phoebe C Knowles (Secretary)

Consultants to Committee: Justice Peter R A Gray, Justice Stephen W Kaye, Judge David A Parsons, Justice David F R Beach, Judge Timothy J Ginnane, Justice Michelle M Gordon

Our Bar has the largest number of Indigenous barristers in Australia numbering six (including one person who is on leave).

The focus of the work of the Committee, which met six times during the year, is to attract, support and retain Indigenous barristers and to promote Indigenous participation in the legal system nationally.

The decade-long program to mentor Indigenous law students was improved in 2010 by two innovations. Firstly, the program was extended from only Indigenous law students to include Indigenous graduates and practising lawyers and secondly, from this year each participant gets two mentors – a barrister and a Judge. The Judge mentors come from the Federal Court, the Supreme Court and the County Court.

There are currently 16 Indigenous people in the mentoring scheme. A function was held this year at the Bar at which many of the Indigenous participants and their mentor barristers and Judges could meet. I thank Pat Southey and Eliza Holt for their time and assistance with the mentoring program.

Since 2007, there has been an annual Clerkship program which ten Indigenous law students have participated in. In its current form, three students undertake a three week paid clerkship, each spending a week at the Bar, the Supreme Court (with Justice Kaye) and the Federal Court (with Justices Gray and Gordon). I thank these Judges for their support. I also acknowledge Elizabeth Bennett for her work in organising the clerkship.

The Bar jointly with the Law Institute of Victoria in 2009 launched a model briefing policy to promote briefing of Indigenous barristers. The ILC continues to work with law firms to put this policy into practice.

An exciting new ILC program offers work experience for Indigenous secondary school students. By the end of 2010, about six students will have each completed one week with a barrister. I thank John Goetz for co-ordinating this initiative.

Assistance offered by the Bar includes reservation of a place for an Indigenous lawyer in each of the two intakes of the Bar Readers' course each year, for which fees are waived and chambers rent rebated for the first year after reading.

The Committee is drafting a proposed Reconciliation Action Plan (RAP) for the Bar, with other initiatives to follow.

I thank Committee secretary, Phoebe Knowles, for her consistent and continuing general assistance.

LEGAL EDUCATION AND TRAINING – CONTINUING PROFESSIONAL DEVELOPMENT COMMITTEE

Fiona M McLeod S.C. (Chair), Frank Parry S.C., Matthew N Connock S.C., Christopher M Caleo S.C., Samantha L Marks, Dr Stephen P Donaghue, Dr Michelle R Sharpe, Jonathon A Redwood, Michael D Rush, Andrew G Cameron, Sarah J Keating (Honorary Secretary), Mark Halse (Bar Office)

The Committee welcomed Fiona McLeod S.C. as the Chair and thanked retiring members Jeremy Ruskin QC and Patrick Over.

Continuing Professional Development (CPD) remains a mandatory requirement for all members of the Victorian Bar. The CPD Committee meets regularly to administer internal CPD seminars, to accredit external CPD activities and consider requests for dispensation due to illness, leave and absence from the jurisdiction.

The Bar program is of direct relevance to practise as a barrister, comprehensive in its scope and of extremely high quality. The Bar program of CPD activities is open to all members of the Victorian Bar and allows members to meet the mandatory CPD requirements by attending or viewing CPD seminars provided free of charge.

The Bar's CPD program continues to enjoy strong support from speakers from within the profession as well as external to it. The program has provided vast and varied information seminars to members throughout the year that have covered topics across each of the mandatory categories:

The Committee acknowledges the contribution of the bar associations and individual barristers in identifying speakers of interest throughout the year and ensuring a vibrant and interesting CPD program.

Streaming of CPD activities over the web (available now as a podcast) and the introduction of a web-based record of CPD activities have been a practical and popular innovation.

This year the CPD Committee conducted for the first time an audit of the compliance of members with the CPD Rules as required by the provisions of the Legal Services Board Rules. The audit is undertaken by selecting a random sample of members and asking them to identify how they have met CPD requirements. An audit will in future be undertaken annually after the close of the CPD year on 31 March. Members are reminded to keep a written or web-based record of CPD activities for three years in order to meet the audit requirements.

This year, members of the CPD Committee met with Judges and practitioners from Singapore who are interested in establishing their own CPD requirements. The Chair also travelled to Darwin to assist the Northern Territory Bar in establishing its own CPD program.

A working group (including the Chair, Committee members and Stewart Maiden) was established to conduct a review of the CPD Rules. The proposed amendments are now before the Legal Services Board for formal approval and are expected to be in place by April/May 2011. Once approved, the new CPD Rules will provide a degree of national consistency and introduce self-assessment. The new rules refine the definitions of what constitutes a CPD activity, when CPD points may be claimed, and the number of points available for any given activity. The cap of 5 points for a single CPD activity will be removed. They also clarify various other matters and will be the subject of a detailed memorandum to the Bar once approved.

The Victorian Bar will conduct an inaugural CPD conference for barristers and the bench from 4 -6 March 2011 in Torquay. In addition to providing sessions of interest and an opportunity for the Bar and judges to come together over a weekend, subject to LSB approval, it is expected that barristers will be able to satisfy all of their CPD requirements in a single weekend.

The Committee is also developing a CPD curriculum to ensure basic skills and important refreshers are built into the annual CPD program as a matter of course. While ad hoc seminars will continue, there will also be a specific focus on building upon the skills of new barristers to complement proposed changes to the Readers' Course and address issues of general concern including health and wellbeing, and common concerns with professional standards and practice development. The Committee will survey members seeking feedback about the current program and topics of interest later this year.

LEGAL EDUCATION AND TRAINING – READERS' COURSE COMMITTEE

Matthew N Connock S.C. (Chair), Fiona M McLeod S.C., James H Mighell S.C., Samantha L Marks, Caroline E Kirton, Carolyn H Sparke, Joseph Melilli, Gregory P Harris, Trevor E Wraight, Peter Fox, Wendy A Harris, David A Klempfner, Adrian J Finanzio, Suzanne B McNicol, Panayiotis Panayi, Michael I Borsky, Kim M Southey, Stewart J Maiden, Samuel (Sam) D Hay, Wendy Pollock (Bar Office)

Judicial consultants to Committee: Justice John H L Forrest, Judge P Mark Taft

This year marked the occasion of the 30th anniversary of the Bar Readers' Course, the first course having commenced in March 1980 with 27 readers. Now, as then, the focus of the course is advocacy training delivered through a participative training model which is undertaken prior to a reader being eligible to sign the Bar Roll. Instructors are drawn from a variety of sources including the senior and junior Bar and Victorian and Commonwealth courts.

The Readers' Course Committee is responsible for overseeing the conduct and operation of the two readers' courses conducted each year and all that this entails. Following the abolition of the Applications Review Committee (ARC) earlier this year, the Committee also gained responsibility for many of the issues and decisions previously dealt with by the ARC, as well as being given the responsibility for implementing the changes to the Readers' Course that were decided upon by Bar Council after considering the work and recommendations of the Readers' Course Review Group. This latter task is significant and will involve the development and implementation of plans for the phased introduction of various features and work streams – all of which are directed towards the continual and ongoing improvement of the advocacy training experience offered by the Readers' Course. Stephen Hare has helpfully allowed the Committee to utilise the talents and energy of Jacqueline Stone (Manager, Legal Policy and Government Relations) with this important project and Jacqueline will now work closely with the next committee in her new and additional project manager's role.

The Committee has enjoyed tremendous support from Mark Halse and the Bar's Professional Development team, and the level and quantity of day-to-day work efficiently and professionally undertaken by Wendy Pollock when each course was running proved once again to be central to their success.

As has been the case in past years, the Readers' Course benefited from the company of readers from the South Pacific in each of the two courses. Since 1987 the Bar has provided places in the Readers' Course for more than 110 lawyers from countries in the South Pacific region, including Papua New Guinea, Vanuatu, the Solomon Islands, Fiji and Indonesia. This rich connection is also fostered by the advocacy training workshops conducted by the Bar in Papua New Guinea each year.

From year to year the Bar is indebted to the many people that contribute in different ways to the Readers' Course and that debt compounds annually. This year was no exception. The ongoing contribution and unwavering support of the Bar and the judiciary remains pivotal to the learning experience and plays its part in the proper administration of justice. It is gratefully acknowledged.

LEGAL EDUCATION AND TRAINING – LIBRARY COMMITTEE

Gordon R Ritter QC (Chair), Stephen G E McLeish S.C., Richard L Brear, Samantha L Marks, Ian W Upjohn CSC, Daniel J Crennan, Liza M Powderly

The Committee meets, on average, three or four times per year. We are fortunate to benefit from the generosity of members and past members of the Bar who have donated texts and reports during the year. Two additional computers have been installed in the Griffith Room for the general use of barristers. LexisNexis online service is installed and available on one of the five computers. Part of the Library suffered damage when the McPhee Room flooded during heavy rains in July.

During this financial year, the Committee has worked at expanding the Bar Library Collection. New acquisitions include the Dominion Law Reports (soon to arrive), a replacement set of Victorian Law Reports in the McPhee Room, and a considerable range of up-to date texts, including one (Palmer on Bailment) authored in part by Library Committee member Ian Upjohn. An index of the textbooks and reports now appears on the relevant page of the Bar website.

LEGAL EDUCATION AND TRAINING – SOUTH PACIFIC EDUCATION COMMITTEE

Ian D Hill QC (Chairman), Fiona M McLeod S.C., W Guy Gilbert, Patrick R C Southey, Caroline E Kirton, Ian W Upjohn CSC, Amanda C Fox, Emma M Swart, Lydia D Ruschena, Trevor C Wallwork, Anthony G Burns, Sam Rosewarne, Jonathan H Kirkwood

PRO BONO COMMITTEE

Alexandra Richards QC (Chair), Michelle L Quigley S.C., Dr Kristine P Hanscombe S.C., Anthony A Nolan S.C., Jane A Dixon S.C., Justice John R Dixon, Joshua D Wilson S.C., Caroline M Kenny S.C., Michael D Wyles S.C., Thomas F Danos, E W (Will) Alstergren, Richard B C Wilson, Pat Zappia, Anna L Robertson, Daniel C Harrison, Arushan Pillay, Esther M James, Thomas B Ashton, Jonathan Gottschall, Eliza S Holt, David W Gibson, Melanie Dye (PILCH), Fiona McLeay (PILCH)

The core activity of Victorian Bar Pro Bono Scheme (VBPBS) is to facilitate pro bono assistance by members of the Victorian Bar to individuals in need of legal assistance. 603 barristers are registered to participate in VBPBS, which equates to 38% percent of the Victorian Bar across all levels of seniority. VBPBS is also grateful to a number of barristers who are not formally registered with VBPBS but regularly accept pro bono referrals or provide services at a reduced rate dependent upon the circumstances of the individual.

Funding of the VBPBS (\$342,000 in 2009/10) comes from the Legal Services Board

Most applications to VBPBS for legal assistance come from individuals. Many of these applicants have complex legal problems and are without other options for obtaining legal assistance. These clients are referred to VBPBS from a range of sources, including Community Legal Centres, Victoria Legal Aid and direct referrals from the Courts and Tribunals.

Applications received by VBPBS are assessed on the basis of legal merit, lack of means and whether assistance is required 'in the interests of the administration of justice'. The majority of referrals made to barristers are for advice and appearance work.

This year VBPBS received a total of 566 inquiries, a 1.7% decrease on the last reporting period. The recorded financial value of referrals from VBPBS accepted by members of the Victorian Bar was estimated at one million dollars. A further 38 referrals were made to barristers for 'public interest' and 'not-for-profit' organisations by PILCH. The results of a survey conducted by the Victorian Bar in April/May 2010 concluded that members of the Victorian Bar contributed a total of approximately \$6.5 million in pro bono work over the period January 2009 to the time of the survey both under and outside of the VBPBS and the Victorian Bar Duty Barristers Scheme.

As with the 2008-09 period, in 2009-10 the greatest number of inquiries was in criminal law and family law. Many of these referrals were originated from the PILCH Homeless Persons' Legal Clinic, underscoring the importance of having pro bono services housed in one location.

On 18 May 2010, the Pro Bono Committee hosted a function at the Supreme Court Library. This function was to thank all those barristers who have accepted referrals from VBPBS, to celebrate the tenth anniversary of the Pro Bono Scheme, and to announce the inaugural winners of the Victorian Bar Pro Bono Awards. The Hon. Marilyn Warren AC addressed the function, which included pro bono barristers, members of the judiciary, representatives from the legal community and VBPBS and PILCH staff. Justice Warren delivered a speech titled "Propping up the system", applauding the Bar for its long commitment and contribution to pro bono work and calling on the Victorian and Commonwealth Governments to commit to a properly funded Legal Aid system. The inaugural winners of the Pro Bono Awards, presented by the Chief Justice, were:

1. Victorian Bar Pro Bono Trophy: Julian Burnside AO QC
2. Daniel Pollak Readers Award: Elizabeth Bennett
3. Ron Castan QC Award: Ian M. Stewart
4. Susan Crennan AC QC Award: Lisa De Ferrari and Nola Karapanagiotidis (shared)
5. Ron Merkel QC Award: Dr Josh Wilson SC
6. Public Interest Award: The Gunns 20: Fiona McLeod SC, Michael Gronow and others
7. Justice Innovation Award: Bushfire Legal Help: Jane Dixon SC and Ors.

During this reporting period, VBPBS was also involved in legal policy and reform work. Of note, a sub-committee of the Pro Bono Committee worked with PILCH, the Women's Legal Service and the Law Institute of Victoria in undertaking a specific campaign targeted at legal aid funding for family law matters. The campaign arose as a result of further scaled back services in family law by Victoria Legal Aid in February 2008 due to funding constraints. The VLA 2008/09 Annual Report recorded that in the eighteen months prior, the Commonwealth had reduced its funding by 30%. This led to a decrease in the number of grants of legal assistance available in Commonwealth family law matters in 2008-09, and a correlating increase in

requests to community legal centres and pro bono. To illustrate the increase in demand, VBPBS, LIVLAS and WLS each experienced a 97% increase and a 300% increase respectively in requests for legal assistance over the previous three years.

The campaign joined by many parties culminated in the “Legal Aid Matters” rally outside the County Court of Victoria on 28 April 2010.

A working party/sub-committee of the Pro Bono Committee is formulating a self represented litigants (SRLs) proposal with the aim of assisting the Courts in the management of the difficult issues presented by SRLs for Court administration and the consequent inefficiencies and delays.

VBPBS has continued to provide administrative support to the Federal Court of Australia and the Federal Magistrates Court of Australia for the purposes of making Court appointed referrals under Order 80 and Part 12, respectively.

I acknowledge and thank the Pro Bono Committee members for their hard work and dedication and tireless support of the VBPBS administrators (Melanie Dye, Manager, Michael McKiterick, Current Acting-Manager, Belinda Johnson and Anna Serry solicitors, Nicole Petrucci, administrator). I would also like to mention the service to the Committee and the VBPBS of recently appointed Justice John Dixon. His Honour’s contribution and camaraderie will be missed.

Victorian Bar Pro Bono Scheme statistics

	2009/10	2008/09		2009/10	2008/09
BARRISTERS PARTICIPATING IN VBPBS					
Number of participating barristers	603	634			
AREA OF LAW	INQUIRIES		CLIENT LOCATION	INQUIRIES	
Criminal	85	108	Melbourne Metropolitan area	423	425
Family/ Children’s Court	80	96	Regional Victoria	117	121
Property/ Planning/ Housing	67	62	Interstate/ International	26	27
Immigration	47	54			
Debt/ Consumer Credit	30	41			
Administrative	33	31			
Traffic/ Infringements	27	31			
Commercial	39	29			
Human Rights/ Equal Opportunity	35	29			
Employment	20	19			
Torts	12	12			
Social Security/ Welfare	9	8			
Personal Injuries	9	6			
Other	73	47			
TOTAL INQUIRIES FOR 2009/10	566	573			
INQUIRIES					
Source of Inquiry	2009/10	2008/09	Unreferred Inquiries – reason for closure	2009/10	2008/09
Community Legal Centre	152	164	Outside guidelines	90	87
Member of Public	69	90	No Further Contact	39	70
Victorian Legal Aid	43	55	Referred to Community Legal Centre or Legal Assistance Scheme	30	37
Solicitor	36	42	Resource demand prevents possibility of pro bono	20	27
Court	47	39	Eligible for Legal Aid	19	21
Homeless Persons Legal Clinic	39	29	No further action required	12	19
LIV Legal Assistance Scheme	16	24	Referred to 'No Win, No Fee' firm	13	15
Barrister	18	22	Other	17	46
Other/ Unspecified	148	108			

REFERRALS BY JURISDICTION	2009/10	2008/09		2009/10	2008/09
High Court	6	7	Coroners Court	2	3
Federal Court			Family Court	5	6
Human Rights	0	2			
Immigration	4	2	Children's Court	0	1
Other	16	5			
<i>Total</i>	20	9	Administrative Appeals Tribunal		
			Immigration	0	6
Federal Magistrates Court			Social Security	3	3
Family	14	23	Other	0	4
Immigration	23	22	<i>Total</i>	3	13
Other	9	3			
<i>Total</i>	46	48	Victorian Civil & Administrative Appeals Tribunal		
Supreme Court			Property/ Planning/ Housing	20	15
Debt/ Consumer Credit (Appeals)	3	10	Debt/ Consumer Credit	5	9
Property/ Planning/ Housing	4	10	Other	19	23
Other	19	12	<i>Total</i>	44	47
<i>Total</i>	26	34			
			Victims of Crime Assistance Tribunal	2	1
County Court					
Criminal	7	9			
Family/ Children's	0	6	Australian Industrial Relations Commission	3	6
Other	9	8			
<i>Total</i>	16	23	Other	37	26
Magistrates Court			TOTAL REFERRALS	256	279
Criminal	15	15			
Traffic/ Infringements	10	9	TYPE OF WORK DONE FOR REFERRALS		
Other	21	23	Advice	261	143
<i>Total</i>	46	55	Representation	167	179

NEW BARRISTERS' COMMITTEE

Samuel Hopper (Chair), Dugald McWilliams (Deputy Chair), Robert W O'Neill (Secretary), Amelia J Macknay (Social Co-ordinator), Noam B Shifrin (CPD Co-ordinator), Sarah J Keating (CPD Co-ordinator), Simon T Pitt, Fiona A L Ryan, Paul P Kounnas, Michele J Brooks, Emily C V Porter, Gabrielle Crafti, Vassiliki Theoharopoulou, Mark A J McKillop, Eliza S Holt, Phoebe C Knowles, Morgan A McLay, Adam T Coote

The work of the Committee over the last year may be summarised as:

- Reviewed results for the Victorian Bar Exit Survey
- Prepared a survey of new barristers to determine issues and concerns faced by new barristers that will be circulated shortly
- Represented the Victorian Bar at Law Council of Australia meetings and functions, including the Golden Gavel competition in Perth in September 2009
- Assisted with the continued implementation of the Duty Barristers' Scheme
- Organised several successful social functions for new Barristers, being "Bond with the Bar" social networking function and two "Welcome Readers" functions
- Introduced a new social function for new barristers, the Spring Soiree, the first of which will take place on 14 October 2010

- Ensured that the Victorian Bar CPD program remains relevant to new Barristers by arranging several seminar topics aimed directly at new barristers
- Continued to produce its popular “NBSC Guide to the Bar” circulated to Readers
- Presented to the Readers’ Courses in November 2009 and May 2010
- Made submissions to the Bar Council on the proposed junior mentor program
- Made submissions to the Bar Council on the calculation of Bar subscription fees
- Made submissions to be incorporated in the Bar’s submissions to President Bell’s review of VCAT

The survey of new barristers is particularly noteworthy and is designed to identify issues for new barristers, both personal and professional, that can be addressed both by the NBSC and the Bar Council. The survey has been drafted and will be circulated in the coming months. The NBSC intends to compile the results and provide a report to the Bar Council.

The exit survey is also a particularly notable achievement. A product of three years’ work, it is designed to assist the NBSC in identifying issues facing the Bar (particularly the junior Bar) and the reasons driving people to leave.

The information from both surveys will be useful in assisting the NBSC and the Bar Council to work out ways to help new barristers. One of the key ways the NBSC provides this assistance is in providing social outlets for new barristers.

PRACTISING PAST CHAIRMANS’ COMMITTEE

Andrew J Kirkham AM RFD QC, John T (Jack) Rush RFD QC, David E Curtain QC, D Mark B Derham QC, W Ross Ray QC, Robin A Brett QC, Michael W Shand QC, Cathryn (Kate) F McMillan S.C., Peter J Riordan S.C., John Digby QC

PROFESSIONAL STANDARDS EDUCATION COMMITTEE

Cameron C Macaulay S.C. (now the Hon Justice Cameron Macaulay), Gerald A Lewis S.C., Christopher M Caleo S.C., Peter G Cawthorn S.C., Richard T A Waddell, Stephen J Moloney, Peter A Clarke, Emma M Swart, Donald J Farrands, Pat Zappia, Susan K Gatford, Dean G Guidolin, R E Tyson Wodak, Patrick S Noonan

The emphasis of the work of the Committee for the year included the evaluation of the survey of readers and mentors which was designed to gauge the effectiveness of the current arrangements and communication of the results of that evaluation to Bar Council and committees that have an educational focus, and making arrangements to produce the second edition of the Good Conduct Guide which is with the author.

PROFESSIONAL STANDARDS SCHEME COMMITTEE

Michael W Shand QC (Chair), Robin A Brett QC, Gerard L Meehan, Jeremy A F Twigg, Simon J Gannon, Esther M James

The Scheme was approved and gazetted in April 2008 and commenced on 1 July 2008. For members enrolled in the Bar Scheme, liability for what the Act describes as “occupational liability” is capped, subject to the Act, at \$2 million.

On 11 March 2010, amendments to the Bar’s scheme were approved and gazetted, which extended the operation of the scheme to New South Wales, Queensland, Australian Capital Territory and the Northern Territory.

During the past year, the Committee was involved in:

- finalising a joint submission with the Law Institute of Victoria to the Victorian Attorney-General to enable the extension of professional standards schemes to personal injuries practitioners (no response yet)
- a submission to the Department of Treasury of the Commonwealth of Australia for the prescription of the Bar’s scheme, by regulations, for the purposes of limiting liability under the Corporations Act 2001 and the Australian Securities and Investments Commission Act 2001 (no response yet)
- a CPD seminar to the Bar held on 17 May 2010

As at 1 October 2010, there were 634 registered members of the Victorian Bar Professional Standards Scheme. During the current year, members of the Bar’s scheme were given discounts on premiums for top up insurance.

ALTERNATIVE DISPUTE RESOLUTION COMMITTEE

Michael D G Heaton QC (Chair), P Nimal Wikramanayake S.C., Aristomenis Garantziotis S.C. (Chair of Accreditation sub-committee), Anthony A Nolan S.C., Michael J O’Brien, Julian G Ireland, William E M Lye, Peter F J Condliffe, Mark G

Hebblewhite, B A Toby Shnookal, Carmel M Morfuni, Carolyn H Sparke, Judy Benson, Dr C Elizabeth Brophy, Carey J Nichol, Peter F Agardy (Chair CPD and Training sub-committee), Simon J Gannon, Anthony Elder, Ross Nankivell (Bar Office), Peta Hansen (Bar Office)

Michael Heaton QC represents the Bar on the Victorian Governments Department of Justice ADR Advisory Council. Carey Nichol represents the Bar on the Magistrates' Court ADR Committee. Judy Benson sits on the Implementation Taskforce set up by Judge Grant, President of the Children's Court, to monitor a pilot program of new model mediations in that court.

Members and working groups of the Committee

- reviewed the Victorian Parliament Law Reform Committee Report on Alternative Dispute Resolution and Restorative Justice and the Government Response to the recommendations and considered the implications for the Bar
- prepared a response to the NADRAC Alternative Dispute Resolution in the Civil Justice System Issues Paper
- reviewed and summarised the NADRAC "Resolve to Resolve" Report
- reviewed the report Mediation in the Supreme and County Courts led by Professor Tania Soudin
- reviewed the draft Court's Legislation Amendment (Judicial Resolution Conference) Bill (Vic) (2009) and submitted suggested amendments
- responded to a further NADRAC Issues Paper relating to confidentiality, non-admissibility, immunity and conduct as part of the Commonwealth Attorney General's references into the federal civil justice system
- prepared a submission for the Bar on the Magistrates' Court Early Neutral Evaluation proposed scheme
- is assisting in the establishment of a Single List of External Mediators Scheme also with the Magistrates Court
- made submissions in relation to the Commonwealth International Arbitration Act amendments and similarly amendments to the domestic Commercial Arbitration Acts and re-establishing the Victorian Bar Arbitration and Expert Determination Scheme
- through the Accreditation sub-committee accredited and reaccredited mediators under the National Mediation Accreditation System, as well as accreditation under the Victorian Bar Advanced Mediator Accreditation Scheme
- instituted a Co-mediation Scheme for junior barristers and to assist other barrister mediators gaining additional mediation experience and to obtain the minimum ten hours of mediation for re-accreditation under the National Mediation Accreditation System
- conducted seminars associated with mediation throughout the year involving presentations from members of the ADRC

Victoria Hurley and Sabrina Collela (the Supreme Court and County Court ADR representatives) have attended ADRC meetings to explore ways of mutual cooperation and assistance.

Legislative and other reform that will involve ADR in the future include

- the Victorian Parliament passed the Civil Procedure Act 2010 (Vic) on 12 August 2010 which applies to the Supreme, County and the Magistrates' Court of Victoria - the stated aim is to facilitate the determination of disputes in a more timely and cost effective matter - some of the reforms introduced by the Act are significant and involve steps required of parties before proceedings are instituted
- the Commonwealth Dispute Resolution Bill is likely to be reintroduced into the Commonwealth Parliament - it requires parties to take "genuine steps" to resolve disputes before commencing proceedings in the Federal Court or the Federal Magistrates' Court
- Mediator Standards Board Ltd a company limited by guarantee has been incorporated to control mediator 'qualification' and 'practice standards' on a national basis - it is likely to examine whether there should in future be additional standards over and above the existing National Standards for specific types of mediations.

VICTORIAN BAR NEWS EDITORIAL COMMITTEE

Georgina L Schoff (Co-Chair), Paul J Hayes (Co-Chair), Fiona M McLeod S.C., Samantha L Marks, Richard H M Attiwill, P Justin Hannebery, Peter A Clarke, Tom Pikusa, Ben Ihle, Renee B Sion, Renee L Enbom, Lindy L Barrett, Elizabeth A Bennett, Jennifer M Digby (Editorial Committee)

INDEPENDENT CHAMBERS COMMITTEE

Michael J Colbran QC (Chairman), Remy van de Wiel QC, Norman J O'Bryan AM, S.C., Brian E Walters S.C., Prof David H Denton RFD S.C., Gerald A Lewis S.C., Justice Michael L Sifris, Glenn C McGowan S.C., Nicholas T Robinson S.C., Mark E Mulvany, Gerard J Maguire, Steven R Grahame, David H Colman, David A Klempfner, Daniel J Crennan, Antonius J Vriends, Sergio M Petrovich

FUNCTIONS COMMITTEE

Edvard (Will) Alstergren (Chairman), Paul X Connor, Christine Boyle, Terence J Guthridge, Kim M Southey

IT & T COMMITTEE

Michael J Colbran QC (Chairman), Glenn C McGowan S.C., William E M Lye, Edvard (Will) Alstergren, Tom Pikusa, Michael I Borsky, Edwin Gill (BCL), Stephen Hare (Bar Office)

ART AND COLLECTIONS COMMITTEE

Cathryn (Kate) F McMillan S.C. (Chair), Peter J Jopling QC, Ian W Upjohn CSC, Rowan K W Skinner, Laura Colla, Ingrid R Braun

INTERNATIONAL ARBITRATION COMMITTEE

Martin R Scott (Chair), Dr Gavan Griffith AO QC, G John Digby QC, Craig W R Harrison S.C., Albert A Monichino, William E M Lye, Michael H Whitten, Paul J Hayes, Donald J Farrands, Charles E Shaw, Anton P Trichardt, Jonathon A Redwood, Albert M Dinelli, Clive G K Madder

INSURANCE COMMITTEE

Jeffery J Gleeson S.C. (Chair), Christopher M Caleo S.C., Caroline M Kenny S.C., Pat Zappia, Simon J Gannon

AUDIT & FINANCE COMMITTEE

Edvard (Will) Alstergren (Chair), Michael J Colbran QC, Matthew J Walsh, Kim J Knights, Stephen Hare (Bar Office)

VIC BAR REVIEW EDITORIAL COMMITTEE

Dr Ian R L Freckelton S.C. (Chair), Stephen G E McLeish S.C., Judy Benson, Craig W Dowling, Anton P Trichardt, Sarah Leighfield, Geraldine F Gray, Richard P P Dalton, Thomas B Ashton

COMMUNICATIONS COMMITTEE

Mark K Moshinsky S.C., William E M Lye, Sara L Hinchey, P Justin Hannebery, Stephen Hare (Bar Office)

PART VIII - JOINT STANDING COMMITTEES

LAW AID

(Victorian Bar Inc / Law Institute of Victoria)

Michael F Wheelahan S.C., Christopher J Blanden S.C., Mary Anne Hartley S.C., John P Constable,

MEDICO-LEGAL STANDING COMMITTEE

(Victorian Bar Inc, Law Institute of Victoria & Australian Medical Association)

Timothy P Tobin S.C., Mary Anne Hartley S.C., Dr Paul B Halley,

POLICE/LAWYERS LIAISON COMMITTEE

Ian D Hill QC (Chair), Warwick J Walsh-Buckley (Criminal Bar Association representative)

PART IX - JUDICIAL AND OTHER APPOINTMENTS

The Chairman of the Victorian Bar Council or his representative welcomed the following members appointed to judicial office at special sittings of each court.

JUDICIAL OFFICE – VICTORIAN COURTS

Supreme Court	County Court
The Honourable Justice Karin Emerton	His Honour Judge Timothy Ginnane
The Honourable Justice Terence Forrest	His Honour Judge James Montgomery
The Honourable Justice Clyde Croft	His Honour Judge James Parrish
The Honourable Associate Justice Nemeer Mukhtar	His Honour Judge Michael Tinney
	Her Honour Judge Gabriele Cannon
Court of Appeal	Magistrates' Court
The Honourable Justice Philip Mandie	His Honour Magistrate Franz Holzer
The Honourable Justice Bernard Bongiorno AO	
The Honourable Justice David Harper AM	

JUDICIAL OFFICE – FEDERAL COURTS

Federal Court of Australia
The Honourable Justice Mordecai Bromberg
The Honourable Justice Julie Dodds-Streeton

NATIONAL LEGAL PROFESSION REPRESENTATIVE BODIES

Law Council of Australia

Michael Colbran QC (Director)	<i>Alternative Dispute Resolution Committee:</i> Henry Jolson QC
<i>Access to Justice Committee:</i> Dr David Neal S.C.	<i>Resources, Energy & Environmental Law Committee:</i> Michael Sweeney
<i>National Harmonisation of Laws Committee:</i> Dr David Neal S.C.	<i>Business Law Section:</i> Frank O'Loughlin
<i>National Profession Harmonisation Committee:</i> Michael Colbran QC	<i>Business Law Section – Insolvency & Reconstruction Law Committee:</i> Philip Crutchfield S.C.
<i>Client Legal Privilege Committee:</i> Suzanne McNicol	<i>Family Law Section Committees:</i> Martin Bartfeld QC, Minal Vohra, Patricia Byrnes
<i>Equalising Opportunity in the Law Committee:</i> Fiona McLeod S.C.	<i>National Criminal Law Liaison Committee:</i> Michael Abbott QC, Philip Priest QC, Thomas Percy QC, Dr David Neal S.C., Bret Walker S.C.
<i>Indigenous Legal Issues Committee</i> Thomas Keely	<i>Working and Referral Groups:</i> Paul Willee RFD QC, Michael Colbran QC, Fiona McLeod S.C., Ross Ray QC, Dr David Neal S.C., Michael Heaton QC, Jacob (Jack) Fajgenbaum QC, Peter Hanks QC, Caroline Kirton, Dominique Hogan-Doran
<i>Financial Services Committee</i> Elisabeth Wentworth, David Turner	

Australian Bar Association:

Peter Riordan S.C. (President)

COURT AND TRIBUNAL COMMITTEES & WORKING PARTIES

Commonwealth Courts and Tribunals

Federal Court of Australia	
<i>Corporations List Users' Group:</i> David O'Callaghan S.C., Kim Knights (Alternate)	<i>Migration List Users' Group:</i> Debra Mortimer S.C., Thomas Hurley, Warren Mosley, Richard Niall.
<i>Intellectual Property Users' Group:</i> Bruce Caine S.C.	<i>Users' Committee:</i> Garry Bigmore QC, Charles Scerri QC, Helen Symons S.C., Bruce Caine S.C., Debra Mortimer S.C.

State Courts and Tribunals

Supreme Court	
<i>Academic Course Appraisal Committee:</i> Jacob (Jack) Fajgenbaum QC	<i>Building List Users' Committee:</i> John Digby QC, David Levin QC, Richard Manly S.C.
<i>Board of Examiners:</i> Ronald Meldrum QC (Deputy Aileen Ryan), Joseph Santamaria QC (Deputy Ian Waller S.C.), Peter Jopling QC (Deputy Kate McMillan S.C.)	<i>Commercial List Users' Committee:</i> Peter Bick QC, Prof David Denton RFD, S.C., Peter Riordan S.C., Albert Monichino
<i>Chief Justice's Computer Committee:</i> Julian Burnside AO QC, Paul Willee RFD QC, David Levin QC	<i>Costs Co-ordination Committee:</i> Timothy Tobin S.C.
<i>Chief Justice's Library Committee:</i> Melanie Sloss S.C., Stephen McLeish S.C.	<i>Legal Education Committee:</i> Jacob (Jack) Fajgenbaum QC
<i>Chief Justice's Rules Committee:</i> Jonathon Moore	<i>Personal Injury Users' Group:</i> Ross Gillies QC, John (Jack) Rush RFD, QC, Timothy Tobin S.C., David Martin
<i>Civil Litigation Committee:</i> Peter Murdoch QC, Cameron Macaulay S.C. (now the Hon Justice Cameron Macaulay), David O'Callaghan S.C., Dr Kristine P Hanscombe S.C., Philip Solomon	<i>Probate Users' Committee:</i> Richard Boaden, Shane Newton
<i>Commercial Causes Users' Committee:</i> Julian Burnside AO QC, Simon Wilson QC, Timothy North S.C., Stewart Anderson S.C.	<i>Common Law Steering Committee:</i> Timothy Tobin S.C.

County Court	
<i>Building Cases Users' Group:</i> Richard Manly S.C.	<i>WorkCover Users' Group:</i> Robin Gorton QC, John Noonan S.C., Michael Richards, Robert Dyer, Ian McDonald, James Gorton
<i>Family Property Division List Committee:</i> Graham Robertson, Carolyn Sparke	<i>Costs Review Committee:</i> Timothy Tobin S.C.
<i>Rules Committee:</i> Peter T Fox, Michael Corrigan, Michael Croucher	<i>Commercial List Users' Group:</i> Steven Grahame, Peter Lithgow, Robert Cameron, Simon Gannon

Magistrates Court	
<i>Civil Rules Committee;</i> Christopher Gilligan, Frank Ravida, Simone Bingham	<i>WorkCover Users' Group</i> Bruce McKenzie, Amanda Ryan
<i>Occupational Health and Safety User Group;</i> Christopher Gilligan, Franz Holzer (now His Honour Magistrate Holzer)	
Victorian Civil and Administrative Tribunal (VCAT)	
<i>The Legal Practice List - Advocate Members:</i> Peter Jopling QC, Anthony Southall QC, David Levin QC, Jeremy Rapke QC, Aristomenis Garantziotis S.C., Christopher Ryan S.C.	

VCAT Consultative Users' Groups	
<ul style="list-style-type: none"> • Anti-Discrimination List: Herman Borenstein S.C., Melanie Young 	<ul style="list-style-type: none"> • Guardianship List: Carolyn Sparke
<ul style="list-style-type: none"> • Credit List: Julian Snow 	<ul style="list-style-type: none"> • Occupational & Business Regulation List: Mary Anne Hartley S.C., Edward Bryant, John Larkins, Thomas Hurley, Jason Pizer
<ul style="list-style-type: none"> • Domestic Building List: Hugh Foxcroft S.C., John G Bolton 	<ul style="list-style-type: none"> • Planning List: Michael Wright QC, Christopher Wren S.C.
<ul style="list-style-type: none"> • General List: Mark Klemens, Jason Pizer 	<ul style="list-style-type: none"> • Retail Tenancies List: Dr Clyde Croft S.C. (now the Hon Justice Clyde Croft), Georgina Grigoriou

Court Liaison Members

Federal Courts and Tribunals	
Commonwealth Administrative Appeals Tribunal – (Melbourne) Liaison Committee: Charles Gunst QC	

Statutory Appointments

Council of Law Reporting: Charles Gunst QC and Michael Pearce S.C.	Legal Services Board - Legal Practice Committee: Kevin Lyons
Council of Legal Education: Jacob (Jack) I Fajgenbaum QC and Kate McMillan S.C.	Victoria Legal Aid - Community Consultative Committee: Dr David Neal S.C.
Legal Services Board: Hugh Fraser	Victorian Association for the Care and Resettlement of Offenders (VACRO): Philip Dunn QC
Legal Services Board - Legal Costs Committee: Peter Murdoch QC	Victorian Law Reform Commission Advisory Council: Robin Brett QC

Representatives on educational bodies

La Trobe University Law School - Legal Profession Consultative Council: Ross Macaw QC	Monash University Law Faculty Board: Paul Willee RFD, QC, Gerard Nash QC (Alternate)
Leo Cussen Institute for Continuing Legal Education: P Gerard Nash QC (Alternate), Helen Symon S.C., Fiona McLeod S.C. (Alternate)	University of Melbourne Law Faculty: Neil J Young QC
Monash University Law Faculty Advisory Panel (Integration of Skills and Ethics Project): Brind Zichy-Woinarski QC	Victoria University School of Law Program Advisory Committee: Prof David Denton RFD, S.C., Terrence Murphy S.C.

Other representative bodies

Firearms Appeal Committee: Carolyn Sparke	Victoria Law Foundation – (Including Grants Committee): James Peters S.C.
International Bar Association - Human Rights Liaison Officer: Jacob (Jack) Fajgenbaum QC	Victorian Heritage Council: Marita Foley
Law Institute of Victoria - Fee Disputes Conciliator: Jeremy Ruskin QC	Victoria Law Foundation – Justice Museum Legal Reference Group: Dr David Neal S.C.
Public Interest Law Clearing House (PILCH): Dr Joshua Wilson S.C.	Department of Justice Civil Procedure Advisory Group: Mark Moshinsky S.C.
International Pro Bono Advisory Group: Alexandra Richards QC	Coroners Court Steering Committee for the development of the Legal Practitioners' Handbook: Sara Hinchey

PART X - PERSONALIA

OBITUARIES

The Bar Council records with deep regret the death of the following members and past members of the Victorian Bar:

- Michael J Croyle
- Anthony E Hooper QC
- The Honourable John Harber Phillips AC, QC
- Charles H Francis AM RFD QC
- Michael R Shatin QC
- David J Ross QC
- Retired Judge John H Barnett
- Peter L R Sheils QC
- Ian H Munro
- The Honourable Sir Edward Woodward AC, OBE, QC
- Peter J Galbally QC
- Tony Magee
- Anthony Endrey QC
- Kevin S Pose

FAREWELLS

The legal profession met to pay tribute on the occasion of the retirement of the following judicial officers (listed in chronological order of the Farewell sitting):

Victorian

- His Honour Judge Stuart Campbell
- The Honourable Justice Philip Cummins
- His Honour Judge Anthony Duckett OBE
- The Honourable Justice David Byrne
- His Honour Judge John Nixon

Federal

- The Honourable Chief Justice Michael Black AC
- The Honourable Justice Alan Goldberg AO

HONOURS

During the year, the following Victorian judges, members and past members of the Victorian Bar were recipients of the following honours.

Australia Day Honours 2010

- The Honourable Justice Bernard Bongiorno AO
- The Honourable Justice Lloyd Waddy AM RFD

The Queen's Birthday 2010 Honours List (announced 14 June 2010)

- The Honourable Justice Geoffrey Giudice AO
- His Honour Chief Judge Michael Rozenes AO
- The Honourable Justice Linda Dessau AM
- The Honourable Justice George Palmer AM

SENIOR COUNSEL

On 24 November 2009, the Chief Justice of the Supreme Court of Victoria, Marilyn Warren, appointed as Senior Counsel for Victoria the following members of the Victorian Bar:

- David L Brustman
- Kirsty M Macmillan
- Francis J Tiernan
- Michael D Wilson
- Nicholas Papas
- Andrew J Tinney
- Mary A Hartley
- Michael D Wyles
- Andrew J Keogh
- Philip D Crutchfield
- Simon H Steward
- Peter J Morrissey
- Rachel M Doyle

PART XI - ROLL OF COUNSEL

The following is a statistical profile of membership of the Bar Association and a listing of those joining, leaving or transferring their membership during the year ended 30 June 2010.

	FEMALE	MALE	TOTAL
Division A, Part I			
Victorian Practising Counsel			1840
Victorian Practising Counsel – Queen’s and Senior Counsel	21	208	229
Victorian Practising Counsel – Junior Counsel	424	1187	1611
Division A, Part II			
Crown Prosecutors and Public Defenders			24
Division A, Part III			
Interstate and Overseas Counsel	11	122	133
Division B, Part I			
Governors			0
Division B, Part II			
Judges			181
Division B, Part III			
Ministers of the Crown and Members of Parliament			5
Division B, Part IV			
Solicitors-General and Directors of Public Prosecutions			4
Division B, Part V			
Masters and Judicial Registrars			6
Division B, Part VI			
Magistrates and Full-time Members of Statutory Tribunals			86
Division B, Part VII			
Crown Counsel and Parliamentary Counsel			3
Division B, Part VIII			
Other Official Appointments			6
Division C, Part I			
Retired Judges and other Judicial Officers			107
Division C, Part II			
Retired Holders of Public Office other than Judicial Officers			12
Division C, Part III			
Retired Counsel			129
Division D			
Academics			21
TOTAL			2557

Roll of Counsel (continued)

The following persons signed, re-signed, transferred or were removed from the Roll of Counsel.

Division A Part I (Victorian Practising Counsel)

Signed

Dean R Luxton, Pardeep S Tiwana, Michael W Seelig, G Victoria Whitelaw, Banjo A McLachlan, Raymond C Smith, Perry D Herzfeld, Huw M Roberts, Kathryn B Hamill, Elizabeth J Boros, Luke A Merrick, Charlotte J Duckett, Patricia M Carey, Holly J E van den Heuvel, Katherine A Bowshell, Keir J Dernelley, Stephen Jurica, David J Deller, Bill J Swannie, Rodrigo F R Pintos-Lopez, John Valiotis, James D McKay, Thomas Bevan, Felicity Cockram, Carolyn L Welsh, Robin M Smith, Angela M Moran, Robyn L Harper, Hugo de Kock, Anna E Forsyth, Andrew B Chislett, Megan E Casey, Eloise Loretta-Anne Dias, David Joong-Hyun Kim, Mei Ling J Sun, Peter Harrison, Vanessa L Nicholson, Christopher Dunlop, Lepa (Lee) Ristivojevic, Mark R Holden, Jacob D Kantor, Rebecca A Brezzi, Morgan A McLay, Kristie Churchill, Mary K Milsom, Hayley A Bate (was Luscott), Roderick Tan, Miranda J Ball, Nigel R Leslie, Angela M B O'Brien, Jennifer M Howe, Andrew Felkel, Jessica M Fallar, Melanie L Baker, Edward A Gisonda, Keith Wolahan, Andrew M Bell, David J Goodwin, Constantinos Lichnakis, Martin P Guthrie, Adam T Coote, Barnaby C Chessell, Gregory S Browne, Ariadne M Galanopoulos, Timothy W J Greenway, Natalie C Burnett, Marie T McCarthy, Simon D Martin, Catherine H Burke, Warren C Smith, Cathy M Dowsett, Deborah E Foy, Alexandra G Squarci, Nahrain Warda, Rupert J C Watters, David J Sanders, Christene L Hamilton, Cynthia L Lynch, Melanie Szydzik, Kyle E McDonald, Dinash D Daniel, Rohan P Barton, Simon T Kenny, J Grant Hayward, Andrew L Purcell, Deanna M Caruso, Martin P Kozlowski, Thomas Mah, Daniel L Epstein, Kerry P Paull, Vanessa E Plain, Angeline M Centrone, Karina Atchia

Re-signed

Mayada Dib, Douglas W Parker, Claudio Bozzi, Philip B Hayes, Lucy Steiner, Ragini Durai (was Rajadurai), Michael C Garner

Transfers to this division

Dr Damien J Cremean., Dr Jocelyne Scutt, Jason M Harkess, P David Drake, Rowan Downing QC, Carmen Randazzo S.C., I J (Joe) Beder

Transfers from this division

Solomon Gerber, Serita M Frederico, Franz Holzer, Timothy J Ginnane S.C., Dimity Lyle, Diane Piekusis, Nemeer Mukhtar QC, Mark E Regan, Terence M Forrest QC, Dr Clyde Croft S.C., Mordecai Bromberg S.C., William J Martin QC, James D Montgomery S.C., James L Parrish S.C., Harold G Shore, Ian S Williams, Eric L Riegler, Peter Robinson

Removed from this division

Andrew Johns, Michael Faltermaier, Marguerite Desmond, Michelle Florenini, Richard Greenfield, Philip B Hayes, Arna Delle-Vergini, Lana Collaris, Beatrice Melita, Carmel M Fenton, Benjamin Rozenes, Ian Caudwell, Kaylene Dawson, Annabel Glover, Bradley Ross, Sina Taghdir, Tamara Young, Annette Kaitinis, Jessica Leahey, Claire-Ann Folley

Division A Part II (Crown Prosecutors & Public Defenders)

Transfers from this division

Colin G Hillman, Michael H Tinney, Gabriele T Cannon

Transfers to this division

Mark E Regan

Division A Part III (Interstate and Overseas Counsel)

Signed

Douglas Raymond Wilson, Simon Kerr S.C., Turvey Tak-Wai To, Elisabeth Peden, Jennifer Beck, James Whyte

Transfers to this division

William G Hodgekiss

Division B (Judiciary and Official Appointments)

Transfers from this division

Dr Damien J Cremean, Dr Jocelyne Scutt, David Bennett AC QC, P David Drake, The Hon. Thomas J Smith, The Hon. David Morrow, The Hon. Frank Vincent AO QC, The Hon. Murray Kellam AO QC, The Hon. Heather Carter, Rowan Downing QC, Frederick G Davey, Dr Karin L Emerton (from BVII), The Hon. Justice Philip Cummins, Carmen Randazzo S.C., Dr Kathryn Auty, The Hon. Chief Justice Michael Black AC, I J (Joe) Beder, Hon Justice David Byrne, His Honour Judge Anthony Duckett OBE, His Honour Judge John K Nixon.

Transfers to this division

Franz Holzer, Dr Jennifer Beard, Timothy J Ginnane, Nemeer Mukhtar QC, Terence M Forrest, Dr Karin L Emerton, Dr Clyde Croft S.C., Mordecai Bromberg S.C., James D Montgomery S.C., James L Parrish S.C., Dr Kathryn Auty, Michael H Tinney, Gabriele T Cannon, Eric L Riegler

Division C (Retired)

Removed from this division

Neil Williams QC

Transfers to this division

The Hon. Thomas J Smith, The Hon. David Morrow, Dimity Lyle, The Hon. Frank Vincent AO QC, The Hon. Murray Kellam AO QC, The Hon. Heather Carter, Frederick G Davey, The Hon. Justice Philip Cummins (from Supreme Court), William J Martin QC, Harold G Shore, The Hon. Chief Justice Michael Black AC, Ian S Williams, The Hon. David Byrne, The Hon. Anthony Duckett OBE, His Honour Judge John K Nixon

Division D (Academics)

Transfers from this division

Dr Jennifer Beard, Jason M Harkess, Rebecca Leshinsky

Other

The following readers signed the Overseas Roll of Counsel

Nathaniel K Asimba, Stephen R Paisi, Kevin Naethan, Leon Malantugun

PART XII - FINANCIAL REPORTS

STATEMENT OF COMPREHENSIVE INCOME FOR THE YEAR ENDED 30 JUNE 2010

	NOTES	CONSOLIDATED		PARENT	
		2010 \$	2009 \$	2010 \$	2009 \$
CONTINUING OPERATIONS					
Other revenue	3	25,846,176	25,547,310	4,317,078	4,482,116
Employee benefits expense		(2,375,675)	(1,977,890)	(1,406,616)	(1,121,926)
Depreciation and amortisation expense	4	(2,860,488)	(2,057,056)	(43,981)	(40,996)
Finance expense	4	(2,354,114)	(162,231)	-	-
Rent & fitout expenses		(6,193,354)	(8,476,551)	(979,758)	(1,018,529)
Utilities expense		(1,237,295)	(1,439,843)	-	-
Other expenses		(6,845,740)	(6,711,024)	(1,712,664)	(1,885,592)
Profit before income tax expense	4	3,979,510	4,722,715	174,059	415,073
Income tax benefit	5	-	32,776	-	32,776
PROFIT FOR THE YEAR		3,979,510	4,755,491	174,059	447,849
OTHER COMPREHENSIVE INCOME					
Gain on revaluation of freehold land and buildings		-	998,794	-	-
TOTAL COMPREHENSIVE INCOME FOR THE YEAR		3,979,510	5,754,285	174,059	447,849

The accompanying notes form part of these financial statements.

STATEMENT OF FINANCIAL POSITION AS AT 30 JUNE 2010

	NOTES	CONSOLIDATED		PARENT	
		2010 \$	2009 \$	2010 \$	2009 \$
ASSETS					
CURRENT ASSETS					
Cash and cash equivalents	6	6,700,142	17,137,548	2,969,072	7,243,816
Trade and other receivables	7	1,043,067	1,063,452	194,750	180,426
Other assets	8	145,682	130,709	31,300	-
Total Current Assets		7,888,891	18,331,709	3,195,122	7,424,242
NON-CURRENT ASSETS					
Other financial assets	9	-	-	10,187,430	6,016,314
Property, plant & equipment	10	115,378,414	57,600,697	208,773	229,617
Loan to Essoign Club		53,902	62,749	53,902	62,749
Total Non-current Assets		115,432,316	57,663,446	10,450,105	6,308,680
TOTAL ASSETS		123,321,207	75,995,155	13,645,227	13,732,922
LIABILITIES					
CURRENT LIABILITIES					
Trade and other payables	11	7,516,977	7,296,875	2,207,488	2,537,084
Borrowings	12	1,000,000	-	-	-
Provisions	13	341,883	225,451	215,518	157,685
Current tax liabilities	14	-	-	-	-
TOTAL CURRENT LIABILITIES		8,858,860	7,522,326	2,423,006	2,694,769
NON-CURRENT LIABILITIES					
Borrowings	12	42,000,000	-	-	-
Provisions	13	22,048	12,040	22,048	12,040
Deferred tax liabilities	14	2,584,150	2,584,150	-	-
TOTAL NON-CURRENT LIABILITIES		44,606,198	2,596,190	22,048	12,040
TOTAL LIABILITIES		53,465,058	10,118,516	2,445,054	2,706,809
NET ASSETS		69,856,149	65,876,639	11,200,173	11,026,113
EQUITY					
Reserves		14,467,398	14,467,398	-	-
Retained earnings		55,388,751	51,409,241	11,200,173	11,026,113
TOTAL EQUITY		69,856,149	65,876,639	11,200,173	11,026,113

The accompanying notes form part of these financial statements.

STATEMENT OF CASH FLOWS FOR THE YEAR ENDED 30 JUNE 2010

	NOTES	CONSOLIDATED		PARENT	
		2010 \$	2009 \$	2010 \$	2009 \$
CASH FLOWS FROM OPERATING ACTIVITIES					
Receipts from members and customers		27,155,792	27,557,112	3,257,175	4,090,175
LSB reimbursements and contributions received		905,431	832,646	905,431	832,646
Interest received		360,507	705,911	99,026	373,733
Payments to suppliers & employees		(18,875,663)	(19,273,290)	(4,350,969)	(4,249,695)
Finance expense		(2,354,114)	(162,231)	-	-
Income tax paid		-	-	-	-
Income tax refund		-	32,776	-	32,776
Net cash (used in) generated by operating activities	15(a)	7,191,953	9,692,924	(89,337)	1,079,622
CASH FLOWS FROM INVESTING ACTIVITIES					
Proceeds from sale of property, plant & equipment		73,581	16,818	-	-
Payments for property, plant & equipment		(60,711,787)	(2,099,441)	(23,138)	(95,044)
Purchase of additional shares in subsidiary		-	-	(4,171,116)	(500,000)
Proceeds from repayment of related party loan		8,847	25,000	8,847	25,000
Net cash used in investing activities		(60,629,359)	(2,057,623)	(4,185,407)	(570,044)
CASH FLOWS FROM FINANCING ACTIVITIES					
Additional/(Repayment of) borrowings		43,000,000	(2,700,001)	-	-
Net cash used in financing activities		43,000,000	(2,700,001)	-	-
NET (DECREASE)/INCREASE IN CASH AND CASH EQUIVALENTS					
		(10,437,406)	4,935,300	(4,274,744)	509,578
Cash and cash equivalents at the beginning of the financial year		17,137,548	12,202,248	7,243,816	6,734,238
CASH AND CASH EQUIVALENTS AT THE END OF THE FINANCIAL YEAR	15(b)	6,700,142	17,137,548	2,969,072	7,243,816

STATEMENT OF CHANGES IN EQUITY FOR THE YEAR ENDED 30 JUNE 2010

	CAPITAL PROFITS RESERVE	ASSET REVALUATION RESERVE	GENERAL RESERVE	RETAINED EARNINGS	TOTAL
PARENT	\$	\$	\$	\$	\$
Balance at 1 July 2008	-	-	-	10,578,265	10,578,265
Profit for the year after income tax	-	-	-	447,849	447,849
TOTAL COMPREHENSIVE PROFIT FOR THE YEAR	-	-	-	447,849	447,849
BALANCE 30 JUNE 2009	-	-	-	11,026,114	11,026,114
Balance at 1 July 2009	-	-	-	11,026,114	11,026,114
Profit for the year after income tax	-	-	-	174,059	174,059
TOTAL COMPREHENSIVE PROFIT FOR THE YEAR	-	-	-	174,059	174,059
BALANCE AT 30 JUNE 2010	-	-	-	11,200,173	11,200,173
CONSOLIDATED					
Balance at 1 July 2008	249,680	13,179,934	127,460	46,653,750	60,210,824
Revaluation - Related Deferred Tax	-	(88,470)	-	-	(88,470)
NET INCOME RECOGNISED DIRECTLY IN EQUITY	249,680	13,091,464	127,460	46,653,750	60,222,354
Revaluation Increment on Freehold Land and Buildings	-	998,794	-	-	998,794
Profit for the year after income tax	-	-	-	4,755,491	4,755,491
TOTAL COMPREHENSIVE PROFIT FOR THE YEAR	-	998,794	-	4,755,491	5,754,285
BALANCE 30 JUNE 2009	249,680	14,090,258	127,460	51,409,241	65,876,639
Balance at 1 July 2009	249,680	14,090,258	127,460	51,409,241	65,876,639
NET INCOME RECOGNISED DIRECTLY IN EQUITY	249,680	14,090,258	127,460	51,409,241	65,876,639
Profit for the year after income tax	-	-	-	3,979,510	3,979,510
TOTAL COMPREHENSIVE PROFIT FOR THE YEAR	-	-	-	3,979,510	3,979,510
BALANCE 30 JUNE 2010	249,680	14,090,258	127,460	55,388,751	69,856,149

NOTES TO THE FINANCIAL STATEMENTS

Note 1 General Information

The Victorian Bar Inc (the association) is incorporated under the Associations Incorporation Act 2001, Victoria and operating in Australia.

The registered office and the principal place of business of the association is:

Level 5, 205 William Street

Melbourne Victoria 3000

Note 2 Statement of significant accounting policies

Financial Reporting Framework

The association is not a reporting entity because in the opinion of the officers there are unlikely to exist users of the financial statements who are unable to command the preparation of reports tailored so as to satisfy specifically all of their information needs. Accordingly, this 'special purpose financial report' has been prepared to satisfy the Victorian Bar's constitutional requirement to keep accounts.

Statement of Compliance

The financial statements have been prepared in accordance with the Associations Incorporation Act 2001, the basis of accounting specified by all Accounting Standards and Interpretations, and the disclosure requirements of Accounting Standards AASB 101 'Presentation of Financial Statements', AASB 107 'Statement of Cash Flows' and AASB 108 'Accounting Policies, Changes in Accounting Estimates and Errors'.

The financial report includes the separate financial statements of the association and the consolidated financial statements of the group.

Basis of Preparation

The financial statements have been prepared on the basis of historical cost, except for the revaluation of certain non-current assets and financial instruments. Cost is based on the fair values of the consideration given in exchange for assets. All amounts are presented in Australian dollars, unless otherwise noted.

Critical accounting judgments and key sources of estimation uncertainty

In the application of the association's accounting policies, management is required to make judgments, estimates and assumptions about carrying values of assets and liabilities that are not readily apparent from other sources. The estimates and associated assumptions are based on historical experience and various other factors that are considered to be relevant. Actual results may differ from these estimates.

The estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognised in the period in which the estimate is revised if the revision affects only that period, or in the period of the revision and future periods if the revision affects both current and future periods.

Adoption of new and revised Accounting Standards

In the current year, the association has adopted all of the new and revised Standards and Interpretations issued by the Australian Accounting Standards Board (the AASB) that are relevant to its operations and effective for the current annual reporting period.

The impact of these changes in accounting policies is discussed in detail later in this note.

The following significant accounting policies have been adopted in the preparation and presentation of the financial report:

2(a) Income tax

Subscription income received by the Victorian Bar from its members is non-taxable through the mutuality principle. Rental and other income received by Barristers Chambers Limited, a subsidiary company of the association, from members of the Victorian Bar is also non-taxable through the mutuality principle. Receipts from non-members are regarded as assessable income for income tax purposes. Member expenses are non-deductible. Other expenses which are not directly deductible from assessable income are apportioned between non-tax deductible and tax deductible expenses according to taxation regulations.

The charge for current income tax expenses is based on the profit for the year adjusted for any non-assessable or disallowed items. It is calculated using tax rates that have been enacted or are substantively enacted by the balance sheet date.

Deferred tax is accounted for using the balance sheet liability method in respect of temporary differences arising between the tax bases of assets and liabilities and their carrying amounts in the financial statements. No deferred income tax will be recognised from the initial recognition of an asset or liability, excluding a business combination, where there is no effect on accounting or taxable profit or loss.

Deferred tax is calculated at the tax rates that are expected to apply to the period when the asset is realised or liability is settled. Deferred tax is credited in the income statement except where it relates to items credited or debited directly to equity, in which case the deferred tax is adjusted directly against equity.

Deferred income tax assets are recognised to the extent that it is probable that future tax profits will be available against which deductible temporary differences or unused tax losses and tax offsets can be utilised.

The amount of benefits brought to account or which may be realised in the future is based on the assumption that no adverse change will occur in income taxation legislation and the anticipation that the economic entity will derive sufficient future assessable income to enable the benefit to be realised and comply with the conditions of deductibility imposed by the law.

Tax Consolidation

The Association and its subsidiaries, Barristers' Chambers Ltd and The Melbourne Bar Pty Ltd are part of a tax-consolidated group under Australian taxation law. The Victorian Bar Inc is the head entity in the tax-consolidated group. Tax expense/income, deferred tax assets and deferred tax liabilities arising from temporary differences of the members of the tax-consolidated group are recognised using the 'group allocation' approach by reference to the carrying amounts in the separate financial statements of each entity and the tax values applying under tax consolidation. Current tax liabilities and assets and deferred tax assets arising from unused tax losses and relevant tax credits of the members of the tax-consolidated group are recognised by The Victorian Bar Inc (as head entity in the tax-consolidation group).

2(b) Property, Plant and Equipment

Each class of property, plant and equipment is carried at cost or fair value less, where applicable, any accumulated depreciation.

Property

Freehold land and buildings are considered to be property accounted for under AASB 116 'Property, Plant and Equipment' as opposed to investment property accounted for under AASB 140 'Investment Property' because they are held to provide a service to members of the Bar rather than for investment purposes for profit. Accordingly they are shown at their fair value (being the amount for which an asset could be exchanged between knowledgeable willing parties in an arm's length transaction), based on periodic, but at least triennial, valuations by external independent valuers, less subsequent depreciation for buildings.

Any accumulated depreciation at the date of revaluation is eliminated against the gross carrying amount of the asset and the net amount is restated to the revalued amount of the asset.

Increases in the carrying amount arising on revaluation of land and buildings are credited to the asset revaluation reserve in equity. Decreases that offset previous increases of the same asset are charged against the asset revaluation reserve directly in equity; all other decreases are charged to the Statement of Comprehensive Income.

Plant and Equipment

Plant and equipment, leasehold improvements and equipment under finance lease are stated at cost less accumulated depreciation and impairment. Cost includes expenditure that is directly attributable to the acquisition of the item. In the event that settlement of all or part of the purchase consideration is deferred, cost is determined by discounting the amounts payable in the future to their present value as at the date of acquisition.

The carrying amount of plant and equipment is reviewed annually by directors 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.

Depreciation

The depreciable amount of all property, plant and equipment including buildings and capitalised leased assets, but excluding freehold land, is depreciated on a straight-line basis over their useful lives to the economic entity 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 depreciation rates used for each class of depreciable assets are.

CLASSES OF PLANT AND EQUIPMENT	DEPRECIATION RATE
Buildings	2%
Leasehold Improvements	4-10%
Plant and Equipment	5-33%

The assets' residual values and useful lives are reviewed, and adjusted if appropriate, at each balance sheet date. 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.

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

2(c) Leases

Leases are classified as finance leases whenever the terms of the lease transfer substantially all the risks and rewards of ownership to the lessee. All other leases are classified as operating leases.

Lease payments for operating leases where substantially all risks and benefits remain with the lessor, are charged as expenses on a straight line basis.

2(d) Employee Benefits

A liability is recognised for benefits accruing to employees in respect of salaries, annual leave, and long service leave when it is probable that settlement will be required and they are capable of being measured reliably.

Liabilities recognised in respect of employee benefits expected to be settled within 12 months, are measured at their nominal values using remuneration rate expected to apply at the time of settlement.

Long service leave liabilities which are not expected to be settled within 12 months are measured at values which are the present value or approximate the present values of the estimated future cash outflows to be made by the group entities in respect of services provided by employees up to reporting date.

2(e) Provisions

Provisions are recognised when the entity 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 outflow can be reliably measured.

2(f) Cash and Cash Equivalents

Cash and cash equivalents include cash on hand, deposits held at call with banks, other short term highly liquid investments with original maturities of three months or less and bank overdrafts. Bank overdrafts are shown within short-term borrowings in current liabilities on the statement of financial position.

2(g) Revenue

Revenue from subscriptions is recognised in the period that the subscription relates to. Revenue from leased properties is recognised on a straight-line basis over the lease term in accordance with lease agreements.

Revenue from the rendering of a service is recognised upon the delivery of the service to the customer.

Interest revenue is accrued on a time basis, by reference to the principal outstanding and at the effective interest rate applicable, which is the rate that exactly discounts estimated future cash receipts through the expected life of the financial asset to that asset's net carrying amount.

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

2(h) Borrowings

Borrowings are recorded initially at fair value, net of transaction costs.

Subsequent to initial recognition, borrowings are measured at amortised cost with any difference between the initial recognised amount and the redemption value being recognised in profit and loss over the period of the borrowing using the effective interest rate method.

Bills of exchange are recorded at an amount equal to the net proceeds received, with the premium or discount amortised over the period until maturity. Interest expense is recognised on an effective yield basis.

Borrowing Costs

Borrowing costs directly attributable to the acquisition, construction or production of assets that necessarily take a substantial period of time to prepare for their intended use or sale, are added to the cost of those assets, until such time as the assets are substantially ready for their intended use or sale.

All other borrowing costs are recognised in the income statement in the period in which they are incurred.

2(i) 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 taxation authority. 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 GST.

The net amount of GST recoverable from, or payable to, the taxation authority is included as part of receivables or payables.

Cash flows are presented in the Statement of Cash Flows on a net basis. The GST component of cash flows arising from investing and financing activities which is recoverable from, or payable to, the taxation authority is classified as operating cash flows.

2(j) Impairment of Tangible Assets

At each reporting date, the association reviews the carrying amounts of its tangible and intangible assets to determine whether there is any indication that those assets have suffered an impairment loss. If any such indication exists, the recoverable amount of the asset is estimated in order to determine the extent of the impairment loss (if any). Where the asset does not generate cash flows that are independent from other assets, the association estimates the recoverable amount of the cash-generating unit to which the asset belongs. Where a reasonable and consistent basis of allocation can be identified, corporate assets are also allocated to individual cash-generating units, or otherwise they are allocated to the smallest group of cash-generating units for which a reasonable and consistent allocation basis can be identified.

Recoverable amount is the higher of fair value less costs to sell and value in use. In assessing value in use, the estimated future cash flows are discounted to their present value using a pre-tax discount rate that reflects current market assessments of the time value of money and the risks specific to the asset for which the estimates of future cash flows have not been adjusted.

If the recoverable amount of an asset (or cash-generating unit) is estimated to be less than its carrying amount, the carrying amount of the asset (cash-generating unit) is reduced to its recoverable amount. An impairment loss is recognised in profit or loss immediately, unless the relevant asset is carried at fair value, in which case the impairment loss is treated as a revaluation decrease.

Where an impairment loss subsequently reverses, the carrying amount of the asset (cash-generating unit) is increased to the revised estimate of its recoverable amount, but only to the extent that the increased carrying amount does not exceed the carrying amount that would have been determined had no impairment loss been recognised for the asset (cash-generating unit) in prior years. A reversal of an impairment loss is recognised in profit or loss immediately, unless the relevant asset is carried at fair value, in which case the reversal of the impairment loss is treated as a revaluation increase.

2(k) Standards and Interpretations issued not yet effective

At the date of authorisation of the financial report, the following Standards and Interpretations listed below were in issue but not yet effective:

(k) i Standards and Interpretations affecting amounts reported in the current period (and/or prior periods)

The following new and revised Standards and Interpretations have been adopted in the current period and have affected the amounts reported in these financial statements. Details of other Standards and Interpretations adopted in these financial statements but that have had no effect on the amounts reported are set out in section (k) ii.

Standards affecting presentation and disclosure

AASB 101 Presentation of Financial Statements (as revised September 2007), AASB 2007-8 Amendments to Australian Accounting Standards arising from AASB101, AASB 2007-10 Further Amendments to Australian Accounting Standards arising from AASB 101

AASB 101 (September 2007) has introduced terminology changes (including revised titles for the financial statements) and changes in the format and content of the financial statements. In addition, the revised Standard has required the presentation of a third statement of financial position at 1 July 2008, because the entity has applied new accounting policies retrospectively (see below).

Amendments to AASB 107 Statement of Cash Flows (adopted in advance of effective date of 1 January 2010)

The amendments (part of AASB 2009-5 Further Amendments to Australian Accounting Standards arising from the Annual Improvements Project) specify that only expenditures that result in a recognised asset in the statement of financial position can be classified as investing activities in the statement of cash flows. Consequently, cash flows in respect of development costs that do not meet the criteria in AASB 138 Intangible Assets for capitalisation as part of an internally generated intangible asset (and, therefore, are recognised in profit or loss as incurred) have been reclassified from investing to operating activities in the statement of cash flows. Prior year amounts have been restated for consistent presentation.

(k) ii Standards and Interpretations adopted with no effect on financial statements

The following new and revised Standards and Interpretations have also been adopted in these financial statements. Their adoption has not had any significant impact on the amounts reported in these financial statements but may affect the accounting for future transactions or arrangements.

AASB 2008-7 Amendments to Australian Accounting Standards - Cost of an Investment in a Subsidiary, Jointly Controlled Entity or Associate

The amendments deal with the measurement of the cost of investments in subsidiaries, jointly controlled entities and associates when adopting A-IFRS for the first time and with the recognition of dividend income from subsidiaries in a parent's separate financial statements.

AASB 123 Borrowing Costs (as revised in 2007) and AASB 2007-6 Amendments to Australian Accounting Standards arising from AASB 123

The principal change to AASB 123 was to eliminate the option to expense all borrowing costs when incurred. This change has had no impact on these financial statements because it has always been the Group's accounting policy to capitalise borrowing costs incurred on qualifying assets.

AASB 2008-5 Amendments to Australian Accounting Standards arising from the Annual Improvements Project and AASB 2008-6 Further Amendments to Australian Accounting Standards arising from the Annual Improvements Project

In addition to the changes affecting amounts reported in the financial statements described at (k) i above, the amendments have led to a number of changes in the detail of the Group's accounting policies - some of which are changes in terminology only, and some of which are substantive but have had no material effect on amounts reported.

AASB 2009-4 Amendments to Australian Accounting Standards arising from the Annual Improvements Project and AASB 2009-5 Further Amendments to Australian Accounting Standards arising from the Annual Improvements Project

In addition to the amendments to AASB 5 and AASB 107 described earlier in this section, and the amendments to AASB 117 discussed in section 2.3 below, the amendments have led to a number of changes in the detail of the Group's accounting policies - some of which are changes in terminology only, and some of which are substantive but have had no material effect on amounts reported. Except as noted in 2.3 below, the changes in AASB 2009-5 have been adopted in advance of their effective dates of 1 January 2010.

(k) iii Standards and Interpretations in issue not yet adopted

At the date of authorisation of the financial statements, the Standards and Interpretations listed below were in issue but not yet effective.

STANDARD/INTERPRETATION	EFFECTIVE FOR ANNUAL REPORTING PERIODS BEGINNING ON OR AFTER	EXPECTED TO BE INITIALLY APPLIED IN THE FINANCIAL YEAR ENDING
<i>AASB 2009-5 Further Amendments to Australian Accounting Standards arising from the Annual Improvements Project *</i>	1-Jan-10	30-Jun-11
<i>AASB 124 Related Party Disclosures (revised December 2009), AASB 2009-12 Amendments to Australian Accounting Standards</i>	1-Jan-11	30-Jun-12
<i>AASB 9 Financial Instruments, AASB 2009-11 Amendments to Australian Accounting Standards arising from AASB 9</i>	1-Jan-13	30-Jun-14

(k) iii Standards and Interpretations in issue not yet adopted (continued)

* AASB 2009-5 *Further Amendments to Australian Accounting Standards arising from the Annual Improvements Project* specify amendments resulting from the IASB's annual improvement project to various Australian accounting standards and interpretations. As permitted, the group has early adopted most of the amendments in AASB 2009-5 (refer note 2.2). However, the amendments to AASB 117 Leases have not been early adopted. Adoption of these amendments will potentially result in the reclassification of several leases over land as finance leases. The amendments, which apply retrospectively to unexpired leases from 1 July 2010, remove the guidance from AASB 117 which effectively prohibited the classification of leases over land as finance leases. It is not practical to provide a reasonable estimate of the impact of this amendment until a detailed review of existing leases has been completed.

2(l) Basis of Consolidation

The consolidated financial statements incorporate the financial statements of the Parent and entities (including special purpose entities) controlled by the Parent (its subsidiaries) (referred to as the Group in these financial statements). Control is achieved where the Parent has the power to govern the financial and operating policies of an entity so as to obtain benefits from its activities.

There have been no subsidiaries acquired or disposed of during the year.

Where necessary, adjustments are made to the financial statements of subsidiaries to bring their accounting policies into line with those used by other members of the Group.

All intra-group transactions, balances, income and expenses are eliminated in full on consolidation.

There is no minority interest in the subsidiary companies.

Note 3 Revenue

REVENUE	CONSOLIDATED		PARENT	
	2010	2009	2010	2009
REVENUE FROM OPERATING ACTIVITIES	\$	\$	\$	\$
Subscriptions	2,718,633	2,637,517	2,718,633	2,637,517
Rent and Joinery Revenue	19,779,964	19,258,472	-	-
Readers Course, Mediation & Seminar Fees	545,974	544,236	545,974	544,236
Other Revenue	1,576,580	1,571,730	88,927	97,186
	24,621,151	24,011,955	3,353,534	3,278,939
REVENUE FROM NON-OPERATING ACTIVITIES				
Interest Revenue	364,708	722,728	103,227	390,550
Legal Service Board and Commissioner, Contributions and Reimbursements	860,317	812,627	860,317	812,627
	1,225,025	1,535,355	963,544	1,203,177
TOTAL REVENUE	25,846,176	25,547,310	4,317,078	4,482,116

Note 4. Profit before Income Tax expense

(a) Profit before income tax expense has been arrived at after crediting / (charging) the following gains and losses:

GAIN / (LOSS) FROM SALE OF ASSETS	-	190	-	-
FINANCE COSTS				
- Interest on Mortgage	2,341,936	136,197	-	-
- Other Finance Costs	12,178	26,034	-	-
TOTAL FINANCE COSTS	2,354,114	162,231	-	-
DEPRECIATION OF NON-CURRENT ASSETS				
- Buildings	1,880,818	1,099,397	-	-
- Plant, Equipment & Improvements	979,670	951,657	43,981	40,996
- Motor Vehicle	-	6,002	-	-
TOTAL DEPRECIATION	2,860,488	2,057,056	43,981	40,996
BAD AND DOUBTFUL DEBTS				
- (Decrease) / Increase in Provision	(5,307)	(24,856)	-	-
MINIMUM LEASE PAYMENTS ON OPERATING LEASES	6,192,512	8,476,551	1,035,268	1,018,529
AUDITORS REMUNERATION				
Auditing or Reviewing the Financial Reports	60,900	67,144	28,400	34,644
Taxation Services	27,825	47,016	14,325	33,516
	88,725	114,160	42,725	68,160

Note 5 Income Tax

	CONSOLIDATED		PARENT	
	2010	2009	2010	2009
	\$	\$	\$	\$
(A) COMPONENTS OF INCOME TAX EXPENSE/(BENEFIT)				
Tax Expense comprises:				
Current Tax Expense/(Income)	(617,759)	(464,373)	(70,346)	22,645
Tax Refund from Prior Years	-	(32,776)	-	(32,776)
Unused Tax Losses not Recognised as Deferred Tax Assets	617,759	464,373	70,346	(22,645)
	-	(32,776)	-	(32,776)
(B) INCOME TAX EXPENSE/(BENEFIT) CALCULATED				
The prima facie Tax Expense/(Income) on Pre-Tax accounting profit from operations reconciles to the Income Tax Expense/(Income) in the financial statements as follows:				
OPERATING PROFIT FROM OPERATIONS	3,979,510	4,722,715	174,059	415,073
Income Tax Expense/(Benefit) Calculated at the corporate tax rate in each year, 30%	1,193,853	1,416,815	52,218	124,522
Tax Effect of Timing Differences not Recognised	(40,263)	13,022	(40,263)	13,022
Non-Assessable Mutual Income	(7,102,587)	(7,207,369)	(829,869)	(817,442)
Non-Deductible Mutual & Other Expenses	5,331,238	5,313,160	429,500	375,808
Non-Deductible Expenses Within Group	-	-	318,068	326,735
Tax Refund Arising from Change to Mutuality Principle	-	(32,776)	-	(32,776)
Increase/(Utilisation) of Tax Losses	617,759	464,373	70,346	(22,645)
INCOME TAX (BENEFIT)/EXPENSE	-	(32,776)	-	(32,776)

	CONSOLIDATED		PARENT	
	2010	2009	2010	2009
	\$	\$	\$	\$

Note 6 Cash and Cash Equivalents

Cash on Hand	250	250	-	-
Cash Deposits with Banks	5,314,961	4,739,216	1,882,554	1,286,344
Short-term Money Market Deposits	1,384,931	12,398,082	1,086,518	5,957,472
	6,700,142	17,137,548	2,969,072	7,243,816

Note 7 Trade and other Receivables

Trade Receivables	918,670	951,485	173,732	165,086
Provision for Doubtful Debts	(18,677)	(23,984)	-	-
	899,993	927,501	173,732	165,086
Other Receivables	143,074	135,951	21,018	15,340
TOTAL CURRENT RECEIVABLES	1,043,067	1,063,452	194,750	180,426

Note 8 Other current assets

Prepayments	145,682	130,709	31,300	-
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Note 9 Other Financial Assets

Investment in Subsidiaries	-	-	10,187,430	6,016,314
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Barristers Chambers Limited is a public company incorporated in Australia and operating in Australia. It is wholly owned by the Association. The Melbourne Bar Pty Ltd is a private company incorporated in Australia. It has not operated. It has acted as a nominee of the Victorian Bar Inc in being the registered owner of shares in Barristers Chambers Limited and entering into license agreements with approved clerks. Each of these subsidiaries is a member of the tax-consolidated group of which the Victorian Bar Inc is the head entity.

Note 10 Property, Plant & Equipment

FREEHOLD LAND & BUILDINGS				
Land at Valuation (June 2009)	24,200,000	9,600,000	-	-
Buildings at Valuation (June 2009)	80,641,656	37,450,000	-	-
Less Accumulated Depreciation	(1,880,820)	-	-	-
TOTAL FREEHOLD LAND & BUILDINGS	102,960,836	47,050,000	-	-
PLANT, EQUIPMENT & REFURBISHMENTS				
In Freehold Buildings at Cost	14,075,616	1,155,726	-	-
Less: Accumulated Depreciation	(9,822,817)	(456,857)	-	-
	4,252,799	698,869	-	-
In Leasehold Premises at Cost	14,197,638	24,166,038	1,068,404	1,045,266
Less: Accumulated Depreciation	(6,100,181)	(14,391,094)	(911,354)	(876,934)
	8,097,457	9,774,944	157,050	168,332
Art Works at Cost	133,442	133,442	117,843	117,843
Less: Accumulated Depreciation	(66,120)	(56,558)	(66,120)	(56,558)
	67,322	76,884	51,723	61,285
TOTAL PLANT & EQUIPMENT	12,417,578	10,550,697	208,773	229,617
TOTAL PROPERTY, PLANT, EQUIPMENT & REFURBISHMENT	115,378,414	57,600,697	208,773	229,617

The land and buildings were revalued at 30 June 2009 based on a valuation by Charter Keck Kramer. Valuations were made on the basis of open market value. The valuation which conforms to Australian Valuation Standards was effective from April 2009.

Movements in Carrying Amounts

Movement in the carrying amounts for each class of property, plant and equipment between the beginning and the end of the current financial year.

PARENT

2009	FREEHOLD LAND & BUILDINGS \$	PLANT, EQUIPMENT & REFURBISH- MENT \$	ART WORKS \$	MOTOR VEHICLE \$	TOTAL \$
Balance at Beginning of Year	-	133,328	42,239	-	175,567
Additions	-	66,693	28,351	-	95,044
Depreciation Expense	-	(31,689)	(9,305)	-	(40,994)
CARRYING AMOUNT AT END OF THE YEAR	-	168,332	61,285	-	229,617
2010					
Balance at Beginning of Year	-	168,332	61,285	-	229,617
Additions	-	23,138	-	-	23,138
Depreciation Expense	-	(34,420)	(9,562)	-	(43,982)
CARRYING AMOUNT AT THE END OF THE YEAR	-	157,050	51,723	-	208,773

CONSOLIDATED

2009					
Balance at Beginning of Year	47,150,603	9,358,607	57,838	9,096	56,576,144
Additions	-	2,071,090	28,351	-	2,099,441
Disposal / Assets Written Off	-	(16,023)	-	(605)	(16,628)
Depreciation Expense	(1,099,397)	(939,861)	(9,305)	(8,491)	(2,057,054)
Revaluation	998,794	-	-	-	998,794
CARRYING AMOUNT AT END OF THE YEAR	47,050,000	10,473,813	76,884	-	57,600,697
2010					
Balance at Beginning of Year	47,050,000	10,473,813	76,884	-	57,600,697
Additions	57,792,831	2,918,956	-	-	60,711,787
Disposal/Assets Written Off	-	(73,581)	-	-	(73,581)
Depreciation Expense	(1,880,818)	(970,109)	(9,562)	-	(2,860,489)
CARRYING AMOUNT AT END OF THE YEAR	102,962,013	12,349,079	67,322	-	115,378,414

	CONSOLIDATED		PARENT	
	2010	2009	2010	2009
	\$	\$	\$	\$

Note 11 Trade & Other Payables – Current

PAYABLES				
Deferred Revenue	4,746,887	4,597,563	1,501,609	1,696,047
Trade Creditors and Accruals	473,042	583,657	415,211	359,782
Owing to Subsidiary - Barristers Chambers Limited	-	-	248	80,176
Related Party - The Essoign Club	21,063	2,511	21,063	2,511
Other Creditors	2,275,985	2,113,144	269,357	398,568
TOTAL TRADE & OTHER PAYABLES	7,516,977	7,296,875	2,207,488	2,537,084

Other creditors includes membership fees received on behalf of Bar Associations, \$53,642 (2009 \$23,727) and the Essoign Club \$34,501 (2009 \$22,247) for the 2009-2010 financial year. The Essoign Club amount has been paid to it subsequent to balance date.

Note 12 Borrowings

CURRENT				
Bills - Secured	1,000,000	-	-	-
NON-CURRENT				
Bills - Secured	42,000,000	-	-	-
	43,000,000	-	-	-

At balance date the bank holds a first registered mortgage over the freehold land and buildings and a floating charge over other BCL assets.

Note 13 Provisions

CURRENT				
Employee benefits	341,884	225,451	215,518	157,685
NON-CURRENT				
Employee benefits	22,048	12,040	22,048	12,040
(a) Aggregate Employee Entitlement liability	363,932	237,491	237,566	169,725
(b) Employee Numbers				
Average number of full or part time employees during the financial year	30	27	20	19
Number of employees at reporting date	30	26	20	18

	CONSOLIDATED		PARENT	
	2010	2009	2010	2009
	\$	\$	\$	\$

Note 14 Tax Assets and Liabilities

CURRENT				
Income tax payable	-	-	-	-
NON-CURRENT				
Deferred income tax assets	(772)	(772)	-	-
Deferred income tax liability	2,584,922	2,584,922	-	-
NET DEFERRED TAX LIABILITY	2,584,150	2,584,150	-	-

The deferred income tax liability is for use in the event of tax on capital gain not subject to mutuality for income tax purposes.

Note 15 Cash Flow Information

(a) Reconciliation of profit for the year after income tax to net cash from operating activities

Profit for year after income tax benefit/(expense)	3,979,510	4,755,491	174,059	447,849
Depreciation & amortisation of non-current assets	2,860,488	2,057,056	43,981	40,996
(Gain)Loss on disposal of assets	-	(190)	-	-
Decrease in bad and doubtful debts provision	(5,307)	(24,836)	-	-
Changes in net assets and liabilities:				
(Decrease)Increase in trade & other receivables & other assets	90,649	321,290	(45,624)	(1,843)
Decrease in deferred tax liability	-	-	-	-
Increase/(Decrease) in trade and other payables and provisions	256,605	2,588,733	(271,761)	597,240
Decrease in Current tax liabilities	-	-	-	-
(Decrease)Increase in non-current liabilities	10,008	(4,620)	10,008	(4,620)
NET CASH PROVIDED BY OPERATING ACTIVITIES	7,191,953	9,692,924	(89,337)	1,079,622

(b) Reconciliation of Cash and Cash Equivalents

Cash & cash equivalents (see Note 6)	6,700,142	17,137,548	2,969,072	7,243,816
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Note 16 Officers' Remuneration

No member of the Council received any remuneration from the association. A premium was paid for Directors' and Officers' Liability insurance, details of which are set out in the Officers' Report.

	CONSOLIDATED		PARENT	
	2010	2009	2010	2009
	\$	\$	\$	\$

Note 17 Capital and Leasing Commitments

LEASE COMMITMENTS				
(a) Leasehold premises				
Non-cancellable operating leases contracted for but not capitalised in the accounts				
Payable				
- not later than 1 year	4,755,440	8,695,247	999,481	1,025,863
- later than 1 year but not later than 5 years	19,253,963	35,597,167	3,551,590	3,784,785
- later than 5 years*	12,888,368	76,766,837	-	803,196
	36,897,771	121,059,251	4,551,071	5,613,844
(b) Office Equipment				
Payable				
- not later than 1 year	20,950	21,297	20,950	21,297
- later than 1 year but not later than 5 years	31,220	78,586	31,220	78,586
- later than 5 years	-	-	-	-
	52,169	99,883	52,170	99,883
CAPITAL EXPENDITURE COMMITMENTS				
Commitments contracted for but not capitalised in the accounts				
Payable				
- not later than 1 year	6,475,000	-	-	-
- later than 1 year but not later than 5 years	-	-	-	-
	6,475,000	-	-	-

Note 18 Sensitivity Analysis

CURRENT AND NON-CURRENT LIABILITIES				
INTEREST RATE				
	Current Floating	Non-Current Fixed		Total
		3 years	5 years	
Amount	1,000,000	12,000,000	30,000,000	43,000,000
-1%	49,700	602,400	1,506,000	2,158,100
	59,900	722,400	1,806,000	2,588,300
1%	69,700	842,400	2,106,000	3,018,100
LINE FEE				
Amount	12 Months			
\$50,000,000	1,300,000			
Subsequently reduced to				
\$48,000,000	1,248,000			

Note 19 Events after Balance Sheet Date

There are no matters or circumstances requiring disclosure, other than the matters set out below, that have arisen since the end of the financial year which have significantly affected or may significantly affect the operations of the economic entity, the results of those operations, or the state of affairs of the economic entity in future financial years:

Barristers' Chambers Limited has made commitments in relation to the following:

- (a) Space and fit out level 38/140 William Street at a cost of \$1,700,000.
- (b) Expenditure for replacements and refurbishment totalling \$4,775,000 in Owen Dixon Chambers West, Douglas Menzies Chambers and Joan Rosanove Chambers. Part of this expenditure is conditional on a successful Green Building Fund application.

OFFICERS' DECLARATION

The Officers have determined that the association is not a reporting entity because in the opinion of the Officers there are unlikely to exist users of the financial report who are unable to command the preparation of reports tailored so as to satisfy specifically all of their information needs. Accordingly this special purpose financial report has been prepared to satisfy the Officers' reporting requirements under the Victorian Bar Inc's Constitution and the Associations Incorporation Act 1981.

The Officers of the association declare that:

1. The financial statements and notes thereto, as set out on pages 39 to 56:
 - (a) comply with accounting standards, the Associations Incorporation Act 1981 and the reporting requirements under the Victorian Bar's Constitution; and
 - (b) give a true and fair view of the financial position at 30 June 2010 and performance for the year ended on that date, in accordance with the accounting policies described in Note 2 to the financial statements, of the association and the group entities.
2. In the Officers' opinion there are reasonable grounds to believe that the association will be able to pay its debts as and when they become due and payable.

Signed in accordance with a resolution of the Council of the association

On behalf of the officers



M Colbran QC
Chairman



E (Will) Alstergren
Honorary Treasurer

Dated: 22 October 2010

Independent Auditor's Report to the Members of The Victorian Bar Incorporated

We have audited the accompanying financial report, being a special purpose financial report, of The Victorian Bar Incorporated, which comprises the statement of financial position as at 30 June 2010, and the statement of comprehensive income, the statement of cash flows and the statement of changes in equity for the year ended on that date, notes comprising a summary of significant accounting policies and other explanatory information, and the Officers' declaration of the consolidated entity comprising the Association and the entities it controlled at the year's end or from time to time during the financial year as set out on pages 39 to 57.

The Responsibility of the Officers for the Financial Report

The Officers of the entity are responsible for the preparation and fair presentation of the financial report and have determined that the accounting policies described in Note 2 to the financial statements, which form part of the financial report, are appropriate to meet the financial reporting requirements of the *Associations Incorporation Act 1981* and the *Constitution* and are appropriate to meet the needs of the members. The responsibility of the Officers also includes establishing and maintaining internal control relevant to the preparation and fair presentation of the financial report that is free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

Auditor's Responsibility

Our responsibility is to express an opinion on the financial report based on our audit. No opinion is expressed as to whether the accounting policies used, as described in Note 2, are appropriate to meet the needs of the members. We conducted our audit in accordance with Australian Auditing Standards. These Auditing Standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial report in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the Officers, as well as evaluating the overall presentation of the financial report.

The financial report has been prepared for distribution to the members for the purpose of fulfilling the Officers' financial reporting requirements under the *Associations Incorporation Act 1981* and the *Constitution*. We disclaim any assumption of responsibility for any reliance on this report or on the financial report to which it relates to any person other than the members, or for any purpose other than that for which it was prepared.

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

Auditor's Independence Declaration

In conducting our audit, we have complied with the independence requirements of the Australian professional accounting bodies.

Auditor's Opinion

In our opinion, the financial report presents fairly, in all material respects, the financial position of the Association and consolidated entity as at 30 June 2010 and of their financial performance, their cash flows and their changes in equity for the year ended on that date in accordance with the accounting policies described in Note 2 to the financial statements.


DELOITTE TOUCHE TOHMATSU



Alison Brown
Partner
Chartered Accountants
Melbourne, 22 October 2010

DISCLAIMER TO THE MEMBERS OF THE VICTORIAN BAR INCORPORATED

The additional financial information, being the attached detailed income statement for the years ended 30 June 2010 and 2009, has been compiled by the management of The Victorian Bar Incorporated.

No audit or review has been performed by us and accordingly no assurance is expressed.

To the extent permitted by law, we do not accept liability for any loss or damage which any person, other than The Victorian Bar Incorporated may suffer arising from any negligence on our part. No person should rely on the additional financial information without having an audit or review conducted.

Deloitte Touche Tohmatsu

DELOITTE TOUCHE TOHMATSU

Alison Brown

Alison Brown
Partner
Chartered Accountants
Melbourne, 22 October 2010

PART XIII - THE VICTORIAN BAR INC DETAILED INCOME STATEMENT

DETAILED INCOME STATEMENT FOR THE YEAR ENDED 30 JUNE 2010 (UNAUDITED)

		2010	2009
	NOTES	\$	\$
REVENUE			
Subscriptions		2,718,633	2,637,517
Legal Services Board & Commissioner		860,317	812,627
Readers Course Fees		311,964	315,392
Mediation Fees		230,560	210,258
Seminar Fees		3,450	18,586
Interest		103,227	390,550
Bar News Advertising		27,512	14,064
Bar Dinner & Other Functions Receipts		17,882	57,396
Other		43,533	25,726
TOTAL REVENUE		4,317,078	4,482,116
EXPENSES			
Employee benefits and expenses		1,406,616	1,121,926
Rent		838,492	761,967
Amortisation & Fitout		141,266	268,770
Rent Subsidy, Member Parental Leave		50,881	27,699
Australian Bar Association & Law Council of Australia		286,185	262,727
Audit & Tax Compliance & Advice Fees		42,725	73,800
Depreciation		43,981	40,996
Legal Assistance Scheme		342,000	380,004
LSC Complaints		4,484	1,785
Bar News Expenses		44,159	52,685
Media Consultant		72,000	64,396
Project Costs		116,694	312,377
Health & Well Being Programs		93,118	30,418
Bar Dinner & Other Functions		82,015	121,990
Catering For Meetings Expense		37,838	31,888
Computer System Software, Support & Website		101,241	178,631
Continuing Professional Development, including Readers Course, Expenses		58,833	64,207
Other Admin		380,491	270,777
TOTAL EXPENSES		4,143,019	4,067,043
PROFIT FOR YEAR BEFORE INCOME TAX BENEFIT/(EXPENSE)		174,059	415,073
Income Tax Benefit/(Expense)		-	32,776
Profit For Year		174,059	447,849
Accumulated Funds at the beginning of the financial year		11,026,114	10,578,265
ACCUMULATED FUNDS AT THE END OF THE FINANCIAL YEAR		11,200,173	11,026,114

NOTES TO THE DETAILED INCOME STATEMENT FOR THE YEAR ENDED 30 JUNE 2010

1. LSB/LSC Reimbursement and Contribution

The Legal Services Board or the Legal Services Commissioner reimburse the Victorian Bar for the costs of the roles delegated to it in relation to regulation and registration of barristers in Victoria. The Board also makes a contribution towards the cost of certain legal education programs at the Bar. The Board's financial support for the Bar's legal education and access to justice programs is appreciated.

	2010	2009
	\$	\$
Regulation	117,371	114,653
Registration	132,186	130,708
Bar News	33,300	37,000
Readers' Course and Legal Education	68,183	97,736
Library	47,277	52,530
Other	120,000	—
Legal Assistance Scheme	342,000	380,000
	860,317	812,627

2. Rent and Refurbishment Costs

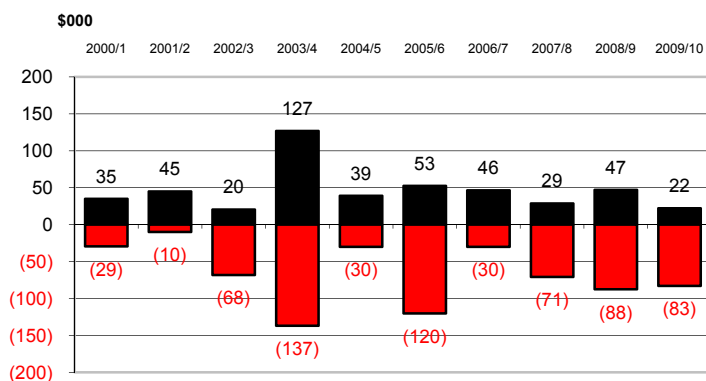
In July 2002, an agreement was entered into with Barristers' Chambers Limited under which the Victorian Bar Inc agreed to rent certain space from Barristers' Chambers Limited and to pay for the fit out of that refurbished space over a ten year term. Part of the rent and fit out cost relates to the space occupied by the Essoign Club Limited in Owen Dixon Chambers East.

PART XIV - BARRISTERS' BENEVOLENT ASSOCIATION

BARRISTERS' BENEVOLENT ASSOCIATION OF VICTORIA ANNUAL REPORT (UNAUDITED) FOR THE YEAR ENDING 30 JUNE 2010

The Committee of Management for the Association is the Victorian Bar Council through its Chairman and Honorary Treasurer.

History of Subscriptions (black) and Grants/Loans (red) from 2000 to 2010



During 2009/2010 year, the Association made three payments to members, totalling \$83,037. One was an interest free loan and two were cash grants.

The summary of assets held by Equity Trustees (at market value) with their rates of return is set out below:

ASSET CLASS	ASSET VALUE		ASSET YIELD	
	\$'000	%	\$'000	%
Cash	383,478	22%	9,431	2.46%
Fixed Interest	706,449	42%	66,072	9.35%
Australian Shares	620,850	36%	20,625	3.32%
	1,710,777	100%	96,128	

Australian Shares are held in the Equity Trustee Flagship Fund. The return for 2009/2010 financial year was 13.1%.

Fixed Interest investments are held in the Equity Trustees Mortgage Income Fund and PIMCO Wholesale Australian Bond Fund.

BARRISTERS' BENEVOLENT ASSOCIATION OF VICTORIA COMPARATIVE FINANCIAL STATEMENT FOR THE YEAR ENDED 30 JUNE 2010		
	2010	2009
	\$	\$
CAPITAL FUND		
Opening Balance at 1 July 2009	1,497,926	1,413,459
Receipts		
Donations received during the Year	22,200	47,000
Loan Repayments received	11,667	—
Imputation Credits Refund	—	—
Net Income Earned During the Year	80,458	125,027
	1,612,251	1,585,486
Payments		
Grants	33,037	58,560
Loans	50,000	29,000
Total payments to Members	83,037	87,560
Closing balance at 30 June 2010	1,529,214	1,497,926
LOANS		
Opening Balance at 1 July 2009	117,123	128,123
Add New Loans	50,000	29,000
Less Loan Repayments	(11,667)	—
Less Loans written off (Three)	(40,456)	(40,000)
Loans at 30 June 2010	115,000	117,123
TOTAL ASSETS AT 30 JUNE 2010	1,644,214	1,615,049
AMOUNTS HELD BY EQUITY TRUSTEES AT 30 JUNE 2010		
Equity Trustees Flagship Fund	454,900	454,900
Equity Trustees Wholesale Mortgage Income Fund	313,938	313,938
Equity Trustees PIMCO Wholesale Australian Bond Fund	376,898	376,898
Equity Trustees Cash Management Fund	383,478	352,190
BALANCE AT 30 JUNE 2010	1,529,214	1,497,926

Michael J Colbran and Edvard (Will) Alstergren
Sub-Committee of the Committee of Management
The Victorian Bar Council