VICTORIAN BAR ANNUAL REPORT

2013

VICTORIAN BAR





Annual Report of the Victorian Bar Incorporated for the year ended 30 June 2013

To be presented to the Annual General Meeting of the Victorian Bar Incorporated to be held on 21 October 2013 in Owen Dixon Chambers East, William Street, Melbourne

THE VICTORIAN BAR INCORPORATED REGISTERED NO. A00345045







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CHAIR'S REPORT

FIONA MCLEOD S.C.

In 2013 the Bar embarked upon its second major strategic plan. The central vision of the next five year plan is 'A strong and independent Bar'. Our focus is both external and internal. Externally we are supporting the work of the courts, the right of all to access quality legal representation and support for the rule of law. Internally we are providing support and services for our members to promote an enduring community of barristers who maintain the highest standards and excellence in practice.

I am pleased to report that this year the Bar has embraced and delivered on a number of key initiatives in new educational programs and facilities, communications and marketing and in new chambers through BCL. The Bar actively engaged in public debate about legal aid funding issues, the work of the Adult Parole Board and overcrowding of prisons. It also engaged on issues concerning aboriginal incarceration, regional pro bono legal assistance and other issues of law reform including direct briefing.

Throughout this reporting period the Bar has produced a strong financial result reflecting sound management and oversight. This careful financial management has made it possible for Bar Council to hold unchanged 2013-14 subscription rates for junior members (they have now remained unchanged for four years) and achieve an average 20 per cent reduction in 2013-14 professional indemnity premium rates.

The work of the Bar is heavily dependent on the selfless contribution of many volunteer members and representing thousands of hours of work. The work of the Bar's associations, committees and of many individuals is recorded in this Annual Report. It represents the great spirit of service so familiar to the Bar and is greatly appreciated by all.

This year accommodation within BCL Chambers has been in high demand. BCL opened new chambers at level 23 Aickin Chambers and at level 8 Dominion House and began construction of four new floors on top of Owen Dixon Chambers West. This follows the opening of Coldrey, Gorman and Ninian Stephen Chambers over the last three years. BCL has also restarted the telecommunications project. I thank the new Chair of BCL, Michael Wyles SC and the BCL Board and staff for their service to the Bar.

The Bar's involvement in the Law Council of Australia (LCA) and the Australian Bar Association (ABA) is strategically important as the national profession confront many challenges. This year the Bar's relationship with both organisations strengthened with my election to the LCA Executive, former Chairman Michael Colbran QC becoming the President of both organisations, and with the Victorian Bar becoming the new host for the ABA Secretariat after an extraordinary contribution of many years by the Queensland Bar. The LCA identified several key priorities for attention in the lead up to the 2013 federal election, including access to justice, human rights advocacy and the treatment of asylum seekers, international engagement, promoting Australia as a hub for international arbitration and addressing the high attrition rates of women lawyers. The work in these areas and the policy work of the LCA secretariat remains an important undertaking of relevance to members.

Revision to the Silks Appointment Process

The appointment of senior counsel in and for the state of Victoria signals a recognition of the outstanding service as advocates and advisors that is expected of those barristers so designated.

In 2012, after thorough consultation with members and the profession broadly, a new process for appointing senior counsel was endorsed by the Chief Justice the Honourable Marilyn Warren AC and the Council of Judges of the Supreme Court. A new model was introduced involving a Preliminary Evaluation Committee appointed by the Chief Justice to assist with the workload associated with the appointment process. This was continued on a pilot basis in 2013 with some refinements.

We are indebted to the Chief Justice for the invaluable support that she and the Court have provided through the year to the appointment process and for the time and attention given in consideration of applications for appointment as senior counsel.

Readers and Continuing Professional Development

The reading requirements including the Readers Course and entry examination are being continually updated and refined in order to provide excellent advocacy training and early exposure to the tools of successful practice at the Bar. This year, as well as changes to the course curriculum and organisation, the Readers Course was preceded by an orientation night and a mentors lunch to provide information on the content and operation of the course and on performance expectations, and a mandatory follow up weekend was added to the course. Coaching Accreditation has also been conducted to maintain the high standard and consistency of instruction provided during the Readers Course.

The demands on the Readers Course Committee are substantial and I thank the Chair, David O'Callaghan SC and the Committee, the exam subcommittee, and Linda Haller as Chief Examiner for their commitment and hard work.

Continuing Professional Development has evolved considerably since its introduction as a mandatory professional undertaking in 2002-2003. In any given week, members can choose from relevant high quality CPD sessions which they can attend in person or on-line.

The next phase in the evolution of our CPD program will be to introduce an extended learning program responsive to the needs of barristers in their early years, as well as appealing to those looking for further opportunities to hone their court craft and related skills. A number of components of the new program were introduced this year including advanced cross examination, appellate advocacy, a basic skills refresher, expert witnesses and pleadings.

To improve delivery of the Readers Course and CPD programs, new audio visual equipment was installed in each

of the first floor training hubs in Owen Dixon Chambers East with video conferencing equipment installed in the Neil Forsyth room in early August 2013. In addition, new on-line CPD features were added to the website to improve accessibility and archiving of material. Using the long-dated CPD calendar and new web facilities, Bar associations and committees are now able to book a date for hosting CPD events and members are now able to schedule their attendance at CPD events, view CPD podcasts and keep a record of CPD attendances on-line.

My thanks to Jacqueline Stone and her education and policy team for their ongoing assistance with these crucial projects.

Third Annual CPD Conference – 15-16 March 2013

The Bar's CPD conference has become a key event in the Bar's annual calendar of events. The conference is an opportunity to challenge our thinking and introduce new ideas and this year was no exception with 186 members attending. The success of the conference owes much to a top line-up of speakers and the relevance of the topics including A Vision for the Bar and The Courts, Threats and Opportunities for Barristers in a Digital World. In his presentation The Modern Bar under the Microscope, Associate Professor Rufus Black took a fresh look at the challenges for the Bar, provided a cogent analysis of trends and some insight into strategies the Bar and its members might adopt in order to meet those challenges.

We were delighted that Federal and State Attorneys-General, the Honourable Mark Dreyfus QC MP and the Honourable Robert Clark MP were able to speak at this year's conference. The Bar Council greatly appreciates their ready willingness to engage with the Bar and contribute to Bar activities.

Events

The annual Bar Dinner was once again held in the beautiful Melbourne landmark of Myer Mural Hall on 24 May. My thanks go to our two guest speakers, the Honourable Justice Patrick Keane of the High Court and Debbie Mortimer SC who each handled the challenge of blending enlightenment and entertainment into speeches for an appreciative audience. I would particularly like to thank those on the organising committee in the Bar office and the Bar Band who made this successful night possible.

The 4th Annual Pro Bono Awards was held on 14 May in the Supreme Court Library and featured inspiring guest speaker, the Honourable Justice Susan Crennan AC of the High Court, after whom one of the Awards is named. Her Honour spoke of the history of pro bono contribution by the Victorian Bar, and of the creation of Legal Aid Commissions to address the depth of the unmet need for legal assistance decades ago. Before the awards began, the Bar and PILCH signed a new agreement for



ABOVE: The Honourable Robert Clark MP, State Attorney-General, addresses the Bar's annual CPD Conference in March 2013.

the management of the Victorian Bar Pro Bono Scheme. My thanks go to Jane Dixon SC and the Pro Bono Committee for all of their hard work and to the many members who give so much to the Scheme and to those in need of help during the year.

Communications and Marketing

Congratulations must go to our Bar News editors Paul Hayes, Sharon Moore and new editor Justin Tomlinson and the Bar News Editorial Committee on the delivery of two fine editions of Bar News.

This year the Bar leapt into the cyber age and expanded its communications channels, with the May launch of the Bar into social media. Members can now post and comment on legal issues on Bloggers@theBar and follow public notices, updates, media releases and calls for submissions through the Bar's Twitter handle @VicBarPresident. The Bar also has its own YouTube channel and LinkedIn company profile page. I have commenced a weekly Chair's post in our electronic newsletter *InBrief* and on the website. I thank Bar Councillors from the junior category for their assistance in compiling the weekly Chair's post and bringing this to life.

Marketing consultants were engaged by the Bar Council to undertake two research projects in the last 18 months, one of the large law firms and the other of in house counsel aimed at targeting the Bar's marketing activities. Findings from this research are being introduced into targeted marketing initiatives and CPD activities.

My thanks to Sally Bodman and the Bar's marketing and events team and Alicia Patterson the Bar's media advisor for their valuable assistance in during the year.

New Clerking Regulation

During the year, the Clerking Committee developed revised clerking regulations. These came into operation in August 2013. The revisions strengthen the regulation and control over the operation of clerk's barristers clearing accounts and anticipate the introduction of the Uniform Legal Profession Act in the coming year. This work involved the collaboration of each of the clerks and List Chairs and I am very grateful for the co-operative approach to this significant task.

Health and Well Being

Life at the Bar can be exciting and rewarding but it can also be very challenging, even stressful. I am grateful to Peter Fox and Michelle Sharpe, and the Bar's Health and Well Being Committee, for their oversight of the well being support services and for continuing to explore ways to expand those services. In addition to the health services, the Committee has explored and implemented a number of recreational activities.

In September 2013, the Victorian Bar and LIV launched the Wellbeing and The Law Foundation (WATL) to support legal practitioners dealing with high levels of stress, anxiety and depression. It is an honour to join in this worthy project as a foundation director, with co-director LIV President Reynah Tang and Chairman the Honourable Bernie Teague AO and to reflect upon the personal stories of our WATL Ambassadors, recounted with great courage at our launch.

International Commercial Arbitration

In his presentation to the CPD conference, Rufus Black referred to an opportunity for the Bar to position itself as a leader in International Arbitration and to create a centre for excellence in arbitration work in Melbourne. His presentation coincided with work being undertaken by the Bar to establish Melbourne's own international arbitration and mediation centre. With the support and encouragement of the State Attorney-General, the Melbourne Arbitration and Mediation Centre housed in the William Cooper Justice Centre will be a joint initiative of the Bar, the LIV, the Supreme Court and the Department of Justice. I am pleased to confirm that this initiative is close to reality and the Centre is expected to be operational in early 2014.

An exploratory visit to China was made by a Bar delegation of Martin Scott SC, Caroline Kirton SC and Michael Whitten in May. Their insights have been included in a proposal by the International Arbitration Committee to develop targeted overseas links and create commercial opportunities for barristers in Australia and abroad.

Barristers RAP for Indigenous colleagues

On 29 January 2013, the Victorian Bar launched its Reconciliation Action Plan (RAP) the first Australian Bar to do so. The Victorian Bar has been at the forefront of Indigenous rights for decades. The RAP builds on our long standing commitment to creating and sustaining opportunities for Aboriginal and Torres Strait Islander Australians at the Victorian Bar. It is, in effect, a strategic plan summarising our current and intended actions, policies and programs. I thank Dan Star and the Indigenous Lawyers' Committee (ILC) for the enormous effort making the RAP a reality.

Student Engagement

The Student Engagement Committee set itself the task of portraying what life is like at the Bar to attract and inform students as potential recruits to the Bar. The Committee invited a cross section of barristers to talk on camera about their working lives and what a typical day looks like for them, highlighting their joys, challenges, issues and opportunities. The product was a collection of videos which are available on the Bar's website and on YouTube collectively titled 'Life at the Bar'. We congratulate Simon Pitt and the Student Engagement Committee for this initiative.

Access to Justice

The Bar and the LIV lobbied government throughout the year on issues related to resourcing of the justice system, including calling for a renegotiation of the national partnership agreement on legal aid funding and a national summit on legal aid to bring both state and federal decision makers together.

During the year, Victoria's chronically underfunded legal aid situation, already at crisis point, was strained further with Victoria Legal Aid (VLA) changing its eligibility guidelines to respond to a growing funding shortfall.

The impact of the changed guidelines was immediately felt by clients in criminal and family law and Children's Court matters. This led to two Supreme Court criminal matters being stayed by trial judges. One case was upheld on appeal affirming the need for counsel to appear, properly instructed in order to represent a defendant and ensure a fair trial. Following this, VLA provided interim funding and is currently recasting its guidelines.

Equally concerning was a change to eligibility guidelines to remove funding for representation in many family law cases and for maturity assessments and representation for children of less than 10 years of age in the Children's Court. The egregious impact on some of our most vulnerable children and the potential for injustice and delay is reflected in the many reports made by members to me and others through the year.

Another matter which surfaced during the year was the overcrowding of the Victorian prison system as the State government law and order policies have an impact. As jails and remand centres are already full, new arrivals would spend extended periods in police care in police cells or makeshift spaces at a time when they are most vulnerable.

My thanks go to all of those who have assisted during the year in putting the case for better planning and resourcing of the justice system and in particular David Neal SC who



ABOVE: Lachlan Armstrong, Kris Hanscombe SC, Nola Karapanagiotidis and Nick Wood were all deserving recipients of awards at the 4th Annual Pro Bono Awards held in May.

also serves on the Law Council of Australia Criminal Law and Access to Justice committees.

Equality and Diversity

Law Council's national attrition and re-engagement study

To address the significant gaps in diversity in more senior roles in the legal profession and the high rates of attrition of women from the profession, the LCA launched the *National Attrition and Re-engagement Study.* It is the first national survey of the profession of its type and will assist the profession to understand the causes of high attrition rates and will help the Bar and others in the profession better target support to advance the careers of women, provide support when returning to practice after a career break, and encourage more women to be in a position to apply for silk.

The Bar, like many other linear professions, tends towards a culture and structure that supports highly combative behaviour. Our challenge is to respond to these tendencies in a way that supports all of us in practice with clear paths for progression and opportunities to advance. Fifteen years after the launch of the landmark report Equalising Opportunities for Women at The Victorian Bar, the Bar remains committed to developing equality of opportunity.

Aboriginal incarceration rates and deaths in custody

A report released in May by the Australian Institute of Criminology noted that since 1991, when the Royal Commission into Aboriginal Deaths in Custody released its findings, aboriginal incarceration rates have grown from one in seven to one in four which represents a 268 per cent jump in two decades. Indigenous people now comprise 26.1 per cent of the prison population while accounting for only 2.5 per cent of the total Australian population. The position is even worse in juvenile detention. Since the Royal Commission report, 325 indigenous people have died in custody.

In Darwin, the LCA and ABA at a historic joint meeting drew attention to this problem calling for solutions including consideration of specific justice reforms and strategies to address the difficulties faced by Aboriginal and Torres Strait Islander peoples coming before the courts such as legal aid, funding for interpreter services, diversion programs and sentencing options.

The Future

Speaking at the ABA Conference in Rome in July 2013, Chief Justice the Honourable Robert French AC observed that the focus of much contemporary discussion about the globalization



ABOVE: Fiona McLeod SC farewells the retiring Chairman, Melanie Sloss SC thanking her for her personal contribution to the Bar.

of legal services seems to be on services provided by firms, rather than those provided by specialist advocates and advisers. Our own experience confirms that the challenges apply equally to the Bar.

In his presentation to the CPD conference, Rufus Black encouraged the Bar and members to reassert their expertise in advice work in complex matters; strengthen their relationships with corporate and government clients; be receptive to feedback and opportunities for coaching; and promote Victoria as a jurisdiction of choice for issuing civil litigation.

The Bar's 2013-17 strategic plan as well as targeting measures to hone and promote our core strengths of independent, highly principled and cost effective expert advocacy and strategic advice work includes actions that respond to specific observations for creating more opportunities for barristers.

Thank you

In making this report, I acknowledge that each successive Bar Council builds on the work of the Bar Council that precedes it and that the commitment of Bar Councillors over many years provides essential continuity.

I acknowledge the considerable personal contribution of my predecessor Melanie Sloss SC, who worked incredibly hard in her term and made a significant personal contribution to the Bar's achievements. Members of Bar Council who retired at the last election were Jack Fajgenbaum QC, Phillip Priest QC, Matthew Walsh, Kate Anderson, Kim Southey and Andrew Downie and Honorary Secretary Bree Knoester. I thank each of them for their hard work and contribution. Jack, Phillip, Matthew and Kate have served the Bar over many terms and in many roles. Bree Knoester was a particularly hard working Honorary Secretary who amongst other things made a wonderful contribution to regularising the Bar's renewal processes. Also, in this annual record of Bar Council activities, I am very pleased to congratulate, Phillip Priest QC, and former Bar Chairmen John Digby QC and Mark Derham QC who figure among the very fine appointments during the year and Melanie Sloss SC whose appointment falls in the new financial year.

On behalf of Bar Council and members I express my thanks to the Bar's Chief Executive Officer Stephen Hare and Managers Sally Bodman, Alison Rock, Jacinta Silva and Jacqueline Stone and to the staff of the Bar office. As well as supporting the day to day activities of the Bar and its members, this hard working team continues to find new ways to support members, associations, committees and Bar Council and provides support for many of the projects referred to in this report. I single out for personal thanks the Bar Council's Executive Assistant, Denise Bennett on whom I have relied through the year and Ross Nankivell for his unrelenting and good natured support of our court welcomes and farewells, and other functions.

Finally, I thank the members of the Bar Council for their warm counsel and camaraderie and Co-Vice-Chairmen, Jonathan Beach QC and William Alstergren SC for their support and friendship. I have greatly appreciated our time together. Last but not least, I thank Honorary Secretary, Rob Craig and Assistant Honorary Secretaries, Jane Treleaven and Paul Panayi for their support of this Bar Council and the work of the Bar.





BAR COUNCIL 2012-2013

Category A

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

Chair	Fiona M McLeod S.C.
Co-Vice Chair	E William Alstergren S.C.
Co-Vice Chair	Jonathan B R Beach QC
Member	O Paul Holdenson QC
Member	Timothy P Tobin S.C.
Member	Paul E Anastassiou S.C.
Member	David J O'Callaghan S.C.
Honorary Treasurer	James W S Peters S.C.
Member	Richard W McGarvie S.C.
Member	Michael F Wheelahan S.C.
Member	Edward W Woodward S.C.

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

Member	Adrian J Finanzio S.C.	
Member	Michael G R Gronow	
Member	P Justin Hannebery	
Assistant Honorary Treasurer	Paul X Connor	
Member	Kim J Knights	
Member	Daniel J Crennan	

Category C

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

Member	Benjamin J Murphy	
Member	Robert W O'Neill	
Member	John (Jack) R M Tracey	
Member	Christine Melis	

Honorary Secretaries

Honorary Secretary Assistant Honorary Secretaries

Jane E Treleaven (to Jan 2013) Paul Panayi (from Jan 2013)

Robert G Craig





BAR OFFICE STAFF

Chief Executive Officer

Chief Executive Officer	Stephen Hare	
Manager Assisting the CEO	Ross Nankivell	
Executive Assistant to the Bar Council	Denise Bennett	
Secretariat		
Manager, Secretariat Services	Jacinta Silva	
Administration Assistant – Mediation Centre/CPD scheduling	Fiona Faulkner	
Financial Controller	Leanne Hardy	
Administration Assistant – Accounts/Reception	Nicole Dawson	
Administration Assistant – Audio visual/CPD library	Jim Maguire	

Compliance and Member Services

Manager, Compliance and Member Services	Alison Rock			
Compliance Officer	Marisa Pretotto			
Administration Assistant - Membership	Daphne Ioannidis			
Education, Legal Policy and Government Relations				
Manager, Legal Strategy and Development	Jacqueline Stone			
Manager, Education Programs	Kathie Nickson			
Co-ordinator, Professional Development	Wendy Pollock			
Marketing and Communications				
Manager, Marketing	Sally Bodman			
Events and Communications Assistant	Courtney Bow			
Online Communications	Byron Moore			



PART IV

YEAR IN REVIEW

International Criminal Justice Dinner August 2012

Emmanuel Saffa Abdulai, Executive Director at the Society for Democratic Initiatives in Sierra Leone, was brought to Australia by the Bar and the Criminal Bar Association to speak on International Criminal Justice - Transition and Trauma in Post-Conflict Situations.





Appointment of Senior Counsel November 2012

The Honourable Marilyn Warren AC, Chief Justice of the Supreme Court of Victoria, announced the appointment of nineteen members of the Victorian Bar as Senior Counsel.

RAP Launch January 2013

On 11 October 2012, the Victorian Bar adopted a Reconciliation Action Plan (RAP) – the first Australian Bar to do so. The RAP was launched on 29 January 2013 with Welcome to Country by Wurundjeri Elder Aunty Georgina Nicholson, a speech by Gunditjmara Elder Jim Berg and dances of the Jindi Worobak Dance Troupe.



3rd Bar Legends' Dinner September 2012

Eighteen members of the Victorian Bar were inducted as 'Legends' of the Bar at a Legends dinner in the Essoign Club.

Announcement of ODCW Extension October 2012

The Victorian Bar Council and Barristers' Chambers Ltd announced that four new floors would be

added to Owen Dixon Chambers West. Construction commenced in July 2013, with the project expected to be complete in late 2014.



Upgrade of Education Facilities and Resources December 2012

The 1st floor training facilities were refurnished and upgraded with new audio visual/recording equipment. Online CPD facilities were concurrently upgraded.

Opening of the Legal Year January 2013

On 29 January 2013 the profession celebrated the opening of the legal year.





CPD Conference 'The 2020 Barrister' March 2013

The third annual CPD Conference featured a top line-up of speakers presenting on a range of topics highly relevant to the future of the Bar.







The Bar Dinner May 2013

The annual Bar Dinner held in the beautiful Melbourne landmark, the Myer Mural Hall, featured guest speakers the Honourable Justice Patrick Keane and Debbie Mortimer SC.



Signing of PILCH Pro Bono Agreement May 2013

The Victorian Bar and PILCH renewed the agreement for the management of the Victorian Bar Pro Bono Scheme.

4th Annual Victorian Bar Pro Bono Awards May 2013

At the 4th annual Pro Bono Awards, guest speaker the Hon. Justice Susan Crennan AC presented awards to nine



awards to nine members of the Bar for their pro bono contributions on matters pertaining to the protection of fundamental legal rights.

National Pro Bono Day Walk for Justice May 2013

Members of the Victorian Bar participated in the 6th National Walk for Justice in Melbourne to raise funds for pro bono clearing houses across the country.

Victorian Bar News December 2012 & June 2013

Two editions of Victorian Bar News, issues 152 and 153, were published in December 2012 and June 2013.



Social Media Launch August 2013



The Bar launched its new social media platform in August 2013 connecting members to a greatly enlarged audience.

Launch of the WATL Foundation September 2013

The Victorian Bar and Law Institute of Victoria launched the Wellbeing and The Law (WATL) Foundation to provide support to legal practitioners dealing with high levels of stress, anxiety and depression.



Emmanuel Saffa Abdulai addresses a dinner held by the Criminal Bar Association in August 2012. Mr Abdulai, a Human Rights lawyer and activist from Sierra Leone, spoke on International Criminal Justice - Transition and Trauma in Post-Conflict Situations.





BAR ASSOCIATIONS

Criminal Bar Association



Committee at 30 June: Remy van de Wiel QC (Chair), Michael P Cahill (Vice Chair), Simon A Moglia (Treasurer), Megan Tittensor (Secretary), Philip A Dunn QC, Ian D Hill QC (non-elected), Peter J Morrissey S.C., Michael J Croucher S.C., Christopher W Beale S.C. (non-elected), Lachlan C Carter (Consultative), P Justin Hannebery (Consultative), Carolene R Gwynn, Karen Argiropoulos (non-elected) and Michelle J Mykytowycz (Consultative)

The Committee thanks those members who retired during the year: Dr Gregory J Lyon S.C. (Retiring Chair), Tom F Danos (Retiring treasurer), George A Georgiou S.C., Antony D Trood, Patrick J Doyle, Aggy M Kapitaniak and Sarah J Keating

The Criminal Bar Association (CBA) each year contributes to the major criminal justice issues. The Chair consults with the Attorney-General and the heads of jurisdiction, while committee members consult variously with the DPP, Sentencing Advisory Council, Department of Justice, Corrections, Court of Appeal Reference Group, and court users groups and other jurisdictional meetings. The Chair has made several contributions to radio, television and newspaper pieces in current criminal justice issues.

The committee has had cause to focus significant attention on legal aid this year, following changes to Victoria Legal Aid (VLA) funding guidelines which cut funding from a large part of summary crime work. The adverse repercussions were widespread, impacting on members who practise in this area, the courts, who are now dealing with significantly more self-represented cases, and on those charged with offences, whose chance for a fair outcome is significantly jeopardised. We encourage members to report instances where they see unfairness occurring because of these changes.

The changes to VLA guidelines initially included a restriction on the funding of instructing solicitors in trials to two half days. The restriction was lifted, at least temporarily; following the Chaouk matter in which members Peter Morrissey S.C. and Shaun Ginsbourg appeared on behalf of our Association. Thanks to Tim Freeman for acting pro bono as solicitor in this matter.

A general meeting was held in April this year to update members about the state of play and to hear members concerns. Many thanks go to David Neal S.C. and Simon Moglia for their continuing hard work in relation to legal aid over many years.

As well as dealing with VLA, we continue to appeal to the Office of Public Prosecutions (OPP) to seek increases in fees for counsel. As experience shows, the work can take years.

Our CPD program continues to present some of the most interesting and cutting edge issues. Most recently we have undertaken a lunchtime series of seminars which have been well attended. We are always happy to receive suggestions on ways to improve the program. Many thanks to those at the Bar Office for the continued promotion and recording of our CPDs and to Courtney Bow for getting out our updates in a timely fashion.

We celebrate the appointments of members Justices Paul Coghlan and Phillip Priest to the Court of Appeal, Judges Christopher Ryan and Gavan Meredith to the County Court, Brendan Murphy QC as Principal Public Interest Monitor and Janine Gleeson as Deputy Public Interest Monitor. We mourn the passing of Maitland Lincoln.

Finally, our social events have also been well attended. Last year's dinner at Matteo's was again oversubscribed and enjoyed by all, and we had another enjoyable drinks night at Wheat in May.

Commercial Bar Association



Committee at 30 June: Philip D Crutchfield S.C. (President), Stewart M Anderson S.C. (Vice President), Caroline E Kirton S.C. (Convenor), Ian H Percy (Treasurer), Catherine M Pierce (Honorary Secretary), Albert A Monichino S.C., Daniel J Crennan, David C Turner, Kathleen E Foley and Elizabeth J Boros

The Committee thanks those members who retired during

the year: Melanie Sloss S.C. (Retiring Senior Vice-President), E William Alstergren S.C. and William E M Lye. Will Alstergren S.C. recently resigned in order to concentrate on his demanding role as Co-Vice Chair of the Bar Council. The Executive Committee gratefully acknowledges Will's contribution to CommBar during his time as a member of the Executive.

The Commercial Bar Association of Victoria (CommBar®) is comprised of fifteen separate specialist sections. Information regarding each section, including their office bearers is available on CommBar's website, *www.commbar.com.au*.

Trade Mark Registration

CommBar is an association of the Victorian Bar. In May 2013 the Bar successfully obtained registration of the trade marks "COMMBAR", the CommBar seal and its seal in conjunction with tagline *Strategic Advice – Effective Advocacy*. This makes CommBar, so far as we are aware, the only commercial bar association in the world to have achieved trade mark registration of its name and logo. We are grateful to James Samargis for guiding us through this process. We are now entitled to use the symbol [®] and will do so as appropriate.

Membership

CommBar has increased its membership to 559 members.

CPD seminars

CommBar hosts CPD seminars in conjunction with the Victorian Bar as part of the Bar's CPD Program and in the last twelve months with the University of Melbourne and Monash University. These included:

"New Appeals Process from Associate Judges and New Costs Rules" presented by Associate Justices Mukhtar and Wood of the Supreme Court of Victoria, and chaired by David Turner;

- "The Workings of the Commercial List of the County Court" presented by Judges Kennedy and Cosgrave and chaired by Ian Percy;
- "VCAT The Way Ahead", on reforms at VCAT, presented by the President of VCAT, Justice Garde, and chaired by Caroline Kirton S.C.; and
- "International Regulation of Foreign Bribery and Corruption: Current Trends", organised in conjunction with The Institute of Chartered Accountants in England and Wales, chaired by Claire Harris, and presented by Gerard Forlin QC of the English Bar.
- Together with the Federal Court of Australia and Monash University, CommBar co-hosted a seminar on 13 June 2013 at Monash Law Chambers to mark the 20th anniversary of the enactment of Part 5.3A of the Corporations Act.
- A series of such collaborative CPD seminars is being planned for the 2013 — 2014 year.
- Two seminars intended specifically for junior members of CommBar entitled "Advocacy in the Judicial Review and Appeals List" and "Preparing and Running a Commercial Trial — Tips for Junior Barristers" have been organised by Kathleen Foley and will be held on consecutive days in August 2013. Senior members of the Bar and members of the judiciary will participate in each seminar.
- CommBar nominated Roslyn Kaye and Christine Melis to the Law Council of Australia's Rising Stars workshop in October 2013.

Submissions on law reform

CommBar's constituent sections make submissions to Government on law reform.

In February, the Sports Law section presented a submission to the Senate on the proposed Australian Sports Anti-Doping Legislation. Tony Nolan S.C. personally appeared before the Commonwealth Senate to argue against the broad investigative powers sought to be enacted. If passed, the Bill apparently will now protect athletes' right to silence.

CommBar News

CommBar regularly publishes CommBar News, which includes topical information and case notes for members.

- CommBar acknowledges the efforts made by Cornelia Fourfouris-Mack to the editing and distribution of each issue of CommBar News.
- A newly formed Newsletter Sub-Committee, chaired by Elizabeth Boros, has been tasked with streamlining the process of receiving and publishing contributions to CommBar News.
- CommBar has also welcomed a contribution to the May 2013 newsletter from an author known only to readers by the pseudonym Publius.

Social events

- > On 13 March 2013, CommBar hosted a drinks function to mark the appointment of its immediate past President, the Honourable Justice Digby, as a Judge of the Supreme Court of Victoria and the appointment in 2012 of members of CommBar as Senior Counsel.
- > A dinner will be held on Thursday 12 September 2013 to honour the contribution of the Honourable David Habersberger who has recently retired from the Supreme Court. David was a long serving member of the commercial division of the court, a former Chairman of the Bar and a long time contributor to the Bar and administration of justice in this state.
- CommBar will host judges, commercial solicitors, corporate counsel and CommBar members at its annual social event to be held in the Federal Court of Australia in November 2013. This event is a mainstay of CommBar's social calendar and has always been very well attended.

Foreign delegations

- > On 26 April 2013, the Asian Law section, headed by William Lye, together with members of the Bar Council and the CommBar Executive, hosted a delegation from the Beijing Lawyers Association.
- From 12 to 19 May, a delegation from CommBar and the Victorian Bar comprising Martin Scott S.C., Caroline Kirton S.C., Michael Whitten and Colin King visited Guangzhou and Shenzhen in the PRC. The delegation was warmly received by the Lawyers Associations of Guangdong and Shenzhen, by CIETAC (the largest arbitral institution in the PRC) and by the Shenzhen International Arbitration Court. The visit was the first by an Australian legal professional body to any of these institutions.

Additional contributions to legal professional organisations

- CommBar donates funds to AustLii and the Victorian Supreme Court Library and also sponsors prizes for Law Students from time to time.
- > Many CommBar members provide valuable pro bono and otherwise unpaid services to a range of worthy causes. Many contribute through their membership of CommBar's specialist sections in providing CPD sessions, serving on committees and assisting with the Readers' Course. Some of our members have travelled overseas to provide advocacy training courses in the Pacific region as part of various aid programs.

Children's Court Bar Association



Committee at 30 June: Robert T Burns (President), Geoffrey R Martin (Honorary Treasurer), Melissa Stead (Secretary), Judy Benson and Vicki Marty

The Children's Court Bar Association is a group of dedicated and hard-working barristers practising in the Children's Court in both the Family and Criminal Divisions across Victoria and associated appellate and administrative review jurisdictions.

The past year has been tumultuous for the jurisdictions in which our members regularly appear.

Following the Protecting Vulnerable Children Inquiry headed by Justice Cummins, the state government adopted one recommendation only in part - the age at which a young person is assumed to be able to give instructions to a legal representative was raised from 7 years to 10 years. The Review had recommended that along with raising the age at which children were represented on their instructions, that all younger children have an independent children's lawyer appointed to represent their interests. This part of the recommendation was not adopted. The net effect has been to reduce dramatically the voices of children, the most vulnerable members of our community, in legal proceedings that are about them, and their lives. At the same time, VLA made sweeping changes to eligibility guidelines which have significantly changed the ability of children and families to participate in child protection proceedings. The Children's Court Bar Association has been, and continues to work on producing information for the public, media, legislature, and VLA about the negative impact these changes are having upon some of the most vulnerable people who have to engage with our legal and administrative systems.

The year has also been one of change for the Children's Court with the departure of Judge Grant and the appointment of Judge Couzens as the outgoing and incoming President.

Common Law Bar Association



Committee at 30 June: Ross H Gillies QC (Chairman), Mary Anne Hartley S.C. (Treasurer), David J Martin (Secretary), Richard J Stanley QC, Tim P Tobin S.C., Fiona M McLeod S.C., Michael F Wheelahan S.C., Andrew J Keogh S.C., Andrew D Clements S.C., Simon K McGregor, Róisín N Annesley, Jacinta M Forbes, David J N Purcell, Patrick Over, Michelle Britbart, Gavin K Coldwell, Bree Y Knoester, Stephen J A Jurica and Stella Gold

During the year, the Common Law Bar Association has been involved in a number of activities which include:

- Liaising with Justices Kaye, Forrest and Beach of the Supreme Court concerning the conduct, listing and hearing of common law matters in the Supreme Court. The litigation of common law matters in the Supreme Court continues to be actively encouraged by the Court.
- Liaising with Judges Misso, Saccardo, O'Neill and other Judges of the County Court concerning the conduct, listing and hearing of common law actions in the County Court, especially the conduct of serious injury applications. Strenuous efforts are being made to maintain the current system for allocation of hearing dates despite the significant increase in the number of serious injury applications issued over the past 12 months.
- Provision of speakers and topics on a range of issues as part of the Bar's ongoing CPD Program.
- Providing case summaries of recent Court decisions to its members.
- Continued liaison with the Australian Lawyers Alliance concerning personal injury matters of mutual interest.
- > Fostering the relationship with the Transport Accident Commission and the Victorian WorkCover Authority concerning a variety of matters pertaining to the conduct and hearing of common law matters arising as a result of transport accidents and industrial accidents.
- > Launching the Common Law Bar Association website in September 2012.
- > Hosting a very successful dinner following the Annual Meeting in December 2012.
- Preparing to participate in, and make submissions to, the Inquiry by the Victorian Competition and Efficiency Commission into aspects of the Wrongs Act 1958.

The number of members of the Common Law Bar Association continues to increase. Currently, there are 263 members of the Victorian Bar who are members of the Common Law Bar Association.

Compensation Bar Association



Committee at 30 June: Clyde A Miles (Chairman), Robert W Dyer (Treasurer), Anthea E L MacTiernan (Secretary), Michael J Richards, Timothy J Ryan, Bruce R McKenzie, Nicholas J Dunstan, Campbell E Hangay and Ian D McDonald

The Committee thanks those members who retired during the year: Denis R Gibson and Maria Pilipasidis

The Association's AGM, held at Illia on 22 November 2012, was well attended and included members of the judiciary. Membership numbers are robust and the Committee decided to dispense with charging readers a membership fee.

The WorkCover Users Group made representations to the Magistrates' Court on issues including Scale review for Medical Panel referrals, listings in the Magistrates' Court and the availability of Magistrates to hear WorkCover matters. The group was advised that there was a 4.3 per cent increase in year on year Complaints issued in the Magistrates' Court on WorkCover matters between September 2012 and September 2011.

The Association hosted fewer CPD lectures than it had planned during the year. The Committee thanks Michael Fleming S.C. for his very well attended lecture on Anshun Estoppel and statutory compensation cases which was followed by refreshments in the Essoign Club.

Rob Dyer represented the Association at the WorkCover Focus Group held on 31 January 2013. The meeting was attended by representatives of panel firms, plaintiff firms, WorkSafe, the Common Law Bar Association and consultant firms.

Family Law Bar Association



Committee at 30 June: Ian F Mawson S.C. (Chair), Rohan N Hoult (Deputy Chair), Michael J Wood (Treasurer), Darren A Mort (Secretary), Michael L Pavone, Emma M Swart and Patricia A Byrnes

The Committee continues to meet on a regular basis to review matters of interest to the Family Law Bar. In conjunction with the Bar and the Law Institute we have lobbied the State and Federal Attorneys-General for additional funding for Legal Aid with particular emphasis on Family Law and related proceedings. This is an ongoing issue and we await the implementation of various commitments to increased funding.

We have maintained an open exchange with both the Family Court and the Federal Circuit Court about case management and the improvement of protocol between the two courts. The committee enjoys a very good relationship with the Judges of the two courts and there is an ongoing process of consultation relating to any proposed changes in listings or other administrative changes.

The Association, jointly with the Bar, organized a farewell for retiring Judges, Peter Young and Linda Dessau. It was a very enjoyable evening at the Essoign; highly appropriate as both are returning to the Bar primarily to do mediations.

Two of our members have been appointed to the bench; Sharon Johns to the Family Court and Joanne Stewart to the Federal Circuit Court. We are delighted to have such appointments from the "talent" within the Family Law Bar.

The welcomes reinforced the excellent work being done by Minal Vohra as our representative on the Law Council; Minal spoke on behalf of the Council.

Whilst our website is "up and running" it is not functioning at anything like its full potential and we have plans to make it more actively useful to members in the coming year.

Our CPD program continues and we have recently conducted some joint sessions with the Family Law section of the Law Institute; further joint sessions are planned.

Industrial Bar Association



Committee at 30 June: Eugene P White (President), Justin L Bourke S.C. (Senior Vice President), Craig W Dowling (Vice President), Rohan A Millar (Treasurer), Tim Jacobs (Secretary), Herman Borenstein S.C., Frank Parry S.C., Gerard C P McKeown, Cassie J Serpell and Richard P P Dalton

The Committee thanks those members who retired during the year: Warren L Friend S.C., Melinda J Richards, Steven J Moore, Nicholas A T Harrington and Catherine L Symons

During the past year the IBA presented the following seminars as part of the Victorian Bar's CPD program:

3 December 2012	Sham Contracts — Speakers: Marc Felman and Cathy Dowsett
12 September 2012	Developments in Unfair Dismissal Iaw — Speaker: Tim Donaghey
28 August 2012	Pleadings in Employment Law — Speaker: Tim Donaghey
22 March 2012	Adverse Action claims — Speaker: Tim Jacobs

In November 2012 the IBA held its annual dinner at which the Honourable Brian Lacy was the Association's guest of honour. Mr Lacy's speech covered his years at the Bar prior to his appointment to the Industrial Relations Commission, his time on the Commission as well as his experiences as Administrator of Christmas Island. An enjoyable evening was had by all.

Two members of the Association participate in a users' group established by the President of the Fair Work Commission as representatives of the ABA.

The IBA continues to grow since its establishment in June 2004 and currently has in excess of 70 members of Counsel.

Tax Bar Association



Committee at 30 June: Simon H Steward S.C. (President), Jennifer J Batrouney S.C. (Vice President), Peter G Sest S.C. (Treasurer), Ria Sotiropoulos (Secretary), John W de Wijn QC, Gregory J Davies QC, Michael T Flynn, Simon A Tisher (Joint CPD Convenor), F John Morgan (Joint CPD Convenor), Tim M Grace, Meredith A Schilling (Joint CPD Convenor), Daniel J McInerney, Emma N Mealy and Angela Lee

The Committee thanks those members who retired during the year: Helen M Symon S.C. and Terry P Murphy S.C.

The Tax Bar Association (TBA) has over 90 members. On 2 April 2013, the members adopted the TBA's Statement of Objects and Rules. Its objects include the promotion and further development of interests of barristers wishing to practise in revenue law, and liaising with courts, government departments and other associations to promote the efficient administration and conduct of litigation of revenue law.

During the 2013 financial year, the Association continued to provide a number of CPD seminars on a wide range of topics dealing with the conduct of tax litigation in different jurisdictions, tax technical issues and tax practice issues which were presented by exceptional speakers such as current and former judges, representatives of the Australian Taxation Office, and leading tax counsel and practitioners.

The Association also provided a forum for tax barristers via a monthly "Tax Discussion Group" lunch, chaired by John Morgan.

The Association held a number of social events to foster relationships between its members and the broader tax community. The notable events were the annual end of year dinner with Mr David Bloom QC, Australia's most senior tax silk as the speaker, and a dinner and lecture presented by the Honourable Justice Kerr Chev LH of the Federal Court of Australia and the President of the Administrative Appeals Tribunal.

The Association released its regular electronic newsletter through the year, to inform its members, and other subscribers ranging from legal and accounting firms, the Australian Taxation Office, and universities about the latest tax developments. The Association also provides its members access to various valuable and up-to-date tax resources via its website. The website includes papers presented by barristers and other tax professionals, an easy search tool for a tax barrister, links to research material, and advertises forthcoming seminars and social events.



ABOVE: Convenors of the Women's Barristers Association over the past 20 years gathered at the association's 20th anniversary celebration. **Left to right:** Kim Knights, Diana Price, Simone Jacobson, Fiona McLeod SC, Judge Rachelle Lewitan, Joye Elleray, Fran O'Brien SC, Caroline Kirton SC, Helen Symon SC, Suzanne Kirton, Judge Susan Cohen, Judge Frances Millane, Justice Pamela Tate and Samantha Marks SC. **Absent:** Judge Felicity Hampel and Jeanette Richards.

Women Barristers' Association

Committee at 30 June: Diana Price (Convenor), Emma Peppler (Assistant Convenor), Megan S Fitzgerald (Assistant Convenor), Joye S Elleray (Treasurer), Deborah E Foy (Secretary), Tiphanie J Acreman (Membership Secretary), Kim J Knights, Suzanne A Kirton, Emma N Mealy, Louise J Martin and Jane C Sharp

The Committee thanks those members who retired during the year: Jennifer J Batrouney S.C., Sylvia Maramis, Anne M Sheehan, Anna L Robertson, Louise M R Hicks and Victoria A Campbell

This year, WBA celebrated a significant milestone — its 20th anniversary. A gala event was held on 5 June 2013. Judges, magistrates, barristers and politicians alike filled the Essoign with laughter and good conversation. The Hon. Chief Justice Marilyn Warren's opening remarks were engaging and thought-provoking. Comedian Nelly Thomas had the room in stitches with her intelligent humour. Then Prime Minister Julia Gillard was not able to attend, but sent a rousing message to our members.

On 11 December 2012 former WBA convenors Fiona McLeod S.C., Chair of the Victorian Bar Council, Jennifer Batrouney S.C. and Caroline Kirton S.C. welcomed the September 2012 Readers' Course to the Bar. This event also welcomed women recently appointed as senior counsel and judicial officers.

In February 2013 Judge Felicity Hampel launched WBA's exciting new Chatham House Chatters event series. This series is the creation of WBA assistant convenors Emma Peppler and

Megan Fitzgerald. The series aims to provide regular informal opportunities to women barristers to converse about life at the Bar, and in particular discuss those topics that affect women.

The second Chatham House Chatters event was a casual café breakfast in March. The third instalment was a very popular in-chambers event hosted by Samantha Marks S.C.. The topic for discussion was 'The Practicalities of Practice'. Next was a hot-topic discussion about 'Dealing with Difficult People' in May. Justice Stephen Kaye, Robert Dyer and Kaye McNaught led a discussion in dealing with difficult judges, opponents, silks and clients.

Through the year WBA co-hosted and attended many other events targeted at female practitioners, including:

- > WBA and Victorian Women Lawyers (VWL) held a continuing professional development and networking event at Deakin University in July 2012.
- Representatives of WBA attended the Australian
 Women Lawyers conference in Canberra in August 2012.
- > WBA attended a networking event with VWL at the Federal Court in September 2012.
- In October 2012 WBA hosted an information night for solicitors and students considering coming to the Bar.
- > WBA representatives attended the Dame Roma Mitchell Lunch in March 2013.
- > WBA partnered with Baker & McKenzie to launch International Women's Day for commercial law barristers and solicitors in April 2013.
- > WBA continues its standing partnership with VWL to support their mentoring program for female law students.

The Jindi Worobak Dance Troupe perform an interpretation of the Creation of Wurundjeri at the launch of the Victorian Bar's Reconciliation Action Plan in January 2013.



STANDING COMMITTEES

Human Rights and Equality Indigenous Lawyers' Committee

Committee at 30 June: Dan I Star (Chair), Jane A Dixon S.C., George A Georgiou S.C., Tom Keely, Michael W Wise, Campbell F Thomson, Richard B C Wilson, Kim J Knights, Peter G Willis, John R V Kelly, Linda A Lovett, Stephen M Rebikoff, Elizabeth A Bennett, Justin A Willee, Robin A Robinson, Jacqualyn L Turfrey, Kylie Evans and Abigail I Burchill

The Committee thanks those members who retired during the year: Gavan F Meredith, Scott R Johns, Jane E Treleaven (Retiring Deputy Chair), John E Goetz, Munya (Maria) Andrews and Phoebe C Knowles

The Committee also thanks the following consultants: Justice Peter R A Gray (Federal Court), Justice Michelle M Gordon (Federal Court), Justice Stephen W Kaye (Supreme Court), Justice Emilios J Kyrou (Supreme Court), Judge Timothy J Ginnane (County Court), Judge David A Parsons (County Court) and Mr Patrick R C Southey (Magistrates' Court)

2012-2013 was one of great significance for the Indigenous Lawyers' Committee (ILC). On 11 October 2012, the Bar Council adopted the Reconciliation Action Plan (RAP) proposed by the ILC for the entirety of the Victorian Bar. By doing so the Victorian Bar became the first Australian Bar to adopt a RAP. The RAP was formally launched on 29 January 2013 at a function held in the foyer of Owen Dixon Chambers West. Highlights of that evening included a Welcome to Country by Wurundjeri Elder, Aunty Georgina Nicholson, the speech of Jim Berg, Gunditjmara Elder, to launch the RAP and the dances of the Jindi Worobak Dance Troupe.

As the introduction to the RAP states:

"... Not only does the RAP capture existing activities of the Victorian Bar, it provides a framework for us to improve and expand those activities. ... The RAP is another means for members of the Victorian Bar to work towards overcoming the difficulties and inequalities that Indigenous people face or encounter in their dealings with the legal system in Victoria and across Australia generally."

Under the systematic framework of the RAP, the ILC has continued to oversee and implement many programs with Indigenous law graduates and law students to redress the unequal participation of Indigenous people in the legal profession. These include:

- > a mentoring program establishing close ties between Indigenous law students and graduates with barristers and Judges;
- > paid summer clerkships for Indigenous law students;
- promoting the Indigenous Equal Opportunity Briefing Policy in conjunction with the Law Institute of Victoria;
- a professional development fund for training and education opportunities for Indigenous barristers;



ABOVE: Gunditimara Elder Jim Berg addresses a large crowd of Victorian Bar members and members and supporters of the Indigenous legal community at the launch of the Victorian Bar's Reconciliation Action Plan.

- a necessitous circumstances fund for Indigenous barristers in urgent financial need; and
- > a fee waiver for Indigenous barristers accepted into the Bar Readers' course.

It is noteworthy that the Victorian Bar continues to have the highest number of Indigenous barristers currently practising at any Bar in Australia. The challenge is still to attract Indigenous lawyers to the Bar and retain the existing Indigenous barristers in sustainable, enjoyable and successful careers.

Thanks must go to the Bar Council's representatives on the RAP Working Group, Richard McGarvie S.C. and Kim Knights.

Finally, the ILC relies heavily upon the Bar Office to fulfil secretariat functions for the many programs in the RAP. The ILC sincerely thanks the staff of the Bar Office and, in particular, Stephen Hare and Jacinta Silva.

Equality and Diversity Committee

Committee at 30 June: Caroline E Kirton S.C. (Chair), Kim J Knights (Deputy Chair), Peter J Hanks QC, Andrew P Phillips, Anne M Sheehan, Anna L Robertson, Jenny M Firkin, Miguel A Belmar Salas, Jarrod D Williams, Tyson Wodak, Amy Brennan, Christine Melis, Alison M Umbers, Pardeep S Tiwana, Anna E Forsyth and Therese McCarthy **The Committee thanks those members who retired during the year:** Debbie S Mortimer S.C., Scott W Stuckey, Patricia R Riddell, Emrys M Nekvapil and Jessica Sun

The Committee also thanks the following consultants:

Justice Richard R S Tracey RFD (Federal Court), Justice Linda M Dessau AM (Family Court), Justice Tony Pagone (Supreme Court) and Judge Frances Millane (County Court)

The Committee continued to work on devising and implementing strategies that respond to the Law Council of Australia's 2009 Court Appearance Survey and the Strategy for Advancing Appearances by Female Advocates in Australian Courts. The objective of the strategies developed by the Law Council is to reduce attrition rates and to enhance career prospects for female barristers.

In undertaking this work:

- The Committee has implemented a lunchtime CPD seminar series, with a focus on issues relevant especially to female barristers. On 30 May 2013 Bev Brough, Director of Master Networking, presented a seminar on *Strategic Networking Skills for Barristers*. This CPD will be followed on 13 November 2013 by Helen Conway, Director of the Equal Opportunity for Women in the Workplace Agency.
- > The Chair has corresponded with the State Attorney-General in relation to the State Government discontinuing

- > The Chair and Deputy Chair met with the Chief Justice of the Supreme Court of Victoria.
- > The Committee is developing a pilot women barristers mentoring scheme.
- The Committee is monitoring the effect of the revised Senior Counsel selection process, which was introduced in 2012.

Members of the Committee engaged with the President and other staff at the Law Institute through the year, in relation to issues of diversity and equality within the legal profession. On 22 March 2013 the Chair attended the Law Institute's Diversity Roundtable. During the day long workshop Lucy Scott-Moncrieff, President of the Law Society of England and Wales, attended and spoke about the implementation of diversity programs in those countries.

The Committee has also engaged with the Law Council's Equalising Opportunities in the Law Committee through the year. An important part of this work has been participating in and promoting the Law Council's *National Attrition and Re-Engagement Study*. The results of this study are due to be released later this year.

Human Rights Committee

Committee at 30 June: Herman Borenstein S.C. (Chair), Peter J Hanks QC (Deputy Chair), Eliza S Holt (Secretary), Ron K J Meldrum QC, Glenn C McGowan S.C., Nicholas T Robinson S.C., Murray V McInnis, Peter J Billings, Dr Ian F Turnbull, Richard B C Wilson, Peter G Willis, Adam C McLean, Sharon A Burchell, Travis P Mitchell, Douglas W Laidlaw CSC, Lisa M Nichols, Michael D Stanton, Rebecca M Nelson and Louise J Martin

The Committee thanks those members who retired during the year: Remy van de Wiel QC, Debbie S Mortimer S.C. (Retiring Chair), Sturt A Glacken S.C., Dr Stephen P Donaghue S.C., Dr Damien J Cremean, Mark S Goldblatt, Roz M Germov, Kristen L Walker and Elizabeth A Bennett

On behalf of the Bar Council the Committee has drafted an important submission to the Commonwealth Senate Standing Committee on Legal and Constitutional Affairs on the *Human Rights and Anti Discrimination Bill 2012*.

Members of the Committee have been involved in the Review of the *Charter of Human Rights and Responsibilities* by the Victorian Scrutiny of Acts and Regulation Committee. Others have contributed to the Constitutional Recognition of Indigenous Australians.

The Committee has been working with the Equality and Diversity Committee in relation to sex discrimination in the law, and a working group was formed to focus upon the development of a survey to be conducted on this issue.

Climate Change And Environmental Law Panel

Committee at 30 June: Tom Pikusa (Chair), Emma Peppler (Secretary), Sara L Hinchey (Treasurer) and Rudi D Cohrssen

The Committee thanks those members who retired during the year: Fiona M McLeod S.C. (Retiring Chair) and Jane E Treleaven (Retiring Deputy Chair)

The Climate Change and Environmental Law Panel (CCELP) is comprised of members of the Bar who are willing to appear in, and advise on, public interest matters of climate change and environmental law. The objects of CCELP are:

- > to promote the understanding of climate change and environmental law;
- > to represent and advise litigants in matters of public interest, both domestically and internationally, arising out of a concern for the environment and the impact of climate change on a pro bono or reduced fee basis, instructed under the auspices of PILCH or directly by different law firms or environmental interest organisations;
- > to contribute to the development of effective legislation governing impacts to the environment;
- > to encourage the participation of other legal professionals and law students in the panel's programs and cases; and
- > to develop "green" initiatives for the Victorian Bar.
- Guidelines establish when referral organisations will contact members of the CCELP to determine whether members can assist in a particular matter, and referrals are ongoing.

The CCELP was involved in the following activities during the 2012/13 year:

- it supported the proposal for an International Court of the Environment;
- > its members acted as moot judges for Latrobe University's "Environmental Law Moot" in September; and
- > the CCELP joined the Centre for Asia Pacific Pro Bono, as a referral organisation in relation to environmental matters.
- > Thank you to all members for their support and to the Committee members for their continuing contribution.

Promoting Access to Justice

Pro Bono Committee

Committee at 30 June: Jane A Dixon S.C. (Chair), Tom F Danos (Deputy Chair), Andrew Panna S.C., Samuel R Horgan S.C., Richard M Niall S.C., W Guy Gilbert, Joseph Tsalanidis, Anthony P Rodbard-Bean, Garrie J Moloney, Andrew J Laird, Maya Rozner, Richard B C Wilson, Cahal G Fairfield, Pat Zappia, Daniel C Harrison, Jarrod D Williams, Sharon A Burchell, Ben Ihle, Michael I Borsky, Jonathan Gottschall, Rupert J C Watters, Fiona McLeay (PILCH) and Tina Turner (PILCH)



ABOVE: The signing of the Victorian Bar PILCH Pro Bono agreement took place in the Supreme Court Library in May 2013. **Back left to front right:** Stephen Hare, Jane Dixon S.C., Tina Turner, Tom Danos, Fiona McLeay, Fiona McLeod S.C.

The Committee thanks those members who retired during the year: Tony A Nolan S.C., Arushan Pillay, Esther M James, Paul P Kounnas, Darren A Ferrari and Sam J H Ure

The Victorian Bar Pro Bono Committee (the Committee) is the main reference point for all pro bono activities of the Victorian Bar.

The Committee oversees the operation of the Victorian Bar Pro Bono Scheme (VPBPS), which is administered by the Public Interest Law Clearing House (PILCH). In 2012-13, PILCH received \$411,408 from the Bar to administer and manage the VBPBS. This amount was funded by the Legal Services Board.

VBPBS operates within PILCH's Referral Service. The Referral Service received 1760 requests for pro bono assistance and made 280 referrals to barristers. This represents 65% of all referrals made by the Referral Service. An evaluation of the referrals shows the top areas of law were immigration, criminal law, property law, and debt.

The Committee acknowledges and is grateful for the increasing commitment of barristers providing assistance to people experiencing disadvantage. In 2012-13 there were 964 barristers registered with VBPBS. With 1945 barristers at the Bar for this year this represents 50% of the Bar.

This year, in collaboration with the Victorian Bar and the Asylum Seeker Resource Centre, VBPBS developed three

seminars in refugee law. Members of the Bar presented the seminars and they were well attended.

The Committee hosted its Annual Victorian Bar Pro Bono Awards on 14 May 2013. The awards went to barristers who had worked on matters for native title, asylum seekers and the landmark High Court case advocating fairer wages for people with disabilities. The recipients of the 2013 Pro Bono Awards, presented by The Hon. Justice Susan Crennan AC, were:

- 1. Victorian Bar Pro Bono Trophy:
- 2. Daniel Pollack Readers Award:
- 3. Ron Castan AM QC Award:
- 4. Susan Crennan AC QC Award:
- 5. Ron Markel QC Award:
- 6. Public Interest/Justice Innovation Award:
- Paul Bingham Leana Papaelia Nick Wood Nola Karapanagiotidis John Desmond Richard Edney Herman Borenstein S.C. Kris Hanscombe S.C. Lachlan Armstrong

The Committee meets quarterly and has numerous subcommittees that report to it. They are:

- > the Victorian Bar Pro Bono Awards sub-committee, which arranges the Awards night;
- > Court requests and Orders for pro bono assistance subcommittee, which liaises with stakeholders and considers issues arising from these requests and formal Orders;

- Conditional costs agreements sub-committee, which reports on the issue of costs in pro bono matters;
- Capturing and recording pro bono sub-committee, which considers the best options for tracking pro bono contributions; and
- > Pro bono requests sub-committee, who PILCH can call upon to discuss whether requests for barristers are appropriate for pro bono assistance.

Case Highlights

'Pro Bono Barristers help tenants avoid eviction'

Seven residents of Caledonian Caravan Park in Ballan had been given an eviction notice by the Department of Sustainability and Environment (DSE). The clients had multiple levels of disadvantage including ill health, disabilities or old age and had been living at the caravan park for between two and 11 years. They were given six months to vacate.

Two barristers accepted a referral from PILCH to provide advice and assistance to Clayton Utz in an attempt to obtain a declaration to have the eviction set aside at VCAT. Also sought was an extension of time on the Notice to Vacate on the basis of disadvantage and an injunction in the Supreme Court to prevent the Minister from taking possession of the park. It was argued that there was a denial of procedural fairness as well as infringement of the clients' rights to privacy and family under the *Charter of Human Rights and Responsibilities Act*.

The matter settled with DSE agreeing to withdraw both proceedings. The DSE has agreed to have a meeting with the local council, the residents and Clayton Utz in order to determine the long term future of the residents. This was a vital result for the vulnerable residents of Caledonian Caravan Park, who, if evicted, would have faced difficulty finding new accommodation.

'Employee receives just benefits with Counsel's assistance'

When X moved to Australia from India in 2008 he did not know anyone except for his brother-in-law who offered him lodging and employment at his kebab store. X worked on a casual basis around 70 hours per week, but was only being paid for 20 hours of work per week on the understanding that he would be paid when his employer was able to do so. X claims that he was repeatedly abused and beaten by his brother in law, until ultimately he moved out in 2009 losing his job in the process.

X was only provided with a group certificate for the 20 hours per week that he was paid — a difference of \$40,600. His application to the Court for relief was returned with instructions to obtain legal assistance.

Despite raising claims with the Fair Work Ombudsman (FWO), no action was taken against X's employer. X sought pro bono legal assistance and in 2010, a barrister helped X to draft a statement of claim and to again approach the FWO. With Counsel's help X was able to convince the FWO to take legal action against X's employer in the Federal Magistrates' Court.

Ultimately, X's employer was fined \$135,000 and was forced to pay X \$50,000 in unpaid wages. Given X's vulnerable financial situation, the return of the unpaid wages was of great importance. If not for Counsel's assistance, it is unlikely that the FWO could have been engaged on the client's behalf.

'Counsel's advice ensures access to justice for vulnerable youth'

Youthlinks, a provider of legal advice to young people, sought assistance from Counsel to challenge a rejection of a request for a client's enforcement orders to be revoked on the grounds of special circumstances. Counsel's assistance clarified the reasons for rejection and initiated a review process which ended favourably with the grant of the requested revocation.

Many of Youthlink's clients — who apply for revocation of enforcement orders on special circumstances grounds — are highly vulnerable and disadvantaged persons who acquire their infringements as a result of genuine special circumstances but who may simply be unable to provide supporting material that is considered acceptable to the Infringements Court.

It is vital to Youthlink's client base that they be informed of and afforded all avenues available to them under the Act in order to minimise the adverse impact that these fines have on their lives.

'Single mum avoids prison for unpaid fines'

Sarah^{*} is a 40 year old single mother with two young children. She has struggled with drug and alcohol dependence since her early 20s and things were made harder by the death of her sister and a violent relationship. Sarah has also been diagnosed with anxiety and depression and has experienced homelessness with her children.

Sarah had received a number of infringements for driving offences which, when she was unable to pay, progressed to warrant stage and led to Sarah's arrest. The Magistrates' Court fined Sarah and made an 'imprisonment in lieu' order. When Sarah sought pro bono assistance in 2012, she had defaulted on her repayment and there was an active warrant to imprison her for seven days.

Sarah's lawyer prepared a detailed affidavit setting out her circumstances.

With the assistance of counsel, her lawyer successfully applied to have the warrant to imprison cancelled. The Magistrates' Court cancelled the warrant and discharged Sarah's fines.

*Name has been changed

Victorian Bar Pro Bono Scheme statistics 2013

TOTAL INQUIRIES 1760 TOTAL REFERRALS 280 AREA OF LAW INQUIRIES REFERRALS Building & Construction 16 2 Commercial 58 2 Consumer complaints 53 10 Constitutional Law 3 0 Consumer complaints 53 10 Contract law 46 9 Cornial Inquest 17 4 Cost Dispute 30 5 Credit/Debt 100 19 Criminal 200 34 Employment/Industrial 97 9 Environment 9 1 Equilty/Discrimination 52 4 Equilty/Discrimination 52 4 Equilty/Discrimination 20 3 Health (including Mental Health) 36 0 Identity documentation 9 1 Infringements 13 1 Insurance 13 2 Probat	BARRISTERS PARTICIPATING	964	
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Duty Barristers' Scheme Committee

Committee at 30 June: Nicholas Papas S.C. (Chair), Frances I O'Brien S.C. (Deputy Chair), Andrew P Phillips, Maya Rozner, Simon A Moglia, Amanda R Wynne, Andy Naidu, Natalie T Sheridan-Smith, Katrina J Gillies, David W Podger, Keir J Dernelley and Romesh Kumar

The Committee thanks those members who retired during the year: Ross G Maxted, Leslie Glick S.C., Georgina L Schoff S.C., E William Alstergren S.C., Elefteria (Teri) Konstantinou and Roderick Tan

The Duty Barristers' Scheme continues to provide a service to the Magistrates' Court at Melbourne and Dandenong. Each year new Bar Readers are invited to volunteer their time in the Magistrates' Court. They join with more experienced members of the Bar in providing duty barrister assistance in the Supreme Court and County Court.

During this financial year, the Scheme provided assistance to over 300 litigants in person, totalling over 1700 hours of assistance valued at approximately \$420,000. There was some work done in developing a protocol with the County Court Commercial List in an effort to improve the support that is available to the Court. There is some likelihood of the need for duty barrister assistance to increase over the next year as the courts cope with reductions in Legal Aid together with the continuing strains on the system with the numbers of unrepresented litigants.

During the year the Scheme's founding administrative assistant Peta Hansen left to follow other opportunities and the Committee wishes to record its gratitude for her excellent support over her time with the scheme.

The Committee thanks all those who have been prepared to volunteer and looks forward to providing continuing assistance to the courts in the following year.

Education

Continuing Professional Development Committee

Committee at 30 June: Michael R Pearce S.C. (Chair), Frank Parry S.C. (Deputy Chair), Michael P Cahill, Garrie J Moloney, Robyn L Wheeler, Sarah J Porritt, Dr Vicky M Priskich, Oren Bigos, Sarah J Keating, Sam Rosewarne, Natalie T Sheridan-Smith, Martin P Guthrie and Jim Mellas

The Committee thanks those members who retired during the year: Samantha L Marks S.C., Dr Stephen P Donaghue S.C., Scott S Wotherspoon, Gavan F Meredith, Greg J Ahern and Dr Michelle R Sharpe

The Bar's Continuing Professional Development Committee arranged the third annual Victorian Bar Conference this year.



SEPTEMBER 2012 READERS: Back Row: Marcel White, James Hooper, David Oldfield, Markorius Habib, Sam Andrianakis, Alexander Patton, Kimberley Moran, Sarah Varney, Ian Munt, Thomas Smyth **Centre Row:** Penelope Harris, Bradley Barr, Sasha Dyrenfurth, Andrew DiPasquale, Jennifer Collins, Erin Hill, Richard Stokes-Hore, Grace Morgan, Richard Scheelings, Carolyn Symons, Wendy Pollock, Kathie Nickson Seated Row: Eleanor Coates, Leana Papaelia, Fatimah Taeburi, Solomon Kalu, Andrea Mapp, Nawaar Hassan, Caryn van Proctor Front Row: Adrian Bates, Kevin Jones, Sergio Freire, Andrew Imrie, Samuel Tovey, Matthew Cookson, Sarala Fitzgerald

The conference titled 'The 2020 Barrister' comprised valuable insights directed to a future vision for the Bar and the courts. The Victorian Attorney-General, the Hon Robert Clark MP delivered a keynote address as did the Hon Mark Dreyfus QC MP, Attorney-General of Australia. Other speakers included Judges and Academics from within Victoria and more broadly.

The structure of the CPD program has been reviewed and enhanced to provide seminars of high standards to members

in all of the categories: Ethics and Professional responsibility; Professional Skills; Substantive law; Practice Management and Business Skills.

Barristers appear to continue to apply the Continuing Professional Development Rules effectively in relation to their ongoing CPD obligations.

RIGHT: The Honourable Robert Clark MP speaks to barristers of the Victorian Bar at the annual conference.

Readers' Course Committee

Committee at 30 June: David J O'Callaghan S.C. (Chair), Adrian J Finanzio S.C. (Deputy Chair), The Hon. Raymond A Finkelstein QC, Michael G O'Connell S.C., Ted W Woodward S.C., Samantha L Marks S.C., Caroline E Kirton S.C., Dr Suzanne B McNicol S.C., Philip D Corbett S.C., Carolyn H Sparke S.C., Elizabeth M Brimer, Lisa G De Ferrari, Jason M Harkess, Andrew Woods, Kristen L Walker, Paul Panayi, Dr Vicky M Priskich, Michael I Borsky, Gideon Boas,Leana Papaelia and Robert G Craig

Judicial members: The Hon. Justice Julie A Dodds-Streeton (Federal Court), The Hon. Justice Kathryn F McMillan (Supreme Court), His Honour Judge P Mark Taft (County Court) and Magistrate Lesley A Fleming (Magistrates' Court)

The Committee thanks those members who retired during the year: The Hon. Justice John (Jack) H L Forrest, His Honour Judge Ian L Gray, Darren A Mort, Trevor E Wraight, Peter Fox, Anthony G Burns, Jane E Treleaven, Kim M Southey and Kyle McDonald

> There were 32 local readers in the September 2012 course. These readers were joined by two practitioners from the Solomon Islands who successfully completed the course and signed the Roll of Overseas Counsel on 25 October 2012.



MARCH 2013 READERS: Back Row: Sally Whiteman, Andrew Buckland, Siobhan Keating, Nicole Papaleo, Natalie Blok, Nathan McOmish, Dion Fahey, Nicole Mollard, Alexandra Folie, Georgia Douglas, Christopher Terry, Dimitri Ternovski, Andrew Barraclough, Clare Exell, Michael Symons.
 Centre Row: Kathie Nickson, Paul Rule, Philip Cadman, Phillip Johnstone, Alexander Solomon-Bridge, Hayden Rattray, Paul Bourke, Kieren Mihaly, Sarah Lean, Robert Williams, Andrew Newman, Phillip Bloemen, Fleur Shand, Sarah Bruhn, Jeanette Swann, Wendy Pollock, Susan Porter
 Seated Row: Astrid Haban-Beer, Julia Frederico, Eugenia Levine, Nicola Pachinger, Karina Popova, Gemma-Jane Cooper, Jaclyn Lontos, Millicent Lang
 Front Row: Robin Chan, Andrew Sim, Kylie Weston-Scheuber, Haroon Hassan, Michelle Wilson, Timothy Dowling, Daniel Snyder, Harlis Kirimof, Damien McAloon

110 candidates sat the November 2012 exam and 50 received offers. There were 47 readers in the March 2013 course.

In the May 2013 exam there were 99 candidates, and 37 candidates received offers. The next course commences on 2 September 2013.

South Pacific Education Committee

Committee at 30 June: Ian D Hill QC (Chair), Dr Joshua D Wilson S.C. (Deputy Chair), W Guy Gilbert, Ian W Upjohn CSC, Hilary F Bonney, Anthony G Burns, John J Oswald-Jacobs, Nadia D Kaddeche, Jonathan H Kirkwood, Matthew L L Albert and Emma Peppler

The Committee thanks those members who retired during the year: Debbie S Mortimer S.C., Nicholas Papas S.C., Caroline E Kirton S.C., Steven R Grahame, Peter W Lithgow, Emma M Swart, Lydia D Ruschena, Trevor C Wallwork, Sam Rosewarne, Therese McCarthy and Nicholas Goodenough

Since 1990 members of the Victorian Bar and Judiciary have provided advocacy skills training to trainees of the Legal Training Institute, Port Moresby, Papua New Guinea and to lawyers of the South Pacific Region generally.

The Committee continues to be active in providing advocacy skills training and advice to the lawyers and trainee lawyers of the South Pacific Region. In July 2012 an intensive advocacy skills workshop in both civil and criminal law was conducted in Port Moresby for the Legal Training Institute over a period of 5 days. Sixty-five trainees attended the workshop. Such advocacy skills workshops have become an integral and compulsory part of the course undertaken by the trainees as part of the qualification for admission to practice as national lawyers within PNG. The workshop was led by His Honour Judge Christopher O'Neill. The teaching team in addition comprised His Honour Judge James Montgomery, Magistrate Lesley Fleming, Dr Joshua Wilson S.C., Geoffrey Steward, Carolene Gwynn, Stephen Russell and Wendy Pollock (as administrative assistant). The Director and the staff of the Legal Training Institute considered this workshop to have been very successful.

In addition in August 2012, at the invitation of the Solomon Islands Bar Association, the Committee conducted an advanced advocacy skills workshop over 3 days in Honiara. This workshop was attended primarily by those lawyers employed within the Public Prosecutors and Public Defenders Offices. The workshop was conducted by Dr Joshua Wilson S.C., Ian Percy and Andrew Bristow.

In November 2012 at the invitation of the Chief Justice of Nauru, The Hon. Geoffrey Eames AM QC, the Committee conducted an intensive advocacy skills workshop over 5 days in Nauru. The workshop was attended by local leaders, the

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Director of Public Prosecutors, the Public Defender and Police Prosecutors. The workshop was conducted by Guy Gilbert and Robert Lancy.

For the first time the Victorian Bar has received funding from the Centre for Asia Pacific Pro Bono ('CAPPB'), which is administered through the Law Council of Australia in Canberra.

The Papua New Guinea Department of Justice and Attorney-General (Office of Solicitor-General) applied in June 2012 for funding for an advocacy training program, which was to take place during the Department's Continuing Legal Education Week of 26 to 30 November 2012. The training program was to be specifically tailored to suit civil litigation in PNG. The workshop was attended by members of the Department of Justice and members of the private profession. Nineteen members attended the first workshop and 15 attended the second program. Each workshop was 2.5 days duration. The workshop was conducted by Caroline Kirton S.C., Philip Corbett S.C. and Benjamin Lindner. Feedback from the Department of Justice and attending members indicated a need for longer and more in-depth programs in the future.

The Committee at this time is busy arranging further advocacy skills workshops to meet the needs particularly of the lawyers of PNG and the Solomon Islands with which we have formed a close professional bond.

An advocacy workshop is also planned for the Cook Islands in late 2013 as is further training and assistance for those appearing before the Courts of Nauru.

Student Engagement Committee

Committee at 30 June: Simon T Pitt (Co Chair), Sarah Leighfield (Co Chair), Belinda F Franjic (Secretary), Gerard D Dalton, Diana M Harding, Miguel A Belmar Salas, Tom D Cordiner, Richard P P Dalton, Paul P Kounnas, Christine Melis, Diana Price, Andrew J Bailey and Marcel C White

The Committee thanks those members who retired during the year: Elspeth A Strong S.C., Mark A Irving, Stewart Bayles, Suzanne A Kirton, Randall J Kune, Dr Timothy J F McEvoy, Theo R Alexander, Dugald McWilliams, Bruno B Kiernan, Geoffrey Slater, Michael Pena-Rees, Duncan U Robertson and Jonathon M G Sprott

The Student Engagement Committee (SEC) was formed in 2010 with the objective of "demystifying" the Bar for secondary and tertiary students by providing them with:

- (i) a better understanding of the fundamental role which barristers play in the administration of justice;
- (ii) an insight as to what barristers do, coupled with opportunities for a practical application of their study of the law; and
- (iii) a better understanding of the pathways to becoming a barrister.

The patron of the SEC is the Chief Justice of the Supreme Court, the Honourable Marilyn Warren AC.

It has become apparent to the SEC since its inception in 2010 that students in rural and regional areas, those from disadvantaged metropolitan schools, and those with limited or no contacts in the legal profession have difficulty accessing the same opportunities as other students. To that end, the SEC has strived over the past twelve months to not only continue with our current programs but to also increase our focus on providing information and opportunities to those students who would ordinarily have difficulty in accessing information about, and organizing contact with, members of the Bar. The SEC has been very pleased to receive feedback from teachers and lecturers in recent times as to the positive impact that our committee has had in enhancing the legal learning of their students. In particular the SEC was delighted to receive feedback from one particular teacher who noted her pleasure at two of her students advancing on to tertiary legal studies who may not, prior to their involvement with the SEC, have even contemplated tertiary study, let alone in law.

The following are just some of the achievements of the SEC in the last 12 months:

- > production of a series of 12 short videos of barristers speaking about life at the Bar — available on the Victorian Bar website;
- > the development of an 'Information for Students' portal on the Vic Bar website;
- > collaboration with the Victoria Law Foundation on its new Classroom Law Talks program whereby Judges and/or barristers speak to legal studies students at schools in rural and regional Victoria who may not otherwise have an opportunity for close contact with members of the legal profession. To date talks have been presented in Shepparton and Ballarat with further talks planned for other regional and rural areas later in the year;
- > continuation of the Courts Visit Program whereby all first year Melbourne University JD students spend time in court and have the opportunity to speak to a Judge and both senior and junior counsel;
- > organizing barristers to present at numerous secondary school and university speaking engagements as well as facilitating work experience placements for secondary school students from central, regional and rural areas including Stawell and Murtoa;
- > continuation of assistance to all Victorian universities with mentoring and work experience placements for their students as well as with formal programs such as the Monash University Barrister shadowing scheme and the Melbourne University JD mentoring program.

The SEC would like to thank all those members of the Victorian Bar who have volunteered their time to assist

with the initiatives of the committee whether through speaking, mentoring, hosting work experience students or providing assistance in the production of the website and videos. The SEC could not provide the service it does to students without the goodwill and effort of our colleagues.

Library Committee

Committee at 30 June: Samantha L Marks S.C. (Chair), Richard L Brear (Deputy Chair), O Paul Holdenson QC, Iain R Jones S.C., Barry Fox, Ian W Upjohn CSC, Peter Fox, Mark A Irving, Judy Benson, Gerard D Dalton, Leonie M Englefield, David Yarrow, Andrew M Bell and Sarah J Varney

The Committee thanks those members who retired during the year: Georgina L Schoff S.C. (Retiring Chair), Daniel J Crennan, Theo R Alexander, Dr Michael D Rush, Richard J L McCormack, Elizabeth J Boros, Deborah E Foy, Rupert J C Watters, Adam T Coote and Jonathon M G Sprott

In December, Samantha Marks S.C. took over as Chair of the Library Committee when Georgina Schoff S.C. stood down. The Committee thanks Georgina and the other members who retired during the year for their hard work.

The library continues to be in a period of consolidation and change. Proposals for the establishment of a Victorian Law Library may potentially see its collection merged with the libraries of the Supreme Court and the Law Institute of Victoria continue to be examined. The Committee is working to ensure that the implementation of any such a proposal will result in a better library resource for all members of the Bar, keep necessary current holdings available to members, and ensure that barristers continue to have 24 hour access to those resources that they need.

The Committee has updated the information available in the Bar Library section of the VicBar Members website so that it is easier for barristers to see what the library holds. This includes ensuring that holdings in chief practice areas are available, as well as a list of reports and subscriptions.

A set of books available for borrowing on one week loan by Bar Readers, on advocacy and other relevant topics for Readers, has been placed in the photocopying room. The Committee is presently considering the extent of Library subscriptions, looking at improving the online resources of the Library, and considering photocopier/printer options that will make use of the online facilities easier for members.

Members of the Bar generously continue to donate books. In particular, the Committee thanks John Dwyer QC and Nicholas Green QC for the extensive donations they have made to the Bar Library.

Professional Standards

Alternative Dispute Resolution Committee

Committee at 30 June: Michael D G Heaton QC (Chair), Tony A Nolan S.C. (Deputy Chair), The Hon. Neil A Brown QC, Hugh Foxcroft S.C., Manny Garantziotis S.C., Anthony C Neal S.C., B A Toby Shnookal S.C., Carolyn H Sparke S.C., Michael J O'Brien, Julian G Ireland, Robert W Dyer, Roger J Young, Christopher B Thomson, Peter F J Condliffe, Carmella Ben-Simon, Mark G Hebblewhite, Carmel M Morfuni, Marianne T H Barker, Kim J Knights, Dr C Elizabeth Brophy, Michael J F Sweeney, Suzanne A Kirton, Carey J Nichol, Michael J Rivette, Peter F Agardy, Ragini A Durai, Tony Elder, Stephen J A Jurica, David J Sanders and Ross Nankivell (Bar Office).

The Committee thanks those members who retired during the year: Elspeth A Strong S.C. and Iain R Jones S.C.

The Commercial Arbitration Appointment Service has now been approved by the Bar Council as has the Expert Determination Appointment Service. The Bar is in the process of updating the website with the Services and those barristers with the qualifications to be appointed under the Commercial Arbitration Appointment Service.

The Lawyers Certificate in Mediation Courses were held in late 2012 and May 2013 and were very successful. Dr Peter Condliffe, Dr Elizabeth Brophy and Tony Neal S.C. were the course leaders. The Mediation Course Subcommittee is to be congratulated on the continued success of this course.

During the year Mark Hebblewhite was co-opted to the Mediator Standards Board of which the Victorian Bar is a member and a Recognised Mediator Accreditation Body.

Dr Peter Condliffe and Mark Hebblewhite are part of the organising team for the National Mediation Conference to be held in Melbourne in 2014. They are keen to establish sessions suited to lawyers.

The Committee supported an AIFLAM initiative for mediation in the Family Court. It also (through Michael Heaton QC, Tony Nolan S.C., Peter Agardy, Suzanne Kirton with assistance of Ross Nankivell) responded to a survey from the Law Council of Australia ADR Committee.

The Committee is looking to introduce a dedicated website for Mediation.

The Subcommittees of the ADR Committee have continued to be active and fulfil their functions. The CPD Subcommittee is now chaired by Carolyn Sparke S.C. and has conducted evening seminars. The Accreditation Subcommittee chaired by Manny Garantziotis S.C. continues to accredit barristers. The Marketing and Publicity Subcommittee chaired by Rob Dyer has commenced an occasional newsletter. The Adjudication Subcommittee

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chaired by Toby Shnookal S.C. and the Arbitration Subcommittee chaired by Michael Sweeney continue to meet as required. The Family Law Subcommittee is now chaired by Carmella Ben-Simon.

The ADR Committee continues to liaise with the Courts and VCAT. The Committee through Julian Ireland continues to promote the Co-mediation Scheme for barristers and through Carey Nichol on the Magistrates' Court ADR Committee, the Magistrates' Court SLEM (Single List of External Mediators) Scheme.

The Committee thanks Ross Nankivell (Manager Assisting the General Manager) and Peta Hansen until she resigned in May 2013 for their input and assistance.

International Arbitration Committee

Committee at 30 June: Martin R Scott S.C. (Chair), Michael H Whitten (Deputy Chair), E Noel Magee QC, Hugh Foxcroft S.C., Caroline M Kenny S.C., Albert A Monichino S.C., B A Toby Shnookal S.C., Nicholas Pane S.C., Michael G Roberts S.C., Paul J Hayes, Donald J Farrands, Michael J F Sweeney, Kumar Kappadath, Anton P Trichardt, Albert M Dinelli and Christine Melis

The Committee thanks those members who retired during the year: Craig W R Harrison S.C., David L Bailey, Clive G K Madder, David J Goodwin and Daniel B Bongiorno One of the key goals recorded in the Committee's 2011-12 Annual Report for the ensuing 12 months was to facilitate and organise opportunities for the promotion and development of expertise for members of the Bar in the field of International Arbitration to a wider audience.

The well publicised economic expansion in China, both domestically and internationally, has brought with it a corresponding explosion in demand for legal services within China, its international resident corporations and within the region, in particular, Singapore and Hong Kong. Trade ties with Australia also continue to grow.

With that growth arbitration is the preferred mode of dispute resolution. One confirmation is the introduction of the CIETAC Arbitration Rules on 1 May 2012 demonstrating CIETAC's goal of extending its reach, not just within but also outside China.

The burgeoning market for international legal services within the Asian Pacific region has attracted greater attention and effort from others seeking to take advantages of the abundant opportunities. Together, with the rapid expansion of international law firms through regular mergers and acquisitions, the English Bar continues to invest heavily in establishing an ever-growing presence in the region. A current example is Maxwell Chambers in Singapore which is occupied now by representatives of a number of UK sets. More recently,



ABOVE: Colin King (first from left), Martin Scott S.C., Caroline Kirton S.C. and Michael Whitten (5th, 6th and 7th from left respectively) of the Bar's International Arbitration Committee pose with members of the Shenzen Lawyers Association during the delegation's trip to China in May 2013.

39 Essex Street Chambers advertised in the Bar's "InBrief" for an employed barrister to work in its Singapore Chambers.

Against that background, between 12 and 19 May 2013, a delegation comprising Martin Scott S.C., Caroline Kirton S.C., Michael Whitten and Colin King, travelled to Guangdong Province in Southern China. They were received by local State training and arbitration institutions. They attended, and Martin Scott S.C. spoke at, seminars convened by the Guangzhou Lawyers Association and Shenzen Lawyers Association. The group also met with a large number of private law firms and leading local arbitration bodies.

The delegation was the first of any Australian legal body to visit either the Guangzhou or Shenzen Lawyers Associations. Substantial information was obtained in an effort to better understand the culture, demands, expectations and size of the international arbitration market within mainland China and the region. A central theme to the discussions was the opportunity for mutual co-operation and benefit between Chinese lawyers directly working with independent counsel from the Victorian Bar. The stated business case for engaging independent counsel, featuring points of distinction such as our geographic proximity and similar time zone, fee rates, presence and investment in the region, was well received.

However, the perception of working relations with Chinese lawyers and penetration into the Asian international arbitration market being dependent upon established reputation and connections was very much confirmed. To that end the Committee intends sending another delegation to Guangdong in or about November 2013 to continue the efforts of establishing and developing those crucial relationships with the relevant stakeholders in order to engender confidence in not just the relationship but the quality of performance of Victorian barristers being briefed in international arbitrations in the region.

Martin Scott S.C. and Caroline Kirton S.C. recently met with Austrade, which has invited a proposal by the Bar on how Austrade's considerable resources might assist.

The Committee also continues to investigate and develop submissions and policies in relation to issues such as physical co-location, interstate and international practice areas and connections, CPD presentations and the long-awaited Melbourne arbitration centre.

The Committee aims to continue its work of developing intelligence and relationships necessary to engage in the opportunities presented by the rapidly expanding international arbitration market in our region.

Counsel Committee — New Applications, Renewals And Referrals

Committee at 30 June: Michael F Wheelahan S.C. (Chair), Jonathan B R Beach QC, Tim P Tobin S.C., Richard W McGarvie S.C., E William Alstergren S.C., P Justin Hannebery, Robert G Craig (Honorary Secretary), Paul Panayi (Assistant Honorary Secretary) and Alison Rock (Manager, Compliance)

The Committee thanks those members who retired during the year: Fiona M McLeod S.C. (Retiring Chair), Kate J D Anderson, Andrew P Downie and Bree Y Knoester (Retiring Honorary Secretary)

The Counsel Committee is appointed pursuant to clause 12 of the Constitution of the Victorian Bar Inc. It is comprised solely of members of Bar Council and its Chair is appointed by Bar Council from time to time. The role of the Counsel Committee is to consider, and make recommendations to Bar Council in relation to the grant and renewal of practising certificates, applications to sign the Roll of Counsel and the removal of names from the Roll (pursuant to part 13 of the Constitution).

Since the last report, the Committee has met four times and a sub-committee has conducted one informal hearing. This is a further reduction on the previous year and is directly attributable to the Protocol for Dealing with Disclosures (October 2011) which provides for the Honorary Secretary reviewing routine matters which warrant no further action and making recommendations directly to Bar Council.

During the recent 2013-14 practising certificate renewal period, suitability matters concerning 2 applicants were brought to the attention of the Committee. Eight others were reviewed by the Honorary Secretary. All matters were dealt with in accordance with the disclosure protocol. At 30 June, recommendations had been made to Bar Council concerning all 10 applicants.

Other matters considered and for which the Committee has made recommendations to Bar Council were disclosures in respect of four show cause events pursuant to s.2.4.27 of the Legal Profession Act 2004 (Vic), suitability matters disclosed by three applicants to sign the Roll of Counsel and the removal of two names from the Roll pursuant to part 13 of the Constitution.

Ethics Committee — Regulatory and Compliance Committee at 30 June: Helen M Symon S.C. (Chair), E Noel Magee QC, Malcolm R Titshall QC, Olyvia Nikou S.C., Jeremy W St John S.C., James W S Peters S.C., Peter J Morrissey S.C., Peter A Chadwick S.C., Ted W Woodward S.C., Caroline E Kirton S.C., Michael J Croucher S.C., Kevin J A Lyons S.C., Murray V McInnis, Róisín N Annesley, Rena Sofroniou. The Committee is assisted by Stewart J Maiden, with support from Alison Rock (Manager, Compliance) and Marisa Pretotto (Compliance Officer)

The Committee thanks those members who retired during the year: Richard W McGarvie S.C. (Retiring Chair), Phillip G Priest

QC (Retiring Deputy Chair), Michael D Wyles S.C., Anthony G Burns, Dr Michelle R Sharpe and Simon J Gannon

Since the last report the Ethics Committee has met 14 times (generally once every three weeks), received 21 referrals from the Legal Services Commissioner to investigate complaints, completed 31 investigations so referred, and given 41 rulings and dispensations.

In accordance with its obligation to ensure practitioners are equipped to meet their ethical obligations and adhere to the required standards of professional conduct, the Committee updated a 2012 bulletin Direct Access Briefs and published three others: Email Communications, Requests for the Dispensation of the Operation of Rules, and Acceptance of Two Briefs to Appear on the Same Day. Bulletins are published on the website, in Bar News and in In Brief. Members of the Committee also conduct education sessions in both the Readers' Course and CPD program.

In October 2012, Deputy Chair Phillip Priest was appointed to the Court of Appeal. His Honour made an enormous and committed contribution to the work of the Committee since 2009, and the Bar is no doubt a better place for his willingness to advise and educate members on their ethical obligations by telephone, email or in person, no matter how busy he was. The Committee recorded their gratitude to him, in particular for his concerted efforts in assisting the Legal Services Commissioner in clearing the backlog of complaints against members, and ensuring investigations were pursued and completed in a timely manner, when he acted as Chair during 2010.

In February 2013, Richard W McGarvie S.C. (appointed 2007, appointed Chair October 2008), Michael Wyles S.C. and Anthony Burns (appointed 2011), and Michelle Sharpe and Simon Gannon (appointed 2009) retired. The Committee is grateful to each of them for their dedication and hard work and in particular to Richard McGarvie for his steady leadership. Helen Symon S.C. was appointed Chair and the Committee welcomed back Noel Magee QC and Caroline Kirton S.C., and as new members Olyvia Nikou S.C., Peter Morrissey S.C., Peter Chadwick S.C., and Murray McInnis, considerably increasing the overall seniority of the Committee.

Members of the Committee give tirelessly of their time and expertise, answering countless telephone calls and emails from counsel seeking ethical guidance, reading and analysing voluminous materials, preparing reports and drafting recommendations and bulletins as well as conducting education sessions in both the Readers' Courses and CPD program.

Thank you to all members of the Committee for their hard and thoughtful work and commitment.

Professional Standards Committee

Committee at 30 June: Jonathan B R Beach QC (Chair), Jeffery J Gleeson S.C. (Deputy Chair), Michael F Wheelahan S.C., Peter G Cawthorn S.C., Dr Ian R L Freckelton S.C., Peter A Chadwick S.C., Aileen M Ryan S.C., Gerard L Meehan, Stephen J Moloney, Róisín N Annesley, Donald J Farrands, James D S Barber, Susan K Gatford, Lisa G De Ferrari, Simon J Gannon and Sarah F Cherry

In 2012, the Professional Standards Scheme Committee, Professional Conduct Committee and the Insurance Committee were merged to form the Professional Standards Committee.

The new Professional Standards Committee has principally been involved in three matters. First, members have assisted in preparing the application for the renewal of the Professional Standards Scheme for a further five years and the interim application pending formal approval. Second, members have been involved in reviewing the proposed Professional Conduct and Practice Rules that it is anticipated will be implemented upon the commencement of the National Legal Profession Reforms. Third, some members of the Committee, in consultation with the Bar's General Manager, Stephen Hare, have assisted in keeping under review the reasonableness of premiums for professional indemnity insurance.

The Chair thanks members of those now superseded Committees who retired during the year:

Professional Standards Scheme Committee: Michael W Shand QC (Retiring Chair), Gerald A Lewis S.C., Robert W Dyer, Michael R Simon, Richard P P Dalton and Simon Loftus

Professional Conduct Committee: Gerald A Lewis S.C., Christopher M Caleo S.C. (Retiring Deputy Chair), Michael R Simon, Richard T A Waddell, Judy Benson, Andrew J McClelland, Pat Zappia, Tyson Wodak and Alexandra J Golding

Insurance Committee: Gerald A Lewis S.C., Anthony J Kelly S.C., Christopher M Caleo S.C., Mark A Robins S.C., Sam L Tatarka, Peter J Booth, David A Klempfner, Chris R Hanson, Jonathan L Evans, Pat Zappia, Andrew Woods and Stephen Warne

The Chair also thanks Stephen Hare and his team in the Bar Office for the considerable work that they have undertaken to assist the Committee.

Our Member Community

Health And Well Being Committee

Committee at 30 June: Peter Fox (Chair), Dr Michelle R Sharpe (Deputy Chair), Richard W McGarvie S.C., Michael D Wyles S.C., Philip D Corbett S.C., Anthony P Rodbard-Bean, Richard B C Wilson, Laura Colla, Kaye L McNaught, Sarah Leighfield, Douglas K Shirrefs, Andrew P Downie, Caroline A Paterson, Pierre J M Baume, Viola Nadj and Stephen Hare (General Manager)

The Committee thanks those members who retired during the year: Mark A Robins S.C., Joseph Lenczner, Angela M Malpas, Trevor J McLean, Anthea E L MacTiernan, Scott W Stuckey, Michael H Whitten, Andrew J McClelland, Gina C Liano, Nicholas Kanarev, Helen M J Rofe, Daniel J Crennan, Alastair J Ritchie, Roona Nida, Mark A J McKillop, Katrina J Gillies, Benny S Browne, Jessica Sun and Elizabeth J Tueno

The Health and Well Being Committee has had an active year. It has organized seminars on relevant topics, on average, at better than one a month. The subjects covered have included, dealing with stress and depression, mental health first aid, maintaining good health through exercise and diet, nutrition and planning for retirement. Attendance has been very good. The program has been very well managed. Further seminars are planned on resilience, heart health, dealing with a difficult bench, recovery from alcoholism and suicide prevention and a course on mindfulness is being offered.

Presentations have been made to the Readers' Course about stress management, maintaining health & wellbeing and "mindfulness".

The 2013 Bar Conference also included a session on mindfulness, which was very well attended.

The Committee will undertake work on the issue of bullying and measures to identify and assist those who suffer it. This may include a confidential survey of barristers.

The Committee (with the considerable assistance of the Bar office and Clerks) has again sponsored the Global Corporate Challenge, with an uptake of 12 teams of 7 each (84 participants). Participation in the GCC has many positive benefits for those taking part including reduction in stress, reduction in weight, improved sleep patterns, increase in exercise levels and fitness and increases in productivity at work.

The Bar Office has also assisted in arranging flu vaccinations. Due to a lack of funding from WorkSafe the annual Workplace "Health Checks" could not be provided this year. Future health checks would require funding or an external sponsor.

The Committee is reviewing the use of, and training in the use of, defibrillators. It has organised a group CPR and defibrillator training session with a health service provider to maintain the accreditation of operators and to train further operators. The uptake by Clerks has been most pleasing.

The Committee is responsible for the health and well being counselling service provided to barristers by The ReVision Group. The service includes 24 hour crisis assistance. Bernadette Healy, the psychologist who runs this service, sees barristers on a confidential basis (see personal help line on the website). The uptake rate for the service is approximately 3% of total barristers, which is at the lower end of the 3-5% uptake rate of organizations offering similar services. The service has a very high satisfaction rate amongst those who have accessed the facility.

Ms Healy's reports, which are generic and do not identify individuals, indicate that anxiety, depression and stress continue to be the significant issues for barristers who access the service, that there is a small incidence of presenting barristers who suffer from substance abuse, and that a common triggering cause is breakdown in personal relationships. As reported previously, many of the difficulties being experienced by barristers are either causally related to or are exacerbated by the nature of the work.

Barristers' health would be improved if they had opportunities to mix with different barristers than usual through technicallybased small group forums (preferably attracting CPD points), and to mix outside their technical skills through common interests, such as a choir, a review, book clubs and the like. These initiatives would strengthen the collegiality amongst barristers, which the Bar espouses, and which needs to quickly encompass newer barristers. They would also assist in promoting the important health and well being message of broad life experiences and foster, when relevant, a positive transition from work to retirement.

The health and well being counselling service has been reviewed to make five hours available to barristers and their family members and to prevent that limit being exceeded for the same condition beyond one year. In addition, an annual program cap has been set for the facility. It remains open to barristers and their family members to continue to use the counselling service on a self-funded or private health care basis beyond the five sessions or should the cap be triggered. These budgetary restraints should not affect the quality of care under the counselling service however will need to be reviewed if a larger than expected uptake occurs.

We would like to thank all members of the Committee for their contributions this year, and for being willing to work together for the betterment of barristers' good health. The Committee recorded its thanks to the immediate past Chair, Michael Wyles S.C., in its first meeting this year. We would also like to thank past members of the Committee for their contributions. The Committee also thanks the Bar Office for the invaluable assistance and support given to the work of the Committee.

Sports at the Bar

Sports at the Bar include Cricket, Cycling, Golf, Hockey, Snow Sports, Soccer, Tennis, and Sailing with events often irregular.

Golf

The annual golf competition between the Law Institute of Victoria and the Bench and Bar has been revived.

The event took place on Thursday 28 March 2013 at the Royal Melbourne Golf Club. There were approximately 20 players on

each side and it is pleasing to report that the Bench and Bar team regained the Sir Edmund Herring Trophy.

The trophy will be held in the Trophy Cabinet in the Bar Library on the first floor of Owen Dixon Chambers East for the next 12 months.

The next contest is scheduled to take place at Royal Melbourne Golf Club on 17 April 2014 (the Thursday before Easter). It has been resolved by the golfers present at the recent competition to conduct the event on the Thursday before Easter each year.

The last official contest for the Sir Edmund Herring Trophy took place in December 2007. An informal event took place in December 2008 but the competition then lapsed. Now that it has been revived I am certain that its future is assured.

New Barristers' Committee

Committee at 30 June: William F Gillies (Chair), Adam T Coote (Secretary), Esther M James, Jonathan Gottschall, Phoebe C Knowles, Dean R Luxton, Toby J Mullen, Julien M Lowy, Eitan Makowski, David Seeman, Andrew T. Conley, Barbara A Myers, Kevin F Jones, Carolyn M Symons and Morgan A McLay (AYLC Representative)

The Committee thanks those members who retired during the year: Rob W O'Neill (Retiring Chair), Vass Theoharopoulou, Sarah J Keating (Retiring Deputy Chair), Michael Pena-Rees, Mark A J McKillop, Duncan U Robertson, Luke A Merrick, David J Sanders and Andrew H Freadman

The New Barristers Committee in 2012-2013 has worked with the Bar to ensure that new barristers can integrate with the Bar by engaging with the Bar on issues such as junior mentors and continuing legal education.

The Victorian Bar has been represented nationally with the Law Council of Australia and internationally at the New Barristers conference in London and has continued to run social functions for new barristers, including networking functions and welcoming to Readers functions.

The Junior Barristers Scheme and the Pro Bono Scheme has been well represented by the New Barristers Committee and a number of its members have presented to the Readers.

It has been a challenging year for new barristers with the effects of the recession, especially as one hand there is less work flowing to the Bar, but on the other hand solicitors are looking for more cost efficient alternatives such as new barristers.

Thanks to the Office Holders and Committee Members for their work throughout the year.

Victorian Bar News Editorial Committee

Committee at 30 June: Sharon E Moore (Co Editor), Justin P Tomlinson (Co Editor), Anthony T Strahan, Georgina A Costello, Maree Norton, Sally Bodman (Manager, Marketing) and Denise Bennett (Executive Assistant)

The Committee thanks those members who retired during the year: Paul J Hayes (retiring Co Editor), Richard H M Attiwill, Ben Ihle, Louise J Martin and Ben Jellis

The last year was eventful for the *Victorian Bar News* editorial committee. *Victorian Bar News* Issue 151 was delivered to barristers at the end of June 2012 and out-going co-editor Paul Hayes oversaw, with Sharon Moore, the delivery of issue 152 in December 2012. The new year brought fresh changes. In January, Justin Tomlinson was appointed co-editor with Sharon Moore and the editors and committee drafted a new Style Guide and introduced editorial and structural changes to the method of producing the VBN to ensure distribution would occur twice a year: a Winter Issue to be delivered in mid-June and a Summer Issue to be delivered in mid-June and a Summer Issue to be delivered in mid-December. Additionally, new designers and printers (Slattery Media Group) were appointed and assisted the editors in developing a new look to the *Victorian Bar News*.

Victorian Bar News has been published continuously for over 40 years. It is the oldest professional publication of an independent Bar in the common law world. *VBN* presents to members of the Bar, and to a wider world, coverage of: professional milestones, judicial appointments and retirements and obituaries; Bar professional, social and sporting functions; news of legislative and other changes affecting the profession; views on issues affecting the Bar and its members; aspects of life at the Bar, humorous and otherwise.

VBN encourages the publication of relevant debate and although opinions are sometimes contentious or controversial, VBN attempts to present a balanced view, or both sides of a debate, either in the same edition or as a reply in a subsequent edition.

Issue 153 was distributed on time in mid-June and was very well received. Sharon Moore retired on completion of Issue 153 and Georgina Costello was appointed co-editor for Issue 154 (due mid-December 2013), along with additional committee members Rob Heath (deputy editor), Lindy Barrett and Catherine Pierce.

Functions Committee

Committee at 30 June: Paul Panayi (Chair), Kim M Southey (Deputy Chair), Andrew Panna S.C., Laura Colla, Shaun Ginsbourg, David C Turner, Terence J Guthridge and Elizabeth McKinnon

The Committee thanks those members who retired during the year: David E Whitchurch, Alastair J Ritchie and Jane C Sharp



2013 BAR DINNER: Top left: Myer Mural Hall; Bottom left: Debbie Mortimer SC (now The Honourable Justice Debbie Mortimer); Middle: Fiona McLeod SC; Right: The Honourable Justice Patrick Keane

On the 24th of May 2013, the annual Bar Dinner was held at the Myer Mural Hall, Bourke Street, Melbourne. This was the second year running for the event to be held at this spectacular venue. The two guest speakers were the Honourable Justice Patrick Keane of the High Court and Debbie Mortimer S.C., now the Honourable Justice Mortimer of the Federal Court. Both speakers gave fascinating and entertaining addresses. During the course of the evening, members of the Bar and Bench were entertained by the dulcet tones of the Bar Band. Overwhelmingly positive feedback received by the Committee from attendees suggests that the evening was a wonderful success.

As at the date of publication, the Committee is in the process of organising the production of 12 Angry Men, which is likely to be held in the precincts of the Supreme Court. Actors are being drawn from members of the Bar and auditions have been in full swing.

The Committee has been planning a Dinner Debate Night to be held later this year. The Committee has also been scoping a quarterly Bar and Bench Dinner series to be held at the Essoign Club, for the purpose of providing an opportunity for Readers and the Junior Bar to interact with the Bench. The Functions committee is also looking forward to organising the annual Bar Christmas Cocktail Party, to be held in the Foyer of Owen Dixon Chambers West on a date to be fixed in December 2013.

Art and Collections Committee

Committee at 30 June: Peter J Jopling QC (Chair), Philip A Dunn QC, Trevor J McLean, Neville J Kenyon, James W Kewley, Ian W Upjohn CSC, Ian B Stewart, Paul J Hayes, Laura Colla and Carmen E Currie

The Committee thanks those members who retired during the year: David L Bailey

The Committee has met on a monthly basis throughout the year save for the months of January and June.

The Committee resolved to compile a photographic record of the Bar's collection of portraits and memorabilia with an accompanying biography for each painting or photograph held in the Bar's portrait collection. That project is now well underway.

The Committee also spent time during the course of the year formulating an Art's Committee Charter which will identify the role and responsibilities of the Committee. The Committee



LEGENDS OF THE BAR:

Back row: Ross Gillies QC, Ron Meldrum QC, Henry Jolson OAM QC, Colin Lovitt QC, Robert Richter QC, Philip Kennon QC, Allan Myers AO QC, Christopher Canavan QC, Richard Stanley QC, A. Graeme Uren QC Front row: Andrew Kirkham AM RFD QC, Beverley Hooper, Philip Dunn QC, Peter O'Callaghan QC, Margaret Mandelert, Dr John Emmerson QC. Absent: Alan C. Archibald QC, John Gibson.

thought this of some importance given the size of the collection and the current age and state of repair of some of the items in the Bar's collection.

The Committee has also compiled a list of barristers that it considers the Bar should give consideration to commissioning portraits of together with suitable artists who might be commissioned to paint those portraits. This project will be pursued with the incoming Bar Council.

In an effort to better acquaint members of the Bar with the current portrait collection, it has been resolved to publish monograms of the portrait collection from time to time and to seek the Bar's commitment to publishing the Bar's collection of portraits on the Bar website.

We are also in the midst of commissioning an Honour Roll to record the names of the men and women who have been bestowed the title of "Legends of the Bar".

Finally, the Committee has been actively giving consideration to hosting a member's themed exhibition featuring works owned and/or painted by members of the Bar. It is hoped that such an exhibition might be held in 2014.

Other Committees

Audit & Finance Committee

Committee at 30 June: James W S Peters S.C. (Chair), Paul E Anastassiou S.C. (Deputy Chair), Jonathan B R Beach QC, E William Alstergren S.C., Matthew J Walsh, Paul X Connor, Susan K Gatford, Daniel J Crennan, Benjamin J Murphy and Stephen Hare (General Manager)

The Committee thanks those members who retired during the year: Michael D Wyles S.C. and Carmel M Morfuni

During this last year, the Committee engaged in various projects impacting on the Bar's finances.

The Committee reviewed the methodology for setting subscriptions for members. The Committee resolved to recommend to the Bar Council to retain subscription levels for 2013-2014 at the same levels as the current year. The Committee has also met with the auditors regarding the audit process.

Otherwise, members of the Committee have been actively involved in reviewing monthly accounts and reports and engaging in the setting of budgets. In the coming year the Committee has resolved to look at the budget and identify savings for recommendation to the Bar Council to further strengthen the Bar's financial position.

The Chair thanks members of the Committee for their diligent efforts and the Bar's General Manager, Stephen Hare and his team for their first class work.

Practising Past Chairmans' Committee

Committee at 30 June: Andrew J Kirkham AM RFD QC, John T (Jack) Rush RFD QC, David E Curtain QC, Ross Ray QC, Michael W Shand QC, Michael J Colbran QC, Melanie Sloss S.C., Peter J Riordan S.C. and Mark K Moshinsky S.C.

Chairs Of List Committees

List A	List A Barristers Pty Ltd	C James Delany S.C.
List B	Michael Green Pty Ltd	David E Curtain QC
List D	Dever's List	Ross H Gillies QC
List F	Foley's List Pty Ltd	Michael D Wyles S.C.
List G	List G Pty Ltd	Peter J Jopling QC
List H	Lennon's List Pty Ltd	W Ross Middleton S.C.
List L	Paul Holmes Barristers Clerk Pty Ltd	Jillian E Williams
List M	Meldrum and Hyland List	Ronald K J Meldrum QC
List R	R J Howells Pty Ltd	Dr Ian R L Freckelton S.C.
List G	Gordon & Jackson Barristers Clerks	Vincent A Morfuni S.C.
List T	Barristers Logistics	Norman J O'Bryan AM S.C.
List W	Patterson's List	Nicholas Papas S.C.
List Y	Young's List	Garry T Bigmore QC





PART VII

JUDICIAL AND OTHER APPOINTMENTS

Judicial Office - Victorian Courts

Court of Appeal

The Honourable Justice Simon P Whelan The Honourable Justice Phillip G Priest The Honourable Justice Paul A Coghlan

Supreme Court

Family Court

The Honourable Justice G John Digby The Honourable Justice James D Elliott The Honourable Justice Timothy J Ginnane

The Honourable Associate Justice D Mark B Derham

County Court

His Honour Judge David G Brookes His Honour Judge Ian L Gray His Honour Judge John A Jordan His Honour Judge Christopher J Ryan His Honour Judge Peter Couzens His Honour Judge Paul J Cosgrave His Honour Judge Gavan F Meredith

Magistrates' Court

His Honour Magistrate Ross G Maxted His Honour Magistrate Dominic Lennon

Judicial Office - Federal Courts

The Honourable Justice Peter W Tree

Federal Court The Honourable Justice Gaetano (Tony) Pagone

Federal Circuit Court Judge Suzanne J Jones

Joint Standing Committees

Law Aid

(Victorian Bar Incorporated and Law Institute of Victoria) Christopher J Blanden S.C., Dr Joshua D Wilson S.C., John P Constable and Roisin N Annesley

Medico-Legal Standing Committee

(Victorian Bar Incorporated, Law Institute of Victoria and Australian Medical Association) Timothy P Tobin S.C., Mary Anne Hartley S.C. and Dr Paul B Halley

Police/Lawyers Liaison Committee lan D Hill QC (Chair)

National Legal Profession Representative Bodies

Australian Bar Association Michael J Colbran QC (President)

Law Council of Australia

Board of Directors

Michael J Colbran QC, President Fiona M McLeod S.C., Executive Member James W S Peters S.C., Victorian Bar representative

Standing Committees

Access to Justice Committee Dr David J Neal S.C.

Alternative Dispute Resolution Committee George H Golvan QC

Australian Young Lawyers Committee Julien M Lowy

Equalising Opportunities in the Law Committee Fiona M McLeod S.C. (Chair)

Indigenous Legal Issues Committee Thomas P Keely

National Criminal Law Liaison Committee O Paul Holdenson QC and Dr David J Neal S.C.

National Elder Law and Succession Law Committee Peter J Hanks QC

Business Law Section – Executive

Frank D O'Loughlin (Chair) and Dr Elizabeth J Boros

Business Law Section - Committees

Philip D Crutchfield S.C., Dr Matthew J Collins S.C., Michael J F Sweeney, Elisabeth Wentworth, Frank D O'Loughlin, David C Turner, Carl Moller and Dr Elizabeth J Boros

Family Law Section – Executive Minal Vohra

Family Law Section – Committees Minal Vohra

Federal Litigation Section – Committees

George H Golvan QC, David Shavin QC, Stephen J Moloney, John R Wallace, Lachlan W L Armstrong, Frank D O'Loughlin, Fiona L McKenzie and Jonathan H Kirkwood

Other Committees and Working Groups

Insurance Contracts Act Referral Group Michael D G Heaton QC

Judicial Issues Working Group Jacob (Jack) | Fajgenbaum QC and Michael J Colbran QC (Chair)

Military Law Working Group Paul A Willee RFD QC (Chair)

National Harmonisation of Laws Committee Dr David J Neal S.C.

National OH&S Review Working Group W Ross Ray QC and Dr David J Neal S.C.

Recruitment and Retention of Lawyers Working Group Fiona M McLeod S.C. (Co-chair)

Court and Tribunal Committees & Working Parties

Commonwealth Courts and Tribunals

Federal Court of Australia

Intellectual Property User Group Bruce N Caine S.C.

Migration List User Group Debbie S Mortimer S.C., Richard M Niall S.C. and Thomas V Hurley

User Committee

Debbie S Mortimer S.C., Garry T Bigmore QC, Charles M Scerri QC, Helen M Symon S.C., Bruce N Caine S.C. and Frank D O'Loughlin

State Courts and Tribunals

Supreme Court

Board of Examiners

Paul A Willee RFD QC (Deputy Matthew N Connock S.C.), Peter J Jopling QC (Deputy Kerri E Judd S.C.), Ian G Waller S.C. (Deputy Aileen M Ryan S.C.)

Arbitration Users' Group

David S Levin QC, Hugh Foxcroft S.C. and Mark K Moshinsky S.C.

Chief Justice's Rules Committee

Jonathan P Moore

Commercial Court User Group

David G Collins S.C., Melanie Sloss S.C., James W S Peters S.C., Mark K Moshinsky S.C., Philip D Crutchfield S.C., Philip H Solomon S.C., Michael S Osborne, Lachlan W L Armstrong, James D S Barber, Daniel J Crennan and Oren Bigos

Corporations User Group

Garry T Bigmore QC, Prof. David H Denton RFD S.C., Philip D Crutchfield S.C., Jonathan L Evans, Michael J Galvin, Peter Fary, Anton P Trichardt, Simon Rubenstein, Catherine F Gobbo, Joshua Kohn, Carl Moller and Oren Bigos

Costs Co-ordination Committee

Timothy P Tobin S.C.

Dust Diseases Users' Group John R C Gordon and Patrick Over

Judicial Review and Appeals Users' Group

Peter J Hanks QC, Debbie S Mortimer S.C., Dr Ian R L Freckelton S.C., Kerri E Judd S.C., Michael F Fleming S.C., Richard M Niall S.C., Dr Stephen P Donaghue S.C., Jason D Pizer, Christopher J Horan, Rowena Orr, Lisabella G De Ferrari, Rachel Ellyard, Ben Ihle, Emily Latif, Anna E Forsyth and Simon Lee

Personal Injury User Group

Ross H Gillies QC, John T (Jack) Rush RFD QC, Timothy P Tobin S.C. and David J Martin

Probate Users' Committee

Richard R Boaden and Shane P Newton

TEC List User Committee

George H Golvan QC, David S Levin QC, Hugh Foxcroft S.C., Richard J Manly S.C., Caroline E Kirton S.C., Ian H Percy and Kathryn L Stynes

Victorian Compensation and Planning Users' Group

Christopher J Canavan QC, The Hon. Stuart R Morris QC, Anthony G Southall QC, Michelle L Quigley S.C., C James Delany S.C., Christopher J Wren S.C., Christopher J Townshend S.C., David J Batt S.C., Adrian J Finanzio S.C., Craig W Porter, Graeme H Peake, Matthew D Townsend, Susan M Brennan, Nicholas J Tweedie, Jason D Pizer, David R O'Brien MP, Lisa-Maree Lo Piccolo, Sarah J Porritt, Marita H Foley, Paul F Chiappi, Peter E O'Farrell and Nicola Collingwood

County Court

Building List User Group Andrew J Laird and Geraldine F Gray

Commercial List User Group Steven R Grahame, Peter W Lithgow, Robert N Cameron and Ian H Percy

Family Property Division Carolyn H Sparke S.C. and Graham W Robertson Personal Injuries User Group David J Martin

Rules Committee Peter T Fox, Michael J Corrigan and Geraldine F Gray

Scale of Costs Review Committee Timothy P Tobin S.C.

WorkCover User Group Robin P Gorton QC, John J Noonan S.C., Michael J Richards, Robert W Dyer and Ian D McDonald

Magistrates Court

ADR Committee Corey Nichol WorkCover Users' Group Michael J Richards and Amanda C Ryan

Civil Rules Committee Frank J Ravida

Victorian Civil and Administrative Tribunal (VCAT)

The Legal Practice List – Advocate Members

Christopher J Ryan S.C., Peter J Jopling QC, Anthony G Southall QC, David S Levin QC and Manny Garantziotis S.C.

VCAT Consultative User Groups Anti-Discrimination List - Melanie P Young

Domestic Building List - John G Bolton

General List - Mark G Klemens and Jason D Pizer

Guardianship List - Carolyn H Sparke S.C.

Occupational & Business Regulation List - Edward Bryant, John F M Larkins, Thomas V Hurley and Jason D Pizer

Statutory Appointments

Council of Law Reporting Charles Gunst QC and Michael R Pearce S.C.

Council of Legal Education Joseph G Santamaria QC and Elizabeth J Boros

Legal Services Board Peter J Jopling QC Legal Services Board — Legal Costs Committee Peter B Murdoch QC

Legal Services Board — Legal Practice Committee Kevin J A Lyons S.C.

Victorian Association for the Care and Resettlement of Offenders (VACRO) Philip A Dunn QC

Representatives on Educational Bodies

Leo Cussen Institute for Continuing Legal Education P Gerard Nash QC (Alternate)

Monash University Law Faculty Board Paul A Willee RFD QC and P Gerard Nash QC (Alternate)

University of Melbourne Law Faculty Debbie S Mortimer S.C. and Jonathan B R Beach QC Victoria University School of Law Program Advisory Committee David H Denton RFD S.C. and Terrence P Murphy S.C.

Victoria University Sir Zelman Cowen Centre Advisory Committee Fiona M McLeod S.C.

Other representative bodies

ACICA – Board E William Alstergren S.C.

ACICA – Member Nominating Committee Michael J Colbran QC

Attorney-General's Department – International Legal Services Advisory Council Fiona M McLeod S.C.

Coroners Court Steering Committee for the development of the Legal Practitioners' Handbook Sara L Hinchey

Firearms Appeal Committee Carolyn H Sparke S.C.

International Bar Association – Human Rights Liaison Officer Jacob (Jack) | Fajgenbaum QC

International Pro Bono Advisory Group Alexandra Richards QC Law Institute of Victoria - Fee Disputes Conciliator Jeremy Ruskin QC

Public Interest Law Clearing House (PILCH) E William Alstergren S.C.

Victoria Law Foundation (including Grants Committee) James W S Peters S.C.

Victoria Law Foundation – Justice Museum Legal Reference Group Dr David J Neal S.C.

Victorian Heritage Council Marita H Foley

VCAT Legislation Reform Project Caroline E Kirton S.C. (Chair), Adrian J Finanzio S.C. (Deputy Chair) and Jason D Pizer (Deputy Chair)

Victorian Workcover Authority Committee Robin P Gorton QC (Chair), John J Noonan S.C. and Robert W Dyer

PART VIII

PERSONALIA

Obituaries

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

Denis Brian Xavier Smith John Aubrey Gibson Evan James Smith Gerald Andrew Hardy Lindis Krejus Graeme Douglas Johnstone Richard Timothy Taranto Graeme Hilaire Cantwell John Raymond Perry Brian John Shaw QC Anthony Bonnici AM Maitland Arnold Lincoln The Honourable Henry Barry Connell Roger John Radovick Cleary Stephen Alexander Shirrefs S.C.

Farewells

The legal profession met to pay tribute on the occasion of the retirement of the following judicial officers:

Victorian

His Honour Judge Tim D Wood RFD The Honourable Justice Hartley R Hansen The Honourable Associate Justice Kevin J Mahony The Honourable Justice David J Habersberger The Honourable Justice David L Harper AM

Federal

The Honourable William Montague Charles Gummow AC The Honourable Justice Peter W Young The Honourable Justice Peter R A Gray The Honourable Justice Linda M Dessau AM

Honours

During the year, the following members and past members of the Victorian Bar were honoured:

Australia Day Honours 2013

The Honourable Paul M Guest OAM QC John A Gibson AM (posthumous)

The Queen's Birthday Honours 2013

The Honourable David J Ashley AM QC David N Galbally AM QC



Senior Counsel

On 27 November 2012, the Chief Justice of the Supreme Court of Victoria, the Honourable Marilyn Warren AC, appointed as Senior Counsel in and for Victoria the following:

Trevor Stanley Monti Suzanne Bridget McNicol Peter George Sest Aileen Mary Ryan Christopher William Beale George Anthony Georgiou Mark Andrew Robins Benjamin Andrew Shnookal Philip David Corbett Michael Grant Roberts Alistair Neill Murdoch Nicholas Pane Nicholas David Hopkins Carolyn Hayley Sparke Kevin Joseph Aloysius Lyons Edvard William Alstergren Andrew David Clements Adrian John Finanzio Bernard Francis Quinn





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 2013.

	Female	Male	Total		
Division A, Part I – Victorian Practising Counsel	508	1437	1945		
Junior Counsel	483	1217	1700		
Queen's and Senior Counsel	25	220	245		
Division A, Part II - Crown Prosecutors and Public Defenders			28		
Division A, Part III – Interstate and Overseas Practising Counsel	13	120	133		
Junior Counsel	12	64	76		
Queen's and Senior Counsel	1	56	57		
Division A, Part IV - Victorian Practising Counsel, temporarily absent from practice, without a current practising certificate	16	7	23		
Division B, Part I - Governors			1		
Division B, Part II - Judges, Associate Judges and Magistrates			245		
Division B, Part III - Ministers of the Crown and Members of Parliament					
Division B, Part IV - SolicitorsGeneral and Directors of Public Prosecutions			4		
Division B, Part V - Judicial Registrars			1		
Division B, Part VI - Full-time Members of Statutory Tribunals					
Division B, Part VII - Crown Counsel and Parliamentary Counsel			1		
Division B, Part VIII - Other Official Appointments			7		
Division C, Part I - Retired Judges and other Judicial Officers			127		
Division C, Part II - Retired Holders of Public Office other than Judicial Office			14		
Division C, Part III - Retired Counsel			158		
Division D - Academics			21		
TOTAL			2753		

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

Oya Girgin, Kevin F Jones, Richard Scheelings, Sarah J Varney, Sarala M C Fitzgerald, Eleanor L Coates, Richard J W Hooper, Andrea L Mapp, Sergio L Freire, Caryn van Proctor, Anthony S Dyrenfurth, David C Oldfield, Andrew Di Pasquale, Andrew J Imrie, Ian G Munt, Leana Papaelia, Grace M E Morgan, Sam N Andriankis, Jennifer Collins, Alexander J Patton, Adrian J Bates, Erin Hill, Carolyn M Symons, Matthew Cookson, Kimberley J Moran, Penelope A Harris, Thomas C Smyth, Markorius S Habib, Samuel J Tovey, Marcel C White, Bradley E Barr, Nawaar Hassan, Richard Stokes-Hore, Quentin Duff, Eleanor Mallett, Joanna M Davidson, Julia Frederico, Paul J Rule, Andrew J Buckland, Jeanette J Swann, Susan J Porter, Paul V Bourke, Damien F McAloon, Nicole Mollard, Haroon R Hassan, Philip H Cadman, Sarah E Bruhn, Kylie Weston-Scheuber, Natalie J Blok, Andrew J Sim, Andrew D Barraclough, Robert D Williams, Gemma-Jane Cooper, Clare E M Exell, Alexandra M Folie, Sarah A Lean, Fleur L Shand, Michelle S Wilson, Robin Chan, Eugenia Levine, Daniel Snyder, Nicola L S Pachinger, Dion J Fahey, Phillip F Bloemen, Astrid M Haban-Beer, Kieren E Mihaly, Millicent J Lang, Phillip A Johnstone, Christopher M Terry, Georgia M Douglas, Siobhan M Keating, Alexander F Solomon-Bridge, Jaclyn M Lontos, Andrew D Newman, Timothy M Dowling, Hayden A Rattray, Nicole L Papaleo, Karina Popova, Dimitri Ternovski, Michael W L Symons, Sally N Whiteman, Nathan J McOmish, Harlis Kirimof, Sharney Jenkinson, Kateena A O'Gorman

Re-signed

Kathryn B Hamill, Roderick A F Saunders, Arna Delle-Vergini, Annette H Kaitinis, Tom Sawyer, Huw M Roberts, John F Perry, Richard Antill, Sam F Wubbeling, John A Tesarsch, Shane G S Collins

Transfers from this part

Douglas R Meagher QC, John T Healy, Christopher R Colman, Beverley M Hooper, Clarinda E Molyneux QC, Michael O'Loghlen QC, Dr Staniforth (Sam) Ricketson, Teresa Porritt, W Clarke Grainger, A John Robinson, Elisabeth Wentworth, David P Moen, The Hon. Anthony Graham QC, John H Tebbutt, Christine Boyle, Catherine Burke, David G Brookes S.C., Priya Carey, Brendan A Murphy QC, Andrew McH Ramsey, Graham J Thomas S.C, Phillip G Priest QC, Gerald A Hardy, Frances L Dalziel, Brendan V Loizou, Robert M Gordon, G John Digby QC, William T Houghton QC, Peter W Tree S.C., John A Jordan S.C., Robin A Brett QC, D Mark B Derham QC, Stephen G O'Bryan S.C., T Peter Burke, Georgina L Schoff S.C., Andrea Lawrence, Janine V Gleeson, Edward A Gisonda, Kylea R Campana, Christopher J Ryan S.C., James D Elliott S.C., Ross G Maxted, Gunilla A Hedberg, Leigh A Thompson, The Hon. Mark Dreyfus QC MP, Nha Nguyen, Geoffrey M Horgan S.C., Gabrielle Crafti, Paul J Cosgrave S.C., Jonathan A Redwood, Kristen A Rose, Perry D Herzfeld, P David Drake, Gavan F Meredith, Rodney Hepburn, Heathcote (Michael) McM Wright QC

Transfers to this part

John D Philbrick S.C., Joseph P Carney, Bruce M Cohen, Ian J Polak, Edward (Eamonn) P A Moran PSM QC, David G Loadman, Rodrigo F R Pintos-Lopez, Teresa Porritt, David R Myers, Victor J Perton, The Hon. Peter C Young QC

Division A Part II (Crown Prosecutors and Public Defenders)

Signed Matthew D Phillips, Dr Nanette Rogers S.C. Transfers to this part Frances L Dalziel

Division A Part III (Interstate and Overseas Counsel)

Signed

William A D Edwards, Phoebe L Arcus, Catherine J Garde, James E Smith, Quang T Nguyen, Brian F Austin, Laurence M Levy S.C. **Transfers from this part** Joseph P Carney, Ian J Polak, Stephen P Estcourt QC, Fabian Gleeson S.C., Peter R Whitford S.C.

Transfers to this part

Brendan V Loizou, Andrea Lawrence, Jonathon A Redwood, Perry P Herzfeld

Division A Part IV (Victorian Practising Counsel temporarily absent without a Practising Certificate)

Transfers from this part

Bruce M Cohen, Rodrigo F R Pintos-Lopez, Teresa Porritt

Transfers to this part

David P Moen, Christine Boyle, Priya Carey, Catherine Burke, William T Houghton QC, Georgina L Schoff S.C., Edward A Gisonda, Nha Nguyen, Gabrielle Crafti, Kristen A Rose, Rodney Hepburn

Division B (Judiciary and Official Appointments)

Transfers from this division

Roger W Franich, Susan A Blashki, Edward (Eamonn) P A Moran PSM QC, The Hon. Justice Hartley R Hansen, His Honour Judge Tim D Wood RFD, The Hon. Associate Justice Kevin J Mahony, The Hon. Justice Philip Mandie, Judith M Middleton, Victor J Perton, The Hon. Justice Joseph C Campbell, The Hon. Justice Bernard D Bongiorno AO, His Honour Judge K Ross Howie, The Hon. Justice Peter C Young, The Hon. Justice Peter R A Gray, The Hon. Justice David L Harper AM, Christine M Haag, Prof Anthony G Lupton

Transfers to this division

Elisabeth Wentworth, His Honour Judge David G Brookes, Brendan A Murphy QC, The Hon. Justice Phillip G Priest, The Hon. Justice G John Digby, The Hon. Justice Peter W Tree, His Honour Judge John A Jordan, Robin A Brett QC, The Hon. Associate Justice D Mark B Derham, Stephen G O'Bryan S.C, Janine V Gleeson, Kylea R Campana, The Hon. Justice Stephen P Estcourt, His Honour Judge Christopher J Ryan, The Hon. Justice James D Elliott, The Hon. Justice Fabian Gleeson, Magistrate Ross G Maxted, His Honour Judge Paul J Cosgrave, Judge Suzanne J Jones, The Hon. Mark Dreyfus QC MP, His Honour Judge Gavan F Meredith, His Honour Judge Peter R Whitford, Heathcote (Michael) McM Wright QC

Division C (Retired)

Transfers from this division John D Philbrick S.C, David G Loadman, David R Myers

Transfers to this division

Douglas R Meagher QC, John T Healy, Christopher R Colman, Beverley M Hooper, Clarinda E Molyneux QC, Michael O'Loghlen QC, W Clarke Grainger, A John Robinson, The Hon. Anthony Graham QC, John H Tebbutt, Roger W Franich, Susan A Blashki, The Hon. Hartley R Hansen QC, The Hon. Tim D Wood RFD QC, The Hon. Kevin J Mahony, The Hon. Philip Mandie QC, Andrew McH Ramsey, Graham J Thomas S.C, Judith M Middleton, Gerald A Hardy, The Hon. Joseph C Campbell QC, The Hon. Bernard D Bongiorno AO QC, The Hon. K Ross Howie S.C., T Peter Burke, Gunilla A Hedberg, Leigh A Thompson, The Hon. David L Harper AM QC, P David Drake, Christine M Haag, John J Cantwell, The Hon. Peter R A Gray

Division D (Academics)

Transfers to this division

Dr Staniforth (Sam) Ricketson, Prof Anthony G Lupton

Removed from the Roll (at own request)

Stephen P Pallaras QC, Liza M Powderly, Alex Johns, Shawn R Brown, Gerald L Purcell, Roberto C Nitti, Ian M Stewart, Phillip Rompotis, John C Hall, Robert M Gordon, David Cronin, Miriam Apak, Christopher Fatouros, Dawne E Galbally, Kathryn A Bundrock, Caroline A Mills, Glen T W Miller QC, R Nicholas Wallace, Ruth E Hamnett, Austine J Parnell, Clem A Newton-Brown QC MP, Larna F Tarrant, Martin L D Einfeld QC

CONSOLIDATED GROUP ENTITIES

Victorian Bar Incorporated

Registered No. A0034304S Owen Dixon Chambers East 205 William Street Melbourne Victoria 3000 T: 03 9225 7111 F: 03 9225 6068 E: vicbar@vicbar.com.au W: www.vicbar.com.au

Barristers Chambers Limited

ACN 004 454 004

Board of Directors

Michael D Wyles S.C. (Chairman), Jacob (Jack) I Fajgenbaum QC (Deputy Chairman), David J O'Callaghan S.C., Christopher M Caleo S.C., Adrian J Finanzio S.C., Scott W Stuckey, Katharine J D Anderson, Daniel J Crennan, Catherine G Button and Edwin Gill (Managing Director)

The Melbourne Bar Pty Ltd

ACN 004 640 108

Board of Directors

D Mark B Derham QC, Jonathan B R Beach QC and Melanie Sloss S.C.

PART XI

REPORTS OF GROUP ENTITIES

The Victorian Bar Incorporated — Officers' Report

The officers, members of the Council of the Victorian Bar Incorporated, submit herewith the annual financial report of the Association for the financial year ended 30 June 2013. 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 12 of the annual report under Bar Council, except for the following who retired from the previous Bar Council during the year:

Melanie Sloss S.C. Jacob (Jack) | Fajgenbaum QC Kim M Southey Phillip G Priest QC Matthew J Walsh

Katharine J Anderson Andrew P Downie

Principal Activities

The Victorian Bar Incorporated 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 owns and leases buildings, which are provided as chambers to barristers, and provides telephone and internet 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 2013 the Association achieved a surplus from ordinary activities of \$377,111 (2012: \$406,390) after an income tax benefit of \$nil (2012: \$nil). Its consolidated surplus from ordinary activities was \$6,920,351 (2012: \$6,524,336) after income tax benefit of \$nil (2012: \$nil)

Changes in State of Affairs

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

Subsequent Events

There has not been any matter or circumstance 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

Substantial changes in the operations of the Association are ordinarily determined by a vote of members which are communicated other than through the Annual Report.

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 1981 (Vic). It is precluded under the Act and its Constitution from paying a dividend to its members. The Association is a not for profit organisation.

Indemnification of Officers

During the financial year, the Association paid a premium in respect of a contract insuring the Officers of the Association (as named above and on page 12 of the Annual Report) and all Executive Officers of the Association and of any related body corporate against a liability incurred as 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 an officer or auditor.

Proceedings on Behalf of the Association

No person has applied for leave of 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 Constitution of the Victorian Bar.

On behalf of the Officers

Frank2 9.

Fiona M McLeod S.C. Chair 5 September 2013

James W S Peters S.C. Honorary Treasurer

Barristers Chambers Limited Report

BCL's vision is to secure the future of the Victorian Bar through sound management of its assets whilst working assiduously to meet the ever-changing workplace needs of the modern barrister. Our mission is to provide to the members of the Victorian Bar the very best in professional, cost effective and most importantly, collegiate accommodation. At the conclusion of the 2013 financial year I can report that BCL has once again, with the overwhelming support of the Bar achieved both its vision and mission. The breadth of BCL's achievements is detailed in its Annual Report. I need not repeat them here.

I acknowledge and thank Mark Derham QC (now the Hon. Associate Justice Derham) for his work as Chairman of BCL. Mark's generosity to BCL and his vision for its future has left an extraordinary legacy. Under his stewardship BCL took back ODCW. That landmark event owes much to Mark's belief in the strength of the Victorian Bar. Future generations of counsel who come to practise at the Victorian Bar will owe much to Mark and I thank him on their behalf.

This year BCL took the significant step of articulating and adopting a statement of the values which BCL pursues in all its dealings: respect (for clients, employees and the broader community); fairness, treating all as equal; integrity, addressing all matters in an honest and forthright manner; initiative and innovation, pursuing excellence in all endeavours including challenging existing policies and practices while exploring and seeking a better future. The adoption of such a statement further reinforces BCL's commitment to pursuing best practice in all its endeavours.

Demand for BCL chambers has continued to increase. In the past year alone there has been a net increase of twenty-one members in chambers and BCL opened new chambers on level 23 Aickin Chambers and on level 8 Dominion House. In the past 3 years BCL has established Coldrey Chambers, Gorman Chambers and Ninian Stephen Chambers. This increase in demand coincides with our ever improving approval rating, but has been well beyond our expectations, such that demand for rooms from readers wishing to depart their mentor's chambers cannot always be met. I am acutely conscious of the demand for accommodation coming from those arriving at the Bar, just as I am conscious of the modern demand for space for groups of barristers. Completion of the West Expansion in the second half of 2014 will assist greatly in ameliorating this demand.

BCL is of course prudently restrained in its pursuit of new chambers. Of primary importance in selecting new chambers is the goal of promoting collegiality. At the same time we remain mindful that graduate positions at the major firms are presently being halved. In these circumstances unanticipated short-term demand is not always readily predictable, however, we remain mindful of the need to have chambers available for readers and this remains a major priority. The future is extremely bright for BCL and all the members of the Victorian Bar it serves. The West Expansion is a statement of courage and measured confidence. It is a tribute to our predecessors who had the vision to build a home for the Victorian Bar.

I thank each of my fellow directors, and place on record my sincere thanks to all retiring Board members for their tireless efforts on behalf of BCL. We are fully supported by Ed Gill's leadership of his excellent team, Geoff Bartlett (General Manager), Marco Mattiuzzo (IT&T Manager), Carla Young (Customer Services Manager), Mary Hayes (Projects), Peter Walker (Senior Accountant), Niki Ririnui (Financial Controller), Sharon Speckmayer (Accommodation Officer), David Marasco and Lindon Jones (Maintenance), Zac Blakeley (Internet/Help Desk) and Sherrie Campbell (Receptionist/Secretary). Each of them, and in particular Ed Gill with his leadership and vision, gives far and beyond what it is reasonable to expect and I am most grateful to them for their dedication and assistance.

Michael D Wyles S.C. Chairman





The Essoign Club Limited Report

ACN 005 785 937

Board of Directors

Colin L Lovitt QC (Chairman), Peter A Chadwick S.C. (Vice Chairman), Michael J Richards, John B Saunders (Honorary Secretary), William E M Lye, Paul X Connor, Peter N Crofts (Honorary Treasurer), John (Jack) R M Tracey and Felicity Cockram (Assistant Honorary Secretary)

The 2012-13 financial year was the tenth anniversary of the club's relocation to the 1st Floor of Owen Dixon Chambers East. It was, once again, a positive one for the Club.

Whilst still challenging, it saw core areas such as the café and catering lifted, and other areas including the dining room holding steady. The dining room continues to be well patronized and the bar continues to attract patrons, especially after court.

The Essoign's catering arm, Essoign Events, had another solid year and has released its New Events and Functions package. It offers members, and the local business community, a wide range of options from simple lunches, or beverage deliveries, to full 3-course sit-down dinners or cocktail parties in the venue of their choice. In 2012 Essoign Events became the preferred caterer of the Supreme Court and the only caterer allowed access to cater events in the Supreme Court Library. "Essoign Events" also caters to the other courts, together with non-law based businesses in the vicinity of the Club.

Our Club Manager, Nicholas Kalogeropoulos continues to work solidly to provide a modern environment for members to dine in. Together with his excellent staff they offer quality food and beverages and excellent service in an ambient, friendly environment.

Financially, 2012-13 was a strong year for the Club. In spite of continued rising costs for raw and wholesale products, the Club and its catering service has been able to hold prices relatively stable.

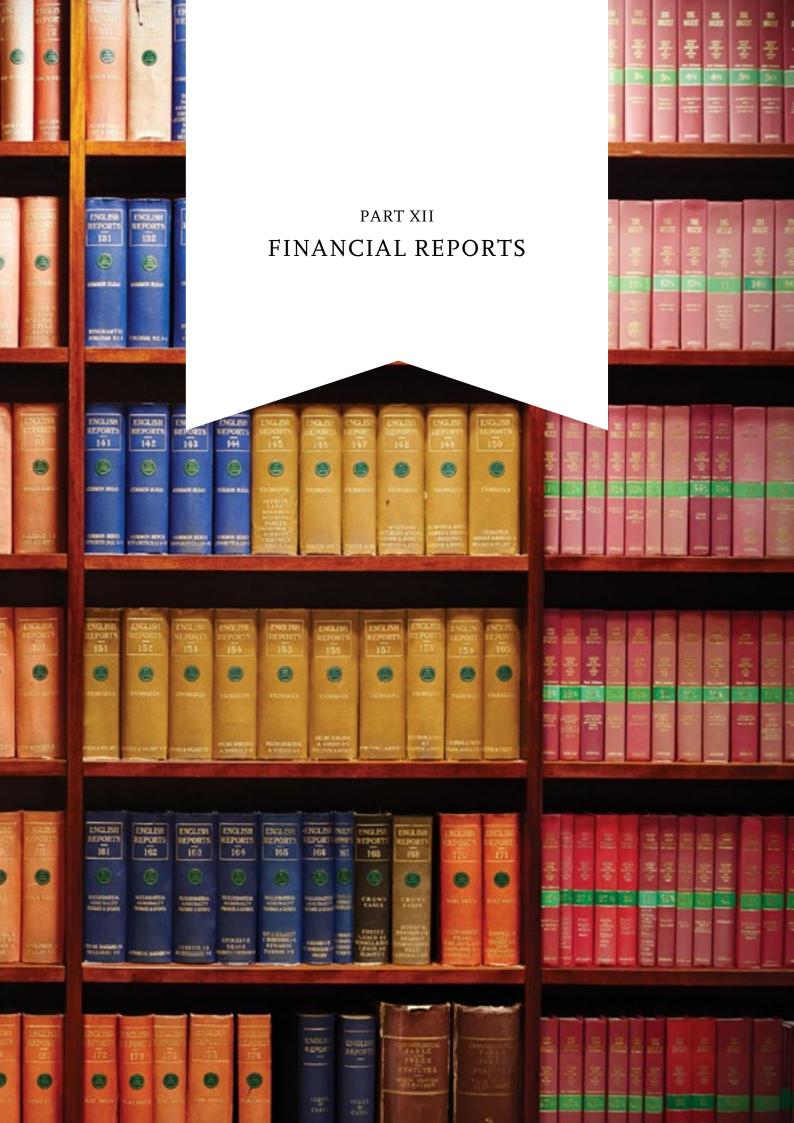
Encouragingly, our loyal patronage has resisted the pull of the ever-increasing café competition in the immediate vicinity to help us achieve a strong financial result. After taking into account membership subscriptions, it is expected that, when the Essoign's audit (currently in progress) is concluded, a small surplus will be recorded. This will be in line with the Board's philosophy that the Club should trade at break-even, or at a small surplus, in order to ensure benefits are passed on to members.

I thank the members of the Essoign Board. It is a pleasure to work with them.

Colin Lovitt QC

Chairman





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 ("the Association"), which comprises the statement of financial position as at 30 June 2013, the statement of comprehensive income, the statement of cash flows and the statement of changes in equity for the year then ended, 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 61 to 75.

Officers Responsibility for the Financial Report

The officers are responsible for the preparation of the financial report that gives a true and fair view in accordance with the *Associations Incorporation Reform Act 2012* and the Constitution and have determined that the basis of preparation described in Note 3, is appropriate to meet the

financial reporting requirements of the Associations Incorporation Reform Act 2012 and the Constitution and is appropriate to meet the needs of the Members. Officer's responsibility also includes such internal control as the officers determine is necessary to enable the preparation of the financial report that gives a true and fair view that is free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on the financial report based on our audit. We conducted our audit in accordance with Australian Auditing Standards. Those 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.

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

Opinion

In our opinion, the financial report gives a true and fair view, the financial position of The Victorian Bar Incorporated as at 30 June 2013 and its financial performance for the year then ended in accordance with the financial reporting requirements of the Associations Incorporation Reform Act 2012 and the Constitution as described in Note 3.

Basis of Accounting and Restriction on Distribution and Use

Without modifying our opinion, we draw attention to Note 3 to the financial report, which describes the basis of accounting. The financial report has been prepared to assist The Victorian Bar Incorporated to meet the financial reporting requirements of the *Associations Incorporation Reform Act 2012* and the Constitution. As a result, the financial report may not be suitable for another purpose. Our report is intended solely for the Members and should not be distributed to or used by parties other than the Members.

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Aleson Brus

Alison Brown Partner, Chartered Accountants Melbourne, 5 September 2013

Deloitte.

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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 Reform Act 2012*.

The Officers of the Association declare that:

- 1. The financial statements and notes thereto, as set out on pages 62 to 75:
 - a. Comply with accounting standards, the Associations Incorporation Reform Act 2012 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 2013 and performance for the year ended on that date, in accordance with the accounting policies described in Note 3 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

Jon the D

Fiona M McLeod S.C. Officer Melbourne, 5 September 2013

James W S Peters S.C. Officer Melbourne, 5 September 2013

Statement of compre-	hensive income :	for the year ended	30 June 2013
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		Conse	olidated	Pa	rent
	Note	2013 \$	2012 \$	2013 \$	2012 \$
Continuing operations					
Other revenue	4	30,999,365	29,576,010	5,004,050	4,686,389
Employee benefits expense		(2,649,426)	(2,416,137)	(1,349,549)	(1,277,457)
Depreciation and amortisation expense	5	(3,500,683)	(3,344,483)	(48,773)	(49,035)
Finance expense	5	(2,949,472)	(3,320,762)	-	-
Rent & fitout expenses		(5,781,791)	(5,648,722)	(1,014,548)	(942,142)
Utilities expense		(1,089,298)	(1,045,663)	-	-
Administration expenses		(7,691,084)	(7,254,371)	(2,214,069)	(2,010,722)
Loss on disposal of assets	5	(417,260)	(21,536)	-	(643)
Surplus before income tax expense	5	6,920,351	6,524,336	377,111	406,390
Income tax benefit/(expense)	6	-	-	-	-
Surplus for the year		6,920,351	6,524,336	377,111	406,390
Other comprehensive income					
Fair value gain on revaluation		14,508,750	-	-	-
Related deferred tax on revaluation		(3,525,000)	-	-	-
Total comprehensive income for the year		17,924,101	6,524,336	377,111	406,390

		Conso	Consolidated		Parent	
	Note	2013 \$	2012 \$	2013 \$	2012 \$	
Current assets						
Cash and cash equivalents	7	11,880,917	11,263,776	4,366,083	4,614,747	
Trade and other receivables	8	1,246,591	862,225	327,972	104,819	
Other assets	9	286,317	248,131	21,816	20,555	
Total current assets		13,413,825	12,374,132	4,715,871	4,740,121	
Non-current assets						
Other financial assets	10	-	-	10,187,430	10,187,430	
Property, plant and equipment	11	138,425,800	122,789,560	164,269	140,620	
Other assets	9	369,000	339,000	-	-	
Total non-current assets		138,794,800	123,128,560	10,351,699	10,328,050	
Total assets		152,208,625	135,502,692	15,067,570	15,068,171	
Current liabilities						
Trade and other payables	12	9,372,217	9,132,632	2,752,792	3,086,887	
Borrowings	13	-	-	-	-	
Provisions	14	383,718	384,758	172,701	254,605	
Current tax liabilities	15	-	-	-	-	
Total current liabilities		9,755,935	9,517,390	2,925,493	3,341,492	
Non-current liabilities						
Borrowings	12	30,000,000	35,000,000	-	-	
Provisions	13	42,487	4,200	42,487	4,200	
Deferred tax liabilities	14	6,880,548	3,355,548	-	-	
Total non-current liabilities		36,923,035	38,359,748	42,487	4,200	
Total liabilities		46,678,970	47,877,138	2,967,980	3,345,692	
Net assets		105,529,655	87,625,554	12,099,590	11,722,479	
Equity						
Issued Capital		-	-	-	-	
Reserves		30,921,155	20,314,545	-	-	
Retained earnings		74,608,500	67,311,009	12,099,590	11,722,479	
Total equity		105,529,655	87,625,554	12,099,590	11,722,479	

Statement of financial position as at 30 June 2013

Statement of changes in equity for the year ended 30 June 2013

	Capital profits reserve \$	Asset revaluation reserve \$	General reserve \$	Retained earnings \$	Total \$
Parent					
Balance at 1 July 2011	-	-	-	11,316,089	11,316,089
Profit for the year	-	-	-	406,390	406,390
Other comprehensive income for the year	-	-	-	-	-
Total comprehensive income for the year	-	-	-	406,390	406,390
Balance at 30 June 2012	-	-	-	11,722,479	11,722,479
Profit for the year	-	-	-	377,111	377,111
Other comprehensive income for the year	-	-	-	-	-
Total comprehensive income for the year	-	-	-	377,111	377,111
Balance at 30 June 2013	-	-	-	12,099,590	12,099,590
Consolidated					
Balance at 1 July 2011	249,680	19,937,405	127,460	60,786,673	81,101,218
Profit for the year	-	-	-	6,524,336	6,524,336
Revaluation increment on freehold land and building	-	-	-	-	-
Related deferred tax	-	-	-	-	-
Other comprehensive income for the year	-	-	-	-	-
Total comprehensive income for the year	-	-	-	6,524,336	6,524,336
Balance at 30 June 2012	249,680	19,937,405	127,460	67,311,009	87,625,554
Transfers to retained earnings	(249,680)		(127,460)	377,140	-
Profit for the year	-	-	-	6,920,351	6,920,351
Other comprehensive income for the year	-	10,983,750	-	-	-
Total comprehensive income for the year	-	10,983,750	-	6,920,351	6,920,351
Balance at 30 June 2013	-	30,921,155	-	74,608,500	105,529,655

		Consolidated		Parent	
	Note	2013 \$	2012 \$	2013 \$	2012 \$
Cash flows from operating activities					
Receipts from members and customers		29,320,173	28,637,442	3,809,092	3,990,865
LSB reimbursements and contributions		742,584	730,898	742,584	730,898
Interest received		410,116	441,342	156,984	144,103
Payments to suppliers and employees		(16,860,827)	(15,254,121)	(4,884,902)	(3,866,733)
Finance expense		(2,949,472)	(3,320,762)	-	-
Net cash generated by operating activities	16(b)	10,662,574	11,234,797	(176,242)	999,133
Cash flows from investing activities					
Proceeds from sale of property, plant and equipment		-	-	-	-
Payments for property, plant and equipment		(5,045,433)	(4,289,779)	(72,422)	-
Net cash used in financing activities		(5,045,433)	(4,289,779)	(72,422)	-
Cash flows from financing activities					
Repayment of borrowings		(5,000,000)	(6,000,000)	-	-
Net cash used in investing activities		(5,000,000)	(6,000,000)	-	-
Net (decrease)/increase in cash and cash equivalents		617,141	945,020	(248,664)	999,133
Cash and cash equivalents at the beginning of the year		11,263,776	10,318,756	4,614,747	3,615,614
Cash and cash equivalents at the end of the year	16(a)	11,880,917	11,263,776	4,366,083	4,614,747

Statement of cash flows for the year ended 30 June 2013

I. General information

The Victorian Bar Inc. (the Association) is incorporated under the Associations Incorporation Reform Act 2012, 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

2. Adoption of new and revised Accounting Standards

2.1 Standards and Interpretations affecting amounts reported in the current year (and/or prior years)

The following new and revised Standards and Interpretations have been adopted in the current year and have affected the amounts reported in these financial statements.

Standards affecting presentation and disclosure

Amendments to AASB 101 'Presentation of Financial Statements'

The amendment (part of AASB 2011-9 'Amendments to Australian Accounting Standards - Presentation of Items of Other Comprehensive Income' introduce new terminology for the statement of comprehensive income and income statement. Under the amendments to AASB 101, the statement of comprehensive income is renamed as a statement of profit or loss and other comprehensive income and the income statement is renamed as a statement of profit or loss. The amendments to AASB 101 retain the option to present profit or loss and other comprehensive income in either a single statement or in two separate but consecutive statements. However, the amendments to AASB 101 retains the option to present profit or loss and other comprehensive income to be grouped into two categories in the other comprehensive income section: (a) items that will not be reclassified subsequently to profit or loss and (b) items that may be reclassified subsequently to profit or loss when specific conditions are met. Income tax on items of other comprehensive income is required to be allocated on the same basis - the amendments do not change the option to present items of other comprehensive income has been applied retrospectively, and hence the presentation of items of other comprehensive income has been modified to reflect the changes. Other than the above mentioned presentation changes, the application of the amendments to AASB 101 does not result in any impact on profit or loss, other comprehensive income and total comprehensive income.

The amendments (part of AASB 2012-5 'Further Amendments to Australian Accounting Standards arising from Annual Improvements 2009-2011 Cycle') requires an entity that changes accounting policies retrospectively, or makes a retrospective restatement or reclassification to present a statement of financial position as at the beginning of the preceding period (third statement of financial position), when the retrospective application, restatement or reclassification has a material effect on the information in the third statement of financial position. The related notes to the third statement of financial position are not required to be disclosed.

2.2 Standards and Interpretations issued not yet effective

At the date of authorisation of the financial report, a number of Standards and Interpretations 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
ASB 9 'Financial Instruments', and the relevant amending standards	1 January 2015	30 June 2016
AASB 10 'Consolidated Financial Statements' and AASB 2011-7 'Amendments to Australian Accounting Standards arising from the consolidation and Joint Arrangements standards'	1 January 2013	30 June 2014
AASB 11 'Joint Arrangements' and AASB 2011-7 'Amendments to Australian Accounting Standards arising from the consolidation and Joint Arrangements standards'	1 January 2013	30 June 2014
AASB 12 'Disclosure of Interests in Other Entities' and AASB 2011-7 'Amendments to Australian Accounting Standards arising from the consolidation and Joint Arrangements standards'	1 January 2013	30 June 2014
AASB 127 'Separate Financial Statements' (2011) and AASB 2011-7 'Amendments to Australian Accounting Standards arising from the consolidation and Joint Arrangements standards'	1 January 2013	30 June 2014
AASB 128 'Investments in Associates and Joint Ventures' (2011) and AASB 2011-7 'Amendments to Australian Accounting Standards arising from the consolidation and Joint Arrangements standards'	1 January 2013	30 June 2014
ASB 13 'Fair Value Measurement' and AASB 2011-8 'Amendments to Australian Accounting Standards arising from AASB 13'	1 January 2013	30 June 2014
AASB 119 'Employee Benefits' (2011) and AASB 2011-10 'Amendments to Australian Accounting Standards arising from AASB 119 (2011)'	1 January 2013	30 June 2014
AASB 2011-4 'Amendments to Australian Accounting Standards to Remove Individual Key Management Personnel Disclosure Requirements'	1 July 2013	30 June 2014
AASB 2012-2 'Amendments to Australian Accounting Standards – Disclosures – Offsetting Financial Assets and Financial Liabilities'	1 January 2013	30 June 2014
AASB 2012-3 'Amendments to Australian Accounting Standards - Offsetting Financial Assets and Financial Liabilities'	1 January 2014	30 June 2015
AASB 2012-5 'Amendments to Australian Accounting Standards arising from Annual Improvements 2009–2011 Cycle'	1 January 2013	30 June 2014
AASB 2012-10 'Amendments to Australian Accounting Standards – Transition Guidance and Other Amendments'	1 January 2013	30 June 2014

3. 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 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 Association's constitutional requirement to keep accounts.

Statement of compliance

The financial report has been prepared in accordance with the Associations Incorporation Reform Act 2012, the Victorian Bar Inc. Constitution, 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 'Statements of Cash Flow', AASB 108 'Accounting Policies, Changes in Accounting Estimates and Errors' and AASB 1054 Australian Additional Disclosures'. For the purpose of preparing the financial statement, the Association is a not for-profit entity.

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

Basis of preparation

The financial report has 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 judgements 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. Accounting estimates are made in relation to the allowance for doubtful debts. Refer to note 8.

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

(a) Principles of consolidation

The consolidated financial statements incorporate the financial statements of the Association and entities controlled by the Association (its subsidiaries referred to in note 10) (referred to as 'the Group' in these financial statements). Control is achieved where the company has the power to govern the financial and operating policies of an entity so as to obtain benefits from its activities.

All inter-company balances and transactions between entities in the consolidated entity, including any unrealised profits or losses, have been eliminated on consolidation.

Where consolidated entities have entered or left the consolidated entity during the year, their operating results have been included from the date control was obtained or until the date control ceased.

(b) Cash and cash equivalents

Cash comprises cash on hand and on demand deposits. Cash equivalents are short-term, highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value. Bank overdrafts are shown within borrowings in current liabilities in the statement of financial position.

(c) Employee benefits

A liability is recognised for benefits accruing to employees in respect of wages and 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 the remuneration rate expected to apply at the time of settlement.

Liabilities recognised in respect of employee benefits which are not expected to be settled within 12 months are measured as the present value of the estimated future cash outflows to be made by the Group in respect of services provided by employees up to the reporting date.

(d) Borrowings

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs.

After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

Borrowings are classified as current liabilities unless the Group has an unconditional right to defer settlement of the liability for at least 12 months after the reporting date.

(e) Income tax

Subscription income received by the Association 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 taxconsolidated 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 taxconsolidated group are recognised by The Victorian Bar Inc. (as head entity in the tax-consolidation group).

(f) Property, plant and equipment

Each class of property, plant and equipment is carried at cost or fair value less, where applicable, any accumulated depreciation or impairment losses. 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 Victorian Bar Inc. 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, biennial 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, 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 the Association's Officers 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.

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.

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 income statement.

(g) Provisions

Provisions are recognised when the Group has a present obligation (legal or constructive) as a result of a past event, it is probable that the Group will be required to settle the obligation, and a reliable estimate can be made of the amount of the obligation.

The amount recognised as a provision is the best estimate of the consideration required to settle the present obligation at reporting date, taking into account the risks and uncertainties surrounding the obligation. Where a provision is measured using the cashflows estimated to settle the present obligation, its carrying amount is the present value of those cashflows.

When some or all of the economic benefits required to settle a provision are expected to be recovered from a third party, the receivable is recognised as an asset if it is virtually certain that reimbursement will be received and the amount of the receivable can be measured reliably.

(h) Leased assets

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

Company as lessee

Assets held under finance leases are initially recognised at their fair value or, if lower, at amounts equal to the present value of the minimum lease payments, each determined at the inception of the lease. The corresponding liability to the lessor is included in the statement of financial position as a finance lease obligation.

Lease payments are apportioned between finance charges and reduction of the lease obligation so as to achieve a constant rate of interest on the remaining balance of the liability. Finance charges are charged directly against income, unless they are directly attributable to qualifying assets, in which case they are capitalised in accordance with the company's general policy on borrowing costs. Contingent rentals are recognised as expenses in the periods in which they are incurred.

Operating lease payments are recognised as an expense on a straight-line basis over the lease term, except where another systematic basis is more representative of the time pattern in which economic benefits from the leased asset are consumed. Contingent rentals arising under operating leases are recognised as an expense in the period in which they are incurred.

In the event that lease incentives are received to enter into operating leases, such incentives are recognised as a liability. The aggregate benefit of incentives is recognised as a reduction of rental expense on a straight-line basis, except where another systematic basis is more representative of the time pattern in which economic benefits from the leased asset are consumed.

(i) Payables

Trade payables and other accounts payable are recognised when the group becomes obliged to make future payments resulting from the purchase of goods and services.

(j) 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 by reference to the stage of completion of the service being provided.

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

(k) 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.

(l) Goods and services tax

Revenues, expenses and assets are recognised net of the amount of goods and services tax (GST), except:

- i. where the amount of GST incurred is not recoverable from the taxation authority, it is recognised as part of the cost of acquisition of an asset or as part of an item of expense; or
- ii. for receivables and payables which are recognised 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 included in the cash flow statement 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.

(m) Impairment of tangible and intangible assets other than goodwill

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 immediately in profit or loss, unless the relevant asset is carried at revalued amount, 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 immediately in profit or loss, unless the relevant asset is carried at fair value, in which case the reversal of the impairment loss is treated as a revaluation increase.

(n) Comparative amounts

Where necessary, comparatives have been reclassified and repositioned for consistency with the current year disclosures.

4. Revenue	Conso	lidated	Par	ent
	2013	2012	2013	2012
	\$	\$	\$	\$
Revenue from operating activities				
Subscriptions	3,187,815	3,019,502	3,187,815	3,019,502
Rent and Joinery Revenue	23,259,051	23,029,432	-	-
Readers Course, Mediation & Seminar Fees	800,330	656,778	800,330	656,778
Other Revenue	2,599,469	1,698,058	116,337	135,108
	29,846,665	28,403,770	4,104,482	3,811,388
Revenue from non-operating activities				
Interest Revenue	410,116	441,342	156,984	144,103
Legal Service Board and Commissioner, Contributions and	742 594	720,809	742 594	720 000
Reimbursements	742,584	730,898	742,584	730,898
	1,152,700	1,172,240	899,568	875,001
Total Revenue	30,999,365	29,576,010	5,004,050	4,686,389
5. Surplus before income tax				
Surplus for the year has been arrived at after charging the following	items of expense:			
Loss on disposal of property, plant and equipment	417,260	21,536	-	643
Finance cost				
Interest on Mortgage	2,949,472	3,320,762	-	-
	2,949,472	3,320,762	-	-
Depreciation of non-current assets				
Buildings	1,904,376	1,904,374	-	-
Plant, equipment and improvements	1,596,307	1,440,109	48,773	49,035
	3,500,683	3,344,483	48,773	49,035
Bad and doubtful debts				
Increase/(decrease) in provision	(15,410)	(97,523)	-	-
Minimum lease payments on operating leases	5,799,192	5,874,117	883,768	868,855
	5,799,192	5,874,117	883,768	868,855
Minimum lease payments on operating leases	5,799,192 68,900	5,874,117 66,894	883,768 28,500	868,855 27,800
Minimum lease payments on operating leases Auditors remuneration				

The auditor is Deloitte Touche Tohmatsu.

	Consolidated		Parent		
6. Income tax					
(a) Components of income tax expense/(benefit)	2013 \$	¢	¢ ¢ ¢	2013 \$	2012 \$
Tax expenses comprises:		+	Ψ	Ŷ	
Current tax expense/(income)	(201,470)	(323,726)	(102,560)	(147,137)	
Tax refund from prior years	-	-	-	-	
Deferred tax expenses/(income) relating to timing differences	-	-	-	-	
Unused tax losses not recognised as deferred tax asset	201,470	323,726	102,560	147,137	
	-	-	-	-	

(b) Income tax expense/(benefit) calculated

The prima facie Tax Expense/(Income) on Pre-Tax accounting surplus from operations reconciles to the Income Tax Expense/(Income) in the financial statements as follows:

Operating surplus from operations	6,920,351	6,524,336	377,111	406,390
Income Tax Expense/(Benefit) Calculated at the corporate tax rate in each year, 30%	2,076,105	1,957,301	113,133	121,917
Tax Effect of Timing Differences not Recognised	21,295	5,047	21,289	8,008
Non-Assessable Mutual Income	(7,970,485)	(8,120,242)	(1,015,531)	(949,880)
Non-Deductible Mutual & Other Expenses	5,671,615	5,834,158	436,591	395,375
Non-Deductible Expenses Within Group	-	-	341,958	277,444
Increase/(utilisation) of tax losses	201,470	323,736	102,560	147,137
Income tax (benefit)/expense	-	-	-	-

In 2012 the Australian Tax Office's notified the Victorian Bar Inc. that it is auditing the basis upon which it, the Victorian Bar Inc., as the head entity of the tax-consolidated group (refer note 3(e) above), was assessed to income tax for the years 2007 to date. AASB137 Provisions, Contingent Liabilities and Contingent Assets provides at paragraph 27 that the Association shall not recognize a contingent liability in these accounts. However, paragraph 86 of AASB137 requires the Association to disclose for each class of contingent liability at the end of the reporting period a brief description of the nature of contingent liability, and where practicable a statement of its financial effect. The Association remains unable in any practicable sense to provide a statement of the precise financial effect that may follow from such audit.

7. Cash and cash equivalents				
Cash on Hand	250	250	-	-
Cash Deposits with Banks	9,480,667	8,963,526	1,966,083	2,314,747
Short-term Money Market Deposits	2,400,000	2,300,000	2,400,000	2,300,000
	11,880,917	11,263,776	4,366,083	4,614,747
8. Trade and other receivables				
Trade receivables	958,267	743,827	181,357	104,819
Provision for doubtful debts	(37,587)	(22,177)	-	-
	920,680	721,650	181,357	104,819
Other receivables	325,911	140,575	146,614	-
	1,246,591	862,225	327,972	104,819
9. Other assets				
Current				
Prepayments	286,317	248,131	21,816	20,555
Non-current				
Bank guarantee deposit	369,000	339,000	-	-
10. Other financial assets				
Investment in subsidiaries	-	-	10,187,430	10,187,430

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.

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	Cons	olidated	Pai	rent
11. Property, plant and equipment	2013 \$	2012 \$	2013 \$	2012 \$
Freehold land & building				
Land at valuation (June 2013)	31,500,000	31,500,000	-	-
Building at valuation (June 2013)	86,875,000	76,175,000	-	-
Less: Accumulated depreciation	-	(1,904,374)	-	-
Total freehold land & building	118,375,000	105,770,626	-	-
Plant, Equipment & Refurbishments				
In Freehold Buildings at Cost	22,449,152	21,003,480	-	-
Less: Accumulated Depreciation	(12,940,454)	(12,783,718)	-	-
	9,508,698	8,219,759	-	-
In Leasehold Premises at Cost	15,890,416	14,414,024	1,171,905	1,099,483
Less: Accumulated Depreciation	(7,095,491)	(5,663,802)	(1,033,106)	(992,214)
	8,794,925	8,750,222	138,799	107,268
Art Works at Cost	133,441	133,441	117,842	117,842
Less: Accumulated Depreciation	(92,372)	(84,491)	(92,372)	(84,491)
	41,069	48,950	25,470	33,352
Work in progress at Cost	1,706,108	-	-	-
Total plant and equipment	20,050,800	17,018,931	164,269	140,620
Total Property, Plant, Equipment & Refurbishment	138,425,800	122,789,560	164,269	140,620
The land and buildings were revalued by an independent valuer of	on the basis of open market va	alue and adopted by	the Directors at 30	June 2013.

				Parent		
		Freehold land and building \$	Plant and equipment at cost \$	Art Works \$	Work in Progress \$	Total \$
	Balance at the beginning of the year	-	148,137	42,161	-	190,298
	Additions	-	-	-	-	-
2012	Disposal/asset written off	-	(643)	-	-	(643)
	Depreciation expenses	-	(40,226)	(8,810)	-	(49,035)
		-	107,268	33,352	-	140,620
_	Balance at the beginning of the year	-	107,268	33,352	-	140,620
2013	Additions	-	72,422	-	-	72,422
20	Depreciation expenses	-	(40,891)	(7,882)	-	(48,773)
		-	138,799	25,471	-	164,269
			Co	onsolidated		
	Balance at the beginning of the year	107,675,000	14,133,682	57,760	-	121,866,442
	Additions	-	4,289,779	-	-	4,396,758
2012	Disposal/asset written off	-	(129,157)	-	-	(129,157)
20	Depreciation expense	(1,904,374)	(1,431,299)	(8,810)	-	(3,344,483)
	Carry forward adjustment	-	106,979	-	-	-
		105,770,626	16,969,984	48,950	-	122,789,560
	Balance at the beginning of the year	105,770,626	16,969,984	48,950	-	122,789,560
	Additions	-	3,339,325	-	1,706,108	5,045,433
2013	Disposal/asset written off	-	(417,260)	-	-	(417,260)
20	Depreciation expenses	(1,904,376)	(1,588,426)	(7,881)	-	(3,500,683)
	Revaluation	14,508,750	-	-	-	14,508,750
		118,375,000	18,303,625	41,069	1,706,108	138,425,800

	Conso	olidated	Parent	
12. Trade and other payables	2013 \$	2012 \$	2013 \$	2012 \$
Current				
Deferred revenue	5,956,436	6,043,467	1,923,915	1,979,132
Trade creditors and accruals	1,194,088	1,851,126	732,826	1,025,236
Owing to subsidiary – Barristers Chambers Limited	-	-	86,511	77,256
Related Party - The Essoign Club	9,540	5,263	9,540	5,263
Other creditors	2,212,153	1,232,777	-	-
	9,372,217	9,132,632	2,752,792	3,086,887
13. Borrowings				
Current				
Bills - secured	-	-	-	-
Non-current				
Bills - secured	30,000,000	35,000,000	-	-
The loan is secured by a first mortgage on all properties and a floating cha	arge over other Barris	ters' Chambers Lim	ited (BCL) assets.	
14. Provision				
Current				
Employee benefits	383,715	384,758	172,701	254,605
Non-current				
Employee benefits	42,487	4,200	42,487	4,200
(a) Aggregate Employee entitlement liability	426,202	388,958	215,188	258,805
(b) Employee numbers				
Average number of full or part time employees during the financial year	30	28	20	18
Number of employees at reporting date	30	28	20	18
15. Tax assets and liabilities				
Current				
Income tax payable	-	-	-	-
Non-current				
Deferred income tax assets	(772)	(772)	-	-
Deferred income tax liability	6,881,320	3,356,320	-	-
	6,880,548	3,355,548	-	-

The deferred income tax liability recognises that a capital gains tax liability may arise in the event that the mutuality principle will not apply upon the sale of the post capital gain tax properties. The amount of the liability is calculated on the difference between the cost base of the buildings and their carrying amounts in these financial statements which is their current fair value.

16. Cash and cash equivalents

(a) Reconciliation of cash and cash equivalents

For the purposes of the statement of cash flows, cash and cash equivalents includes cash on hand and in banks and investments in money market instruments, net of outstanding bank overdrafts. Cash and cash equivalents at the end of the financial year as shown in the cash flow statement is reconciled to the related items in the statement of financial position as follows:

Cash and cash equivalents	11,880,917	11,263,776	4,366,083	4,614,747
(b) Reconciliation of surplus for the year to net cash flows from operat	ing activities			
Surplus for year after income tax benefit/(expense)	6,920,251	6,524,336	377,111	406,390
Depreciation & amortisation of non-current assets	3,500,683	3,344,483	48,774	49,035
Loss on disposal of assets	417,260	22,175	-	643
Increase/(Decrease) in bad and doubtful debts provision	15,410	(97,523)	-	-
Changes in net assets and liabilities:				
Increase/(Decrease) in trade & other receivables and other assets	(429,775)	171,008	(240,172)	61,522
Increase/(Decrease) in trade & other payables	243,885	1,287,138	(318,338)	503,083
Increase/(Decrease) in provisions	(5,240)	(16,820)	(43,617)	(21,540)
	10,662,574	11,234,797	(176,242)	999,133

17. Officers remuneration

No member of the Council received any remuneration from the Association, except for the Chair who received an honorarium of \$20,000. A premium was paid for Directors' and Officers' Liability insurance, details of which are set out in the Officers' Report.

	Consolidated		Parent	
18. Capital and leasing commitments	2013 \$	2012 \$	2013 \$	2012 \$
Lease commitments				
(a) Leasehold premises				
Non-cancellable operating leases contracted for but not capitalised in t	he accounts			
Not longer than 1 year	6,420,130	5,854,905	881,918	849,643
Longer than 1 year and not longer than 5 years	22,214,830	21,350,581	3,753,732	3,696,328
Later than 5 years	6,770,818	8,108,151	-	-
	35,405,778	35,313,637	4,635,650	4,545,971
(a) Office equipment				
Not longer than 1 year	15,590	19,212	15,590	19,212
Longer than 1 year and not longer than 5 years	54,565	9,606	54,565	9,606
Later than 5 years	-	-	-	-
	70,155	28,818	70,155	28,818
Capital expenditure commitments				
Commitments contracted for but not capitalised in the accounts				
Not longer than 1 year	27,616,465	5,125,000	-	-
	27,616,465	5,125,000	-	-

The majority of the above capital expenditure is Plant and Equipment:

» Owen Dixon Chambers West, 525 Lonsdale Street, tower extension project (\$22,766,465)

» Owen Dixon Chambers West, 525 Lonsdale Street refurbishments

» Douglas Menzies Chambers, 180 William Street, façade replacement

» Telephone System upgrade — all buildings

19. Subsequent events

No matters or circumstances has arisen since the end of the financial year which may significantly affect the operations of the consolidated entity, the results of those operations, or the state of affairs of the consolidated entity in future financial years.

PART XIII

THE VICTORIAN BAR INCORPORATED DETAILED INCOME STATEMENT

Detailed Income Statement for the Year Ended 30 June 2013 (Unaudited)

		2013 (unaudited)	2012 (unaudited)
	Notes	\$	\$
Revenue			
Subscriptions		3,187,815	3,019,502
Legal Services Board & Commissioner		742,584	730,898
Readers Course Fees		374,751	277,926
Mediation Fees		255,554	260,462
Interest		156,984	144,103
Conference & Seminar Fees		170,027	118,410
Bar Dinner & Other Functions Receipts		69,726	71,968
Bar News Advertising		2,060	21,462
Grant income		20,000	11,400
Other		24,553	30,260
Total Revenue		5,004,054	4,686,391
Expenses			
Employee benefits and expenses		1,349,545	1,277,455
Rent		847,893	741,309
Pro Bono Scheme expenses (Primarily but not wholly LSB funded)	2	418,082	416,519
Australian Bar Association & Law Council of Australia		339,346	309,821
Amortisation & Fit out	3	166,667	200,833
Conference & Seminar Expenses (includes CPD Conference)		155,763	125,912
Bar Dinner & Other Functions		148,872	154,251
Continuing Professional Development (includes Readers Course)		143,893	122,824
Computer System Software, Support & Website		130,853	119,377
Media Consultant & Marketing		84,249	81,509
Books & Subscriptions		75,019	60,714
Rent Subsidy, Member Parental Leave		68,039	59,598
Travel Expenses		63,965	20,752
Health & Well Being Programs		63,444	88,784
Bar News Expenses		61,811	30,971
Audit & Tax Compliance & Advice Fees		61,205	54,250
Catering for Meetings		59,485	43,094
Depreciation		48,773	49,035
Printing & Stationery		48,575	61,831
Contract Accounting and Bookkeeping		46,656	48,486
Photocopying		35,335	36,908

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	2013 (unaudited)	2012 (unaudited)
Credit Card fees	28,775	18,556
Chair's Honorarium	20,000	-
Project Costs	17,592	2,625
Staff Recruitment & Training	4,579	16,675
Other Admin	138,527	137,912
TOTAL EXPENSES	4,626,941	4,280,001
SURPLUS FOR YEAR BEFORE INCOME TAX BENEFIT/(EXPENSE)	377,111	406,390
Income Tax Benefit/(Expense)	-	-
SURPLUS FOR YEAR	377,111	406,390

Notes To The Detailed Income Statement For The Year Ended 30 June 2013

1. Accumulated Funds	2013 \$	2012 \$
Accumulated Funds at the beginning of the financial Year	11,722,479	11,316,089
Surplus for the year	377,111	406,390
ACCUMULATED FUNDS AT THE END OF THE FINANCIAL YEAR	12,099,590	11,722,479

2. LSB/LSC Reimbursement and Contribution

The Legal Services Board and 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.

	742,584	730,898
Pro Bono Scheme	411,996	411,408
Library	54,000	54,336
Bar News	35,004	38,028
Registration	101,754	121,326
Regulation	139,830	105,800

3. Rent and Refurbishment Costs

In July 2002, an agreement was entered into with Barristers' Chambers Limited under which the Victorian Bar Incorporated 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.

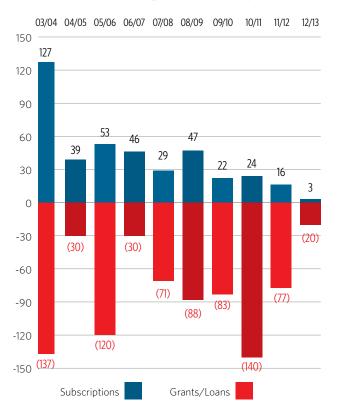
BARRISTERS' BENEVOLENT ASSOCIATION

Barristers' Benevolent Association Of Victoria Annual Report For The Year Ending 30 June 2013 (Unaudited)

ABN 55 460 375 150

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

10 Year History of Subscriptions and Grants/Loans



During 2012-2013 year, the Association made two payments to members, both interest free loans, totalling \$20,000.

Amounts Held by Equity Trustees at Market Value at **30** June **2013**

The market value of assets at 30 June 2013 with their rates of return is set out below:

	ASSET VALUE		ASSET YIELD	
	\$	%	\$	%
Equity Trustees Flagship Fund	689,524	36.1	23,796	4.1
Equity Trustees Wholesale Mortgage Income Fund	313,938	16.5	18,014	5.7
Equity Trustees PIMCO Wholesale Australian Bond Fund	366,046	19.2	28,938	2.8
Equity Trustees Cash Management Fund	538,390	28.2	11,774	2.4
	1,907,898		82,522	

Basis of Preparation of Comparative Financial Statement

The Comparative Financial Statement for the year ended 30 June 2013 has been prepared using historical costs for recording transaction and comparative asset values.

Capital Movement between/within funds

From time to time, capital movements occur between/within the funds managed by Equity Trustees which will be reflected in an adjustment to the closing fund balance.

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BARRISTERS' BENEVOLENT ASSOCIATION OF VICTORIA Comparative Financial Statement for the Year Ended 30 June 2013

	2013 (unaudited)	2012 (unaudited)
	\$	\$
Capital Fund		
Opening Balance at 1 July 2012	1,611,030	1,564,747
Receipts		
Donations received during the Year	2,650	16,125
Loan Repayments received	21,470	18,530
Imputation Credits Refund	-	-
Net Income Earned During the Year	82,522	89,685
	1,717,672	1,689,087
Payments		
Grants	-	14,050
Loans	20,000	62,521
Total payments to Members	20,000	76,571
	1,697,672	1,612,516
Capital movement within/between Funds	-	(1,486)
Closing balance at 30 June 2013	1,697,672	1,611,030
Loans		
Opening Balance at 1 July 2012	251,491	207,500
Add New Loans	20,000	62,521
Less Loan Repayments	(21,470)	(18,530)
Less Loans written off	-	-
Loans at 30 June 2013	250,021	251,491
Total Assets at 30 June 2013	1,947,693	1,862,521

Balance at 30 June 2013	1,697,672	1,611,030
Equity Trustees Cash Management Fund	538,390	451,748
Equity Trustees PIMCO Wholesale Australian Bond Fund	376,898	376,898
Equity Trustees Wholesale Mortgage Income Fund	313,938	313,938
Equity Trustees Flagship Fund	468,446	468,446

Fiona M McLeod S.C. and James W S Peters S.C.

On behalf of the Committee of Management Victorian Bar Council





