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Annual Report of the Victorian Bar Incorporated for the year ended 30 June 2014

To be presented to the Annual General Meeting of the Victorian Bar Incorporated to be held 10 November 2014 in Owen Dixon Chambers East, William Street, Melbourne

THE VICTORIAN BAR INCORPORATED REGISTERED NO. A00343045

PART I CHAIRMAN'S REPORT

WILL ALSTERGREN QC



The Victorian Bar – Leading the way

A principal focus of this Bar Council has been to reassert the Bar's role as the leader of our profession. We are justly proud of our collective expertise, our professionalism and our commitment to the administration of justice. In a rapidly changing legal services market, a crucial role of the Bar Council is to assist members to demonstrate their value and standing in the profession, and to make a good business case for briefing barristers.

For those reasons, I started the year by meeting with most of the major law firms to seek their views about the role of the Bar and the profession generally. In response to those meetings, the Bar Council shaped an intensive program of engagement with solicitors in Melbourne and in regional Victoria and with corporate counsel, government solicitors and area specialists. That engagement included a wide variety of functions, dinners and CPD sessions. The Commercial, Criminal, Family Law and Common Law Bar Associations each played an important role in helping to make the case about the importance of briefing barristers earlier and more often and of the cost savings that can result from doing so.

In February, the Bar engaged consultants to 're-brand' the Bar and the Bar website. A new logo was approved at the Bar Council meeting in September. The necessary work on the website is currently being undertaken and should be complete early in the New Year.

Throughout the year I attended many meetings of the regional and suburban law associations in order to promote the interests of the members of our Bar. In March, the Bar hosted the Presidents' Dinner. The purpose of this event, at which the Hon Robert Clark MP and the Honourable Justice Rush spoke, was to reengage with country and suburban law associations.

In the same month, the Melbourne Commercial Arbitration and Mediation (MCAM) Centre was officially opened at the William Cooper Justice Centre at a function jointly hosted by the Hon Robert Clark MP, the Honourable Chief Justice Marilyn Warren AC, the Bar and the Law Institute of Victoria.

The Bar has day-to-day responsibility for the operation of the Centre. Timed to coincide with the 2014 APRAG conference, the Attorney-General remarked that the launch was "an important step towards Melbourne becoming a key part of the international arbitration hub in the Asia Pacific region". It is a great step forward and is in keeping with our efforts to promote our members as international arbitrators, in Asia and elsewhere.

From March onwards the Bar held a number of successful CPD conferences and networking sessions with solicitors. Panels of speakers included the Honourable Chief Justice Allsop AO, the Hon Robert Clark MP, Justices Forrest, Judd, Ferguson and Rush of the Supreme Court, and Justices Middleton and Gordon of the Federal Court, together with eminent in-house counsel and senior silks. These events were hosted together with the Commercial, Criminal, Family Law and Common Law Bar Associations. I thank all of them.

In May, June and August the Bar engaged with the major accounting firms who are keen to expand their direct briefing practice to areas outside tax. These efforts have already had success. I thank Simon Steward QC (Chair of the Tax Bar Association), Jennifer Batrouney QC and Michael Wyles QC for their help with this project.

In August, the Bar also hosted a litigation dinner for major law firms. The Commonwealth Attorney-General and Justice Jonathan Beach addressed the gathering. In September, the Bar also hosted a dinner for mid-tier law firms. Both dinners were a great success. Similar functions are likely to be repeated next year.

In September, the Bar hosted a dinner with the Board of Victoria Legal Aid (VLA), to build greater understanding and work for our junior members of the Criminal Bar.

In the same month I also attended the International Malaysia Law Conference. I met with members of the Kuala Lumpur International Arbitration Centre, the Malaysian Bar and the



ABOVE: Senator the Honourable George Brandis QC addresses litigation partners and Victorian Bar members at a dinner held in August

Chief Justice of Hong Kong, all of whom are enthusiastic about forming stronger ties with the Victorian Bar. We have also established a working group to liaise with the Australian Bar Association (ABA) to host a conference in Asia in 2015.

On 17 October, the Bar hosted the first 'whole of legal profession' CPD conference in Victoria, together with the Law Institute of Victoria. Over 330 attendees heard from distinguished speakers from across the profession including the Hon Robert Clark MP, State Attorney-General, the Honourable Chief Justice Marilyn Warren AC of the Supreme Court of



ABOVE: The Honourable Chief Justice Marilyn Warren AC welcomed the opening of the Centre as a step forward for arbitration in Melbourne

Victoria, the Honourable Chief Justice Allsop AO of the Federal Court of Australia, many justices of the Federal Court and Supreme Court, senior silks from our Bar, leading partners of major law firms, representatives of the ACCC, ASIC, AGS and many in-house counsel from major corporations. It was a great success and has created a lot of interest in the Bar and its members from other parts of the profession.

Two new online business portals are also in the process of development, the Direct Access and Direct Briefing portals. The Direct Access portal will provide a user friendly website for the public to brief barristers directly in certain criminal law matters and facilitate filtering for clerks and barristers. Already live, the Direct Briefing portal has also been developed in collaboration with various groups within the Bar, and provides users, especially corporate counsel, with easier communication and matter management. The ABA website was also launched in October. The website links to the Bar website for each State and Territory and contains the first national directory of barristers using the areas of practice agreed amongst the jurisdictional Bars during the year.

Data is self-evidently important in helping the Bar to maintain its place in the profession and to market the Bar directly, so this year we have sought to establish a database of solicitors, in-house counsel and direct briefing accounting firms. This is ongoing and will be a priority project next year.



ABOVE LEFT: Will Alstergren QC introduces speakers to TAC and Workcover lawyers and the Bar's Common Law specialists at a seminar held on 8 September

ABOVE RIGHT: Leon Zwier of Arnold Bloch Leibler joined the panel on The Collision of Public Relations and the Law at the Victorian Bar and LIV joint conference

The Bar Council has enjoyed a constructive relationship with Attorneys-General Senator the Hon George Brandis QC and the Hon Robert Clark MP. We are most grateful to the Attorneys for their support of and contributions to the Bar, including for their attendance at numerous Bar functions and CPD sessions. Both Attorneys-General have recognised the contribution our Bar makes to the administration of justice, both in this State and nationally, and we thank them for their contribution and support. Members of the Bar Council Executive have also enjoyed meeting with the Shadow Attorney-General Martin Pakula MP on a number of occasions.

Indictable Crime Certificate

Another crucial initiative this year was the launch on 30 October of the Indictable Crime Certificate (ICC). The ICC is a scheme for the accreditation and quality assurance of barristers undertaking indictable matters. In order to develop and demonstrate their ability as skilled trial advocates, barristers who gain the ICC will undertake education, professional experience and assessment components, as well as an ongoing quality maintenance process.

The ICC will be overseen by a Committee, supported by a Secretariat. The ICC Committee will be responsible for the content, operation and administration of the ICC, and administering the rules governing the granting, review, suspension or revocation of any ICC issued.

The ICC Committee will be chaired by the Honourable Geoffrey Eames AM QC. Appointments to the Committee include the Honourable Stephen Charles QC (Deputy Chair), Jim Peters QC (as Victorian Bar Vice-Chairman), Peter Morrissey S.C. (as Chair, Criminal Bar Association) and David O'Callaghan QC (as Chair, Education and Professional Development Committee), and will be supported by the Head of the new ICC Secretariat, Jacqueline Stone.

Financial Results

The Bar has generated a steady flow of surpluses from annual operations, and 2014 continues that trend. The Bar has a solid base of reserves from which to make operational investments. Fiscal discipline was continued this year through Honorary Treasurer David O'Callaghan QC, and the Audit and Finance Committee, chaired by Paul Anastassiou QC.



ABOVE: Peter O'Callaghan QC spoke warmly of the many members who had been influential in the history of Owen Dixon Chambers West at the launch of the Peter O'Callaghan QC Gallery in October 2014

The decision of Bar Council to leave the 2014-15 subscription rate scale unchanged meant that for junior members, the rate scale had not been changed for 5 years, and for senior members, increases in the rate scale remain below inflation. The Legal Practitioners' Liability Committee (LPLC) also reduced 2014-15 professional indemnity premium rates by an average 10% from the prior year. Since 2007-8 LPLC premium rates have been reduced on average by around 50%. These reductions are a result of the Bar's solid claims track record, as monitored by the Bar's Professional Standards Committee chaired during the year by Jonathan Beach QC (now the Honourable Justice Beach) and Roisin Annesley QC.

Silk appointments

The selection process for Senior Counsel is unchanged and the Chief Justice remains central to the model for selection at the Victorian Bar. On behalf of the Bar, I express our gratitude to the Chief Justice for endorsing and adopting the 2-year piloted model as permanent for the selection of Senior Counsel in and for the State of Victoria.

After consultation with the Bar Council and the Chief Justice, the Attorney-General announced on 3 February 2014 that Victorian Senior Counsel would be given the option to be appointed as Queen's Counsel upon application. Over 90% of the Bar who were eligible applied for letters patent to change their title to QC.

Readers' Course and Continuing Professional Development

The Bar has continued to be a leader in training and development programs available to members, and in encouraging members to take advantage of the programs to improve their skills and excellence.

In November 2013, the Education and Professional Development Committee (EPDC) was established with overarching responsibility for the continuous education and professional development activities of the Bar, including the Readers' Course and the CPD program.

Initiatives this year include the publication of a CPD course guide for the 2013-14 CPD year and the formation of Practice Advice Groups. Major pieces of work that will be implemented late this year and early next year include the Indictable Crime Certificate and uniform CPD Rules as part of the Legal Profession Uniform Law.

The programs offered by the Bar represent an enormous commitment by many judges and barristers to education and skills training in order that we can best serve the courts, the interests of justice and the people of Victoria.

The demands on the EPDC and the Readers' Course Sub-Committee are substantial and I thank the members of both of them and their Chair, David O'Callaghan QC, for their commitment and hard work.

Barristers Chambers (BCL), Accommodation and Telecoms

On 7 November, we formally opened the Owen Dixon Chambers West extension on levels 19 to 24, adding 82 new chambers. A large part of the \$31m project was funded by BCL. Its net assets now exceed \$100m. This year BCL has invested some \$1.9m in projects across all buildings, including refurbishment of ODW levels and ODE bathroom and lobbies, a new VOIP telephone system, and hardware necessary to provide a seamless internet service to all members.

Edwin Gill retired as CEO and Managing Director in August. The Chairman of BCL, Michael Wyles QC, has in his report spoken about the huge contribution Ed made. I also add my personal thanks to Ed, and on behalf of the Bar, to Michael Wyles QC and the BCL Board and staff for their work.

Peter O'Callaghan QC Gallery

The Peter O'Callaghan QC Portrait Gallery was launched on 8 October by the Commonwealth Attorney-General and the Honourable Justice Susan Crennan AC. Peter is our most senior member and had a significant hand in the development of ODW Chambers. The audience included many members from the families of those who are immortalised on the walls of the gallery. It was a magnificent celebration. I extend our thanks to Peter Jopling AM QC and the Arts and Collections Committee for their initiative and work in making it happen. The portrait collection, with suitable biographies, can now also be found on the Bar's website.

Loss of a Legend

One of our Legends, Dr John McLaren Emmerson QC, died this year. John was an acknowledged leader in Intellectual Property Law, with particular interest in patents, especially pharmaceutical patents, and copyright. John was a Director of BCL, chaired the Commercial Bar's IP & Trade Practices Committee, served on the Bar Computer Committee, chaired the Bar Demographics Committee and chaired his List Committee. He was made a Bar Legend in 2012 for his friendship and counsel and for his years of service to the Bar.

Bar News

I congratulate our *Bar News* Editors, Georgina Costello and Justin Tomlinson and the Editorial Committee for two outstanding editions of *Bar News* during the year. The role of editor takes an enormous amount of time and commitment and I thank Georgina and Justin on behalf of the members. The *Bar News* Committee has now been reorganised with Justin's resignation and the appointment of Georgina Schoff QC. A new app has been added this year for those wishing to read *Bar News* online. Also, for those longing for a historical perspective, this year we have added to the website past editions of *Bar News* and *Annual Reports* going back to their first publication.



ABOVE: The Honourable Justice Kenneth Hayne AC and Jeremy Ruskin QC entertained guests at the 2014 Bar Dinner in May

2014 Bar Dinner

The 2014 Bar Dinner was again held in the beautiful Melbourne landmark, the Myer Mural Hall. It was a sell out with 550 in attendance on the night. Honoured guests included the Governor of Victoria, his Excellency the Hon Alex Chernov AC QC, Federal Attorney-General, Senator the Hon George Brandis QC, State Attorney-General the Hon Robert Clark MP, five High Court Justices, the Chief Justice of Victoria and representatives of all our courts. My thanks go to our guest speakers, the Honourable Justice Hayne AC and Jeremy Ruskin QC. Each gave very fine speeches that were as entertaining as they were thought provoking. I thank those on the organising committee, the Bar Office, the Bar Band and Bar Choir for helping to make this such a memorable event.

Pro Bono

The Bar continues to support our profession, the Courts and the Community by performing an enormous amount of pro bono work. The 2014 Pro Bono Awards celebration took place on 16 October. We know that members also do an enormous amount of pro bono work outside of the Pro Bono and the Duty Barristers' Schemes. During the year the Pro Bono Committee enlisted the support of the clerks to develop a process for measuring the amount of pro bono work undertaken, its commercial value, type and the source of referral in fee books or their electronic equivalent. I thank Jane Dixon QC and the committee for their fine work and look forward to reading the results of the survey. I also wish to thank Nicole Dawson of the Bar Office for her outstanding work as coordinator of the Duty Barristers' Scheme.

During the year, the Bar launched a pilot scheme for the provision of pro bono representation for unrepresented parties seeking leave to appeal to the Court of Appeal. Aimed at assisting the Court of Appeal to clear backlogs, the scheme will provide an opportunity for junior counsel to work closely with senior counsel and senior juniors in higher courts.

Equality initiatives

The Bar has continued to undertake various initiatives to improve equality at the Bar, including the *Quantum Leap* project. At present, we are actively pursuing a number of projects, including mentoring projects and unconscious bias training. We are also engaged with the Victorian Human Rights and Equal Opportunity Commissioner on other ways to enhance equality at the Bar.

Baseline sentencing

The Bar expressed its concerns about the Sentencing Amendment (Baseline Sentences) Act 2014 when it was first proposed. The effect of the new laws, now enacted, is that Victorian Courts will be expected to impose longer terms of imprisonment on offenders based on existing median sentences. The Bar expressed its concern about the complexity of the system, the removal of judicial discretion, the flow-on effect on resources for the courts and the corrections system, and the likelihood that offenders will be less likely to plead guilty in circumstances where it would otherwise be appropriate for them to do so. I thank the Victorian Attorney-General, the Hon Robert Clark MP, for making himself available for consultation with the members of the Bar about the changes. I also thank Peter Morrissey S.C. and the members of the Criminal Bar Association for their assistance.

Health and Wellbeing

I also seek to pay tribute to the important work carried out by the members of the Health and Wellbeing Committee. It has continued to be an important function with respect to the interests of our members. I also congratulate those on the Committee for the development of the Bar Choir. It is a marvellous initiative.

Access to Justice – Legal Aid and Direct Briefing of Barristers

VLA has the unenviable task of allocating resources for legal advice and trials from a chronically underfunded legal aid allowance. Early this year VLA committed to seek input from the profession and in September released its consultation and options paper entitled 'Delivering High Quality Criminal Trials'. The Bar and the Criminal Bar Association made a joint submission to the inquiry. The Bar is, and has always been, the provider of a flexible, high quality pool of expert advocates and there is an undoubted economic benefit to be derived from the efficient and expert running of trials by skilled advocates. The submission cautioned that the approach to allocating work and remunerating barristers needed to be changed quickly before irreparable harm was done.

New CEO

After 7 years of outstanding service to the Bar, CEO Stephen Hare is retiring. We are grateful to Stephen for all he has done in this time. Consultants have been engaged to conduct a national search to find a new appointment. We are expecting to announce a new appointment before Christmas, with an expected start date early in the New Year.

Thank you

I congratulate my predecessor Fiona McLeod S.C. for her work as Chair.

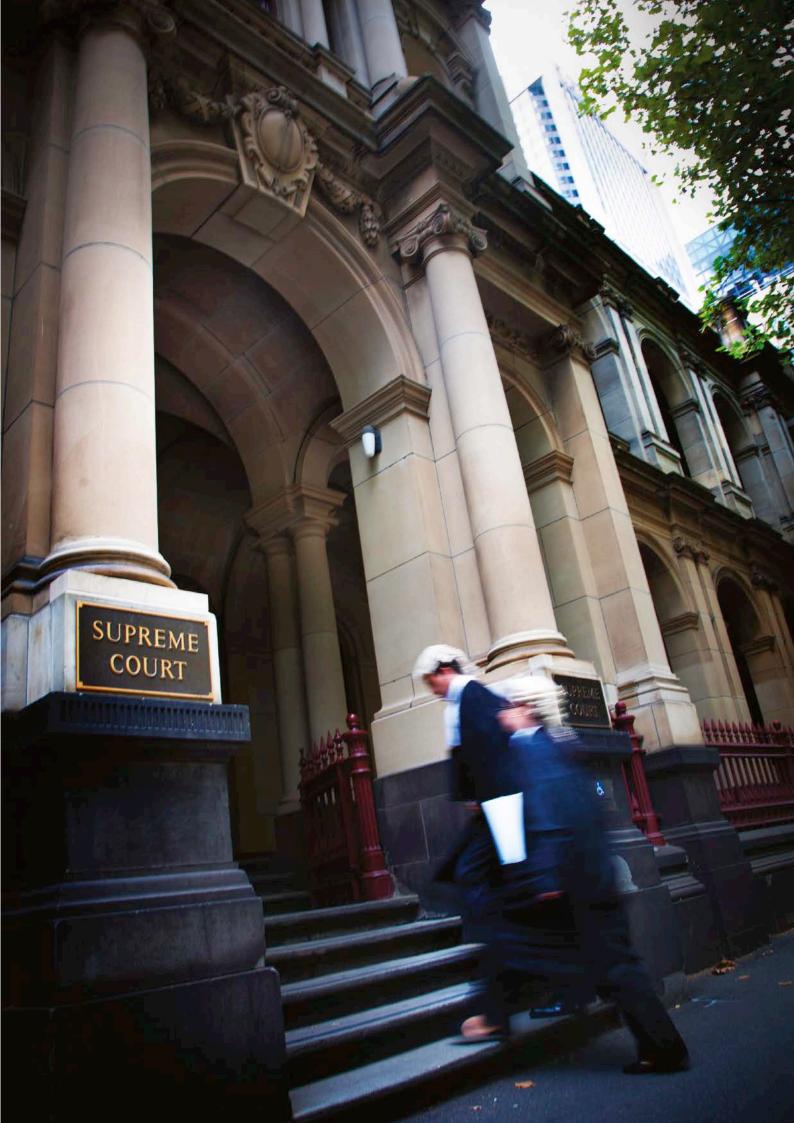
I also thank the Honourable Justice Jonathan Beach. Jonathan was at our Bar for more than 26 years, including 15 years as a silk and the last 4 as a member of the Bar Council, serving as Honorary Treasurer, Vice-Chairman and at times Acting Chairman. It has been a privilege serving with him on the Bar Council.

Members of Bar Council who retired at the last election were Timothy Tobin S.C., Richard McGarvie QC, Edward Woodward S.C., Adrian Finanzio S.C., Michael Gronow, Justin Hannebery, Benjamin Murphy, Robert O'Neil and Christine Melis. I thank each of them for their hard work and contribution.

On behalf of Bar Council and members I express my thanks to the Bar's CEO, Stephen Hare, and to the staff of the Bar Office. They do an enormous amount of work on behalf of members and are the 'engine room' for many initiatives and projects. Their efforts are deeply appreciated and I thank them each for the support they provide: in the office of the CEO I thank Ross Nankivell, Denise Bennett, Jacqueline Stone and Gabrielle Ostberg, in Secretariat I thank Jacinta Silva, Leanne Hardy, Glen Manly, Nicole Dawson, Fiona Faulkner, Jim Maguire and John Yiannakou, in Compliance and Member Services I thank Alison Rock, Marisa Pretotto and Daphne Ioannidis, in Education and Knowledge Management I thank Rachel Chrapot, May Lim and Wendy Pollock, Marketing and Communications, I thank Sally Bodman, Courtney Bow and Byron Moore. I also particularly thank the Bar Council's Executive Assistant, Denise Bennett, upon whom I have relied through the year. I also thank Ross Nankivell for his support in preparing our court welcomes and farewells, and speeches for other functions.

I thank all the members of the Bar Council and especially Vice-Chairmen Jim Peters QC and Paul Anastassiou QC, and Honorary Treasurer David O'Callaghan QC for their support during the year. I have this year relied upon all members of the Bar Council and thank them for their support. I also thank Honorary Secretary Paul Panayi and Assistant Honorary Secretaries, Matthew Hooper and Barbara Myers, for their work in supporting this Bar Council.

Finally, the work of the Bar is heavily dependent on the contribution of many members who volunteer collectively many thousands of hours of work, through the Bar associations, committees and individual effort. Thank you all.



PART II

BAR COUNCIL 2013-2014

Category A

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

Chair	E William Alstergren QC
Senior Vice-Chairman	Jonathan B R Beach QC (until 19 June 2014)
Senior Vice-Chairman	James W S Peters QC
Junior Vice-Chairman	Paul E Anastassiou QC
Member	O Paul Holdenson QC
Member	Jennifer J Batrouney QC
Honorary Treasurer	David J O'Callaghan QC
Member	Michael F Wheelahan QC
Member	Dr Gregory J Lyon QC
Member	Samantha L Marks QC
Member	Christopher J Winneke

Category B

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

Assistant Honorary Treasurer	Paul X Connor	
Member	Kim J Knights	
Member	Elizabeth M Brimer	
Member	Daniel J Crennan	
Member	Miguel A Belmar Salas	
Member	Dr Michelle R Sharpe	

Category C

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

Member	Michael D Stanton	
Member	John (Jack) R M Tracey	
Member	Emma Peppler	
Member	Karen Argiropoulos	
Honorary Secretaries		

Honorary Secretary	Paul Panayi
Assistant Honorary Secretaries	Barbara A Myers
	Matthew J Hooper



PART III

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
Manager, Legal Strategy and Development	Jacqueline Stone
Legal Policy and Research Coordinator	Gabrielle Östberg
Secretariat	
Manager, Secretariat Services	Jacinta Silva
Accounts Officer	Leanne Hardy Glen Manly
Administration Assistant – Accounts/Reception	Nicole Dawson
Administration Assistant – Mediation Centre/CPD scheduling	Fiona Faulkner
Administration Assistant – Audio visual/CPD library	Jim Maguire John Yiannakou

Compliance and Member Services

Manager, Compliance and Member Services	Alison Rock			
Compliance Officer	Marisa Pretotto			
Administration Assistant - Membership	Daphne Ioannidis			
Education and Knowledge Management				
Manager, Professional Development	Rachel Chrapot			
Co-ordinator, Professional Development	May Lim			
Co-ordinator, Readers Course	Wendy Pollock			
Marketing and Communications				
Manager, Marketing	Sally Bodman			
Events and Communications Assistant	Courtney Bow			
Online Communications	Byron Moore			







PART IV

BAR ASSOCIATIONS

Commercial Bar Association

Executive Committee at 30 June: Philip D Crutchfield QC (President), Stewart M Anderson QC (Senior Vice-President), Caroline E Kirton QC (Junior Vice-President/Convenor), Ian H Percy (Treasurer), Catherine M Pierce (Honorary Secretary), Dr Joshua D Wilson QC, Caroline M Kenny QC, Albert A Monichino QC, David C Turner, Kathleen E Foley, Dr Elizabeth J Boros and Caryn van Proctor

The Commercial Bar Association of Victoria (CommBar®) incorporates sixteen separate specialist sections. The newest section, the Civil Procedure section, was added at the end of this financial year. Information regarding each section, including its Chair and members, is available on CommBar's website, www.commbar.com.au.

CommBar's activity grows in intensity each year with 2013-2014, continuing the trend. Principal activities include hosting CPD seminars, making submissions and publishing regular issues of the CommBar News and a new blog, "CommBar Matters".

CommBar could not carry on its activities in the way that it does without the help of the Bar Office. In that regard, particular thanks are due to Sally Bodman and Courtney Bow for their tireless assistance.

Highlights of the 2013-2014 year include:

Membership

> CommBar has increased its membership to over 600 members.

CPD seminars

- CommBar has hosted many CPD seminars in the last twelve months in conjunction with Melbourne and Monash Universities and the Supreme and Federal Courts events as a part of the Victorian Bar's CPD Program. Notable CPD events included:
 - A seminar series on the law of class actions, presented and chaired by members of the judiciary, the Bar and the legal profession who have extensive experience in running complex class action litigation;
 - A seminar series on various aspects of the law relating to insolvent managed investment schemes;



ABOVE: CommBar Matters blog

- > Two seminars tailored specifically for junior members of the Bar: "Advocacy in the Judicial Review and Appeals List"; and "Preparing and Running a Commercial Trial - Tips for Junior Barristers".
- More CPD seminars are planned for the remainder of 2014, including a seminar by Justice Hayne on applications for special leave to the High Court.

Submissions on law reform

- CommBar and its specialist sections have made several submissions during the year to government, and also to the Victorian Law Reform Commission (VLRC) on Trading Trusts and Oppression Remedies and to the Bar Council on contingent fee agreements.
- CommBar gratefully acknowledges the work of Albert Monichino QC and Dr Elizabeth Boros for their work preparing the submission to the VLRC and Stewart Anderson QC and Caryn van Proctor for their work in preparing the submission to Bar Council.

CommBar News and the CommBar blog

> This year, CommBar began to publish a blog known as "CommBar Matters" to provide commentary on topical issues in commercial law. The blog is intended to be available not only to CommBar members but also to members of the legal profession more broadly. CommBar has entered into an agreement with Lexology to enable the CommBar blog

- to reach subscribers to that database. CommBar gratefully acknowledges the work of Executive Committee member Dr Elizabeth Boros in creating and promoting the blog.
- CommBar continues to publish its CommBar News, which includes topical information and case notes for members. CommBar thanks the Editor of CommBar News, Cornelia Fourfouris-Mack and Byron Moore of VicBar, for their work in assisting CommBar members to publish CommBar Matters and CommBar News.

Social events

- In November 2013, CommBar's annual drinks evening was hosted in the Federal Court, and was very well attended. Speeches were delivered by the Commonwealth Attorney-General, Senator the Honourable George Brandis QC, and Chief Justice James Allsop AO.
- On 17 March 2014, CommBar jointly hosted a function at the William Cooper Justice Centre to celebrate the opening of the Melbourne Commercial Arbitration and Mediation Centre.
- CommBar will host judges, commercial solicitors, corporate counsel and CommBar members at its annual social event to be held in the Supreme Court of Victoria in September 2014. This event is the highlight of CommBar's social calendar.

Foreign visitors

To coincide with the Asia Pacific Regional Arbitration Group Conference held over two days from 26 to 28 March 2014, Professor Datuk Sundra Rajoo presented a paper on arbitration in the Asia-Pacific. The topic was 'Arbitration in Transition in the 120th Meridian: The Pacific Hour'. Professor Rajoo's paper was followed by a panel discussion featuring Professor Michael Pryles and Professor Anselmo Reyes. The seminar was Co-chaired by Martin Scott QC and Albert Monichino QC.

Additional contributions to legal professional organisations

- CommBar continues to donate funds to AustLii and the Victorian Supreme Court Library and to sponsor prizes for Law Students from time to time.
- > This year, CommBar donated funds to assist with the establishment of the Australian Hellenic Lawyers Association.
- Many CommBar members provide valuable pro bono and otherwise unpaid services to a range of worthy causes. This year, CommBar Section Chairs will once again nominate section members to receive awards from the Bar for pro bono assistance.
- Many members 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.

Criminal Bar Association

Committee at 30 June: Peter J Morrissey S.C. (Chair), Michael P Cahill (Vice Chair), Simon A Moglia (Treasurer), Megan Tittensor (Secretary), P Justin Hannebery, Leighton C R Gwynn, Carolene R Gwynn, Karen Argiropoulos, Michelle J Mykytowycz, Michael D Stanton and Nicholas Goodenough

The Committee thanks those members who retired during the year: Remy van de Wiel QC (Retiring Chair), Philip A Dunn QC, Ian D Hill QC, Michael J Croucher S.C. upon his appointment to the Supreme Court, Christopher W Beale QC upon his appointment to the Supreme Court and Lachlan C Carter

The past year has been challenging and busy for the Criminal Bar Association (CBA) committee. The law is changing rapidly, and the professional landscape is changing too.

The CBA has contributed to the major criminal justice debates. In a year where legislative proposals to radically increase sentences proliferated, the CBA led the debate and provided the contrary arguments, often in a hostile environment. The Attorney-General was invited to discuss the proposals at a CBA function, and heard the arguments against baseline sentencing strongly advanced. The CBA has a particularly important role in such debate, as the Courts cannot engage publicly. The CBA also engaged in much media debate on this and other sentencing initiatives.

The Chair also consults with the Attorney-General and the heads of jurisdiction on a range of issues, including Legal Aid reform, professional development, court management issues and law reform of all sorts. Committee members have consulted with the DPP, Sentencing Advisory Council, Department of Justice, Corrections, Court of Appeal Reference Group, and many important court users groups and other jurisdictional meetings. The Chair has made regular contributions to radio, television and newspaper pieces in current criminal justice issues.

The work of the criminal barrister grows more varied and challenging. Since 2008 there have been major reforms: the Evidence Act 2008, the Criminal Procedure Act 2009 and the Jury Directions Act 2013. New practice notes and procedures have occurred in all jurisdictions. The pace of change continues unrelentingly: mandatory sentencing for gross violence offences, baseline and mandatory sentencing for various offences, jury directions, abolition of suspended sentences, amendments to CCOs, the abolition of defensive homicide, amendment and expansion of statutory regimes dealing with confiscation and criminal organisations, changes to leave requirements for witnesses in committal hearings, reforms in relation to sexual offence laws, and amendments in relation to sex offender registration. The CBA continues to provide educational and professional development support to ensure the Bar maintains its high standard of representation. Many CPD lectures have been offered for that purpose, the standard being uniformly accepted as excellent.

The CBA is proud to represent the Bar in crime. The Victorian Bar provides the best pool of advocates available to conduct criminal trials. Those at the Bar have completed an intensive three-month advocacy course (and an exam in the last few years), as well as a nine-month period of reading with an experienced member of the Bar, followed by continuing education. The chambers system, the access to and open doors of senior Barristers provide great value which is not available elsewhere.

Regrettably, at a time where the work is becoming more complex, and we should be striving to have the best Counsel available conduct such work, more of the criminal work is being conducted by those less well qualified or experienced as those available to be briefed at the Bar. In the last few years VLA have significantly increased the number of indictable matters that are being dealt with by an expanding number of in-house Counsel. There also appears to be a growing number of solicitor advocates conducting indictable matters – pleas and trials – in both the County and Supreme Courts. Last year we reported that VLA cuts to funding in the summary jurisdiction have already had widespread repercussions for members who practise in crime. This year VLA have been reviewing the way it will fund indictable trials. It is anticipated that in the near future VLA will compile a panel of approved Counsel who may appear

in legally aided trials. Funding cuts have seen a serious negative impact on the UK Bar and on the overall quality and experience of those appearing in criminal trials.

In order to maintain the relevance of our Bar the Indictable Crime Certificate (ICC) has been developed. The Bar will provide education and compliance requirements for its members to obtain and maintain this certificate. The compliance mechanism will provide greater accountability to Counsel, in so doing lifting overall standards. The ICC will be a voluntary scheme for members of the Bar which will certify Counsel as being suitable to be briefed in indictable trials. It is anticipated that various agencies, including VLA, the OPP, and others will take into account this certificate when deciding upon whether to brief an advocate, or to put them on a panel.

The CBA recognises the challenge that accreditation poses and will work hard to support members to meet that challenge. The CPD program already in place is important in keeping our members up to date with the continuing law reform and continues to present some of the most interesting and cutting-edge issues. The other components of the ICC will do so too. The agencies which brief the Bar in crime – Legal Aid, the OPP, police, Department of Justice and others – will now be accountable for their choices. The ICC represents a commitment to controlling our destiny, and it has the imprimatur of the leading Court of the state.

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. Many thanks, too, to non-Committee members who contributed time and intellectual commitment to the work of the Committee, particularly in the law reform area.

During the year we celebrated the appointments of members, Justices Croucher and Beale to the Supreme Court, Judge Quin to the County Court, and Tim Walsh and Barry Schulz to the Magistracy.

We still mourn the passing of Lachlan Carter, a very passionate advocate for his clients and a great contributor to our Association over many years. Stephen Shirrefs S.C., Maitland Lincoln and John McArdle QC are also missed.

Finally, our commitment to the legal community remains strong. CBA social events have been well attended. Last year's dinner at Matteo's was again oversubscribed and enjoyed by all, and we had another enjoyable May drinks at Wheat.

We thank all members, and indicate our determination to continue to serve the members, and the community, as best we can.

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 L 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.

After changes to the age at which children are entitled to be represented and participate in proceedings brought for their care and protection, this year has seen the State Government introduce further Bills amending the operation of Child Protection Orders, the powers of the Court, and the participation of children and families in proceedings.

The impact of changes made previously to the representation of children and access to legal aid has had a substantial impact on the jurisdiction. Our members have and will continue to work with the Court to address these changes and the demanding strain it places upon the process. It has also been a year in which several cases have attracted significant media attention due to deficits in the child protection system and the devastating impact this can have on the children concerned. In recognition of the Association's importance the input of members was sought from the State Government, and some members were involved in State Government In Confidence Cabinet consultations, regarding the current bills before parliament, and we have been working with the Law Association of Victoria to address the issues generated by changes to Legal Aid guidelines. On a lighter note, we held a well-attended and enjoyable welcome function for members and solicitors who regularly appear in the jurisdiction to welcome the appointment of Judge Couzens as the incoming President, and gratefully acknowledge the support of the Bar for this function.

Common Law Bar Association

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

The Committee thanks those members who retired during the year: Bree Y Knoester

In another active year for the Common Law Bar Association, highlights included:

- > Membership has increased to 265.
- > Liaison with Judges of the Supreme Court and County Courts



ABOVE: Jeremy Ruskin QC presenting at the Common Law Bar Association seminar 'Challenges of Modern Common Law Litigation'

continue, in particular, the Chief Justice and Justices Beach and J. Forrest who continue to encourage the litigation of common law matters in the Supreme Court and Judges Misso, Saccardo and O'Neill of the County Court. The number of Jury trials has increased considerably in the Supreme Court over the past 12 months. Liaison with the county Court this year has centred on improving the listing procedures.

- Submissions to the Law Reform Commission regarding its enquiry into Jury Empanelment.
- Liaison with the Victorian Competition and Efficiency Commission following submissions made by the Common Law Bar Association and the release of the Commission's report into aspects of the Wrongs Act.
- Provision of speakers and topics on a range of issues as part of the Victorian Bar's CPD Program.
- Provision of case summaries of recent Court decision to its members.
- Discussions continued with the Transport Accident Commission and the Victorian WorkCover Authority about the conduct and hearing of common law matters arising from transport accidents and industrial accidents.
- Development and launch of the Common Law Bar Association website.
- Hosting of a very successful dinner following the Annual Meeting on the 3rd December 2013.
- Submissions to the Bar Council in response to the Law Council's report on Percentage Based Contingency Fee Agreements.
- > Enabling members to access the Civil Charge Bench Book prepared by the Judicial College of Victoria.

Compensation Bar Association

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

The Committee thanks those members who retired during the year: Campbell E Hangay for his work as Treasurer

Membership has increased to around 76, including the new readers.

His Honour Magistrate Wright reminded the Association that this year is the 100-year anniversary of compensation law (Workman's compensation) in Victoria. Since 1985, compensation law practitioners have managed to deal with 19 reprints of the *Accident Compensation Act*.

The Workplace Injury Rehabilitation and Compensation Act 2013 came into effect on 1 July 2014. This sizable tome of 747 pages, plus regulations, governs workers' compensation in Victoria and is required reading for practitioners in the area.

The Magistrates' Court has appointed an extra Magistrate to accommodate the increased listings in the WorkCover list and the Magistrates' Court has appointed a WorkCover Registrar.

At the Magistrates' Court WorkCover Users Group meeting in March 2014, his Honour Magistrate Wright advised that as of that date there had been 25 percent increase in matters issued in that financial year. The number of matters being referred to the Medical Panel from the Court has also increased.

The Association hosted a CPD session delivered by Michael O'Loghlen QC (retired) a longstanding and lifelong member of the Association, on Transition to Retirement from the Bar. The lecture was well-attended by members from the Bar not only those from the Association's membership. As is O'Loghlen's form, question time, which was also well attended, was held in the Essoign Club whilst participants enjoyed refreshments and food.

The Association thanks Bruce McKenzie who distributes those judgments relevant to our members' practices.



ABOVE: The Honourable Chief Justice Diana Bryant AO presenting at the Family Law Bar Association seminar 'The Challenges of Commercial Disputes in Family Court Trials and Appeals'

Family Law Bar Association

Committee at 30 June: Ian F Mawson QC (Chair), Rohan N Hoult (Deputy Chair), Robin M Smith (Treasurer), Darren A Mort (Secretary), Michael L Pavone, Emma M Swart and Patricia A Byrnes

The Committee meets regularly to review matters of interest to the Family Law Bar. There has been an ongoing dialogue with the Bench of both Courts in relation to legal aid issues, self represented litigants and listings. In June 2014 Members of the Committee met with Jane Reynolds, the Regional Manager of Victoria and Tasmania, along with Justice Cronin and Judge Burchardt to discuss the facilities for the profession at the Melbourne Registry. In particular there will be a revamp of the robing room and a separate facility will be made available for counsel for drafting orders etc. (i.e. the media room on the second floor). Throughout the year there were a number of CPD seminars relating to matters such as technology and psychological reports.

On a lighter note there was a Christmas cocktail party, a farewell cocktail party for Her Honour Judge Hughes and a trivia night in July 2014, which was jointly organised with the Law Institute. Although not an FLBA function, a highlight of the year was the Bill Pinner retirement dinner. Consideration is being given to an annual dinner at the Essoign to celebrate retirements and appointments.

Industrial Bar Association

Committee at 30 June: Eugene P White (President), Justin L Bourke QC (Senior Vice President), Craig W Dowling (Vice President), Rohan A Millar (Treasurer), Timothy Jacobs (Secretary), Gerard C P McKeown, Steven J Moore, Victoria E Lambropoulos, Richard P P Dalton, Robert W O'Neill and Robyn W Sweet

The Committee thanks those members who retired during the year: Herman Borenstein QC, Frank Parry QC and Cassie J Serpell

Established in June 2004, the Industrial Bar Association (IBA) objects are to provide for barristers who practise in or have an interest in industrial/employment law, a forum to foster closer working and social relationships and to encourage participation by members in continuing legal education programs and conferences.

Highlights for the year include:

- > Membership has increased to in excess of 70.
- > Provision of speakers and topics on a range of issues as part of the Victorian Bar's CPD Program.
- > Co-hosted, with the Law Institute of Victoria, a social function in the Essoign to encourage stronger interaction between barristers and solicitors.
- > Hosted a dinner to acknowledge the careers and contributions of the Honourable Donnell Ryan QC and the Honourable Peter Gray AM. In lieu of the 2013 annual dinner, this successful function was also attended by members of the judiciary and Fair Work Commission, solicitors and academics.
- > Participated in a users' group established by the President of the Fair Work Commission through the representation of two members of IBA.

Tax Bar Association

Committee at 30 June: Simon H Steward QC (President), Jennifer J Batrouney QC (Vice President), Peter G Sest QC (Treasurer), Kateena A O'Gorman (Secretary), John W de Wijn QC, Gregory J Davies QC, Michael T Flynn, Julianne E Jaques (Assistant CPD Convenor), Simon A Tisher (Joint CPD Convenor), F John Morgan (Joint CPD Convenor), Tim M Grace, Eugene F Wheelahan, Ria Sotiropoulos, Daniel J McInerney (Social Events Co-ordinator), Emma N Mealy and Angela Lee

The Committee thanks those members who retired during the year: Meredith A Schilling for her work as Joint CPD Convenor and Ria Sotiropoulos for her work as Secretary.

Highlights of the Financial Year included:

- > Membership has increased to in excess of 100.
- Provision of a number of CPD seminars on a range of topics dealing with the conduct of tax litigation, as well as tax technical issues and tax practice issues. Speakers included Federal Court judges, leading tax counsel and practitioners. An especially notable seminar chaired by his Honour Justice Pagone, and presented by Jennifer Batrouney QC, explored The distinction between questions of law and questions of fact.
- The monthly "Tax Discussion Group" lunch, chaired by John Morgan provides a forum for tax barristers.
- The regular electronic newsletter, informs members, and subscribers from legal and accounting firms, the Australian Taxation Office, and universities, of the latest tax developments.
- The Association's website is a valuable and up-to-date tax resource available to members, which 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.
- > Hosted a number of social events to foster relationships between Association members and the broader tax community. The notable event was the annual end of year dinner in 2013 with the Chief Justice of the Federal Court, the Hon. J.L.B. Allsop, AO as the speaker. The 2014 annual dinner in November, will have as its guest speaker the Commissioner of Taxation.

Women Barristers Association

Committee at 30 June: Diana Price (Convenor), Megan S Fitzgerald (Assistant Convenor), Tiphanie J Acreman (Assistant Convenor & Membership), Joye S Elleray (Treasurer), Louise J Martin (Secretary), Dr Kylie Weston-Scheuber (Communications), Kim J Knights, Suzanne A Kirton, Charmaine K M Lye, Jane C Sharp, Emma Peppler, Fiona L Batten, Jennifer M F Trewhella, Carolyn M Symons and Astrid M Haban-Beer

The Committee thanks those members who retired during the year: Deborah E Foy (Retiring Secretary) and Emma N Mealy

The Women Barristers Association achieved many important goals this year. Highlights included:

- Successful involvement in the Bar Council election process, reflected in an increase in the number of women candidates, and ultimately in an increase in the number of women on Bar Council from three to seven.
- Submitted formal responses to several key reports, including:
 - > the Law Council of Australia National Attrition and Reengagement Study, in which the successful adoption of the Quantum Leap Project together with additional efforts to address bullying, harassment and discrimination were cited.
 - > the Victoria Legal Aid's 'Delivering High Quality Criminal Trials' consultation and options paper, seeking to ensure VLA remains committed to equal opportunity briefing.
- Provision of networking and professional development opportunities for its members:
 - In October 2013, Gabrielle Munzer presented a personal finance workshop.
 - In November, WBA hosted a career development panel discussion with speakers the Honourable Justice Elizabeth Hollingworth, Sue McNicol QC, Carolyn Sparke QC and Anna Robertson.
 - In February 2014, Fiona McLeod SC, Caroline Kirton QC and WBA hosted 'Leaps and Bounds', which welcomed those women who were appointed to the bench, took silk, were elected to Bar Council and all the men and women who joined the Bar.
 - In May 2014, hosted a Chatham House Chatters event 'Parenting at the Bar', which facilitated a broad-ranging discussion of how barristers have approached the challenges of parenting while maintaining a legal practice.
- > WBA maintains strong links with Australian Women Lawyers (AWL) and Victorian Women Lawyers (VWL). Many members attended the AWL 15th anniversary dinner in August 2013. WBA continued its partnership with VWL to provide mentoring for female law students.
- > WBA presented its annual 'Coming to the Bar' event for female solicitors. WBA members attended the Dame Roma Mitchell Memorial Lunch in March 2014. WBA also hosted an event to promote the work of HAGAR Australia, which supports women and children who have suffered human rights abuses in Vietnam, Cambodia and Afghanistan.







STANDING COMMITTEES

Education

Education And Professional Development Committee

Committee at 30 June: David J O'Callaghan QC (Chair), The Hon. Raymond A Finkelstein QC, Ian D Hill QC, Michael G O'Connell S.C., Edward W Woodward S.C., Samantha L Marks QC, Dr Suzanne B McNicol QC, Philip D Corbett QC, Carolyn H Sparke QC, Adrian J Finanzio S.C., Elizabeth M Brimer, Paul Panayi, Dr Vicky M Priskich, Sarah J Keating, Jonathan H Kirkwood and Rachel Chrapot (Manager, Professional Development)

In November 2013 the Bar Council voted to form a new committee with overarching responsibility for the education and professional development activities of the Bar, to be known as the Education and Professional Development Committee (EPDC).

Among other things, the EPDC oversees the Readers' Course, the ongoing CPD program and the South Pacific education and training programs.

Initiatives this year include the publication of a CPD course guide for the 2013-14 CPD year and the formation of Practice Advice Groups, which meet on a regular basis to discuss the latest issues and developments in arising in specific area of practice, including common law, family law, crime and technology.

The CPD program has also been a great success and the CPD Sub-Committee and the various Bar Associations are to be commended for their work in populating dynamic and relevant programs.

The EPDC committee is currently working on projects it will implement late this year and next year. Those projects include the Indictable Crime Certificate, a new program for junior barristers and uniform CPD Rules as part of the Uniform Legal Profession Law.

The committee was greatly assisted by two new staff members, Rachel Chrapot (Manager, Professional Development) and May Lim (Coordinator, Continuing Professional Development). The Committee would like to thank them and Wendy Pollock, Fiona Faulkner and Jim Maguire for their hard work during the year.

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

Continuing Professional Development Committee: Michael R Pearce S.C. (Chair), Frank Parry QC (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

Readers Course Committee: David J O'Callaghan QC (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 QC, Caroline E Kirton QC, Dr Suzanne B McNicol QC, Philip D Corbett QC, Carolyn H Sparke QC, 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 and Leana Papaelia



SEPTEMBER 2013 READERS: Back row: Angie Wong, Jennifer Findlay, Brian Mason, Harry Venice, David Kelsey-Sugg, Yasser Bakri, Scott Morris, James Forsaith, Angel Aleksov, Simona Gory, Camilla Hopkins. Centre row: Wendy Pollock, Denise Dwyer, Yuliya Mik, Kim Bradey, Andrew Blakeman, Raph Ajzensztat, Andrew Silver, Daniel Briggs, Kieren Hickie, Katherine Brazenor, Clare Cunliffe, Christina Klemis, Stephanie DeGuio. Seated row: Rebecca Thomas, Megan Tait, Augustine Aulanga, Anderson Kesaka, Ben Ryde, Laura Keily, Kate Burgess. Front row: Simon Bright, James Mortley, Darren Bruno, David Carne, Zubin Menon, Nico Burmeister

South Pacific Education Committee: Ian D Hill QC (Chair), Dr Joshua D Wilson QC (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

Continuing Professional Development Sub-Committee

Committee at 30 June: Frank Parry QC (Chair), Michael G O'Connell S.C., Edward W Woodward S.C., Michael P Cahill, Dr Michael D Rush, Oren Bigos and Leana Papaelia

The Continuing Professional Development Sub-Committee took over the functions of the Continuing Professional Development Committee in early 2014. That Committee had been chaired by Michael Pearce S.C. until it became a sub-committee of the Education and Professional Development Committee. Subject to the overriding control of that Committee, the Sub-Committee, with the assistance of the Bar Office, has continued to exercise its delegated powers of dealing with practical issues involving the CPD program and the requirements of barristers to undertake the requisite CPD activities during the year. That has included determining requests for accreditation of CPD activities, dispensing with the requirements of the program in respect of certain barristers, and dealing generally with issues raised relevant to the program.

The CPD program continues to provide seminars of high standards to members in all of the categories being ethics and professional responsibilities, professional skills, substantive law, practice management and business skills. Included in the program have been workshops in appellant advocacy and advanced cross examination, which were popular and well received. Planning is continuing for other advanced skills workshops in the future.

Readers' Course Sub-Committee

Committee at 30 June: David J O'Callaghan QC (Chair), Adrian J Finanzio S.C. (Deputy Chair), The Hon. Raymond A Finkelstein QC, Simon E Marks QC, Michael G O'Connell S.C., Ted W Woodward S.C., Dr Suzanne B McNicol QC, Carolyn H Sparke QC, Elizabeth M Brimer, Andrew T Broadfoot and Rachel Chrapot (Manager, Professional Development).

The Committee also thanks the following consultants: The Honourable Justice Christopher W Beale

In the last year the Sub-Committee has overseen the implementation of two exams. The conduct of the entrance exam continues to represent a significant piece of work by the members of that working group. 105 candidates sat the October 2013 exam and 38 received offers. There were 38 readers in the March 2014 course.



MARCH 2014 READERS: Back row: Wendy Pollock, Gordon Chisholm, Penelope Renc, John Leung, Claire Nicholson, Timothy Chalke, Marcus Fogarty, Timothy Goodwin, James Westmore, Brenton Devanny, Fiona Knowles, Max Hume. Centre row: Amanda Burnnard, Emma Murphy, Michelle Zammit, Jennifer Croxford, Marcus Fleming, David O'Brien, Michael Wilson, Rebecca Dal Pra, Georgia Berlic, Andrew Dimsey, Jason Korke, Krystyna Grinberg, Amelia Beech, Rachel Chrapot. Seated row: Georgina Coleman, Suzanne Kupsch, Joel Silver, Gordon Porter, Piria Coleman, Rachel Walsh, Victoria Blidman, Samantha Holmes. Front row: Andrew Blair, Philip Teo, Jesse Rudd, Andrew Denton, Hadi Mazloum, Campbell Thompson, Adam Chernok

In the May 2014 exam there were 89 candidates, and 38 candidates received offers. The September Readers' Course commenced on 1 September 2014 with 36 local Readers. These readers were joined by two practitioners from PNG.

This has been a very busy year for this Committee and all members have made a significant contribution to the evaluation and development of foundation skills for new barristers.

Pacific Rim Sub-Committee

Committee at 30 June: The Hon. Raymond A Finkelstein QC (Chair), Ian D Hill QC, Philip D Corbett QC, Ian W Upjohn CSC, Paul Panayi, Jonathan H Kirkwood and Emma Peppler

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 with these activities.

In July 2013 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. Eighty trainees attended the workshop. These 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 in PNG. The workshop

was led by Ian Hill QC. The teaching team comprised Tony Burns, Julie Condon, Nadia Kaddeche, Ian Percy, Stephen Russell, Geoffrey Steward and Amy Wood and Wendy Pollock (as administrative assistant). The Director and the staff of the Legal Training Institute considers the workshop to have been very successful.

The Victorian Bar receives funding for its training activities in the South Pacific region from the Centre for Asia Pacific Pro Bono ('CAPPB'), which is administered through the Law Council of Australia.

The PNG Department of Justice and Attorney-General (Office of Solicitor-General) applied for funding for an advocacy



ABOVE: The Victorian Bar led a successful Civil and Criminal Advocacy workshop for the Legal Training Institute on 7-11 July 2014 in Port Moresby, Papua New Guinea



ABOVE: The Student Engagement Committee, together with the County Court for Victoria, hosted a moot on 17 May 2014 as part of Law Week

training program, which took place in August 2013. The program was tailored to suit civil litigation in PNG. The program was attended by 37 members of the Department of Justice and the private profession. Each workshop was 2.5 days duration. The teaching team comprised Caroline Kirton QC, Gary Hevey and Kim Knights. Feedback from the Department of Justice and attending members was that the program was excellent.

Between 17 and 19 October 2013 the Committee in conjunction with DLA Piper conducted a workshop for legal practitioners in the Cook Islands. The program concentrated on mediation and courtroom advocacy. The Bar was responsible primarily for the advocacy component of the workshop, which was conducted by Tony Burns and Ian Upjohn CSC.

The Committee in conjunction with DLA Piper also conducted a workshop in Samoa between 4 and 6 December 2013. Caroline Kirton QC and Benjamin Lindner conducted the advocacy and ethics components of the workshop. Funding was again provided by The Centre for Asia Pacific Pro Bono.

Presently the Committee is arranging further advocacy skills workshops to meet the needs particularly of the lawyers of PNG, the Solomon Islands and Vanuatu with which the Committee has formed a close bond.

Student Engagement Committee

Committee at 30 June: Simon T Pitt (Co Chair), Sarah Leighfield (Co Chair), Nicole L Papaleo (Secretary), Diana M Harding, Declan F Hyde, Ian P Horak, Michael D Stanton, Steven A Lowry, Christine Melis, Jonathan S Rattray, Diana Price, Lionel P Worth, Angela Lee, Andrew J Bailey, Dr Kylie Weston-Scheuber and Georgia M Douglas

The Committee thanks those members who retired during

the year: Gerard D Dalton, Miguel A Belmar Salas, Tom D Cordiner, Richard P P Dalton, Paul P Kounnas, Belinda F Franjic (Secretary) and Marcel C White

The Student Engagement Committee (SEC) was formed in 2010 with the objective of "demystifying" the Victorian 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.

The following are some of the SEC's achievements over the last 12 months:

- > The SEC, together with the County Court of Victoria, organised a moot on 17 May 2014 in the County Court (Court 3-3) as part of Law Week. The event was marketed predominantly to university students. The event was booked out in advance, with over 100 people attending. The moot was filmed by a professional production company. A short video has been prepared with the title "a day in the life of a Barrister". This video will be uploaded to the Bar's website and it will be a useful tool to show students about life at the Bar.
- The SEC has a dedicated page on the Bar's website called 'Information for Students'. We will be building this up substantially over the next year.
- > The SEC has created a Facebook page and will hopefully "go live" within a few weeks of this report.
- > The SEC continues to build on its valuable relationship with the Victoria Law Foundation (VLF). The SEC is very proud of its involvement with the "Classroom Law Talks" project in suburban areas in and around Melbourne and regional Victoria. So far, barristers have attended secondary schools at Warragul, Mt Eliza, Altona, Kyneton, Stawell, Bendigo, Ballarat, Murtoa Mornington and Castlemaine. The presentations by barristers give students a valuable insight into life at the Bar and students have the opportunity to ask questions of barristers. The feedback from barristers, students and teachers alike following these attendances has been wonderful.

- The SEC continues to arrange for barristers to attend the various law schools across Melbourne to speak about the Bar as a career path following the study of law. Over the last 12 months, the Bar's relationship with those law schools has strengthened considerably.
- > The SEC has facilitated the placement of dozens of university students with barristers. This is done through formal programs such as the Monash University Barrister Shadowing Program and the Melbourne University JD mentoring program, as well as dealing with many *ad hoc* requests by university students for mentoring opportunities, research assistant roles (paid and unpaid), and so on.

The SEC would like to thank all the members of the Bar who continue to volunteer their time to assist with the various initiatives of the SEC; in particular those who have attended speaking engagements or acted as mentors to students. The SEC could not provide its valuable services to students, nor maintain its relationships with universities, schools, Courts and the VLF without the invaluable support of our colleagues.

The SEC continues to seek the assistance of barristers who are interested in mentoring students or speaking about life at the Bar. If you have such an interest or would like to know more, please email <code>students@vicbar.com.au</code>

Legal Education And Training – Library Committee Committee at 30 June: Samantha L Marks QC (Chair), Richard L Brear (Deputy Chair), O Paul Holdenson QC, Anthony J Kelly QC, Ian W Upjohn CSC, Mark A Irving, Judy Benson, Gerard D Dalton, Leonie M Englefield, David Yarrow, Andrew M Bell, Mark P Costello, Sarah J Varney and Nawaar Hassan

The Committee thanks those members who retired during the year: Iain R Jones QC, Barry Fox and Peter Fox

The Committee has reviewed and added to the electronic holdings of the Bar Library. In addition, and supplementing the substantial LexisNexis subscription to a wide range of practice areas, the library has now subscribed to an extensive CCH subscription. The Committee is grateful to Peter Fox for his work in arranging the CCH subscription.

All barristers are able to use these subscriptions in the library and email the results of their searches to their own email address. A well-attended seminar entitled "Thorough Research: how to get the most out of the CCH subscription at the Bar Library and generally" was presented in June, with CCH's Anne Wardell providing training on electronic searching. Work has been done to make access to the internet subscriptions easier on the computers in the library, and to improve the Wifi access in the library as many barristers take their own computers in when researching. Laminated lists have been put up in the library indicating where the computers, and hard copy subscriptions and books are to be found.

The Chair of the Committee had addressed each of the new Readers' Courses at the start of their course letting the readers know about the Bar Library, and taking them over to see what is available to them.

Proposals for the establishment of a Victorian Law Library which may eventually see its collection merged with the libraries of the Supreme Court and the Law Institute of Victoria continue to be examined. Anthony Kelly QC, a member of the Bar Library Committee has been appointed to the Committee looking into the establishment of the combined Library. The committee thanks Paul Holdenson QC who previously sat on that Committee. 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.

An extensive audit of the subscription services and reports available at the library was conducted by the Committee one Saturday morning in February, enabling damaged volumes to be identified for repair, missing volumes to be identified and resourced as appropriate and making clear the extent of the library holdings.

Members of the bar and bench generously continue to donate books. In particular, the Committee thanks Justice Habersberger for the donation of many volumes of the Australian Bar Review to the library; and Dr Elizabeth Boros for a copy of her coauthored (with John Duns) book, *Corporate Law*.

Professional Standards

Alternative Dispute Resolution Committee

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

The Committee thanks those members who retired during the year: The Hon. Neil A Brown QC, Manny Garantziotis QC, Robert W Dyer upon his appointment to the County Court, Kim J Knights, Suzanne A Kirton and Stephen J A Jurica

The Melbourne Commercial Arbitration and Mediation Centre, established in the William Cooper Justice Centre, was officially opened by the Hon. Robert Clark the State Attorney General in March 2014 just prior to the Asia Pacific Regional Arbitration Group Conference held in Melbourne at the end of March 2014. The Commercial Arbitration and Mediation Hub operating as a booking service has also been established. This complements the Victorian Bar Commercial Arbitration Appointment Service established last year and the Victorian Bar Expert Determination Appointment Service also established last year.

A successful Lawyers Certificate and Mediation Course was held in late 2013. The course leaders were Dr Peter Condliffe, Dr Elizabeth Brophy and Tony Neil QC. The Mediation Course Subcommittee is to be congratulated on the continued success of the course although the market is becoming saturated.

During the year Mark Hebblewhite was elected to the Mediator Standards Board of which the Victorian Bar is a member as an RMAB.

Dr Peter Condliffe and Mark Hebblewhite are part of the organising team for the National Mediation Conference to be held in September 2014 in Melbourne. The ADR Committee is to present a panel session suited to lawyers and others. Other members of the Committee will also present papers including Michael Heaton QC, Tony Neal QC and Dr Elizabeth Brophy.

The Subcommittees of the ADR Committee have continued to be active and fulfil their functions. Caroline Sparke QC continues in the role of chair of the CPD Subcommittee, which run a number of evening and lunchtime sessions. Dr Elizabeth Brophy takes over the chair of the Accreditation Subcommittee, overseeing the committee's accreditation (as an RMAB) of barristers the Bar. David Sanders takes over the chair of the Marketing and Publicity Subcommittee upon Rob Dyer being appointed to the County Court. The Arbitration Subcommittee continues to be chaired by Michael Sweeney. The Adjudication Subcommittee is chaired by Toby Shnookal QC. The Family Law Subcommittee continues to be chaired be Carmella Ben-Simon. Each of these committees meets as required.

Liaison continues with the Courts and VCAT. Julian Ireland continues to promote the Co-Mediation Scheme for Barristers and Carey Nichol works tirelessly to promote the Magistrates Court SLEM (Single List of External Mediators) Scheme.

The committee thanks Ross Nankivell, Senior Manager for his continuing attendance, input and assistance.

RIGHT: The Hon. Robert Clark MP, Victorian Attorney-General, The Hon. Marilyn Warren AC, Chief Justice of the Supreme Court of Victoria, The Hon. Justice Jonathan Beach, Senior Vice-Chairman of the Victorian Bar at the time, and Geoff Bowyer, President of the Law Institute of Victoria at the opening of the Melbourne Commercial Arbitration Centre

International Arbitration Committee

Committee at 30 June: Martin R Scott QC (Chair), Michael H Whitten (Deputy Chair), E Noel Magee QC, Michael D G Heaton QC, Hugh Foxcroft QC, Richard J Manly QC, Caroline M Kenny QC, Albert A Monichino QC, B A Toby Shnookal QC, Paul J Hayes, Michael J F Sweeney, Kumar Kappadath, Anton P Trichardt, Albert M Dinelli, Dr Michael Wolff, Christine Melis and David J Goodwin

The Committee thanks those members who retired during the year: Nicholas Pane QC, Michael G Roberts QC and Donald L Farrands

The International Arbitration Committee continues to work towards developing expertise and profile for members of the Victorian Bar.

Last year the committee reported its general objective of developing 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.

Each of these objectives has been substantially advanced in the course of the year.

A core group of counsel has expressed interest in physical colocation if the appropriate opportunity presents itself.

Development of interstate and international practice and connections is presently being investigated with the assistance of Will Alstergren QC and the committee expects an announcement of significant initiatives in conjunction with other independent Bars shortly. In the immediate future several conferences have been organised and a steering group formed with representatives of several Bar committees and CommBar sections. This has involved significant time commitments and travel and will continue to do so. The Chairman of the committee particularly wishes to thank Will Alstergren QC and Philip Crutchfield QC for their support and the Bar Council more generally.





ABOVE: Featuring state of the art facilities, the Melbourne Commercial Arbitration and Mediation Centre will coordinate and centralise the operation of commercial arbitrations and mediations and position Melbourne as part of a national arbitration grid of excellence

CPD presentations have been successfully held and attracted good support from the Bar generally. There is clearly developing awareness and interest in the opportunities international arbitration offers.

Finally, the Melbourne Commercial Arbitration and Mediation Centre was successfully launched earlier this year, coinciding with the APRAG conference in Melbourne. The Centre is open for bookings and operates an excellent website www.mcamh.com. au which serves as a hub for facilities and ADR in this city.

The immediate and next task for the committee is existential. Active consideration is being given to its reformation as a centralised focal point for arbitration, both domestic and international. The coming year requires a concentration of resources to bring the long process of planning the next steps into Asia to a conclusion.

New Applications, Renewals And Referrals – Counsel Committee

Committee at 30 June: Michael F Wheelahan QC (Chair), James W S Peters QC, Paul E Anastassiou QC, Jennifer J Batrouney QC, Samantha L Marks QC, Christopher J Winneke, Paul Panayi (Honorary Secretary), Matthew J Hooper and Barbara A Myers (Assistant Honorary Secretaries) and Alison Rock (Manager, Compliance)

The Committee thanks those members who retired during the year: Jonathan B R Beach QC on his appointment to the Federal Court, Tim P Tobin S.C., Richard W McGarvie S.C., E William Alstergren QC, P Justin Hannebery and Robert G Craig (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 twice and a sub-committee has met once. The introduction of the Bars *Protocol for Dealing with Disclosures* has reduced the call on the Counsel Committee to meet as often. The *Protocol* delegates to the Honorary Secretary the role of reviewing routine disclosures made in the course of the application for renewal or grant of practising certificates and applications to sign the Roll of Counsel and make recommendations directly to Bar Council.

In the 2014-15 practising certificate renewal period the Counsel Committee reviewed 6 disclosures and made recommendations to Bar Council. The Honorary Secretary reviewed and made recommendation on a further 9 matters under the Protocol referred to above.

Other matters considered by the Committee were two disclosures in respect of Show Cause events pursuant to s.2.4.27 of the *Legal Profession Act* 2004 (Vic), the removal of two names from the Roll for non-payment of Bar subscriptions – pursuant to part 13 of the Constitution, the recommendation that a PC be granted where previously renewal had been refused and the consideration of whether a member's name should be removed from the Roll pursuant to part 6.10A or part 13 of the Constitution. At 30 June, the two Show Cause matters awaited determination.

Complaints And Rulings – Ethics Committee
Committee at 30 June: Helen M Symon QC (Chair), E Noel
Magee QC, Malcolm R Titshall QC, Jeremy W St John
QC, James W S Peters QC, Dr Gregory J Lyon QC, Peter A
Chadwick QC, Ted W Woodward S.C., Caroline E Kirton QC,
Kevin J A Lyons QC, Róisín N Annesley QC, Murray V McInnis,
Jeremy A F Twigg, Stewart J Maiden and Eliza S Holt. The
Committee is assisted by Alison Rock (Manager, Compliance)
and Marisa Pretotto (Compliance Officer)

The Committee thanks those members who retired during the year: Olyvia Nikou QC, Peter J Morrissey S.C., Michael J Croucher S.C. upon his appointment to the Supreme Court and Rena Sofroniou

Since the last report the Committee has met 11 times. The gradual decline in the number of meetings required each year is directly attributable to the decreasing number of complaints against barristers being both lodged and requiring referral for investigation or delegation by the Legal Services Commissioner. Only eight complaints were referred or delegated and nine investigations completed. In addition, the majority of the 58 rulings and dispensations made by the Committee were considered by circulating email.

The reduction in the number of complaints, however, has in no way diminished the countless hours members of the Committee spend answering telephone calls and emails from members seeking ethical guidance, reading voluminous materials and preparing and presenting education sessions for Readers and the CPD program.

In preparation for the introduction of the Uniform Legal Profession legislation, expected to commence in 2015, the Committee is also analysing a comparison between the existing Rules of Conduct and the rules adopted by the Australian Bar Association representing each of the state Bars. It is expected that the new legislation will continue to allow the Ethics Committee to provide rulings to members of the Victorian Bar.

At the end of July 2013, Michael Croucher S.C. was appointed to the Supreme Court of Victoria. In October, Peter Morrissey S.C. retired to take up the responsibility of Chairman of the Criminal Bar Association and in December 2013, Olyvia Nikou QC and Rena Sofroniou retired. The Committee is grateful to each of them for their dedication and hard work. The Committee is also grateful to the members who have exceeded the usual term of service, most notably Malcolm Titshall QC and Jeremy St John QC.

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

Professional Standards Committee

Committee at 30 June: Róisín N Annesley QC (Chair), Michael F Wheelahan QC, Peter G Cawthorn QC, Dr Ian R L Freckelton QC, Peter A Chadwick QC, Aileen M Ryan QC, Mark A Robins QC, Gerard L Meehan, Stephen J Moloney, Christopher J Winneke, Donald J Farrands, Elizabeth M Brimer, James D S Barber, Lisa G De Ferrari and Sarah F Cherry

The Committee thanks those members who retired during the year: Jonathan B R Beach QC on his appointment to the Federal Court (Retiring Chair), Jeffery J Gleeson QC (Retiring Deputy Chair), Susan K Gatford and Simon J Gannon

In 2013 the Professional Standards Committee has finalised its review of the proposed professional conduct and practice rules, which are soon to be implemented as part of the Uniform Legal Professional Act. The Committee is pleased to report the renewal of the Professional Standards Scheme for a further five years.

The Chairman wishes to thank the Hon. Justice Jonathan B R Beach for his leadership of the Committee over the last 2 years and to congratulate him on his appointment to the Federal Court.

Our Member Community

Health And Wellbeing Committee

Committee at 30 June: Dr Michelle R Sharpe (Chair), Timothy P Tobin S.C., Richard W McGarvie QC, Anthony P Rodbard-Bean, Richard B C Wilson, Bronia A Tulloch, Laura Colla, Kaye L McNaught, Douglas K Shirrefs, Meredith A Schilling, Louise J Martin, Pierre J M Baume, Viola Nadj, Caroline A Paterson and Arna Delle-Vergini

The Committee thanks those members who retired during the year: Peter Fox (Retiring Chair), Michael D Wyles QC, Philip D Corbett QC, Sarah Leighfield and Andrew P Downie

The Health and Wellbeing Committee has had another active year. The Committee, through its new CPD 'master' Caroline Paterson, has run seminars on a range of important topics, such as resilience, anxiety, emotional intelligence and bullying. Thanks largely to the efforts of Committee member Arna Delle-Vergini, the Committee has also run mental health first-aid training for clerks and has planned for this training to be provided across the Bar. The Committee continues to make presentations at each Readers Course.

Committee member Kaye McNaught has deployed her considerable medical expertise to manage the Bar's acquisition of Defibrillator Units and CPR training. This year a clerk saved a barrister's life by using one of these units.

The Committee has again coordinated the Bar's involvement in the Global Corporate Challenge, Spring Swim and mindfulness sessions led by Joel Orenstein. The Committee's Community Choir continues to thrive under choir master Michael Leighton Jones and Committee member Laura Colla. The Choir has held successful performances at the Bar Dinner, Essoign Club, County Court open day and RACV Club.

The Committee oversees the administration of the Barrister's Counselling Service provided by the ReVision Group headed by Bernadette Healy. Generic reports provided by the ReVision Group have revealed that the take up of counselling services by barristers has increased to 3.8%. The increase has been explained, in part, by the stress experienced by barristers with the general downturn in work, particularly for those barristers whose practices had consisted of legally aided work. The Committee has secured an increase in funding from the Bar to cover the increased costs of counselling and an additional small sum to meet the costs of professional CPD speakers.

This year the Committee engaged (for a trial period) the services of Rev. Richard Wilson to act as the Bar Chaplain.

Ms Healy and Rev. Wilson have provided great assistance to the Committee and the Bar in providing support to barristers through the tragedies and personal crises experienced by barristers during this year. It has been a difficult year.



ABOVE: The Victorian Bar Choir performs at the Victorian Bar Dinner in May 2014

The Committee thanks outgoing Chairman Peter Fox for his wise captainship of the Committee in 2013 and to retiring committee members Phil Corbett QC, Sarah Leighfield and Andrew Downie for all of their invaluable work.

The Committee has welcomed new members Tim Tobin S.C., Bronia Tulloch, Delle-Vergini, Meredith Schilling and Louise Martin. Susan Wilkes, a clerk with Gordon & Jackson's List, has also joined the Committee as an honorary member.

Support For New Barristers (New Barristers' Committee)

Committee at 30 June: Dean R Luxton (Chair & AYLC Representative), Julien M Lowy (Vice Chair), Kevin F Jones (Secretary), Nicholas Pane QC, Erin J Gardner, John (Jack) R M Tracey, Phoebe C Knowles, Toby J Mullen, Eitan Makowski, Andrew T Conley, Barbara A Myers, Sam N Andrianakis and Karina Popova

The Committee thanks those members who retired during the year: William F Gillies (Retiring Chair), Adam T Coote (Retiring Secretary), Esther M James, Jonathan Gottschall, David Seeman, Carolyn M Symons and Morgan A McLay

It continues to be a challenging time for many new barristers. Legal aid has been curtailed. Litigation appears to be increasingly kept in-house by law firms. Many new barristers report being briefed late and inadequately.

The New Barristers' Committee has worked to assist new barristers as they adjust to the demands of practice at the Bar. It has engaged with the Bar Council on issues such as junior mentors and continuing legal education.

The New Barristers' Committee has conducted a survey of new barristers. The survey addressed a variety of issues of potential concern to new barristers, including fees, judicial bullying, and the Duty Barristers' Scheme. The Committee is in the process of drafting a series of reports directed towards the issues raised by those responding to the survey.

The New Barristers' Committee has continued to run social functions for new barristers, including welcome events for new Readers and a networking event co-hosted with the LIV Social Committee.

The New Barristers' Committee has been represented both nationally through the Australian Young Lawyers Committee of the Law Council of Australia, and internationally at the 2013 International Weekend in London.

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

Victorian Bar News Editorial Committee

Victorian Bar News (VBN) has been published continually for over 40 years. It is the oldest professional publication of a separate Bar in the common law world. It is circulated in hard copy, online and via an app. Past decades of VBN have now been uploaded to the Bar's website and are available publicly.

VBN presents to members of the Bar and bench: news and views about law, law reform and issues affecting the Bar and its members; professional milestones, obituaries, judicial appointments and retirements; and Bar professional, social and sporting news.

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

VBN aims to contribute to wellbeing and camaraderie at the Bar, increase our knowledge and recognition of each other,



and display examples of barristers' work and extra-curricular activities.

In July 2013, outgoing co-editor Sharon Moore handed the baton to Georgina Costello who became co-editor with Justin Tomlinson. *VBN 154* was delivered to barristers in December 2013. The committee members for *VBN 154* were Georgina Costello (co-editor), Justin Tomlinson (co-editor), Robert Heath (deputy editor), Anthony Strahan (deputy editor), Lindy Barrett, Maree Norton and Catherine Pierce.

VBN Issue 155 went to the publisher in June 2014 and was circulated in early July 2014. The committee members for that edition remained the same as for VBN 154, with Justin Hannebery joining the committee and Lindy Barrett departing.

In July 2014, outgoing co-editor Justin Tomlinson handed the baton to former editor Georgina Schoff QC. Maree Norton has been promoted to deputy editor and the committee has expanded in number to meet the workload.

The current editorial committee is Georgina Schoff QC (coeditor), Georgina Costello (co-editor), Rob Heath (deputy editor), Anthony Strahan (deputy editor), Maree Norton (deputy editor), Justin Hannebery, Catherine Pierce, Annette Charak, Brad Barr and Jesse Rudd.

Denise Bennett and Sally Bodman from the Bar office both have important roles in preparing and publishing *VBN* and participating in *VBN* committee meetings. The *VBN* editors are grateful for their work.

The VBN committee thanks outgoing editor Justin Tomlinson for his work on editions 151, 152, 153, 154 and 155.

Taking Time Out For Celebration (Functions Committee)

Committee at 30 June: Paul Panayi (Chair), Andrew Panna QC, Russell L Moore, Nikola Dragojlovic, David C Turner, Kathryn S Cochrane, William H C Forrester and Dr Kylie Weston-Scheuber

The Committee thanks those members who retired during the year: Kim M Southey (Retiring Deputy Chair), Laura Colla, Shaun Ginsbourg, Terence J Guthridge and Elizabeth McKinnon

On 30 May 2013, the annual Bar Dinner was held at the Myer Mural Hall, Bourke Street, Melbourne. It was a very memorable and enjoyable Bar Dinner with a record attendance of 550. With the Myer Mural Hall at capacity, the atmosphere was lively and ebullient. Justice Hayne's speech was highly engaging and insightful, with the recounting of some amusing anecdotes adding an element of levity. Jeremy Ruskin QC was also at his best, congratulating some recent judicial appointees and at keeping his audience in a near permanent state of laughter until the very end. Honoured guests included: His Excellency, the Governor or Victoria and member of our Bar, Alex Chernov AC QC; Chief Justice, the Hon Marilyn Warren AC; the Federal Attorney-General, Senator George Brandis QC; and the Victorian Attorney-General, the Hon Robert Clark.

The Committee was instrumental in organising the production of *12 Angry Men* in September 2013. The play was performed in Court 2, at the Supreme Court, with actors being drawn from members of the Bar. The production was sold out and received high praise in the press theatre reviews.

The Committee is currently planning a Dinner Debate Night series in the form of a quarterly Bar and Bench evening to be held at the Essoign Club to provide the 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 Peter O'Callaghan QC Gallery on 12 December 2014.

Broadening Interests (Art And Collections Committee)

Committee at 30 June: Peter J Jopling AM QC (Chair), Philip A Dunn QC, Campbell F Thomson, Ian B Stewart and Siobhan Ryan

The Committee thanks those members who retired during the year: Trevor J McLean, Neville J Kenyon, James W Kewley, Ian W Upjohn CSC, Paul J Hayes, Laura Colla and Carmen E Currie

It has been a very busy and productive year for the Art and Collections Committee.

In 2014 the Committee has been energised by an influx of new committee members.



2014 BAR DINNER: Top left: Victorian Bar Chairman, Will Alstergren QC. Bottom left: The Honourable Justice Kenneth Hayne AC. Right: Jeremy Ruskin QC

We are pleased to report that the Bar portrait collection with suitable biographies is now displayed on the Bar's website. The collection has also been brought together for the first time as the Peter O'Callaghan QC Gallery in the foyer of Owen Dixon West. Included in the re-hang is a newly gifted portrait of Ms Joan Rosanove QC. The portrait was gifted to the Bar by the Honourable Ms Peg Lusink, daughter of Rosanove, and herself a retired member of this Bar. Other portraits brought out for public display for the first time include the portraits of Sir John Latham, Francis Costigan QC and Sir Reginald Smithers.

We are also delighted to advise that under the enthusiastic support of the Bar Chair, Mr Will Alstergren QC, the Committee will be commissioning portraits of Justices Hayne and Crennan over the next 18 months.



ABOVE: The Bar's portrait collection was launched as the Peter O'Callaghan QC Gallery on 8 October 2014

During the course of the year and at the instigation of Committee member Campbell Thompson, the Committee convened the first exhibition of works from the private collections of barristers. The exhibition was hung in the Essoign Club and was well received.

In recognition of the contribution that the Bar's Legends have made to the life of the Bar and having regard to the standing of the men and women who have been honoured, the Bar agreed to commission an honour board. Unveiled on the eve of the conclusion of Chairman Alstergren's term in office, the Committee wants to thank him for his encouragement and support with this important endeavour and other Art and Collection Committee initiatives.

We have new projects in mind for 2015 including the commissioning of an updated bar history, and members with thoughts and ideas in this regard are invited to correspond with the Committee.

Promoting Access To Justice

Indigenous Lawyers' Committee

Committee at 30 June: Tom Keely (Chair), Jacqualyn L Turfrey (Deputy Chair), Jane A Dixon QC, George A Georgiou S.C., Campbell F Thomson, Michael W Wise, Richard B C Wilson, Peter G Willis, John R V Kelly, Linda A Lovett, Stephen M Rebikoff, Michael D Stanton, Elizabeth A Bennett, Emma Peppler, Justin A Willee, Robin A Robinson, Kylie Evans, Abigail I Burchill and Astrid M Haban-Beer

The Committee thanks those members who retired during the year: Dan I Star, Kim J Knights and Linda Lovett. Dan Star's contribution as Chair, about five years, and the Committee, about ten years, was outstanding.

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

2013-14 was another busy year for the Indigenous Lawyers' Committee (ILC). It was the first year in which the Victorian Bar reported to Reconciliation Australia on compliance with its Reconciliation Action Plan (RAP). This followed an audit conducted by the Bar's RAP Working Group, consisting of members of the Bar Council, the ILC and the Bar Office.

Under the RAP, the ILC has continued to implement and oversee a number of programs for Indigenous barristers, law graduates and law students designed to redress the unequal participation of Indigenous people as members of 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;
- a necessitous circumstances fund for Indigenous barristers in urgent financial need;
- a fee waiver for Indigenous barristers accepted into the Bar Readers' course; and
- > ensuring that at least one CPD seminar on legal issues relating to Indigenous people and/or working with Indigenous people is presented each year.

In relation to the last dot point, ILC members arranged, promoted and chaired a very informative and thought-provoking CPD seminar given by Dr Mark McMillan (a Wiradjuri man from central New South Wales and senior lecturer at the Melbourne Law School) and Peter Hanks QC on Issues Relevant to Constitutional Recognition of Aboriginal Peoples.

At 30 June 2014, there are five Indigenous barristers at the Victorian Bar. During this year, one Indigenous barrister has completed the Bar Readers' course and signed the Bar Roll. The departure of another barrister highlights the need for the work of the ILC to assist Indigenous barristers to develop sustainable, enjoyable and successful careers at the Bar.

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



ABOVE: Fiona McLeod S.C., The Hon. Chief Justice Marilyn Warren AC, Elise Little and Will Alstergren QC at the Quantam Leap launch in November 2013

Equality And Diversity Committee

Committee at 30 June: Caroline E Kirton QC (Chair), Kim J Knights (Deputy Chair), Jennifer J Batrouney QC, Daryl J Williams QC, Anna L Robertson, Miguel A Belmar Salas, Jenny M Firkin, Susan Aufgang, Christine Melis, Amy Brennan (Secretary), Alison M Umbers, Louise J Martin, Megan S Fitzgerald (Acting Secretary) and Astrid M Haban-Beer

The Committee thanks those members who retired during the year: Peter J Hanks QC, Andrew P Phillips, Anne M Sheehan, Jarrod D Williams, Tyson Wodak, Pardeep S Tiwana, Anna E Forsyth and Therese McCarthy

The Committee also thanks the following consultants: Major General the Hon. Justice Richard R S Tracey AM RFD (Federal Court), Justice Tony Pagone (Supreme Court) and Judge Frances Millane (County Court)

On 12 November 2013 the Victorian Bar, led by Fiona McLeod SC, launched the *Quantum Leap*. The *Quantum Leap* proposed a package of activities responding to issues expected to be identified as drivers of attrition of women from the independent Bars and sought to position the Victorian Bar as a national leader on issues of equality and diversity.

On 14 March 2014, the Law Council of Australia launched its *National Attrition and Re-Engagement Study Report (NARS)*. The Chair of the Committee attended the launch of the NARS in Canberra at the National Press Club. The NARS forms part of the Law Council's *Strategic Framework for the Recruitment and Retention of Women Lawyers (Strategic Framework)*, which was adopted by the Law Council Directors in June 2011.

The Committee has worked to assist the Bar Council in implementing the *Qantum Leap* and responding to the NARS. In undertaking this work:

- The Committee assisted with a formal response to the Law Council in relation to the NARS in May 2014.
- > The Committee implemented an educational program on unconscious bias. The Committee organised a seminar by Dr Katie Spearitt on 18 February 2014 on the subject of unconscious bias. The Committee also liaised with the Victorian Equal Opportunity and Human Rights Commissioner, Kate Jenkins to speak to the Bar Council on the topic of leadership and unconscious bias on 31 July 2014. The Committee is continuing to liaise with the Victorian Equal Opportunity and Human Rights Commission in relation to implementing further unconscious bias training.
- > The Committee organised a seminar by Helen Conway, Director of the Federal Workplace Gender Equality Agency on 15 November 2013 entitled 'Evaluating the Gender Scorecard at the Victorian Bar'.
- The Committee co-hosted with Herbert Smith Freehills networking events for women barristers in November 2013 and July 2014.
- The Chair and the Deputy Chair met with the Chief Justice of the Supreme Court of Victoria.
- The Committee continued to work on a pilot mentoring program tailored to women barristers. This is a substantial endeavour and it is hoped that the program will be implemented in the New Year.
- > The Committee continued to request a response from the State Government in relation to the Department of Justice ceasing to produce the *Barristers Briefing Reports*. In April 2014 the Chair received from the Attorney General some information concerning the State Government's briefing practices in relation to female counsel relative to male counsel, for the period between 2009 and 2013.

The Committee acknowledges that 'equality and diversity' is not exclusively an issue for women barristers. The Chair attended the launch of the Asian Australian Lawyers Association on 22 October 2013. The Chair also attended the launch of the Hellenic Australian Lawyers Association on 11 April 2014. The Chair and Committee members have attended further events of each of these associations and Committee members are planning to be involved in future events.

The Committee has also continued to liaise with the Law Council's Equalising Opportunities in the Law Committee throughout the year.

Human Rights Committee

Committee at 30 June: Peter J Hanks QC (Chair), Glenn C McGowan QC (Deputy Chair), Eliza S Holt (Secretary), Ron K J Meldrum QC, Murray V McInnis, Tomaso Di Lallo, Dr Ian F Turnbull, Peter G Willis, Sharon A Burchell, Michael D Stanton, Douglas W Laidlaw CSC, Rebecca M Nelson and Karen Argiropoulos

The Committee thanks those members who retired during the year: Herman Borenstein QC (Retiring Chair), Nicholas T Robinson QC, Peter J Billings, Richard B C Wilson, Adam C McLean, Travis P Mitchell, Lisa M Nichols and Louise J Martin

Achievements of the Committee in 2013/2014

The Committee did not meet in 2013 and has met on three occasions between March and July 2014.

On behalf of the Bar Council, the Human Rights Committee drafted a submission on the proposed amendments to s 18C of the *Racial Discrimination Act 1975* and the *Freedom of Speech* (*repeal of s 18C*) *Bill 2014*, which was included in the submission by the Law Council of Australia to the Attorney General.

The Committee prepared a submission to the Bar Council on Victorian move-on laws. While the submission did not proceed, feedback from the Bar Council gave valuable insight into its expectations.

Current matters

The Committee provided a submission to the Bar Council in April 2014 on the rights of asylum seekers to legal representation.

The Committee spent several months developing a submission lodged with Bar Council in August 2014, on the Australian Government's responsibility for the safety and welfare of asylum seekers intercepted by Australia and now held in Papua New Guinea on behalf of Australia.

Both submissions are under consideration by the Bar Council.

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 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; and
- > to encourage the participation of other legal professionals and law students in the panel's programs and cases.

The Panel:

> continues to receive requests for assistance in relation to pro bono matters

- > continues to act as a contact point for universities and others interested in climate change and environmental law
- > welcomes new members if you are interested in the work of the Panel, or would like to join the list of members, please let us know
- is also a member of the Centre for Asia Pacific Pro Bono, as a referral organisation in relation to environmental matters

Pro Bono Commitment

Pro Bono Committee

Committee at 30 June: Jane A Dixon QC (Chair), Thomas F Danos (Deputy Chair), Glenn C McGowan QC, Andrew Panna QC, W Guy Gilbert, Joseph Tsalanidis, Anthony P Rodbard-Bean, Garrie J Moloney, Andrew J Laird, Maya Rozner, Richard B C Wilson, Philip G Crennan, Cahal G Fairfield, Pat Zappia, Jacinta M Forbes, Daniel C Harrison, Daniel J Crennan, Arushan Pillay, Jarrod D Williams, Sharon A Burchell, Ben Ihle, Michael I Borsky, Jonathan Gottschall, Marita C Ham, Rupert J C Watters, Haroon R Hassan, Megan S Tait and Tina Turner (Justice Connect)

The Committee thanks those members who retired during the year: Samuel R Horgan QC and Richard M Niall QC

The Victorian Bar Pro Bono 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 (VBPBS), which is administered by Justice Connect (formerly PILCH). In 2013-14, each of the Victorian Bar and the Law Institute of Victoria was advised that funding available from the Legal Services Board would be lower than the previous year. The flow on effect to Justice Connect was that it received \$388,000 from the Victorian Bar to administer VBPBS, which represented a decrease of \$23,409. A similar funding decrease was experienced in connection with the Law Institute of Victoria Legal Assistance Service (LIVLAS). Together, these reductions diminish the overall capacity of Justice Connect to make referrals.

VBPBS operates within Justice Connect's Referral Service. The Referral Service also administers the LIVLAS and the Justice Connect Members Pro Bono program. These programs all share a common purpose – access to justice through pro bono for people experiencing disadvantage and the community organisations that support them and a strengthened pro bono culture.

The Referral Service for 2013-14 received approximately 1,522 requests for assistance. Total pro bono referrals for 2013/14 were 380. Of these referrals approximately 247 were to VBPBS barristers (65% of all referrals). An evaluation of the referrals shows the top areas of law were immigration, criminal law, property law, and debt.

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.
- This sub-committee has been investigating venues and catering options, and the Awards night for 2014 will be held later in the year.
- > Court requests and Orders for pro bono assistance subcommittee, which liaises with stakeholders and considers issues arising from these requests and formal Orders.
- In conjunction with a representative from the Bar's Ethics Committee, this sub-committee has been working on a document titled 'The Victorian Bar Pro Bono and Duty Barrister Scheme Rules and Guidelines for Barristers Participating in the Schemes'. The document is designed to serve as a single reference point guide to the ethical obligations of barristers undertaking pro bono work.
- Costs recovery sub-committee, which reports on the issue of costs in pro bono matters.

During the year, the sub-committee concluded that a rule change was the best way to address the difficulties in recovering costs in pro bono matters.

The proposed rule change has been endorsed by the Law Institute of Victoria (LIV), Justice Connect and the Federation of Community Legal Centres. It also has support from the Chief Justice of the Supreme Court.

The rule change aims to ensure that all lawyers would benefit, no matter the origins of the pro bono work undertaken. The solution is the adoption of a certificate that affirms that the matter is being undertaken pro bono and that the barrister or solicitor has no monetary or institutional interest in the matter. This certificate would trigger an entitlement for pro bono costs.

The proposal has been referred to the Self-Represented Litigants Committee who will make recommendations to the Supreme Court Rules Committee.

Capturing and recording pro bono sub-committee, which considers the best options for tracking pro bono contributions.

A clerk based recording trial has been conducted and the Clerking Committee are considering whether a clerk recording system can be officially introduced. The subcommittee has been liaising with all of the clerks in relation to set up requirements.

The sub-committee has also been discussing whether to subscribe to the National Pro Bono Target.

> Pro bono requests sub-committee provides support to Justice Connect Referral Lawyers with complex requests and whether they are appropriate for pro bono assistance. The sub-committee has been very useful to Justice Connect Referral Service lawyers, when considering whether to apply the VBPBS administration of justice Guideline.

Case Highlights

Dodgy car deal knocked over by pro bono Counsel and Consumer Action Law Centre

In mid-2012 Alma, a Somalian migrant and single mother of 4 young children entered into a contract of sale with "Used Car Sales" (not the real name of the company) to purchase a 2003 car for a price of \$16,200, to be paid over 4 instalments. On the same day of purchase the car failed to start and Alma attempted to return the vehicle. She was told that because she had signed a contract she could not return the vehicle. Believing she had no other option Alma paid the instalments. However from the date of purchase until early 2013 the family car had many defects, requiring repair from Used Car Sales.

Alma contacted the Consumer Action Law Centre ("CALC") and issued proceedings in VCAT against Used Car Sales, seeking damages of \$17,064, being the purchase price and repairs.

CALC contacted Justice Connect on behalf of Alma requesting pro bono Counsel to settle the pleadings. Justice Connect referred the matter to Paul Bingham of Counsel and later Kate Burke of Counsel to appear at the final two-day hearing before VCAT. An order was made that the Used Car Sales pay \$7,830 to Alma and re-fit a reconditioned engine with a mechanic of her choice. VCAT found that Used Car Sales breached Section 54 of the *Motor Car Traders Act* by failing to remedy the defects within 3 months of possession.

The solicitor at CALC wanted us to know that Counsel's assistance was "invaluable". The solicitor commented that "the barrister had extensive conferences with the client and an interpreter and expert witnesses. Counsel prepared a proof of evidence to assist our client give her witness testimony at the hearing and also prepared detailed and persuasive written submissions which were handed to the Tribunal. Used Car Sales was extremely aggressive and belligerent. I am confident that our client would not have obtained this result had she not been given access to pro bono legal advice and a pro bono barrister, especially as English was her second language."

Domestic violence survivor seeks protection for family

Justice Connect received a request from the Women's Legal Service (WLS) on behalf of their client Liana. Liana, a sole carer for her 4 children aged 9 to 16 years and who did not speak English, was seeking an intervention order to protect her and her children from her violent ex-partner. Liana was in receipt of the disability support pension for significant health issues.

Liana's application for an intervention order was listed for directions hearing before the Magistrates' Court at Frankston. Legal Aid duty lawyer services were not available to the client and legal aid funding was not available. WLS had serious concerns about the client representing herself given the history of family violence and her special circumstances.

Justice Connect referred the matter to Mr David Carne of Counsel for representation. The Court granted the client's application for a 12-month intervention order for her and her children.

The WLS expressed their gratitude for Counsel's assistance, without which the client would have been unlikely to obtain the desired order. The solicitor at the WLS wanted us to know that "our Client would have struggled to self-represent and obtain the intervention order in Magistrates' Court – she required protection. It was a privilege to help Liana. She was a pleasant middle-aged lady who simply wanted her husband's abusive behaviour toward her and her children to stop. She was extremely relieved and happy with the result we were able to get and this gave me great satisfaction."

David Carne of Counsel echoed his satisfaction, describing providing pro bono assistance as a "privilege" and that the client's satisfaction with the outcome for him "affirmed the value of pro bono." Also adding, "I am greatly concerned that a person in Liana's position was not in receipt of legal aid funding. She had very little English speaking ability, a history of mental illness and no disposable income. She was caring for her family solely on welfare. If she was not eligible for VLA funding, I query who is?"

Testing time for the scales of justice

LIVLAS member firm Tyler Tipping & Woods (TTW) contacted Justice Connect on behalf of their client Jason, an applicant father of two children aged 9 and 7 years. Jason separated from his partner in 2009. After the separation, Jason had regular unsupervised contact, including overnight stays, with his two children.

In 2012, Jasons' ex-partner ceased his contact with his children after abuse concerns were raised, which were ultimately unfounded. In January 2013, (TTW) lawyers initiated family law proceedings seeking an order for unsupervised visitation, on Jason's behalf. Later that year, Jason, received monthly access to the children, albeit supervised. Through the application, Jason sought to enter into a graduated visitation arrangement, where he would initially spend unsupervised time with the children before progressing to alternate weekend and half school holiday including overnight stays. In response, his ex-partner sought for Jason's visitation to remain supervised at all times.

Victorian Bar Pro Bono Scheme statistics

	2014	2013	2014	2013
BARRISTERS PARTICIPATING	1031	964	2014	2013
Total Enquiries	1520	1760		
TOTAL REFERRALS	251	280		
AREA OF LAW		iries	Refe	rrals
Building & Construction	19	16	2	2
Commercial	31	58	2	2
Community Organisations	4	17	1	4
Constitutional Law	6	3	0	0
Consumer complaints	38	53	23	10
Contract law	30	46	6	9
Coronial Inquest	12	17	7	4
Cost Dispute	17	30	0	5
Credit/Debt	106	100	15	19
Criminal	217	200	32	34
Employment/Industrial	118	97	8	9
Environment	5	9	0	1
Equality/Discrimination	60	52	8	4
Equity/Trusts	6	4	0	1
Family Law/De Facto	230	279	15	16
Financial Issues	34	63	4	6
Guardianship & Administration	15	20	4	3
Health (including Mental Health)	45	36	2	0
Identity documentation	8	9	1	1
Immigration	130	151	57	49
Indigenous	11	16	0	4
Infringements	29	51	12	13
Insurance	22	13	1	4
Intellectual Property	6	12	0	0
No Area of Law set	10	25	0	3
Planning & Local Government	39	50	5	5
Police	27	13	0	2
Probate, Wills & Testator's Family	47	51	0	7
Professional Regulation/Licencing/ Professional Discipline	23	33	8	11
Property Law	75	109	13	23
Tax	9	8	1	1
Tenancy	32	39	18	17
Torts	59	80	6	11
JURISDICTION	Referral	s		
Administrative Appeals Tribunal	5	5		
Coroner's Court	5	3		
County Court	6	10		
Fair work Australia (formerly AIRC)	1	0		
Family Court	2	2		
Federal Court	23	6		
Federal Magistrates' Court	36	39		
High Court	0	3		
Magistrates' Court	48	57		
	6	0		
MHRB		33		
MHRB Not litigious/unknown	54			
Not litigious/unknown	<u>54</u>			
Not litigious/unknown Not listed	-	47		
Not litigious/unknown Not listed Other Tribunal/Board	- 2	47 0		
Not litigious/unknown Not listed	-	47		

In January 2013, both parties were granted legal assistance by Victoria Legal Aid (VLA) for hearing preparation. However, in accordance with new VLA guidelines, the funding did not extend to representation at hearing. TTW agreed to represent Jason on a pro bono basis and approached Justice Connect seeking pro bono Counsel.

Justice Connect contacted 22 barristers before successfully referring the matter to Harry Venice of Counsel, two business days before the four-day hearing.

TTW notified the ex-partner's lawyers that Jason would be represented. On this basis, the ex-partner's lawyer was funded by VLA. The Court had already appointed an Independent Children's Lawyer to represent the interests of the children. Jason's lawyer and barrister proceeded to act on a pro bono basis. The Court ordered that Jason have supervised visitation with his children, at a contact centre, with liberty to apply for unsupervised access "after significant time had elapsed".

Counsel representing Jason, reflected upon his assistance as necessary – "without my offer of pro bono representation, neither the mother nor father would have had the benefit of Counsel representing them. My representation triggered a procedure whereby legal aid funded representation of the mother. This assisted the Court, the independent children's lawyer and allowed the trial to run properly and fairly with both sides having their case presented properly in a situation where a lot was at stake."

This case highlights the fundamental value of pro bono assistance. While all parties were represented, it is a clear example of the arbitrary application of the VLA funding guideline, which has had significant implications to access to justice and the legal profession.

Duty Barristers' Scheme Committee

Committee at 30 June: Frances I O'Brien QC (Chair), Maya Rozner, Simon A Moglia, Andy Naidu, Amanda R Wynne, Natalie T Sheridan-Smith, David W Podger, Keir J Dernelley, Dr Angela M B O'Brien, Romesh Kumar and Katrina J Gillies

The Committee thanks those members who retired during the year: Nicholas Papas QC (Retiring Chair) and Andrew P Phillips

The requests to the Duty barristers' scheme have expanded greatly in 2014. From a modest commitment to the Melbourne and Dandenong Magistrates Courts, the scheme is now providing services to the County Court commercial list, the Supreme Court trial list and the Court of Appeal.

These commitments raise many policy and practical issues. These include the relationship with the Courts and the Courts Administration, individual case considerations, the nature and extent of the commitment of members of the Bar and the commitment of Bar office resources to the administration of the scheme.

The extent of the commitment is demonstrated by some simple figures:

Number of Clients: 274 Number of Hours: 1614 Estimated Value: \$334,000

The Scheme has received a great deal of positive feedback, particularly from the Court of Appeal. The comity between the Bar and the Courts forms the basis for the assistance to the administration of justice that the scheme provides.

The assistance provided by members is voluntary and absolutely at the discretion of the barrister.

There is a need for further clarity as to our purpose and a set of principles to inform the relationship between the Courts and the Bar.

If the purpose of the scheme is to assist the Court, then requests are better made through the courts administrators after judicial consideration of the individual matter, thus sustaining court efficiency. Any application for costs of the barrister's fees should be considered on the ordinary principles.

There is also a number of internal issues to be considered.

The members of the Committee have been unfailingly helpful and thoughtful in their approach to the issues. I thank them for their assistance. The Committee also thanks the Bar Administration for their efficiency and good grace.

I also wish to acknowledge the members of the Bar who have participated in the scheme this year. There have been some outstanding work as well as small regular commitments that undoubtedly fulfil the scheme's purposes.

Other Committees

Audit and Finance Committee

Committee at 30 June: Paul E Anastassiou QC (Chair), Jennifer J Batrouney QC, Matthew J Walsh, Paul X Connor, Susan K Gatford, Daniel J Crennan, Benjamin J Murphy and Stephen Hare (Chief Executive Officer)

The Committee thanks those members who retired during the year: James W S Peters QC (Retiring Chair), Jonathan B R Beach QC on his appointment to the Federal Court and E William Alstergren QC

The Committee exercises oversight over budgeting and monthly and annual financial reporting. Members of the Committee have access to monthly financial and variance reports and engage with Bar Staff at regular intervals about financial performance and forthcoming projects. It also engages with the Bar's auditors with particular attention paid to the effectiveness of fiscal controls.

Consistent with the intent flagged in the previous year, the Committee engaged with the Bar's staff before and during the formulation of the Budget, assisted with the exercise of discipline over spending, at a national level through the LCA and the ABA, and by the committees, and with the staff generally examined ways to make savings.

The payback from tight fiscal control is reflected in the fact that the Committee was pleased once again to be able to recommend to the Bar Council that subscription levels be retained at the same level as the previous year. In the overall, the Bar's continuing emphasis on process efficiencies liberated capacity for an elevated marketing campaign and new education initiatives, which are seen as necessary to help reposition barristers in the marketplace.

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

Practising Past Chairmans' Committee

Committee at 30 June: Andrew J Kirkham AM RFD QC, David E Curtain QC, Ross Ray QC, Michael W Shand QC, Michael J Colbran QC, Peter J Riordan QC, Fiona M McLeod S.C. and Mark K Moshinsky QC

Chairs Of List Committees Chairs of List Committees at 30 June:

Paul E Anastassiou QC
David E Curtain QC
Ross H Gillies QC
Michael D Wyles QC
Peter J Jopling AM QC
Andrew J Keogh S.C.
Martin Bartfeld QC
Ronald K J Meldrum QC
Andrew P Phillips
Vincent A Morfuni QC
Norman J O'Bryan AM S.C.
Nicholas Papas QC
Garry T Bigmore QC





PART VI

JUDICIAL AND OTHER APPOINTMENTS

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

Judicial Office - Federal Courts

Federal Court

The Honourable Justice Jennifer Davies
The Honourable Justice Debbie Mortimer
The Honourable Justice Jonathan B R Beach

Family Court

The Honourable Justice Sharon L Johns

Federal Circuit Court

Her Honour Judge Joanne L Stewart

Judicial Office – Victorian Courts

Court of Appeal

The Honourable Justice Joseph G Santamaria The Honourable Justice David F R Beach

Supreme Court

The Honourable Justice Michael J Croucher
The Honourable Justice Melanie Sloss
The Honourable Justice John T (Jack) Rush RFD

County Court

Her Honour Judge Claire M Quin His Honour Judge Robert W Dyer

Magistrates' Court

His Honour Magistrate Ian C Alger His Honour Magistrate Barry J Schultz His Honour Magistrate Timothy J Walsh Her Honour Magistrate Mary-Anne E MacCallum

Joint Standing Committees

Law Aid

(Victorian Bar Incorporated and Law Institute of Victoria)

Christopher J Blanden QC, James H Mighell QC, Róisín N Annesley QC and John P Constable

Medico-Legal Standing Committee

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

Police/Lawyers Liaison Committee

Ian D Hill QC (Chair)

Green Committee

(Victorian Bar Incorporated and Barristers Chambers Limited)

Jennifer J Batrouney QC, Dr Kristine P Hanscombe QC, Carolyn H Sparke QC, Andrew J Laird, Michael H Whitten, Nicholas Kanarev, Travis P Mitchell, David Yarrow, Matthew L L Albert, Megan S Tait and Geoffrey Bartlett

JUDICIAL AND OTHER APPOINTMENTS

National Legal Profession Representative Bodies

Australian Bar Association

Fiona M McLeod S.C. (Vice President elect) and E William Alstergren QC (Victorian Bar representative)

Law Council of Australia

Board of Directors

Elected (not Victorian Bar representatives)

Michael J Colbran QC, President Elect Jennifer J Batrouney QC, Executive Member Fiona M McLeod S.C., Executive Member

Committees and Working Groups

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

Australian Young Lawyers Committee

Dean R Luxton

Competition and Consumer Law Committee

David Shavin QC

Corporations Committee

Philip D Crutchfield QC

Corporate Governance Committee

Fiona M McLeod S.C. (Chair)

Finance Committee

Michael J Colbran OC

Human Rights Committee

Fiona M McLeod S.C. (Chair)

Indigenous Legal Issues Committee

Thomas P Keely

Insurance Contracts Act Referral Group

Michael D G Heaton OC

Judicial Issues Working Group

Jacob (Jack) I Fajgenbaum QC and Michael J Colbran QC (Chair)

Military Law Working Group

Paul A Willee RFD OC (Chair)

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 OC

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.

Professional Ethics Committee

Michael J Colbran QC

Strategic Planning Committee

Michael J Colbran QC

Business Law Section - Executive

Frank D O'Loughlin (Treasurer) and Elizabeth J Boros

Business Law Section - Committees

David Shavin QC, Philip D Crutchfield QC, Dr Matthew J Collins QC, Michael J F Sweeney, Elisabeth Wentworth, Frank D O'Loughlin, David C Turner, Carl Moller and 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, Rachel M Doyle S.C., Stephen J Moloney, John R Wallace, Lachlan W L Armstrong, Frank D O'Loughlin, Fiona L McKenzie and Jonathan H Kirkwood

Court And Tribunal Committees & Working Parties

Commonwealth Courts and Tribunals

Federal Court of Australia

Class Actions User Group

Lachlan W L Armstrong

Intellectual Property User Group

Bruce N Caine QC

Migration List User Group

Richard M Niall QC and Thomas V Hurley

User Committee

Garry T Bigmore QC, Charles M Scerri QC,

Helen M Symon QC, Peter Fary and Frank D O'Loughlin

State Courts and Tribunals

Supreme Court

Board of Examiners

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

Arbitration Users' Group

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

Chief Justice's Rules Committee

Jonathan P Moore QC

Corporations and Commercial Court User Group

Garry T Bigmore QC, David G Collins QC, James W S Peters QC, Mark K Moshinsky QC, Philip D Crutchfield QC, Samantha L Marks QC, Philip H Solomon QC, Michael S Osborne QC, Jonathan L Evans, Michael J Galvin, Lachlan W L Armstrong, Peter Fary, James D S Barber, Daniel J Crennan, 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, Dr Ian R L Freckelton QC, Kerri E Judd QC,

Michael F Fleming QC, Richard M Niall QC, Dr Stephen P Donaghue QC, Jason D Pizer QC, Christopher J Horan, Rowena Orr, Lisabella G De Ferrari, Rachel Ellyard, Ben Ihle, Emily Latif and Simon Lee

Law Library of Victoria Committee

Jennifer J Batrouney QC and Anthony J Kelly QC

Personal Injury User Group

Ross H Gillies 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 QC, Richard J Manly QC, Caroline E Kirton QC, 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 QC, C James Delany QC, Christopher J Wren QC, Christopher J Townshend QC, David J Batt QC, Adrian J Finanzio S.C., Susan M Brennan S.C., Jason D Pizer QC, Nicholas J Tweedie S.C., Craig W Porter, Graeme H Peake, Matthew D Townsend, 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, Ian H Percy, Aphrodite Kouloubaritsis and Elizabeth A Bennett

Family Property Division

Carolyn H Sparke QC and Graham W Robertson

Personal Injuries User Group

David J Martin

Rules Committee

Peter T Fox, Michael J Corrigan and Geraldine F Gray

Costs Review Committee

Timothy P Tobin S.C.

WorkCover User Group

Robin P Gorton OC, Michael J Richards and Ian D McDonald

Magistrates Court

Civil Rules Committee

Frank J Ravida

WorkCover Users' Group

Michael J Richards and Amanda C Ryan

JUDICIAL AND OTHER APPOINTMENTS

Statutory Appointments

Council of Law Reporting

Charles Gunst QC and Michael R Pearce S.C.

Council of Legal Education

Dr Suzanne B McNicol QC and Elizabeth J Boros

Legal Services Board

Peter J Jopling AM QC

Legal Services Board – Legal Costs Committee

Peter B Murdoch QC

Legal Services Board - Legal Practice Committee

Kevin J A Lyons QC

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)

Melbourne Law School Advisory Council

Fiona M McLeod S.C.

Monash University Dean of Law's External Professional

Advisory Committee

Paul A Willee RFD QC

Victoria University College of Law & Justice Program **Advisory Committee**

Prof. David H Denton RFD QC and Terrence P Murphy QC

Victoria University Sir Zelman Cowen Centre Advisory

Fiona M McLeod S.C.

Other Representative Bodies

ACICA - Board

E William Alstergren QC

ACICA – Member Nominating Committee

Michael J Colbran QC

Firearms Appeal Committee

Carolyn H Sparke QC and Anthony G Burns (Chairman)

International Bar Association – Human Rights Liaison Officer

Jacob (Jack) I Fajgenbaum QC

Justice Connect (previously PILCH)

E William Alstergren QC

Law Institute of VictoriavtFee Disputes Conciliator

Jeremy Ruskin QC

Mediator Standards Board - Board of Directors

Mark G Hebblewhite

National Rural Law and Justice Alliance

Anne M Sheehan

Victoria Law Foundation (including Grants Committee)

James W S Peters QC

Victoria Law Foundation - Justice Museum Legal Reference Group

Dr David J Neal S.C.

VCAT Legal Practice List – Advocate Members

Anthony G Southall QC and Manny Garantziotis QC

Victorian Workcover Authority Committee

Robin P Gorton OC (Chair)



PERSONALIA

Obituaries

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

Rowan George McIndoe
John Dermot McArdle QC
David James Belson
Gregory Joseph Meese
The Honourable Norman Michael O'Bryan QC
The Honourable John Francis Fogarty AM

John Fouhy Kearney AM QC Henry Jolson OAM QC Eileen Florence Stuart

Lucia Bolkas

Barbara Joyce Hocking Lachlan Campbell Carter

Rex Patkin

Roland Maxwell Lloyd Price Clarinda Eleanor Molyneux QC

Barry George Hepworth

Ceide Zapparoni

Howard William Fox QC Dr Ann Rosemary Shorten

The Honourable Dr Peter Buchanan QC

Farewells

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

Federal

The Honourable Justice Julie A Dodds-Streeton

Victorian

The Honourable Justice Peter Buchanan The Honourable Justice Paul A Coghlan The Honourable Justice Elizabeth H Curtain

Honours

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

Australia Day Honours 2014

The Honourable Peter Ross Gray AM
Major General the Honourable Justice Richard Ross Tracey AM RFD
The Honourable Dr Ross Alan Sundberg AM QC
The Honourable Justice Stephen William Kaye AM
Peter John Jopling AM QC

The Queen's Birthday Honours 2014

The Honourable Chief Justice Thomas F Bathurst AC The Honourable Philip D Cummins AM QC



Senior Counsel

On 25 November 2013, the Chief Justice of the Supreme Court of Victoria, the Honourable Marilyn Warren AC, appointed as Senior Counsel in and for Victoria the following members of the Victorian Bar:

Brent Maxwell Young Diana Mary Harding Andrew John Maryniak David Paul Gilbertson **Gregory Peter Harris** Michael Sumner Osborne Stephen John Sharpley

Melinda Jane Richards Geoffrey Rowan Dickson Richard Hugo Muecke Attiwill Roisin Niambh Annesley Jonathon Peter Moore Susan Margaret Brennan Jason David Pizer Nicholas James Tweedie



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 2014.

	Female	Male	Total
Division A, Part I - Victorian Practising Counsel	524	1432	1956
Junior Counsel	502	1221	1723
Queen's and Senior Counsel	22	211	233
Division A, Part II - Crown Prosecutors and Public Defenders			30
Division A, Part III - Interstate and Overseas Practising Counsel	13	120	133
Junior Counsel	11	83	94
Queen's and Senior Counsel	2	37	39
Division A, Part IV – Victorian Practising Counsel, temporarily absent from practice, without a current practising certificate	17	10	27
Division B, Part I - Governors			1
Division B, Part II - Judges, Associate Judges and Magistrates			247
Division B, Part III - Ministers of the Crown and Members of Parliament			6
Division B, Part IV - Solicitors-General and Directors of Public Prosecutions			3
Division B, Part V - Judicial Registrars			1
Division B, Part VI - Full-time Members of Statutory Tribunals			36
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			124
Division C, Part II - Retired Holders of Public Office other than Judicial Office			13
Division C, Part III - Retired Counsel			163
Division D - Academics			21
TOTAL			2769

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

Rosalind Avis, Abhi Mukherjee, Debra A Harris, Kim L Bradey, Denise A Dwyer, Scott K Morris, Laura J Keily, Stephanie De Guio, Clare I Cunliffe, Darren A Bruno, Nico Burmeister, Christina E Klemis, Simona Gory, James M Forsaith, David Kelsey-Sugg, Brian G Mason, Yasser B Bakri, Andrew J Blakeman, Benjamin C Ryde, Kate L Burgess, Andrew J Silver, Kieran R Hickie, James Mortley, Zubin Menon, Angel Aleksov, Jennifer A Findlay, David A Carne, Katherine A Brazenor, Daniel J Briggs, Camilla Hopkins, Angie Wong, Raphael H Ajzensztat, Megan S Tait, Rebecca L Thomas, Harry Venice, Simon A Bright, Yuliya Mik, Vincent Stefano, Nicola Bowen, Prudence H G Van der Craats, Rachel Walsh, Campbell P Thompson, Andrew C Dimsey, Marcus D Fogarty, Suzanne L Kupsch, Fiona M Knowles, Emma L Murphy, Michael R Wilson, Michelle Zammit, Rebecca Dal Pra, Samantha J Holmes, Timothy J D Chalke, Jennifer H Croxford, David O'Brien, Piria Coleman, Georgina E Coleman, Adam V Chernok, Amelia J Beech, Andrew C Blair, Gordon R Porter, Krystyna Grinberg, Max Hume, Marcus B Fleming, Amanda J Burnnard, Brenton P Devanny, John Lai-Mun Leung, Timothy B Goodwin, Gordon J F Chisholm, Penelope A Renc, Jesse J Rudd, Claire V Nicholson, Philip H P Teo, Victoria Blidman, Joel A Silver, James G Westmore, Hadi Mazloum, Andrew D H Denton, Georgia S J Berlic, Jason D Korke

Re-signed

Timothy F Sullivan, James C Conquest, David Cronin, Andrew H Freadman

Transfers from this part

Frank S Zydower, Anna M Bennett, Julie P Spehr, Gary A Glover, John Manetta, Ramon G Lopez, Peter C Golombek, P Nimal Wikramanayake S.C., Peter R Whitford S.C., Debbie S Mortimer S.C., Alexandra Richards QC, Mark E Mulvany, Roderick A F Saunders, John J Cantwell, Sharon L Johns, Michael McM Wright QC, Norman C Franzi, Brian Scheid, Alex C Burt, Anthony R Lewis, Quentin Duff, Melanie Sloss S.C., Michael J Croucher S.C., Munya M Andrews, Rowena E Cantley-Smith, Cornelia N Fourfouris-Mack, Francine V McNiff, Kyle R Naish, Dimitrios (James) Podaridis, Oliver N Scoullar-Greig, Joanne L Stewart, Joseph G Santamaria QC, Ian C Alger, Andrew T Kincaid, Robert W Dyer, Barry J Schultz, John T (Jack) Rush RFD QC, Timothy J Walsh, Shivani Pillai, Christopher J Larkins, Richard T A Waddell, Justin B B Lewis, Donald Ben Gardiner, Zoe E Broughton, Rebekah S Sleeth, John P Grigg, Sharon E Moore, Jonathan B R Beach QC

Transfers to this part

The Hon. Justice Linda Dessau AM, Peta Murphy, Kirsten A Rose, Edward A Gisonda, Sophie Mirabella, William T Houghton QC, Georgina L Schoff S.C., Lisa-Maree Lo Piccolo, Marcus E Dempsey

Division A Part II (Crown Prosecutors and Public Defenders)

Signed

Transfers from this part

Transfers to this part

Daryl A Brown, Philip L Carr

John D McArdle QC, Peta Murphy, Claire M Quin, Marcus E Dempsey Zoe E Broughton, Rebekah S Sleeth,

Justin B B Lewis

Division A Part III (Interstate and Overseas Counsel)

Signed

Transfers from this part

Transfers to this part

Re-signed

Dr Robert R I Harper, Sitesh Bhojani, Simon W Lee, Michael B J Lee S.C., John G Cooper OC Thomas E F Hughes AO QC

Alexandra Richards QC, Quentin Duff, Donald Ben Bryan R Pape

Gardiner

Removed from this part

Bruce A M Connell, John N Gleeson QC, Jennifer D Beck, James T E Smith, Bruce A M Connell, David J Brogan

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

Transfers from this part

Edward A Gisonda, Francine V McNiff, William T Houghton QC, Georgina L Schoff S.C.

Transfers to this part

Anna M Bennett, John Manetta, Roderick A F Saunders, Alex C Burt, Munya M Andrews, Rowena E Cantley-Smith, Cornelia N Fourfouris-Mack, Francine V McNiff, Kyle R Naish, Dimitrios (James) Podaridis, Oliver N Scoullar-Greig, Kirsten A Rose, Sharon E Moore

Division B (Judiciary and Official Appointments)

Transfers from this division

The Hon. Justice Linda Dessau AM, His Honour Judge Julian P Leckie, The Hon. Justice Peter Buchanan, James M B Cashmore, The Hon. Justice Paul A Coghlan, Leonard H Brear, Edwin C Batt, Sophie Mirabella, Kathryn H Auty, Lisa-Maree Lo Piccolo, The Hon. Justice Julie A Dodds-Streeton, The Hon. Justice Elizabeth H Curtain, The Hon. Justice Robert Monteith, William J G O'Day

Transfers to this division

Debbie S Mortimer S.C., Sharon L Johns, Melanie Sloss S.C., Michael J Croucher S.C., Joanne L Stewart, Joseph G Santamaria QC, Ian C Alger, Andrew T Kincaid, Robert W Dyer, Barry J Schultz, John (Jack) Rush RFD QC, Timothy J Walsh, Shivani Pillai, Claire M Quin, Silvana M Wilson, Jonathan B R Beach QC

Division C (Retired)

Transfers to this division

William J G O'Day, Frank S Zydower, Julie P Spehr, Gary A Glover, Ramon G Lopez, Peter C Golombek, P Nimal Wikramanayake S.C, Thomas E F Hughes AO QC, His Honour Judge Julian P Leckie, Mark E Mulvany, John J Cantwell, Norman C Franzi, Brian Scheid, Anthony R Lewis, The Hon. Justice Peter Buchanan, James M B Cashmore, The Hon. Justice Paul A Coghlan, Leonard H Brear, Christopher J Larkins, Richard T A Waddell, Edwin C Batt, Francine V McNiff, The Hon. Justice Julie A Dodds-Streeton, The Hon. Justice Elizabeth H Curtain, John P Grigg, The Hon. Justice Robert Monteith

Division D (Academics)

Transfers from this division

Silvana M Wilson

Transfers to this division

John D McArdle QC, Kathryn H Auty

Removed from the Roll (at own request)

Richard A Kowalski, Danielle T Galvin, Adam C McLean, James E McIntyre, John Warren, Alan F Gray, Sascha Gelfand, Marc C A Testart, Wendy E James, David G Loadman, Jennifer M Digby, Robert M J Lombardi, Alison M Sampson, Rachel Chrapot, Bree Y Knoester, Sydney J Williams, Paul R Pentony, Andrew H Freadman, Katrina J Gillies, Matthew P Kennedy, Amber L Harris, Priya Carey, Ekbol Taghdir, Anthony M Sergi, Rodney J McNeil, Samuel P Gifford

PART IX

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

The Melbourne Bar Pty Ltd

ACN 004 640 108

Board of Directors

W: www.vicbar.com.au

E William Alstergren QC and David J O'Callaghan QC

Barristers' Chambers Limited

ACN 004 454 004

Board of Directors

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

PART X

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 2014. In order to comply with the provisions of the Associations Incorporation Reform Act 2012 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 10 of the annual report under Bar Council, except for the following who retired from the previous Bar Council during the year:

Fiona M McLeod S.C. Michael G R Gronow
Timothy P Tobin S.C. P Justin Hannebery
Richard W McGarvie QC Benjamin J Murphy
Edward W Woodward S.C. Robert W O'Neill
Adrian J Finanzio S.C. Christine Melis

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 2014 the Association achieved a surplus from ordinary activities of \$415,776 (2013: \$543,714) after an income tax benefit of \$111,856 (2013: \$166,603). Its consolidated surplus from ordinary activities was \$4,772,472 (2013: \$5,079,959) after income tax expense of \$1,856,762 (2013: \$1,840,392)

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 10 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

E William Alstergren QC

Chairman 9 October 2014 David J O'Callaghan QC

Honorary Treasurer

Barristers' Chambers Limited Report

BCL's vision is to secure the future of the Victorian Bar and its members through sound management and development of its assets. Under the leadership of Ed Gill, BCL has sought to be client focussed, deliver maximum value and be the provider of choice for members of the Victorian Bar.

Profit before tax in 2014 was \$6.33m, slightly down on last year's \$6.54m. Profit is not only a measure of efficiency; it is a safeguard for members. It means that BCL can invest in meeting the demand from members for new chambers at all levels of our offering. Indeed, the 82 new chambers reaching completion on levels 19 to 24 of Owen Dixon Chambers West (the "West Extension Project") will cause BCL's offering across the whole range of chambers to be enhanced. While not as straight forward as often perceived, I can assure all members that BCL is driven to meet the market demand for suitable chambers and especially to accommodate those of less than three years call.

Ed Gill retired as CEO and Managing Director on 28 August 2014. Ed Gill has single-handedly delivered a platform for the future of BCL which is as solid as the best of bluestone foundations. In addition, Ed has taught us that the client matters. Ed has given us a real taste of competing to be the "provider of choice". And Ed has delivered quality chambers to ensure that the range of demands from our clients is met. Both Gorman and Coldrey chambers are an enormous success. As are Ninian Stephen Chambers and Level 23 Aickin. Then there is the West Extension, again the product of Ed's vision and attention to detail. When completed the chambers in the West Extension will be a showpiece of BCL's transition from utility to service provider. So I thank Ed Gill most sincerely on behalf of the board and on behalf of the Victorian Bar.

With the pending completion of the West Extension, rental area in the building will increase by approximately 20%. And whilst the provision of accommodation is important, in the coming year BCL will focus upon its service offering as a whole, especially information technology and the need to keep pace with communication technology.

This year alone BCL has invested some \$1.9m in projects across all buildings, including the establishment of a new VOIP telephone system which is currently being rolled out. In addition BCL has invested in the hardware required to provide a seamless internet service to all members. The challenge for BCL now is to review its whole information technology offering, to better understand what members want and ensure that technical glitches do not distract our clients from their real work.

BCL's ongoing focus on driving commercial rigour and financial discipline has enabled us to fund a large part of the \$31m West Extension Project, in turn lifting our net asset position above \$100m. This investment positions BCL as a true small-to-medium enterprise, rivalling many listed on the ASX and with a continuing mission to further the interests and welfare of the Bar and its members well into the 22nd century. To ensure that it can successfully achieve future sustainability and the flexibility required for continuing performance of its remit, BCL is pursuing a board constituted of the skills and availability required for growth and development and management of related "risk". By so doing, BCL will be better positioned to secure the welfare and future, not only of the Victorian Bar, but of each of its members from time to time.

During the year BCL responded immediately and effectively to the ATO's movement away from the ruling which it gave to the Bar in 2007. As is appropriate for a leader of the community such as ourselves, we continue to enjoy a harmonious and respectful relationship with the ATO.

Gary Brinkworth has taken up the role of CEO. Gary comes to us after a successful international business career. We are most fortunate to have secured Gary's services and wish him every success.

Once again I thank each of my fellow directors: Jacob (Jack) Fajgenbaum QC (Deputy Chairman), David O'Callaghan QC, Christopher Caleo QC, Adrian Finanzio SC, Dan Crennan, Scott Stuckey, Kate Anderson and Catherine Button. Each of them is tireless in their efforts on behalf of BCL. I am most grateful for their wisdom and counsel. The whole Bar benefits from their service. Finally, we have a small but powerful team of employees as befits our present operations. I thank each of them for embracing our values and recognise that we are, in many respects, only as good as their best, which they each continue to give selflessly.

BCL is well placed to meet the needs of members of the Bar and will continue to strive to provide an even greater offering into the future.

Michael D Wyles QC GAICD

Chairman



The Essoign Club Limited Report

ACN 005 785 937

Board of Directors

Peter N Crofts (Chairman), Peter A Chadwick QC (Vice Chairman), Michael J Richards, John B Saunders (Honorary Secretary), William E M Lye, Paul X Connor, Francesca E Holmes, John (Jack) R M Tracey, Andrew P Downie (Honorary Treasurer) and Felicity Cockram (Assistant Honorary Secretary)

The 2013-14 financial year was another strong year for the club with a few key changes, especially with our personnel.

Colin Lovitt QC, the Club's long-time chairman, retired and was elected a life member. Catering manager, Susie Roberts, left our employ after many years to pursue other ventures, as did our Operations Manager, Sarah Ridsdale. The Club used this opportunity to internally promote the very capable Nick Karavias to the role of Operations Manager, and to employ, after a wide external search, a new Sales and Events Manager, Erin Maguire. We welcome both staff to these roles and to the Essoign Club and congratulate them on their respective appointments.

The core areas of the Club continue to be well patronised despite the ever increasing competition outside our door. The Club Manager, Nicholas Kalogeropoulos, continues to work solidly to provide a professional, welcoming and service-driven environment for members to dine and socialise in. Together

with his excellent staff, the Club strives to be the social hub of the Bar catering, through a range of different offerings and events, for the diverse tastes and interests of members.

The Essoign's catering arm, Essoign Events, remained resilient in a hospitality market that at times is uncertain. Our offering to members, courts and the local business community continues to be competitive and in line with current trends in the marketplace.

Financially, 2013-14 was a strong year for the Club. After taking into account membership subscriptions it is expected that when the Essoign's audit (which is currently in progress) is concluded, a surplus will be recorded. This surplus is consistent with the Board's philosophy that the Club should trade at break-even, or a small surplus, in order to ensure benefits are passed to members. However, changes in the way our accounts are reported may mean we are unable to expense replacement and refurbishment works being met from earnings, which are in any event planned for the following Christmas break.

I thank the members of the Essoign Board for their efforts.

Importantly I note that the Club only exists because of, and for, its members. We hope that members continue to patronise the Club and I encourage them to interact with Staff and Board members in this regard.

Peter Crofts

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 2014, the statement of profit or loss and other 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 54 to 69.



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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. Officers' 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 of the financial position of The Victorian Bar Incorporated and the consolidated entity as at 30 June 2014 and their 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.

Deloitte Touche Tohmadsu

DELOITTE TOUCHE TOHMATSU

Alison Brown

Partner, Chartered Accountants Melbourne, 9 October 2014

Officers' declaration

This special purpose financial report has been prepared to satisfy the Officers' reporting requirements under the Constitution of the Victorian Bar Incorporated 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 55 to 69:
 - a. Comply with accounting standards, the Associations Incorporation Reform Act 2012 and the reporting requirements under the Constitution of the Victorian Bar Incorporated; and
 - b. Give a true and fair view of the financial position as at 30 June 2014 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

E William Alstergren QC

Officer

Melbourne, 9 October 2014

David J O'Callaghan QC

Officer

Melbourne, 9 October 2014

Statement of profit or loss and other comprehensive income for the year ended 30 June 2014

		Consolid	ated	Parer	it
	Note	2014 \$	2013 \$	2014 \$	2013 \$
	3(o)		(restated)		(restated)
Continuing operations					
Revenue	4	31,872,059	30,999,365	4,969,707	5,004,050
Employee benefits expense		(3,033,003)	(2,649,426)	(1,578,631)	(1,349,549)
Depreciation and amortisation expense	5	(3,932,331)	(3,500,683)	(58,772)	(48,773)
Finance expense	5	(2,836,307)	(2,949,472)	-	-
Rent & fitout expenses		(6,325,378)	(5,781,791)	(867,286)	(1,014,548)
Utilities expense		(1,165,893)	(1,089,298)	-	-
Administration expenses		(7,924,010)	(7,691,084)	(2,161,098)	(2,214,069)
Loss on disposal of assets	5	(25,903)	(417,260)	-	-
Surplus before income tax expense		6,629,234	6,920,351	303,920	377,111
Income tax (expense)/benefit	6	(1,856,762)	(1,840,392)	111,856	166,603
Surplus for the year		4,772,472	5,079,959	415,776	543,714
Other comprehensive income					
Fair value gain on revaluation		-	14,508,750	-	-
Total comprehensive income for the year		4,772,472	19,588,709	415,776	543,714

Statement of financial position as at 30 June 2014

		Consolida	ated	Pai	rent
	Note	2014	2013	2014	2013
	24-1	\$	\$	\$	\$ (Postated)
<u>-</u>	3(0)		(Restated)		(Restated)
Current assets					
Cash and cash equivalents	7	10,705,516	11,880,917	4,852,030	4,366,083
Trade and other receivables	8	986,550	1,246,591	2,310,060	6,546,299
Other assets	9	209,221	286,317	6,207	21,816
Total current assets		11,901,287	13,413,825	7,168,297	10,934,198
Non-current assets					
Other financial assets	10	-	-	10,187,430	10,187,430
Property, plant and equipment	11	156,209,116	138,425,800	158,848	164,269
Other assets	9	411,954	369,000	-	-
Deferred tax assets	15	-	-	89,154	93,609
Total non-current assets		156,621,070	138,794,800	10,435,432	10,445,308
Total assets		168,522,356	152,208,625	17,603,729	21,379,506
Current liabilities	,				
Trade and other payables	12	8,895,480	9,372,217	2,649,605	2,752,792
Borrowings	13	1,500,000	-	-	-
Provisions	14	466,057	360,383	258,126	172,701
Current tax liabilities	15	1,983,661	6,145,333	1,983,661	6,145,333
Total current liabilities	,	12,845,198	15,877,933	4,891,392	9,070,826
Non-current liabilities					
Borrowings	13	44,702,147	30,000,000	-	-
Provisions	14	64,568	65,822	30,368	42,487
Deferred tax liabilities	15	3,754,177	3,881,076	-	-
Total non-current liabilities	,	48,520,892	33,946,898	30,368	42,487
Total liabilities		61,366,090	49,824,831	4,921,760	9,113,313
Net assets		107,156,266	102,383,794	12,681,969	12,266,193
Equity					
Reserves		34,446,155	34,446,155	-	
Retained earnings		72,710,111	67,937,639	12,681,969	12,266,193
Total equity		107,156,266	102,383,794	12,681,969	12,266,193

Statement of changes in equity for the year ended 30 June 2014

	Capital profits reserve \$	Asset revaluation reserve	General reserve	Retained earnings \$	Total \$
Parent					
Balance at 1 July 2012	-	-	-	11,722,479	11,722,479
Profit for the year	-	-	-	543,714	543,714
Other comprehensive income for the year	-	-	-	-	-
Total comprehensive income for the year	-	-	-	543,714	543,714
Balance at 30 June 2013	-	-	-	12,266,193	12,266,193
Profit for the year	-	-	-	415,776	415,776
Other comprehensive income for the year	-	-	-	-	-
Total comprehensive income for the year	-	-	-	415,776	415,776
Balance at 30 June 2014	-	-	-	12,681,969	12,681,969
Consolidated					
Balance at 30 June 2012	249,680	19,937,40	5 127,460	67,311,009	87,625,554
Adjustment Note 3(o)	-	-	-	(4,830,469)	(4,830,469)
Balance at 1 July 2012 (restated)	249,680	19,937,40	5 127,460	62,480,540	82,795,085
Transfers to retained earnings	(249,680)		(127,460)	377,140	-
Profit for the year	-	-	-	5,079,959	5,079,959
Other comprehensive income for the year	-	14,508,750	O -	-	14,508,750
Total comprehensive income for the year	-	14,508,750) -	5,079,959	19,588,709
Balance at 30 June 2013	-	34,446,155	5 -	67,937,639	102,383,794
Profit for the year	-	-	-	4,772,472	4,772,472
Other comprehensive income for the year	-	-	-	-	-
Total comprehensive income for the year	-	-	-	4,772,472	4,772,472
Balance at 30 June 2014	-	34,446,15	 5 -	72,710,111	107,156,266

Statement of cash flows for the year ended 30 June 2014

		Consolida	ated	Pare	ent
	Note	2014 \$	2013 \$	2014 \$	2013 \$
Cash flows from operating activities					
Receipts from members and customers		31,028,540	29,320,173	4,375,589	3,809,092
LSB reimbursements and contributions		671,455	742,584	671,455	742,584
Interest received		247,830	410,116	126,551	156,984
Payments to suppliers and employees		(18,602,183)	(16,860,827)	(4,634,297)	(4,884,902)
Finance expenses paid		(2,836,307)	(2,949,472)	-	-
Income tax paid		(6,145,333)	-	-	-
Net cash generated by/(used in) operating activities	16(b)	4,364,002	10,662,574	539,298	(176,242)
Cash flows from investing activities					
Proceeds from sale of property, plant and equipment			-	-	-
Payments for property, plant and equipment		(21,741,550)	(5,045,433)	(53,351)	(72,422)
Net cash used in investing activities		(21,741,550)	(5,045,433)	(53,351)	(72,422)
Cash flows from financing activities					
Draw-down/(Repayment) of borrowings		16,202,147	(5,000,000)	-	-
Net cash generated by/(used in) financing activities		16,202,147	(5,000,000)	-	-
Net (decrease)/increase in cash and cash equivalents		(1,175,401)	617,141	485,947	(248,664)
Cash and cash equivalents at the beginning of the year		11,880,917	11,263,776	4,366,083	4,614,747
Cash and cash equivalents at the end of the year	16(a)	10,705,516	11,880,917	4,852,030	4,366,083

1. General information

The Victorian Bar Incorporated (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 New and revised AASBs affecting amounts reported and/or disclosures in the financial statements

In the current year, the Association has applied a number of new and revised AASBs issued by the Australian Accounting Standards Board (AASB) that are mandatorily effective for an accounting period that begins on or after 1 January 2013.

Standards affecting presentation and disclosure

AASB 2012-5 'Amendments to Australian Accounting Standards arising from Annual Improvements 2009-2011 Cycle' The Annual Improvements to AASBs 2009-2011 have made a number of amendments to AASBs. The amendments that are relevant to the Association are the amendments to AASB 101 regarding when a statement of financial position as at the beginning of the preceding period (third statement of financial position) and the related notes are required to be presented. The amendments specify that a third statement of financial position is required when a) an entity applies an accounting policy retrospectively, or makes a retrospective restatement or reclassification of items in its financial statements, and b) the retrospective application, restatement or reclassification has a material effect on the information in the third statement of financial position. The amendments specify that related notes are not required to accompany the third statement of financial position.

AASB CF 2013-1 'Amendments to the Australian Conceptual Framework' and AASB 2013-9 'Amendments to Australian Accounting Standards – Conceptual Framework, Materiality and Financial Instruments' (Part A Conceptual Framework) This amendment has incorporated IASB's Chapters 1 and 3 Conceptual Framework for Financial Reporting as an Appendix to the Australian Framework for the Preparation and Presentation of Financial Statements. The amendment also included not-for-profit specific paragraphs to help clarify the concepts from the perspective of not-for-profit entities in the private and public sectors.

As a result the Australian Conceptual Framework now supersedes the objective and the qualitative characteristics of financial statements, as well as the guidance previously available in Statement of Accounting Concepts SAC 2 'Objective of General Purpose Financial Reporting'. The adoption of this amending standard does not have any material impact on the financial statements.

AASB 13 'Fair Value Measurement' and AASB 2011-8 'Amendments to Australian Accounting Standards arising from AASB 13' The Association has applied AASB 13 for the first time in the current year. AASB 13 establishes a single source of guidance for fair value measurements and disclosures about fair value measurements. The scope of AASB 13 is broad; the fair value measurement requirements of AASB 13 apply to both financial instrument items and non-financial instrument items for which other AASBs require or permit fair value measurements and disclosures about fair value measurements, except for share-based payment transactions that are within the scope of AASB 2 'Share-based Payment', leasing transactions that are within the scope of AASB 117 'Leases', and measurements that have some similarities to fair value but are not fair value (e.g. net realisable value for the purposes of measuring inventories or value in use for impairment assessment purposes).

AASB 13 defines fair value as the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction in the principal (or most advantageous) market at the measurement date under current market conditions. Fair value under AASB 13 is an exit price regardless of whether that price is directly observable or estimated using another valuation technique. Also, AASB 13 includes extensive disclosure requirements.

AASB 13 requires prospective application from 1 July 2013. In addition, specific transitional provisions were given to entities such that they need not apply the disclosure requirements set out in the Standard in comparative information provided for periods before the initial application of the Standard. In accordance with these transitional provisions, the Association has not made any new disclosures required by AASB 13 for the 2013 comparative period (please see notes 13, and 14 for the 2014 disclosures). Other than the additional disclosures, the application of AASB 13 does not have any material impact on the amounts recognised in the financial statements.

AASB 119 'Employee Benefits' (2011) and AASB 2011-10 'Amendments to Australian Accounting Standards arising from AASB 119 (2011)' In the current year, the Association has applied AASB 119 (as revised in 2011) 'Employee Benefits' and the related consequential amendments for the first time. The definition of short term benefits changed which may result in entitlements such as annual leave being discounted based on expected payments. The application had no material impact on the disclosures or amounts recognised in the financial statements.

2. Adoption of new and revised Accounting Standards (cont'd)

2.2 Standards and Interpretations issued not yet effective

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

Standard/Interpretation	Effective for annual reporting periods beginning on or after	Expected to be initially applied in the financial year ending
AASB 9 'Financial Instruments', and the relevant amending standards	1 January 2017	30 June 2018
AASB 1031 'Materiality' (2013)	1 January 2014	30 June 2015
AASB 2012-3 'Amendments to Australian Accounting Standards - Offsetting Financial Assets and Financial Liabilities'	1 January 2014	30 June 2015
AASB 2013-3 'Amendments to AASB 135 – Recoverable Amount Disclosures for Non- Financial Assets'	1 January 2014	30 June 2015
AASB 2013-4 'Amendments to Australian Accounting Standards - Novation of Derivatives and Continuation of Hedge Accounting'	1 January 2014	30 June 2015
AASB 2013-5 'Amendments to Australian Accounting Standards - Investment Entities'	1 January 2014	30 June 2015
AASB 2013-9 'Amendments to Australian Accounting Standards – Conceptual Framework, Materiality and Financial Instruments'	1 January 2014	30 June 2015
INT 21 'Levies'	1 January 2014	30 June 2015
At the date of authorisation of the financial statements, the fol but not yet effective, although Australian equivalent Standards		· ·
Narrow-scope amendments to IAS 19 Employee Benefits entitled Defined Benefit Plans: Employee Contributions (Amendments to IAS 19)	1 July 2014	30 June 2015
Annual Improvements to IFRSs 2010-2012 Cycle	1 July 2014	30 June 2015
Annual Improvements to IFRSs 2011-2013 Cycle	1 July 2014	30 June 2015
IFRS 14 Regulatory Deferral Accounts	1 January 2016	30 June 2017

3. Significant accounting policies

Financial reporting framework

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 Incorporated 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', and AASB 1054 Australian Additional Disclosures'. For the purpose of preparing the financial statement, the Association is a 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 Group'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 Association 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) Income tax

Subscription income received by the Association from its members is 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. All income received by Barristers Chambers Limited, a subsidiary company of the Association, is taxable.

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.

(e) 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 Incorporated is the head entity in the taxconsolidated group. Tax expense/income, deferred tax assets and deferred tax liabilities arising from temporary differences of the members of the tax-consolidated group are recognised using the 'group allocation' approach by reference to the carrying amounts in the separate financial statements of each entity and the tax values applying under tax consolidation. Current tax liabilities and assets and deferred tax assets arising from unused tax losses and relevant tax credits of the members of the tax-consolidated group are recognised by The Victorian Bar Incorporated (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 Incorporated 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

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.

Association 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 Association'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.

(o) Restatement of income tax

In 2007, The Victorian Bar Incorporated, the head entity of the tax consolidated group of which Barrister Chambers Limited (BCL) is a member (see note 3(e)), received a ruling from the Australian Taxation Office (ATO) that certain dealings between BCL and members of The Victorian Bar Incorporated could be treated as giving rise to income which was not assessable. In 2013, the ATO conducted an audit of BCL's activities and thereafter informed BCL that the ATO had formed the view that BCL should no longer treat the dealings as giving rise to non-assessable income. Tax balances and liabilities are restated to reflect this change in the tax treatment of the Associations' income, and tax assessments received from the ATO.

(p) Working capital management

As at 30 June 2014 the consolidated entity has an excess of current liabilities over current assets of \$943,918 (2013: \$2,464,108) due to deferred revenue of prepaid rent and subscriptions of \$5,772,161 (2013: \$5,956,436). This balance relates to barristers who have prepaid their rent and subscriptions in advance of the end of the financial year and it is expected to be realised in the ordinary course of business as revenue with no cash outlay.

	Consolida	rted	Parent	
	2014 \$	2013 \$	2014 \$	2013 \$
Revenue from operating activities		,		
Subscriptions	3,326,452	3,187,815	3,326,452	3,187,815
Rent and Joinery Revenue	25,231,465	23,259,051	-	-
Readers Course, Mediation & Seminar Fees	697,205	800,330	703,914	800,330
Other Revenue	1,697,652	2,599,469	\$ 3,326,452 - 703,914 141,335 4,171,701 126,551 671,455 798,006 4,969,707	116,337
	30,952,774	29,846,665	4,171,701	4,104,482
Revenue from non-operating activities				
Interest Revenue	247,830	410,116	126,551	156,984
Legal Service Board and Commissioner, Contributions and Reimbursements	671,455	742,584	671,455	742,584
	919,285	1,152,700	798,006	899,568
Total Revenue	31,872,059	30,999,365	4,969,707	5,004,050
Surplus for the year has been arrived at after charging the following	items of expense:			
Surplus for the year has been arrived at after charging the following Loss on disposal of property, plant and equipment	items of expense: 25,903	417,260	<u>-</u>	-
		417,260	-	-
Loss on disposal of property, plant and equipment		417,260 2,949,472	-	-
Loss on disposal of property, plant and equipment Finance cost	25,903	,		- -
Loss on disposal of property, plant and equipment Finance cost	25,903 2,836,307	2,949,472		- - -
Loss on disposal of property, plant and equipment Finance cost Interest on Mortgage	25,903 2,836,307	2,949,472		- - - -
Loss on disposal of property, plant and equipment Finance cost Interest on Mortgage Depreciation of non-current assets	25,903 2,836,307 2,836,307	2,949,472 2,949,472		- - - 48,773
Loss on disposal of property, plant and equipment Finance cost Interest on Mortgage Depreciation of non-current assets Buildings	25,903 2,836,307 2,836,307 1,989,765	2,949,472 2,949,472 1,904,376		- - - 48,773 48,773
Loss on disposal of property, plant and equipment Finance cost Interest on Mortgage Depreciation of non-current assets Buildings	25,903 2,836,307 2,836,307 1,989,765 1,942,565	2,949,472 2,949,472 1,904,376 1,596,307	- - - 58,772	
Loss on disposal of property, plant and equipment Finance cost Interest on Mortgage Depreciation of non-current assets Buildings Plant, equipment and improvements	25,903 2,836,307 2,836,307 1,989,765 1,942,565	2,949,472 2,949,472 1,904,376 1,596,307	- - - 58,772	
Loss on disposal of property, plant and equipment Finance cost Interest on Mortgage Depreciation of non-current assets Buildings Plant, equipment and improvements Bad and doubtful debts	25,903 2,836,307 2,836,307 1,989,765 1,942,565 3,932,331	2,949,472 2,949,472 1,904,376 1,596,307 3,500,683	- - - 58,772	
Loss on disposal of property, plant and equipment Finance cost Interest on Mortgage Depreciation of non-current assets Buildings Plant, equipment and improvements Bad and doubtful debts Increase/(decrease) in provision	25,903 2,836,307 2,836,307 1,989,765 1,942,565 3,932,331	2,949,472 2,949,472 1,904,376 1,596,307 3,500,683	- - - 58,772 58,772	48,773
Loss on disposal of property, plant and equipment Finance cost Interest on Mortgage Depreciation of non-current assets Buildings Plant, equipment and improvements Bad and doubtful debts Increase/(decrease) in provision Minimum lease payments on operating leases	25,903 2,836,307 2,836,307 1,989,765 1,942,565 3,932,331	2,949,472 2,949,472 1,904,376 1,596,307 3,500,683	- - - 58,772 58,772	48,773
Loss on disposal of property, plant and equipment Finance cost Interest on Mortgage Depreciation of non-current assets Buildings Plant, equipment and improvements Bad and doubtful debts Increase/(decrease) in provision Minimum lease payments on operating leases Auditors remuneration	25,903 2,836,307 2,836,307 1,989,765 1,942,565 3,932,331 37,587 6,325,378	2,949,472 2,949,472 1,904,376 1,596,307 3,500,683 (15,410) 5,799,192	- - 58,772 58,772 - 892,622	48,773 - 883,768

The auditor is Deloitte Touche Tohmatsu.

6. Income tax	Consolida	ated	Parent	:
(a) Components of income tax (expense)/benefit Tax expenses comprises:	2014 \$	2013 \$	2014 \$	2013 \$
Current tax (expense)/benefit	(1,983,661)	(2,245,333)	166,311	56,459
Deferred tax (expense)/benefit relating to timing differences	126,899	404,941	(54,455)	110,144
	(1,856,762)	(1,840,392)	111,856	166,603
(b) Income tax (expense)/benefit calculated				
The prima facie tax (expense)/benefit on pre-tax accounting surpluthe financial statements as follows:	us from operations	reconciles to the in	come tax (expense	e)/benefit in
Operating surplus from operations	6,629,234	6,920,351	303,920	377,111
Income tax (expense)/benefit calculated at the corporate tax rate in each year, 30%	(1,988,770)	(2,076,105)	(91,176)	(113,133)
Non-assessable mutual income	1,036,498	1,016,149	1,036,498	1,016,149
Non-deductible mutual & other expenses	(904,490)	(780,436)	(833,466)	(736,413)
Income tax (expense)/benefit	(1,856,762)	(1,840,392)	111,856	166,603
7. Cash and cash equivalents				
Cash on Hand	250	250	-	-
Cash Deposits with Banks	8,083,111	9,480,667	2,229,875	1,966,083
Short-term Money Market Deposits	2,622,155	2,400,000	2,622,155	2,400,000
	10,705,516	11,880,917	4,852,030	4,366,083
8. Trade and other receivables				
Trade receivables	854,169	958,267	123,388	181,357
Provision for doubtful debts	-	(37,587)	-	-
	854,169	920,680	123,388	181,357
Receivable from Barristers' Chambers Limited for income tax	-	-	2,172,966	6,218,327
Other receivables	132,381	325,911	13,706	146,615
	986,550	1,246,591	2,310,060	6,546,299
9. Other assets				
Current				
Prepayments	209,221	286,317	6,207	21,816
Non-current				
Bank guarantee deposit	411,954	369,000	-	-
10. Other financial assets				
Investment in subsidiaries	-	-	10,187,430	10,187,430

The consolidated group is made up of the parent entity The Victorian Bar Incorporated and subsidiary companies including Barristers' Chambers Limited and the Melbourne Bar Pty Ltd. 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 Incorporated in being the registered owner of shares in Barristers Chambers Limited and entering into license agreements with approved clerks.

11.	. Property, plant and equipment		Consoli	dated	Par	ent
			2014	2013	2014	2013 \$
Fre	ehold land & building					
Lar	nd at valuation (June 2013)		31,500,000	31,500,000	-	-
Bui	lding at valuation (June 2013)		86,875,000	86,875,000	-	-
Les	s: Accumulated depreciation		2,171,875	-	-	-
Tot	al freehold land & building		116,203,125	118,375,000	-	-
Pla	nt, Equipment & Refurbishments					
In F	reehold Buildings at Cost		23,582,531	22,449,152	-	-
Les	s: Accumulated Depreciation		(12,992,802)	(12,940,454)	-	-
			10,589,729	9,508,698	-	-
In L	easehold Premises at Cost		16,048,784	15,890,416	1,225,256	1,171,905
Les	s: Accumulated Depreciation		(8,197,122)	(7,095,491)	(1,085,012)	(1,033,106)
			7,851,662	8,794,925	140,244	138,799
Art	Works at Cost		133,441	133,441	117,842	117,842
Les	s: Accumulated Depreciation		(99,238)	(92,372)	(99,238)	(92,372)
			34,203	41,069	18,604	25,470
Wc	ork in progress at Cost		21,530,397	1,706,108	-	-
Tot	al plant and equipment		40,005,991	20,050,800	158,848	164,269
Tot	al Property, Plant, Equipment & Refurbish	ment	156,209,116	138,425,800	158,848	164,269
_	Parent					
		Freehold land and building \$	Plant and equipment at cost \$	Art Works \$	Work in Progress \$	Total \$
	Balance at the beginning of the year	-	107,268	33,352	-	140,620
<u>ო</u>	Additions	-	72,422	-	-	72,422
2013	Depreciation expenses	-	(40,891)	(7,882)	-	(48,773
		-	138,799	25,470	-	164,269
	Balance at the beginning of the year	-	138,799	25,470	-	164,269
4	Additions	-	53,351	-	-	53,35
2014	Depreciation expenses	-	(51,906)	(6,866)	-	(58,772
		-	140,244	18,604	-	158,848
	Consolidated					
	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
	Balance at the beginning of the year	118,375,000	18,303,623	41,069	1,706,108	138,425,800
	Additions	-	1,878,832	-	19,836,815	21,715,647
.	Transfers +/(-)	-	12,526	-	(12,526)	-
2014	Disposal/asset written off	-	-	-	-	-
•	Depreciation expenses	(2,171,875)	(1,753,590)	(6,866)	-	(3,932,331
	Revaluation	-			-	-
		116,203,125	18,441,391	34,203	21,530,397	156,209,116

12. Trade and other payables	Consc	olidated	Pa	rent
	2014 \$	2013 \$	2014 \$	2013 \$
Current				
Deferred revenue	5,772,161	5,956,436	1,936,925	1,923,915
Trade creditors and accruals	1,053,543	1,194,088	499,770	732,826
Owing to subsidiary – Barristers Chambers Limited	-	-	88,855	86,511
Related Party - The Essoign Club	124,055	9,540	124,055	9,540
Other creditors	1,945,721	2,212,153	-	-
	8,895,480	9,372,217	2,649,605	2,752,792
13. Borrowings				
Current				
Bills - secured	1,500,000	-	-	-
Non-current				
Bills - secured	44,702,147	30,000,000	-	-
The loan is secured by a first mortgage on all properties and a flo	oating charge over	other Barristers'	Chambers Limited	d assets.
14. Provision	ating charge over	other Barristers'	Chambers Limited	d assets.
14. Provision Current				
14. Provision Current Employee benefits	ating charge over	other Barristers'	Chambers Limited	
14. Provision Current Employee benefits Non-current	466,057	360,383	258,126	172,701
14. Provision Current Employee benefits Non-current Employee benefits	466,057 64,568	360,383 65,822	258,126 30,368	172,701 42,487
14. Provision Current Employee benefits Non-current Employee benefits Aggregate Employee entitlement liability	466,057	360,383	258,126	
14. Provision Current Employee benefits Non-current Employee benefits Aggregate Employee entitlement liability Employee numbers	466,057 64,568 530,625	360,383 65,822 426,205	258,126 30,368 288,494	172,701 42,487 215,188
14. Provision Current Employee benefits Non-current Employee benefits Aggregate Employee entitlement liability Employee numbers Average number of full- or part-time employees during the financial year	466,057 64,568 530,625	360,383 65,822 426,205	258,126 30,368 288,494	172,701 42,487 215,188 20
14. Provision Current Employee benefits Non-current Employee benefits Aggregate Employee entitlement liability Employee numbers	466,057 64,568 530,625	360,383 65,822 426,205	258,126 30,368 288,494	172,701 42,487 215,188 20
14. Provision Current Employee benefits Non-current Employee benefits Aggregate Employee entitlement liability Employee numbers Average number of full- or part-time employees during the financial year	466,057 64,568 530,625	360,383 65,822 426,205	258,126 30,368 288,494	172,701 42,487 215,188 20
Current Employee benefits Non-current Employee benefits Aggregate Employee entitlement liability Employee numbers Average number of full- or part-time employees during the financial year Number of employees at reporting date	466,057 64,568 530,625	360,383 65,822 426,205	258,126 30,368 288,494	172,701 42,487 215,188 20
Current Employee benefits Non-current Employee benefits Aggregate Employee entitlement liability Employee numbers Average number of full- or part-time employees during the financial year Number of employees at reporting date 15. Tax assets and liabilities	466,057 64,568 530,625	360,383 65,822 426,205	258,126 30,368 288,494	172,70° 42,487 215,188 20 20
Current Employee benefits Non-current Employee benefits Aggregate Employee entitlement liability Employee numbers Average number of full- or part-time employees during the financial year Number of employees at reporting date 15. Tax assets and liabilities Current	466,057 64,568 530,625 31 31	360,383 65,822 426,205 32 32	258,126 30,368 288,494 17 17	172,701 42,487 215,188 20 20
Current Employee benefits Non-current Employee benefits Aggregate Employee entitlement liability Employee numbers Average number of full- or part-time employees during the financial year Number of employees at reporting date 15. Tax assets and liabilities Current Income tax payable	466,057 64,568 530,625 31 31	360,383 65,822 426,205 32 32	258,126 30,368 288,494 17 17	172,701 42,487 215,188
14. Provision Current Employee benefits Non-current Employee benefits Aggregate Employee entitlement liability Employee numbers Average number of full- or part-time employees during the financial year Number of employees at reporting date 15. Tax assets and liabilities Current Income tax payable Non-current	466,057 64,568 530,625 31 31	360,383 65,822 426,205 32 32 6,145,333	258,126 30,368 288,494 17 17	172,701 42,487 215,188 20 20

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	10,705,516	11,880,917	4,852,030	4,366,083
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(b) Reconciliation of surplus for the year to net cash flows from opera	ating activities			
Surplus for year after income tax benefit/(expense)	4,772,472	5,079,959	415,776	543,714
Depreciation & amortisation of non-current assets	3,932,331	3,500,683	58,772	48,774
Loss on disposal of assets	25,903	417,260	-	-
Changes in net assets and liabilities:				
Increase/(Decrease) in trade & other receivables and other assets	294,184	(452,552)	4,242,868	2,078,155
Increase/(Decrease) in trade & other payables	(4,765,308)	2,154,471	(4,264858)	(2,450,784)
Increase/(Decrease) in provisions	104,420	(37,247)	86,740	(43,617)
	4,364,002	10,662,574	539,298	(176,242)

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.

18. Capital and leasing commitments

Lease commitments				
a) Leasehold premises		·		
Non-cancellable operating leases contracted for but not capitalise	d in the accounts			
Not longer than 1 year	6,420,130	6,420,130	902,834	881,918
Longer than 1 year and not longer than 5 years	22,214,830	22,214,830	3,820,090	3,753,732
Later than 5 years	6,770,818	6,770,818	-	-
	35,405,778	35,405,778	4,722,924	4,635,650
b) Office equipment			,	
Not longer than 1 year	20,955	15,590	20,955	15,590
Longer than 1 year and not longer than 5 years	53,606	54,565	53,606	54,565
Later than 5 years	-	-	-	-
	74,561	70,155	74,561	70,155
Capital expenditure commitments				
Commitments contracted for but not capitalised in the acc	ounts			
Not longer than 1 year	7,917,609	27,616,465	-	-
	7,917,609	27,616,465		
,				

19. Subsequent events

No matters or circumstances have 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 XII

THE VICTORIAN BAR INCORPORATED DETAILED INCOME STATEMENT

Detailed Income Statement for the Year Ended 30 June 2014 (Unaudited)

		2014 (unaudited)	2013 (unaudited)
	Notes	\$	\$
Revenue			
Subscriptions		3,326,452	3,187,815
Legal Services Board & Commissioner		671,455	742,584
Readers Course Fees		367,450	374,751
Mediation Fees		297,459	255,554
Interest		126,551	156,984
Conference & Seminar Fees		39,006	170,027
Bar Dinner & Other Functions Receipts		94,747	69,726
Bar News Advertising		12,841	2,060
Grant income		0	20,000
Other		33,746	24,553
Total Revenue		4,969,707	5,004,054
Expenses			
Employee benefits and expenses		1,578,631	1,349,545
Rent, Amortisation & Fit-out	3	867,299	1,014,560
Pro Bono Scheme expenses (primarily but not wholly LSB funded)	2	387,999	418,082
Australian Bar Association & Law Council of Australia		340,719	339,346
Bar Dinner & Other Functions		177,938	148,872
Conference & Seminar Expenses (includes CPD Conference)		164,656	155,763
Health & Well Being Programs		93,577	63,444
Computer System Software, Support & Website		85,879	130,853
Media Consultant & Marketing		83,048	84,249
Project Costs		81,300	17,592
Bar News Expenses		78,674	61,811
Books & Subscriptions		76,576	75,019
Rent Subsidy, Member Parental Leave		72,379	68,039
Continuing Professional Development (includes Readers Course)		59,710	143,893
Depreciation		58,771	48,773
Catering for Meetings		56,626	59,485
Audit & Tax Compliance & Advice Fees		50,913	61,205
Contract Accounting and Bookkeeping		46,567	46,656
Printing & Stationery		44,442	48,575
Travel Expenses		26,804	63,965
Credit Card fees		26,460	28,775
Photocopying		23,838	35,335

Chairman's Honorarium	20,000	20,000
Other Admin (Each expense category under \$20,000 in aggregate)	162,982	143,106
TOTAL EXPENSES	4,665,787	4,626,943
SURPLUS FOR YEAR BEFORE INCOME TAX BENEFIT/(EXPENSE)	303,920	377,111
Income Tax Benefit/(Expense)	111,856	166,603
SURPLUS FOR YEAR	415,776	543,714

Notes to the Detailed Income Statement for the Year Ended 30 June 2014

ı. Accumulated Funds	2014 \$	2013 \$
Accumulated Funds at the beginning of the financial year	12,266,193	11,722,479
Surplus for the year	415,776	543,714
ACCUMULATED FUNDS AT THE END OF THE FINANCIAL YEAR	12,681,969	12,266,193

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.

	671,455	742,584
Pro Bono Scheme	388,000	411,996
Library	54,000	54,000
Bar News	0	35,004
Registration	86,644	101,754
Regulation	142,811	139,830

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. The last payment was made in the financial year ending 30 June 2013.

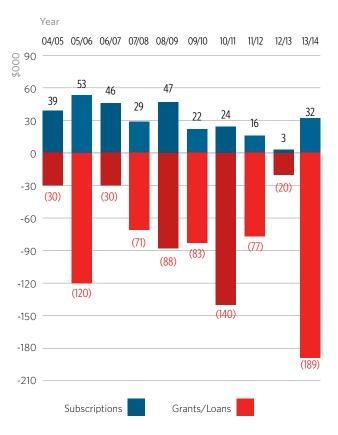


BARRISTERS' BENEVOLENT ASSOCIATION

Barristers' Benevolent Association Of Victoria Annual Report For The Year Ending 30 June 2014 (Unaudited)

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 2013-2014, the Association made payments to ten members totalling \$188,962. Of this amount, \$144,300 were interest-free loans and \$44,662 were grants.

Amounts Held by Equity Trustees at Market Value at 30 June 2014

The market value of assets at 30 June 2014 with their rates of return is set out below:

	ASSET VALUE		ASSET	YIELD
	\$	%	\$	%
Equity Trustees Flagship Fund	772,506	40.2	25,102	16.0
Equity Trustees Wholesale Mortgage Income Fund	313,938	16.3	15,654	4.8
Equity Trustees PIMCO Wholesale Australian Bond Fund	379,151	19.7	7,583	5.7
Equity Trustees Cash Management Fund	456,145	23.8	8,584	1.8
	1,921,740		56,923	

Basis of Preparation of Comparative Financial Statement

The Comparative Financial Statement for the year ended 30 June 2014 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.

BARRISTERS' BENEVOLENT ASSOCIATION OF VICTORIA

Comparative Financial Statement for the Year Ended 30 June 2014

	2014 (unaudited)	2013 (unaudited)
	\$	\$
Capital Fund		
Opening balance at 1 July 2013	1,697,672	1,611,030
Receipts		
Donations received during the year	31,740	2,650
Loan repayments received	18,055	21,470
Imputation credits refund	-	-
Net income earned during the year	56,923	82,522
	1,804,390	1,717,672
Payments		
Grants	44,662	-
Loans	144,300	20,000
Total payments to Members	188,962	20,000
	1,615,428	1,697,672
Capital movement within/between funds	(2,572)	-
Closing balance at 30 June 2014	1,612,856	1,697,672
Loans		
Opening balance at 1 July 2013	250,021	251,491
Add new loans	144,300	20,000
Less loan repayments	(18,055)	(21,470)
Less loans converted to grant	(6,000)	-
Loans at 30 June 2014	370,266	250,021
TOTAL ASSETS AT 30 JUNE 2014	1,985,694	1,947,693
Amounts Held by Equity Trustees (At Cost) at 30 June 2014		
Equity Trustees Flagship Fund	466,752	468,446
Equity Trustees Wholesale Mortgage Income Fund	313,938	313,938
Equity Trustees PIMCO Wholesale Australian Bond Fund	376,021	376,898
Equity Trustees Cash Management Fund	456,145	538,390
BALANCE AT 30 JUNE 2014	1,612,856	1,697,672

E William Alstergren QC and David J O'Callaghan QC

On behalf of the Committee of Management Victorian Bar Council

