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# Annual Report of the Victorian Bar Incorporated for the year ended 30 June 2015

To be presented to the Annual General Meeting of the Victorian Bar Incorporated to be held 19 October 2015 in Owen Dixon Chambers East, William Street, Melbourne

THE VICTORIAN BAR INCORPORATED REGISTERED NO. A0034304S

# PART I PRESIDENT'S REPORT

JAMES WS PETERS QC



# President's Report

It has been a year of major changes, with many developments occurring as a result of the Bar Council's focus on the key issue of getting work in for the entire Bar. My report below sets out some of the matters which the Bar has undertaken to refocus its efforts in this regard. I am happy to say that many are starting to bear fruit. Some of them are initiatives which commenced last year under Will Alstergren QC's Chairmanship, others are new matters that have been pursued by the Bar Council this year.

It is a matter of great importance that the Bar continues to maintain its connection with the profession, government and the wider community, including business and other users of the Courts. Maintaining this connection involves the Bar having an outward focus, being aware of the changing attitudes in our society and also educating the public. Part of the focus involves communications with the wider public about what the independent Bar represents. This includes the important benefits to the proper administration of justice and to efficiency and cost advantage in litigation.

#### Sarah Fregon

One of the most important initiatives this year was the appointment of Sarah Fregon as our new CEO. The Bar office continues to refocus its efforts more on business development initiatives. This involves a significant step forward in promoting the interests of members. Sarah also brings a high level of discipline and transparency to the operations of the Bar office. Furthermore, her experience in corporate law has enabled the Bar to undertake several initiatives, including a much closer connection with corporate clients. Our direct engagement with corporate counsel is starting to bear fruit. Anecdotal evidence suggests that clients, especially corporate clients, are developing an increased awareness of the benefits of barristers being briefed earlier in litigation and being asked for more input into the strategic development of litigation. Sarah's appointment has been a great success.

#### **Financial Results**

Financial results are excellent especially considering the heavy capital commitment to fundamental initiatives brought on by the Bar including the Indictable Crime Certificate and the very considerable financial support of the Essoign Club over the past 10 years. It is a tribute to the Bar's financial management under its CEO Sarah Fregon and Vice-Presidents Paul Anastassiou OC and David O'Callaghan OC. Honorary Treasurer Jennifer Batrouney QC and Samantha Marks QC as Chair of the Audit and Finance Committee. The Bar Council is acutely aware of the difficult financial circumstances facing many members. We are proud of the fact that subscriptions have not increased from 2014 to 2016. Insurance premiums have also been managed attractively over the years, with substantial decreases over the past 10 years; on average these decreases are 81 per cent for the Criminal Bar and 67 per cent for the Commercial Bar. The Bar Council continues to watch such costs carefully.

#### **Barristers Chambers Limited**

Prudent financial management of Barristers Chambers Limited over many decades has provided our Bar with enormous security. This year, however, has been exceptional. Firstly, for the first time in its history, the BCL Board has non-barrister members. We are very fortunate to have obtained the services of Rebecca McGrath and Alice Williams as directors. Adding to the successful completion of the Owen Dixon West extension and the careful executive oversight of Gary Brinkworth as CEO, BCL continues to make the most of its assets and seek out new revenue opportunities from outside the Bar to balance the natural ebb and flow of barristers' circumstances. I congratulate Michael Wyles QC as Chairman and his team on an outstanding year.

#### **Bar Mediation Centre**

The Bar Mediation Centre has been a great success and a substantial contributor to the Bar's revenues. In order to enhance this asset, it is necessary to upgrade the facilities



ABOVE: This year the Bar continued to build a connection with the profession through a series of CPD and social events

and revamp the management. This is being done in conjunction with BCL and is expected to produce substantial rewards in the future. This is another example of the Bar focusing on utilising its assets to earn revenue from sources outside of members for the benefit of the entire Bar.

#### The Essoign Club

The Essoign Club is a fundamental part of the fabric of our Bar. Ten years ago it was in parlous financial circumstances. The Bar has supported the Essoign Club with subsidies over the past 10 years in excess of \$2.5m. It is most pleasing to see the Essoign Club has now produced healthy profits over the past three years and amassed substantial cash reserves. It has done so by taking a commercial approach to its operations. It is a pleasure to see such financial stewardship. The Bar Council is currently in negotiations with the Essoign Club to reduce the ongoing subsidies, which are no longer necessary at their current level.

#### Constitution

In February this year, the Bar voted at a Special General Meeting to update its Constitution to comply with the requirements of the Associations Incorporation Reform Act 2012 and to align with the new Act, Legal Profession Uniform Law Application Act 2014. Debate was held regarding the change of the title Chairman to President. It was a tribute to those members attending that the debate was conducted in a mutually respectful manner.

#### **Legal Profession Uniform Law**

On 1 July 2015, the Legal Profession Uniform Law came into effect. Barristers became bound by the Uniform Law and Uniform Rules, including Legal Practice Rules, Legal Profession Conduct Rules and Continuing Professional Development Rules. The rules effected major changes especially in the areas of fee agreements, including estimation of costs and CPD requirements. The Bar conducted a number of CPD sessions to educate members about these changes and education remains ongoing.

#### The Criminal Bar

The Criminal Bar has occupied a great deal of attention from the Bar Council and myself personally. It is important that our members who practise in criminal law are supported and assisted in growing their practices. To this end, the Bar has spent much time in developing relations with Legal Aid and impressing upon Government, Legal Aid and the public generally the need for specialist criminal advocates from the Victorian Bar and the cost efficiency in briefing them. One matter of importance is the Direct Briefing Portal, which is due to commence in October.

The Direct Briefing Portal initiative will provide a forum for clients in criminal matters before the Magistrates' Court to access the services of our members, namely independent specialist advocates. It will provide greater

ease and efficiency of direct briefing than ever before. This improved accessibility will be of great benefit to the wider community. The introduction of the Portal will coincide with a communications campaign on the benefits of briefing a barrister directly in appropriate matters.

#### **External Engagement**

The Bar Council has also continued the program of engaging the profession directly. A large number of CPDs were held with experts from the Bar and the Bench in various matters including tax, industrial relations, commercial, criminal, family and common law. They have been extremely successful and provided an opportunity for members of the profession to engage directly with members of our Bar and the judiciary. The Criminal Bar was also fortunate to have the support of the State Attorney-General, the Honourable Martin Pakula MP, who addressed members of the Criminal Bar and solicitors on 2 June 2015 regarding legislative developments and other issues in the criminal law. It was an excellent session involving constructive and informative discussion. The Bar is very grateful to Attorney-General Pakula for the positive and constructive relationship it enjoys with the first law officer of the State.

The Bar has also instituted a program to connect and engage with regional firms. Paul Anastassiou QC and

I have hosted events this year at Ballarat, Geelong and Bendigo. A program of regular CPD sessions for regional centres is planned. There is an enormous amount of work for barristers from the country firms. In order to ensure that counsel are briefed, the Bar must continue its steps to engage directly with its client base in these regional areas.

On 27 August, the Bar hosted a dinner for litigation lawyers. Wendy Harris QC spoke at the dinner as did one of the newest members of the Victorian Bar, Federal Attorney-General, Senator, the Honourable George Brandis QC. As with the State Government, the Bar enjoys an excellent relationship with the Federal Government and we were most grateful to Senator Brandis QC for taking the time to speak to our members and for our most constructive ongoing relationship.

#### Life at the Bar

Life at the Bar is enhanced by the interaction between members. A number of important developments occurred this year.

#### Life and TPD Insurance Scheme

I am particularly proud that, in my year as President, the Bar was able to establish a group insurance scheme, ensuring a minimal level of Life and TPD cover for the protection of members and their families. We needed support from 75



**ABOVE**: The outgoing Governor and the incoming Governor at the Victorian Bar dinner. The Honourable Alex Chernov AC QC greets her Excellency the Honourable Linda Dessau AM, both former members of our Bar



ABOVE: His Excellency, the Honourable Alex Chernov AC QC mingles with guests at a dinner held in his Honour at the end of his term

per cent of our eligible members to ensure that the scheme could proceed. An attempt had been made to establish a similar scheme in 2012 but the numbers fell well short of the target. After several tragic cases of barristers dying without any, or any adequate, insurance in place, the Bar Council decided to make a further attempt. It was successful in providing a great asset for the Bar and an invaluable safety net for our members. Paul Anastassiou QC was the driving force behind the initiative and I thank him, Sarah Fregon, Peter Steel from Millennium3 Financial Services and Alison Rock for their efforts in getting this over the line.

#### The Bar Dinner and Special Events

The Bar Dinner was another stunning occasion this year in keeping with previous years. More than 500 members attended the Bar Dinner at the Myer Mural Hall. First-class speeches were heard from the Honourable Justice Michelle Gordon as well as Stephen O'Meara QC. It was a tribute to the Bar that the honoured guests included State appointments – Court of Appeal Justices Emilios Kyrou, Anne Ferguson, Stephen Kaye AM and Stephen McLeish, Supreme Court Justices Joanne Cameron, Christopher Beale, Michael McDonald, Rita Zammit, Peter Riordan and Mary-Jane lerodiaconou, County Court Judge and President of the Children's Court her Honour Judge Amanda Chambers, Magistrates Gregory Robinson, Timothy Bourke, John O'Brien and Carolene Gwynn, Crown Counsel, Melinda Richards

S.C. - and Federal appointments - High Court Justices, Geoffrey Nettle and Michelle Gordon, Federal Court Justice Jonathan Beach. Other appointments made during the year included the President of the Australian Bar Association Fiona McLeod S.C., recipients of the 2014 Queen's Birthday Honours, the Honourable Chief Justice Tom Bathurst AC and the Honourable Philip Cummins AM QC, recipients of the 2015 Australia Day Honours, the Honourable Richard Alston AO, the Honourable Andrew Rogers AO QC and Kingsley Davis OAM, and those members who have achieved 45 years as a practising member of the Bar, W Brind Zichy-Woinarski QC and Peter Rattray QC. We were also honoured to have in attendance this year His Excellency the Honourable Alex Chernov AC QC and Mrs Chernov, the Honourable Chief Justice Robert French AC and Her Honour Valerie French, Commonwealth Attorney-General, Senator, the Honourable George Brandis QC, State Attorney-General, the Honourable Martin Pakula MP, Chief Justice Marilyn Warren AC and Mr Heeley, the Honourable Chief Justice Tom Bathurst AC and many representatives from all our courts.

This year, the Bar has honoured or will honour three of its finest members with dinners. On 11 June 2015, His Excellency the Honourable Alex Chernov AC QC, Governor of Victoria; 8 September 2015 for the Honourable Susan Crennan AC QC; and soon, on 25 November 2015, for the Honourable Kenneth Hayne AC QC. It is important for the Bar that it celebrates the



ABOVE: Jim Peters QC greets members of the Bar as they arrive at the annual Bar Dinner in May

exemplary achievements of its members. It was a particularly pleasing aspect of the dinners held to date, both of which were sold out, that many younger members of the Bar attended.

#### **Diversity and Inclusion Initiatives**

The Bar continues to promote diversity through a range of initiatives, including the Quantum Leap project, improving visibility of members' skills through external CPD events, and collaboration with the Federal and State Male Champions of Change and the Victorian Equal Opportunity and Human Rights Commission. The valuable work of various groups at the Bar, including the Equality and Diversity Committee, the Indigenous Lawyers' Committee, the Education and Professional Development Committee, the Women Barristers' Association and the Commercial Bar Association all contribute greatly to diversity at our Bar, which is second to none in Australia.

The Bar has been fortunate to enjoy a very constructive relationship with the Victorian Equal Opportunity and Human Rights Commissioner, Kate Jenkins. An important initiative has been the Bar's engagement with President Maxwell in respect of the Male Champions of Change Program. Not only has the President met with members of the Equality and Diversity Committee, but also members of the Bar Council and wider Bar generally. In addition, through the Commercial Bar Association, the Bar has pursued an Equitable

Briefing Initiative with the assistance of the Victorian Equal Opportunity and Human Rights Commissioner, and Judges of the Federal and Supreme Courts. This initiative has included two private workshops with Law Firms and Corporate Counsel aimed at addressing the underrepresentation of women Barristers in commercial matters.

#### **Silk Appointments**

The Bar thanks Chief Justice Warren AC for continuing to undertake the important task of appointing silk. The process is underway. We are also grateful for the Attorney-General Martin Pakula MP to continue to give members of the inner Bar the option to be appointed as QC upon application. In February of this year, over 90 per cent of the new silks exercised this choice to apply for letters patent. We also are grateful to the Honourable Murray Kellam AO for his fair and balanced report entitled "Review of the office of Queen's Counsel in Victoria".

#### The Readers' Course

The Readers' Course continues to ensure that each reader acquires the fundamental skills of an advocate. Recent changes include an increased focus on written advocacy. The Bar was most pleased to sponsor Professor Noah Messing of Yale Law School, an acknowledged international expert in legal writing, to teach at the March 2015 Readers' Course and provide intensive workshops. We look forward to Professor Messing's continued involvement.



Congratulations to David O'Callaghan QC, Chair of the Readers' Course Committee, and Rachel Chrapot and her team for their work in this regard, which is supported by many members of the Bar and the judiciary who provide assistance to the course.

#### The Victorian Bar News

The *Victorian Bar News* and its editors, Georgina Schoff QC and Georgina Costello, continue to do an outstanding job. Many members of our Bar, the courts and the wider profession have noted the professional and intellectually entertaining standard of the *Victorian Bar News* over the past year.

#### **Pro Bono Committee**

The Pro Bono Committee has had an extremely busy year exploring and implementing initiatives to address the ever-increasing demand for pro bono legal services from the Bar. The Court of Appeal Duty Barristers' Scheme has been consolidated and requests for assistance from the Court have been addressed quickly and efficiently. A new rule for inclusion in the Supreme Court Rules has been proposed to enable legal practitioners appearing in pro bono cases to recover costs, and in 2016 a trial pilot scheme for pro bono counsel to appear for contradictors in suppression order applications will be commenced.

#### **Health and Wellbeing**

The quality of the Victorian Bar's Health and Wellbeing program was publicly acknowledged when it was a finalist in the Health and Wellbeing Category at the Australian Psychological Society Workplace Excellence Awards held on 2 June 2015. Congratulations to Dr Michelle Sharpe and the Health and Wellbeing Committee for their continued work in this area.

I again congratulate Will Alstergren QC for his work as Chairman of the Bar in 2014. Many of the initiatives pursued this year were instituted under Will's Chairmanship.

Members of the Bar Council who retired at the last election were Paul Connor, Kim Knights, Elizabeth Brimer, Miguel Belmar Salas, Michael Stanton and Jack Tracey. I thank each of them for their hard work and contribution.

On behalf of the Bar Council and members I express my thanks to the Bar's CEO, Sarah Fregon, and to the staff of the Bar Office. They have worked hard in times of change to turn the initiatives and projects formulated by the Bar Council into reality. The Bar Council is grateful for their efforts and I thank Ross Nankivell, Denise Bennett, Gabrielle Ostberg, Kirstin Green, Sally Bodman, Alison Rock, Rachel Chrapot, Wendy Pollock, Courtney Bow, Stephen Holland, Brittany Swanson, Marisa Pretotto, Daphne Ioannidis, Nicole Dawson, Leanne Hardy, Fiona Faulkner and Bianca Stajcic.

I give a particular thanks to Jacqueline Stone, who made significant contributions to the Bar's education programs, policy advocacy and strategic direction. I should also mention that after seven years of service Stephen Hare retired on 19 March 2015. We wish them both well.

I also thank all members of the Bar Council. It would not be possible to be President of the Bar without expert assistance from the Executive, Vice-Presidents Paul Anastassiou QC and David O'Callaghan QC, Honorary Treasurer Jennifer Batrouney QC and Chair of the Audit and Finance Committee Samantha Marks QC.

The Bar Council has enjoyed an excellent year of constructive discussion and focus on key objectives for the benefit of members. All members of the Bar Council have contributed. I also thank them for their support as I thank Honorary Secretary Paul Panayi and Assistant Honorary Secretary Barbara Myers.

It has been no surprise to me that all members of the Bar are willing to assist in any initiatives for the collective benefit. It is an extraordinary institution where members who are in day-to-day competition with each other take so much care to assist other members on an ad hoc basis – in answering a call to assist in submissions, on committees, in representations or other matters. It is this very factor that makes the Victorian Bar the great institution that it is. I have enjoyed every minute of the privilege of being President this year. My thanks to all.



#### PART II

# BAR COUNCIL 2014-15

#### Category A:

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

President	James WS Peters QC
Senior Vice-President	Paul E Anastassiou QC
Junior Vice-President	David J O'Callaghan QC
Member	O Paul Holdenson QC
Honorary Treasurer	Jennifer J Batrouney QC
Member	Michelle L Quigley QC
Member	Michael F Wheelahan QC
Member	Gregory J Lyon QC
Member	Samantha L Marks QC
Member	Matthew J Collins QC
Member	Christopher J Winneke

#### **Category B:**

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

Member	Suzanne A Kirton	
Assistant Honorary Treasurer	Daniel J Crennan	
Member	Sam Hay	
Member	Michelle Sharpe	
Member	Stewart J Maiden	
Member	Elizabeth McKinnon	
Category C:		
Four counsel who are not of Queen's Counsel or Senior Counsel and are of less than six years standing		
Member	Emma Peppler	
Member	Daniel B Bongiorno	
Member	Karen Argiropoulos	
Member	Matthew J Hooper	



### PART III

# BAR OFFICE STAFF

**Compliance and Member Services** 

Chief Executive Officer	Sarah Fregon
Corporate Services	
Manager, Corporate Operations and Executive Assistant to CEO	Kirstin Green
Executive Assistant to the Bar Council	Denise Bennett
Manager Assisting CEO	Ross Nankivell
Mediation Centre Coordinator	Bianca Stajcic
Accounts Officer	Leanne Hardy
Administration Assistant - Accounts / Reception	Nicole Dawson

•	
Manager, Compliance and Member Services	Alison Rock
Compliance Officer	Marisa Pretotto
Administration Assistant - Membership	Daphne lannidis
Education, Professional Development and P	Policy
Manager, Education & Policy	Rachel Chrapot
Co-ordinator, Continuing Professional Development	Brittany Swanson
Co-ordinator, Readers Course	Wendy Pollock
Policy Lawyer	Gabrielle Ostberg
Marketing and Communications	
Manager, Marketing	Sally Bodman
Event and Communications Assistant	Courtney Bow







## BAR ASSOCIATIONS

#### Criminal Bar Association

Committee at 30 June 2015: Peter Morrissey S.C. (Chair), Michael Cahill (Vice Chair), Simon Moglia (Treasurer), Megan Tittensor (Secretary), Leighton Gwynn, Carolene Gwynn (until her appointment to the Magistracy), Karen Argiropoulos, Michelle Mykytowycz, Olivia Trumble, Cynthia Lynch and Ruth Champion.

The Committee thanks those members who retired during the year: Michael Stanton and Nicholas Goodenough

The year 2014-15 has been a challenging and busy year for the Criminal Bar Association (CBA) committee. Genuine challenges arose: the law is changing rapidly, and the professional landscape is changing too. As in 2013-14, we hope we have advanced justice by participating in public debate, by contributing advice to law reform and drafting bodies, and by assisting members in the courtroom crises which often arise. We have assisted the courts as amicus curiae in significant litigation. We also hope we have advanced the interest of members (and of the wider Bar) by engaging with the chief briefing agencies and with the courts.

Finally, we hope we have advanced the interest of the Bar by developing and advancing the Indictable Crime Certificate, a certification and quality control measure serving to ensure the continued relevance of the Bar as the premier source of high quality advocacy in criminal trials. The take-up of this initiative has been excellent. As government briefing agencies (particularly VLA) impose their own criteria for briefing, the ICC will become a resource and a source of great strength. The CBA also supported barristers applying to the VLA for inclusion on the Preferred Counsel list, and will continue to do so. The CBA also actively promotes respect for the occupational health and safety of barristers in their workplace – the courts.

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. Again we note the proliferation of recent reforms: the Evidence Act 2008, the Criminal Procedure Act 2009 and the Jury Directions Act 2015. Members continue to adapt to 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 remains 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 ninemonth 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.

However, the CBA must face, on behalf of members and of the justice system, a challenge to its role. Unfortunately, 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 not as 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. The quality of this representation varies widely. On top of this over the last number of years there have been cuts to VLA funding in a number of areas. We are aware that 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 by the Bar. This program provides education and compliance requirements for members to obtain and maintain this certificate. The compliance mechanism allows any concerns or complaints about the conduct of Counsel to be dealt with in an accountable way. 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. Agencies which brief the Bar 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 continue to 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. There was simply no option to do nothing. The agencies which brief the Bar in crime – VLA, the OPP, police, Department of Justice and others – must now account for their choices. The Bar can control the process in a just manner, or allow others to dictate. The ICC represents a commitment to the former, and enjoys excellent support from the courts.

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. Thanks, in particular, to Jacqueline Stone, who has made a great contribution to the ICC.

During the year we celebrated the appointments of members Justice Dixon to the Supreme Court, Judge Hinchey to the County Court, and Carolene Gwynn to the Magistracy.

We have also seen the resignation following the sudden

illness of Chief Judge Rozenes, a life member who has provided many years of service to our Association as well exceptional service to the community. We are very pleased to hear about his continued improvement.

We have mourned the passing of Peter 'Jonesie' Jones, Francine McNiff and lately Jim Bessell.

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 mid-year drinks at the Essoign.

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

#### Commercial Bar Association

Executive Committee at 30 June 2015: 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 19 separate specialist sections. Information regarding each section, including its Chair and members, is available on CommBar's website, www.commbar.com.au.

A new Executive Committee was appointed for the 2014 – 2015 year. Its members are: Philip Crutchfield QC (President), Stewart Anderson QC (Senior Vice President), Wendy Harris QC (Junior Vice President/Convenor), Ian Percy (Treasurer), Albert Monichino QC, Dr Josh Wilson QC, Caroline Kenny QC, Anna Robertson, Dr Elizabeth Boros, Kathleen Foley, Caryn van Proctor, Andrew Downie (Honorary Secretary), and Georgia Douglas (Assistant Honorary Secretary).

During the 2014-15 year, CommBar has hosted CPD seminars in conjunction with the Victorian Bar, Melbourne and Monash Universities and the Supreme and Federal Courts.

CommBar's constituent sections have also made submissions to Government and the Victorian Law Reform Commission on law reform.

CommBar continues to publish regular issues of the CommBar News and a 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, Courtney Bow and Stephen Holland for their ongoing and tireless assistance.

#### Highlights of the 2014-15 year include:

#### Membership

CommBar has increased its membership to close to 700 members.

#### **CPD** seminars

- CommBar has conducted many CPD events in the last 12 months as part of the Victorian Bar's CPD Program. Those CPD events included:
  - A seminar by Justice Hayne on applications for special leave to the High Court;
- A seminar series on various aspects of the law relating to insolvent managed investment schemes. The papers from these seminars were edited by Stewart Maiden and published as a book titled Insolvent Investments by LexisNexis. The book will be launched by the Honourable Julie Dodds-Streeton QC in the Neil McPhee Room on 25 August 2015 (see further below);
- > Seminars run in conjunction with Monash University and the Federal Court and Supreme Court, including a joint seminar by Warren CJ of the Supreme Court of Victoria and Allsop CJ of the Federal Court of Australia;
- Seminars run in conjunction with Melbourne Law School and the Federal Court and the Supreme Court.

#### Direct briefing by Corporations

In conjunction with the President and CEO of the Bar, CommBar has engaged in a number of initiatives, including presentations to in-house legal teams, with a view to investigating how work may be generated for commercial barristers directly from in-house counsel.

#### London Conference 29 to 30 June 2016

CommBar's plans to hold a conference in London on 29 and 30 June 2016, in conjunction with the English Commercial Bar Association are well advanced. An encouraging number of judges, barristers and solicitors have expressed interest in attending. It is hoped that the conference will be opened by Lord Neuberger, Britain's most senior judge, and our own Chief Justice Warren AC. Particular thanks are due to the organising committee for this conference, headed by Paul Hayes. Registrations are expected to open later in 2015.

#### CommBar News and the CommBar Blog

CommBar continues 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 continues to publish its CommBar News,



 $\label{eq:ABOVE:Phil Crutchfield QC addressing guests at the CommBar annual drinks$ 

which includes topical information and case notes for members. CommBar thanks Elizabeth Boros for her oversight and the Editor of *CommBar News*, Cornelia Fourfouris-Mack, for her continued work in assisting CommBar members to publish *CommBar News*.

#### Social events

In September 2014, CommBar's annual drinks evening was hosted in the Supreme Court, and was very well attended. Speeches were delivered by the State Attorney-General, the Honourable Robert Clark MLA and Chief Justice Warren.

CommBar will host judges, commercial solicitors, corporate counsel and CommBar members at its annual social event to be held in the Federal Court on Thursday 8 October 2015. This event is the highlight of CommBar's social calendar.

# 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.

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 requests 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.

#### Insolvent investments, LexisNexis Butterworths 2015, Editor, Stewart Maiden

As noted above, this important new work on managed investment schemes was born out of a series of seminars promoted by CommBar. Stewart Maiden has edited the work of 24 authors who between them have produced a scholarly and timely work. The Chief Justice, the Honourable Marilyn Warren AC in her Foreword notes: "The quality of the analysis and writing is laudable as to its intensity, accessibility and comprehensiveness. It will prove to be a welcome handbook for the practitioner." The Chief Justice also notes that CommBar demonstrated excellent leadership in sponsoring the seminar series that led to the book. Those attending the launch of the book by the Honourable Julie Dodds-Streeton on 25 August will be able to purchase a copy of the book at a discounted price. CommBar will receive some royalties from sales. Special thanks go to Stewart Maiden for his excellent work in bringing the book to fruition and to all of the authors for their contribution.

### Children's Court Bar Association

Committee at 30 June 2015: 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 comprised of dedicated Counsel who work in a unique area of law. The past year has seen major changes to the main legislation – the Children Youth and Families Act 2005. The Children's Court Bar Association has been involved in writing submissions to the new Government about the impact of these changes will have on vulnerable children and families, and the dramatic curtailing of judicial discretion the new provisions involve.

We have also been addressing the issue of briefing fees and practices with Department of Human Services, to work towards better practices and outcomes.

The Presidency of the Children's Court has also changed, with His Honour Mr Peter Cousins retiring, and Her Honour Ms Amanda Chambers appointed to head the Court into the future. The Association will be hosting welcome for Her Honour Ms Chambers on 13 August 2015.

During the past year or so, we farewelled from our Committee Mr Sasha Gelfand, who left the bar to take up a senior legal position within the Department of Health and Human Services. We thank him for his involvement with our Association, and wish him well in his new endeavours.

#### Common Law Bar Association

Committee at 30 June 2015: Ross H Gillies QC (Chairman), Mary Anne Hartley QC (Treasurer), David J Martin (Secretary), Richard Stanley QC, Tim Tobin QC, Fiona McLeod S.C., Michael Wheelahan QC, James Mighell QC, Andrew Keogh S.C., Andrew Clements QC, Róisín Annesley QC, Jacinta Forbes QC, Simon McGregor, David Purcell, Patrick Over, Michelle Britbart, Gavin Coldwell, Stephen Jurica, Stella Gold, Julia Frederico and Raph Ajzensztat

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

- Continued liaison with Judges of the Supreme Court, in particular the Chief Justice and J. Forrest who continue to encourage the litigation of common law matters in the Supreme Court. The number of Jury trials has increased considerably in the Supreme Court over the past 12 months.
- Meeting with Judges of the County Court, including Judges Misso, Saccardo and O'Neill. The Court continues to liaise with the Common Law Bar Association, especially concerning improvements in listing procedures and attempts to streamline the conduct of serious injury applications.
- The provision of speakers and topics on a range of issues as part of the Bar's ongoing CPD Program.
- Providing case summaries of recent Court decisions to its members.
- Making submissions to the Bar Council and to the Department of Justice concerning the efficacy of proposed legislative changes including the Limitations of Actions Amendment Criminal Child Abuse Bill, the Wrongs Act Asbestos Related Claims Regulations, the Wrongs (Part VBA Claims) Regulations 2015 and the Victims of Crimes Assistance Act.
- > Continuing to agitate to Government the desirability of implementing the recommendations made by the Victorian Compensation and Efficiency Commission following its enquiry into aspects of the Wrongs Act including, in particular, the desirability of altering the thresholds for significant injury.
- > Liaising with the Judicial College of Victoria about various matters, including the Civil Charge Bench Book and the launching by the College of its Serious Injury Manual, which provides guidance on the legal principles relating to serious injury applications.
- Continued discussion with the Transport Accident Commission and the Victorian WorkCover Authority concerning a variety of matters pertaining to the conduct and hearing of common law matters arising as a result of transport accidents and industrial accidents.
- > Hosting a very successful dinner following the Annual Meeting on 28 November 2014.

The number of members of the Common Law Bar Association continues to increase. Currently, there are 289 members of the Victorian Bar who are members of the Common Law Bar Association.

## Compensation Bar Association

Committee at 30 June 2015: Clyde Miles (Chairman), Anthea MacTiernan (Secretary), Nicholas Dunstan (Treasurer), Michael Richards, Ian McDonald, Timothy Ryan, Bruce McKenzie, Steven Carson, David Podger and Nick Horner. Megan Tait has been co-opted to the Committee.

The Association continues to flourish with an escalation of members to 123, probably in no small part due to McKenzie's diligent distribution of decisions. Interestingly there are a number of new practitioners to the jurisdiction who have not joined the Association.

While the 31 August 2015 will recognise the 30-year inception of the Accident Compensation Act 1985, practitioners must also deal with the Workplace Injury Rehabilitation and Compensation Act 2013, which came into operation on 1 July 2014.

As at 30 June 2014 the number of WorkCover applications issued in the Magistrates' Court had increased by 27 per cent, compared to the number of applications lodged in the year ending 2013 and there was a minor increase of 1.5 per cent of lodgements for the financial year ending 2015. We do not have details of the numbers of Writs for statutory benefits cases in the County Court.

On 26 August 2015 the Association will host a cocktail party in honour of Robin Gorton QC, who has retired from the Bar, and to celebrate 30 years of the Accident Compensation Act 1985.

The Association congratulated John O'Brien, a long-standing member of the Association, on his appointment as a Magistrate.

Membership has increased to around 123, 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 per cent 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.

## Family Law Bar Association

Committee at 30 June 2015: Ian F Mawson QC (Chair), Rohan N Hoult (Deputy Chair), Michael J Wood, Darren A Mort, Michael L Pavone, Michael L Pavone, Emma M Swart, Patricia A Byrnes and Robin M Smith

The Family Law Bar Association has enjoyed an active year representing the particular interests of barristers who practise in the jurisdiction. The members of the committee maintain a very good relationship with the Judges in the Family Court and the Federal Circuit Court, which generally results in a useful exchange of ideas and information between the profession and the bench; as well as the Court administration.

We have participated in a number of joint CPD sessions with other Bar Associations, the Law Institute and also with Psychologists.

During the year there have been several significant reviews or enquiries and we have contributed to the review into the provision and allocation of Victorian legal Aid. We have also actively participated in various enquiries and report addressing the serious problem of domestic violence, particularly from the perspective of the inter action between the State and Federal jurisdictions.

The committee continues to meet on a regular basis and the primary objective for this year was to regularise our existence by drafting and adopting a new Constitution that more accurately reflects the work actually done by and on behalf of the members of the association; we currently have approximately 168 members.

The Constitution, as amended, has now been adopted and will provide a clearer basis upon which the incoming committee can operate. I would personally like to thank the retiring committee for their significant efforts in promoting the interests of all members of the FLBA and for their loyalty to me as retiring chair. I think we can look forward to an active year with a fresh committee with a clear set of rules upon which to operate.

#### Industrial Bar Association

Committee at 30 June 2015: Justin Bourke QC (President), Craig Dowling (Senior Vice-President), Richard Dalton (Vice-President), Rohan Millar (Treasurer), Robyn Sweet (Secretary) and Steven Moore QC, Eugene White, Gerard McKeown, Paul O'Grady, Catherine Symons, Victoria Lambropoulos and Robert O'Neill

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.

CPD program In the 2014-15 financial year, the Industrial Bar Association organised a program of Continuing Professional Development seminars for its membership and the Bar more broadly. Due to unforeseen circumstances, many of these were adjourned, and will be presented during the current financial year, along with the Association's new round of CPD presentations. The only CPD that proceeded was Melinda Richards S.C. on Royal Commissions.

#### Social functions

The Association in November 2014 held its annual dinner. Approximately 70 people attended. Justice Ginnane was the guest speaker. It was an excellent evening.

On 24 June 2015, the Association, together with the Law Institute of Victoria, held a successful Workplace Relations drinks at the Essoign Club.

#### Tax Bar Association

Committee at 30 June 2015: Jennifer J Batrouney QC (President), Peter G Sest QC (Vice President), Daniel J McInerney (Treasurer), Kateena A O'Gorman (Secretary), Gregory J Davies QC, Michael T Flynn, Michael Y Bearman, 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, Sam Ure, Emma N Mealy, Angela Lee, Annette M Charak, Hadi Mazloum, Ben Gauntlett and Anna Wilson

The Committee thanks John de Wijn QC who retired during the year.

#### Highlights of the 2014-15 year include:

#### Membership

Membership has increased to 101.

#### **CPD** seminars

Provision of a number of CPD seminars on a range of topics, including:

- "How does the Commissioner of Taxation obtain information from you?" - 17 September 2014 - delivered by John Ebert, Principal Lawyer - ATO General Counsel;
- "Some observations on Commissioner of Taxation v Ludekens & Van de Steeg, the first tax promoter penalty case" - 21 October 2014 - delivered by Peter Sest QC and Sam Ure, chaired by Jennifer Batrouney QC;
- "McGrouther issues and observations" 31 March 2015 - delivered by Daniel McInearney and Simon Rooke from PwC, chaired by Jennifer Batrouney QC;
- "Ethics for Tax Barristers" 26 March
   2015 delivered by Justice Pagone;
- "Donoghue/ACN/Seven Network" 27 April 2015
   delivered by Sam Rosewarne, Andrew de Wijn and Angela Lee, chaired by Jennifer Batrouney QC
- "Channel Cattle Implications for Part IVA" 12 May 2015 delivered by Greg Davies QC,
   Jonathan Woodger, Adrian Varrasso and Cameron
   Rider, chaired by Jennifer Batrouney QC.
- "The Commissioner's Approach to Debt Recovery" 19 May 2015 - delivered by Aris Zafirou, chaired by Diana Harding QC
- "Residency" 18 June 2015 delivered by Robert Gordon and John Fickling, chaired by Peter Sest QC
- Organising CPDs and social functions in partnership with tax groups in commercial law and accounting firms.

# Tax Barristers Fact Sheet – Rights and Obligations Working with the ATO to create and develop a "Fact sheet" for barristers highlighting our tax rights and obligations.

#### Training ATO officers on s353-10

Working on training material and package for ATO officers on section 353-10 thereby fostering the relationship between the TBA and the ATO.

#### Tax Bar Brochure

Creating a Tax Bar Brochure, showcasing the profile and CV of interested members for distribution to firms and potential clients.

#### Tax Discussion Group

The monthly "Tax Discussion Group" lunch, chaired by John Morgan, has continued this year and provides a forum in which tax barristers can discuss recent cases and issues that arise from them.

#### Tax Bar Newsletter

The regular electronic newsletter, which informs members and subscribers from legal, accounting and other institutions of the latest tax developments.

#### Meet the judges project

Organising regular lunches with the junior Bar and members of the tax judiciary as a "meet and greet".

#### Tax Bar Website

The Association's website is a valuable and upto-date tax resource available to members, which includes papers presented by barristers and other tax professionals, links to research material, and information on forthcoming seminars and social events.

#### Social Events

Hosted a number of social events to foster relationships between Association members and the broader tax community. The 2014 annual dinner in November had as its guest speaker the Commissioner of Taxation, and the 2015 annual dinner will have as its guest speaker the Honourable Justice Nettle of the High Court.

Finally, the Tax Bar Association was particularly pleased to host drinks for Justice Michelle Gordon upon her appointment to the High Court.

#### Women Barristers' Association

Committee at 30 June 2015: Megan Fitzgerald (Convenor), Jennifer Trewhella (Assistant Convenor), Georgia Berlic (Assistant Convenor), Tiphanie Acreman (Memberships), Joye Elleray (Treasurer), Jessica Swanwick (Secretary), Dr Kylie Weston-Scheuber (Communications), Diana Price, Emma Peppler, Suzanne Kirton, Fiona Batten, Charmaine Lye, Astrid Haban-Beer, Jennifer Batrouney QC, Alex Burt, Aine Magee, Megan Tait and Angela Lee.

The Committee thanks those members who retired during the year: Louise Martin (retiring Secretary) and Kim Knights

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

- > Increasing representation on Bar Council;
- Lobbying for change from Bar Council Chairman to President;
- Celebrating the success of women at the bar and in the profession through our twice yearly "Leaps and Bounds" events;
- Engaging with our judicial supporters through our "Chatham House Chatters" events;
- Supporting women writers and the Stella Prize through a sold-out promotional event;

- Providing opportunities to our members to socialise and network through a number of well-attended and successful events;
- Advocating for the continuation and improvement of the Quantum Leap program, along with other initiatives that support the development and promotion of women barristers.

A number of exciting events are in the pipeline for the end of 2015 and the first half of 2016.

The Women Barristers Association thanks its members and supporters for another wonderful year.

## Military Bar Association

Committee at 30 June 2015: William Alstergren QC Lieutenant Commander, RANR (Chairman), Paul Panayi Lieutenant Commander, RANR Barrister (Deputy Chair, Secretary), Ben Gibson Captain (Army) Barrister (Treasurer) The Honourable Justice Jack Rush RFD Commodore, RANR Justice of the Supreme Court of Victoria (Navy Patron) The Hon Justice Richard Tracey, RFD Major General Justice of the Federal Court of Australia ADF Judge Advocate General (Army Patron) Andrew J Kirkham AM RFD OC Air Commodore Barrister (Air Force Patron).

The Victorian Bar took the inspired step of establishing the Military Bar Association last year to promote members of the Bar to solicitors that brief in military-related matters. The MBA boasts members from both reserve and formally active service in the Australian Defence Forces.

Her Honour the Chief Justice has been asked to be Patron of the MBA.

Panel patrons for each service include Justice Jack Rush RFD for Navy, Justice Richard Tracy RFD for Army and Andrew Kirkham QC RFD for Air force. We are so lucky to have such eminent leaders of our Bar and Bench to guide the MBA.

Its members include members of the Bar and Bench in active service or formally so.

The MBA will this year hold the Bar's first tri service CPD and mess dinner.

It is intended to invite all the solicitors from around Australia who are involved in ADF work.

The MBA will assist in marketing junior banisters in a number of different areas.

Andrew Kirkham QC has donated his collection of Defence Force Military Tribunal decisions, Inquiry Reports and precedents to create the Bar's first Military Law Library. It will be housed in either the Bar Library or the Niel McPhee room. This is an invaluable resource for the MBA and its members. We are very grateful to Andrew for his ongoing support and generosity. God Save the Queen.





#### PART V

### STANDING COMMITTEES

# Promoting Access To Justice

#### Indigenous Lawyers' Committee

Committee at 30 June 2015: Tom Keely (Chair), Abigail Burchill (Deputy Chair), George A Georgiou S.C., Carolyn Sparke Q.C., Campbell F Thomson, Michael W Wise, Richard B C Wilson, Peter G Willis, John R V Kelly, Stephen M Rebikoff, Elizabeth A Bennett, Justin A Willee, Emma Peppler, Robin A Robinson, Jacqualyn L Turfrey, Kylie Evans, Penny Harris, Astrid M Haban-Beer and Tim Goodwin

The Committee thanks those members who retired during the year: Jane Dixon QC (now of the Supreme Court) and Michael Stanton for their significant contributions

The Committee also thanks the following judicial consultants for their valued and continuing support: Justice Michelle M Gordon (Federal Court, now of the High Court), Justice of Appeal Emilios J Kyrou (Court of Appeal), Justice of Appeal Stephen W Kaye (Court of Appeal), Justice Timothy J Ginnane (Supreme Court), Judge David A Parsons (County Court) and Mr Patrick R C Southey (Magistrates' Court)

2014-15 was another busy year for the Indigenous Lawyers' Committee (ILC).

Under the Bar's Reconciliation Action Plan (RAP), the ILC has continued to implement and oversee a number of programs for Indigenous barristers, law graduates, law students and secondary school 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 and both Judges and barristers;
- > Paid summer clerkships for Indigenous law students;
- $\boldsymbol{\boldsymbol{\mathsf{y}}}$  A work experience program for Indigenous secondary school students; 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.

  The mentoring and work experience programs and the summer clerkships have

again been successfully implemented this year. ILC members arranged, promoted and chaired two CPD seminars during the year. The first was presented by Dr Bryan-Keon Cohen AM QC and Mr Austin Sweeney on Mabo: its legacy and suggested reforms, with particular reference to Victoria. The second was presented by Mr Darren Parker (a Ngunawal man and former lecturer at Deakin University) on How Magna Carta is still relevant with a focus on Indigenous peoples.

Other activities of the ILC during the year included facilitating the Bar's hosting of an afternoon tea during National Reconciliation Week for Aboriginal and non-Aboriginal people involved in the administration of justice or legal education in Victoria, liaising with Tawirri about the ways in which the Bar can support the National Indigenous Legal Conference to be held in Melbourne in September 2015 and conducting a review of the operation of the Bar's RAP.

As at 30 June 2015, there are six Indigenous barristers at the Victorian Bar. Of these,



SEPTEMBER 2014 READERS: Back row: James Anderson, Myles Tehan, Luke Howson, Paul Smallwood, Robert Boadle, Gerard O'Shea, Brian Kennedy, Matthew Minucci, Rahmin de Kretser, Martin Garrett, Jonathan Miller. Middle row: Wendy Pollock, Catherine Dermody, Craig Sidebottom, Timothy Maxwell, Lachlan Allan, Elenie Nikou, Ellen Grant, Natalie Hickey, Michael Freedman, Brett O'Sullivan, Julia Watson, Lucy Line, Jessica Clark, Rachel Chrapot. Seated: Ben Gauntlett, Bridgette Kildea, Morgan Brown, Georgina Connelly, Steven Sinen, Rachael Avuti, Evelyn Tadros, Brooke Hutchins, Carmelina Spitaleri, Holly Renwick. Front: Christopher Tran, Justin Hooper, Adam Baker, Daniel Nguyen, Raymond Ternes

one presently holds the position of Director of the Department of Justice's Koori Justice Unit and another is working fulltime on a PhD at Melbourne University. During the year, one Indigenous barrister has returned to active practice at the Bar. The ILC continues to strive to assist Indigenous barristers to develop sustainable, enjoyable and successful careers at the Bar.

Finally, the ILC relies heavily upon the Bar Office to assist it in its work. It sincerely thanks the staff of the Bar Office, in particular, Jacqueline Stone and Gabrielle Ostberg.

#### **Equality And Diversity Committee**

Committee as at 30 June 2015: Caroline E Kirton QC (Chair), Kim J Knights (Deputy Chair), Philip A Dunn QC, Jennifer J Batrouney QC, Daryl Williams QC, Helen M J Rofe QC, Tomaso Di Lallo, Grant R Atkinson, Susan M K Borg, Anna L Robertson, Jenny Firkin, Susan Aufgang, Christine Melis, Amy Brenan (Secretary), Premala Thiagarajan, Fiona Battan, Astrid M Haban-Beer, Philip H P Teo

The Committee thanks those members who retired during the year: Miguel A Belmar Salas, Alison M Umbers, Megan S Fitzgerald and Louise J Martin

The Committee continued this year to request that the State Government recommence the publication of the Barristers Briefing Reports. These reports were published by the Department of Justice for the years between 2002 and 2008 and were then discontinued. In April 2015 the Chair and Deputy Chair met with a senior adviser to the current

State Attorney General to discuss the discontinuation of publication of the Barristers Briefing Reports. Assurances were received on behalf of the Attorney General that it was the present government's intention to re-commence the publication of the Barristers Briefing Reports.

The Committee continued to liaise throughout the year with the Law Council's Equal Opportunity Committee (EOC). On 3 October 2015 the Chair attended and chaired the EOC's annual national meeting in Adelaide. The Chair also attended and presented at the Australian Women Lawyers Conference in Adelaide from 3 to 5 October 2015. On 8 May 2015, the Chair attended and presented at the Law Council's National Attrition and Re-Engagement Study Report (NARS) workshop in Sydney.

The Committee has worked to assist the Bar Council in implementing the Victorian Bar's Qantum Leap program, which was launched in November 2013, and also in responding to the NARS. In undertaking this work the Committee has:

- > Been actively involved in working on a pilot mentoring program for women. This has now become the Victorian Bar's Career Coaching Scheme. Special mention should be made of Anna Robertson and her efforts over the past couple of years on this project;
- > Worked with the Victorian Equal Opportunity and Human Rights Commission (VEOHRC) in organising two workshop training sessions conducted by Ariella Markman from VEOHRC on unconscious bias for the clerks and their staff.



MARCH 2015 READERS: Back row: Rishi Gulati, Richard Lewis, Lynton Hogan, Christopher Micallef, Daniel McCredden, Bradley Holmes, Spike Buchanan, Paul Czarnota, Christopher Sheen, Samuel Prendergast, Adrian Hoel, Chiry Chen, Roman Rozenberg. Middle Row: Wendy Pollock, Rebecca Preston, Daniel Lorbeer, Peter Hamilton, Jordana Cohen, Cara Foot, Kess Dovey, Lucy Davis, Cameron Charnley, Allan Sharp, Nicholas Gallina, Mark Hosking, Toby Borgeest, Johannes Angenent, Rachel Chrapot. Seated: Lucien Richter, Anna Wilson, Sandra Karabidian, Amy Peek, Katherine Sudholz, Vivianne Morkos, Fiona Cameron, Sarah Goldberg, Catherine Kusiak, Rebecca Howe, Diana Costaras, Stephanie Clancy. Front: Adrian Anderson, Edward Batrouney, Craig Rossi, Geoffrey Kozminsky

On 15 April 2015, the Chair was a speaker at the Monash Law Student's Society Women in the Law Breakfast. The Chair presented with the President of the Law Institute Katie Miller and Justice Kate MacMillan.

On 5 May 2015, the Committee organised a continuing legal education seminar at which the speakers were Dr Tim Soutphommasane, Federal Race Discrimination Commissioner and Reynah Tang, President of the Asian Australian Lawyers Association. The topic was Race Discrimination in the Business World and Casual Racism.

#### **Human Rights Committee**

Committee at 30 June 2015: Peter G Willis (Chair); Tomaso Di Lallo (Deputy Chair); Christopher Tran (Secretary); Ron J Meldrum QC, Peter J Hanks QC, Timothy Walker QC, Murray V McInnis, Dr Ian F Turnbull, Susan Borg, Dr Andrew Hanak, Malcolm Harding, Michael D Stanton, Douglas W Laidlaw CS.C. and Paul Panayi

The Committee thanks the following members who retired during the year: Glenn McGowan QC (retiring Chair), Eliza Holt (retiring Secretary), Sharon Burchell, Rebecca M Nelson and Karen Argiropoulos

#### Achievements of the Committee in 2014-15

The Committee has had a very active year, analysing and commenting on a range of legislative and executive actions that raised questions of respect for human rights.

The Committee met on seven occasions during the

year under review, as well as conducting business by circular email when an issue required urgent attention.

The Committee's task is to raise for attention issues that affect the liberty and dignity of all persons where those issues engage human rights. The Committee is especially concerned with issues affecting access to justice, equality before the law, freedom from discrimination and from the arbitrary exercise of power, and adherence by Government at all levels to widely accepted human rights norms, including those established by the International Conventions to which Australia is a signatory.

The principal matters in which the Committee has been engaged in the year under review include:

- > The Counter-Terrorism Legislation Amendment (Foreign Fighters) Bill 2014 (Cth) was publicly released on 23 September 2014 and referred to the Parliamentary Joint Committee on Security and Intelligence on the next day, with submissions to be lodged by 3 October 2014. Despite this abridged time, nine members of the Committee prepared a detailed submission, which was submitted in their own names.
- After a submission by the Committee, early in 2015, the Bar Council endorsed a joint statement issued by the Law Council of Australia and the Australian Bar Association expressing alarm at personal criticisms of the Australian Human Rights Commission and its President, Professor Gillian Triggs, following publication by the Commission of a report on children of asylum seekers held in detention.

- Additionally, nine members of the Committee wrote to the federal Attorney-General in their own names in support of the independence of the Commission and its President.
- > Bringing to fruition a previous major piece of work of the Committee, in April 2015, the Bar Council approved a memorandum to the Law Council on the legal principles governing the Australian Government's responsibility for the safety and welfare of asylum seekers held in detention overseas on behalf of Australia. This was incorporated, with additional contributions from the NSW Bar Association, Law Institute of Victoria and Law Societies of NSW and SA, in a submission of the Law Council to the Senate Select Committee on the Recent Allegations relating to Conditions and Circumstances at the Regional Processing Centre in Nauru.

The Committee's other major task was the preparation, on behalf of the Bar Council, of a submission to the guadrennial Review of the Victorian Charter of Human Rights and Responsibilities. The Committee established a working group with wide representation, surveyed members of the Bar and conducted a practitioners' forum to seek as full input as possible for the submission. In addition to survey respondents and participants in the forum, the Committee was greatly assisted by the Criminal Bar Association and by Alistair Pound, Kylie Evans and Michelle Quigley QC in this work. The Bar Council adopted the submission in May 2015.

The Committee has kept abreast of the Australian Law Reform Commission's Review of Commonwealth Laws for Consistency with Traditional Rights, Freedoms and Privileges and expects to continue that work in the coming year. The Chair of the Committee and David Neal S.C. have been contributors on behalf of the Victorian Bar to a Law Council working group making submissions to the Review.

The Committee records its appreciation of the assistance of Gabrielle Östberg of the Bar's Policy staff and of the Bar Council's engagement with human rights. Finally, thanks are due to Peter Hanks and Glenn McGowan for their robust leadership of the Committee during 2014.

### Climate Change and Environmental Law Panel Committee as at 30 June 2015: Tom Pikusa (Chair and Treasurer), Emma Pepler (Secretary), Rudi D Cohrssen

The Climate Change and Environmental Law Panel (CCELP) comprises senior and junior members of the Bar who are willing to advise and appear in relation to public interest matters concerning climate change and environmental law.

The objects of the CCELP are: to promote the understanding of climate change and environmental law; to represent and advise litigants in matters of public interest on a pro bono or reduced fee basis; 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.

During the past year, the CCELP has:

- Arranged for the provision of advice and/or advocacy in relation to public interest environmental or climate change matters;
- > Provided submissions to both State and Federal governments on proposed legislative amendments;
- > Facilitated seminars on topical issues;
- > Acted as a contact point for universities and others interested in climate change and environmental law;
- > And was a member of the Centre for Asia Pacific Pro Bono (CAPPB), as a referral organisation in relation to environmental matters.

### Pro Bono Commitment

#### Pro Bono Committee

Committee as at 30 June 2015: Pat Zappia QC (Chair), Fiona Batten, Philip Crennan, Tom Danos (Deputy Chair), Cahal Fairfield, Jacinta Forbes QC, Jonathan Gottschall, Daniel Harrison, Haroon Hassan, Ben Ihle, Andrew Laird, Garrie Moloney, Andrew Panna QC, Arushan Pillay, Jessica Swanwick, Megan Tait, Joseph Tsalinidis, Rupert Watters, Jarrod Williams, Richard Wilson, Tina Turner (Justice Connect) and Jason Saultry (Justice Connect)

The Committee thanks Sharon Burchell, who retired from the Committee during the year to take up an appointment as a judicial registrar with the County Court.

The Committee has had an extremely busy year. It has explored and implemented a range of new initiatives to address the ever-increasing demand for pro bono legal services in the wider community.

The broad function of the Committee is to assist in improving access to justice for those who cannot afford to pay for legal services. The Committee does this principally by assisting in the administration of schemes through which barristers at the Victorian Bar provide legal representation on a pro bono basis. There are two schemes through which barristers provide pro bono services. One is the Victorian Bar Pro Bono Scheme (VBPBS), which is supervised by the Pro Bono Committee and administered by Justice Connect. The other is the Victorian Bar Duty Barrister Scheme, which is administered by the Victorian Bar Office.

The Committee meets quarterly and all members actively contribute to its functions through a number of sub committees. During the past 12 months the Committee has been active across a range of matters including:

> Consolidating the Court of Appeal Duty Barrister's Scheme.

This Scheme commenced as a pilot approximately 18 months ago and is now well established. Requests for pro bono assistance from the Court of Appeal are addressed quickly and efficiently via the Scheme. It has proven to be a great success. In order to improve the Scheme the Committee is currently exploring arrangements to have instructing solicitors become involved in it. The response from the private law firms has been encouraging.

- > Formulating and revising a proposed new Rule for inclusion in the Supreme Court Rules to enable legal practitioners (including counsel) appearing in pro bono cases to claim and recover costs insofar as their client is successful. The Rule is currently under consideration by the Rules Committee of the Supreme Court.
- > Preparing and finalising a proposed Costs Agreement that may be used by counsel appearing in pro bono matters to enable them to recover costs under the proposed new rule.
- Investigating and proposing a 12-month trial pilot scheme in the Supreme Court to commence in 2016 for pro bono counsel to appear for contradictors in suppression order applications under the Open Courts Act 2013 (Vic). This initiative follows a request for assistance in such matters from the Chief Justice.
- Participating in preliminary discussions with the Department of Justice and Regulation for the Committee's potential involvement in the establishment of a warrants clinic for Aboriginal people in Victoria.

The Committee has historically held an annual Pro Bono Awards event to acknowledge the contributions of barristers providing outstanding pro bono services. Following a review, the Committee determined that it would be more appropriate for the Pro Bono Awards event to be held on a biennial basis.

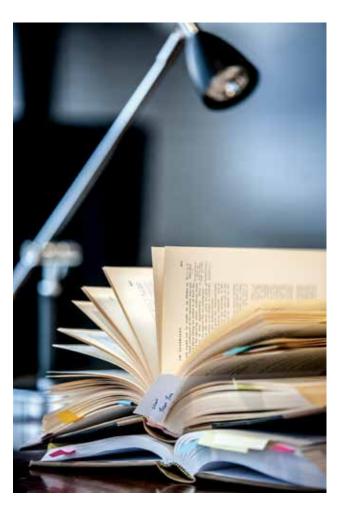
#### Duty Barristers' Scheme Committee

Committee at 30 June 2015: Frances I O'Brien QC (Chair), Simon A Moglia, Andy Naidu, Amanda R Wynne, Natalie T Sheridan-Smith, David W Podger, Dr Angela M B O'Brien, Romesh Kumar, John D Philbrick QC, Paul X Connor

The Committee thanks those members who retired during the year: Maya Rozner, Keir J Dernelley and Katrina J Gillies , Amanda R Wynne and Angela M B O'Brien

The Committee has worked assiduously on a number of policy matters that have arisen this year. In particular the computerisation of requests for assistance from the DPP. This project is currently on hold. It is a project worthy of the support of the Victorian Bar. The Committee has also been actively involved in the compliance with the new national practice rules. I thank all members of the Committee for their support, in particular Simon Moglia.

The committee also thanks the Bar administration, in particular Nicole Dawson and Alison Rock.



## Education

#### **Education And Professional**

#### Development Committee

Committee as at 30 June 2015: David J O'Callaghan QC (Chair), The Hon. Raymond A Finkelstein QC (Deputy Chair), Jennifer J Batrouney QC, Michael G O'Connell S.C., Ted Woodward S.C., Dr Suzanne B McNicol QC, Philip D Corbett QC, Carolyn H Sparke QC, Adrian J Finanzio S.C., Garrie J Moloney Elizabeth M Brimer, Paul Panayi, Meg O'Sullivan, Sarah J Keating, Jonathan H Kirkwood and Rachel Chrapot (Manager, Education and 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 Bar Readers' Course, the ongoing CPD program and the South Pacific education and training programs.

Initiatives this year include the online publication of a CPD course guide for the 2014-15 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 has had oversight of projects such as the Indictable Crime Certificate, the development of an advocacy teaching faculty, a new program for junior barristers and uniform CPD Rules as part of the Uniform Legal Profession Law.

The Committee was greatly assisted by a number of staff members, Rachel Chrapot (Manager, Education and Professional Development), May Lim (Coordinator, Continuing Professional Development, until May 2015), Brittany Swanson (Coordinator, Continuing Professional Development, from June 2015), Wendy Pollock (Coordinator, Bar Readers' Course). The Committee would like to thank them and Fiona Faulkner and Alex Campbell for their hard work during the year.

#### Continuing Professional Development Sub-Committee

Committee as at 30 June 2015: Ted Woodward S.C. (Chair)
Michael G O'Connell S.C., Mary Anne Hartley QC,
Michael P Cahill, Dr Michael D Rush, Oren Bigos Andrew G
Cameron, Leana Papaelia, Rachel Walsh and Rachel Chrapot
(Manager, Education and Professional Development)

The Continuing Professional Development Sub-Committee took over the functions of the Continuing Professional Development Committee in early 2014. Subject to the overriding control of the Education and Professional Development Committee, the Sub-Committee, with the assistance of the Bar Office, has continued to exercise its delegated powers of dealing with the day-to-day management of 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, overseeing the audit of compliance with CPD requirements and dealing generally with issues raised relevant to the program.

The CPD program continues to provide seminars of high standard to members in all of the categories of CPD. Included in the program have been workshops in appellate advocacy, advanced cross examination, jury skills and Ethics, which were all popular and well received. Planning is continuing for other skills workshops and conferences in the future, including an inaugural Junior Bar conference.

On 1 July 2015, the new Uniform Laws came into effect,

bringing with them the Legal Profession CPD (Barristers) Rules. The CPD Committee has been involved with the implementation of the new CPD rules and will be monitoring and providing input into the development of policies that will inform the operation of the new rules.

The Committee would like to acknowledge the dedication and hard work of the immediate past chair of the sub-committee Frank Parry QC.

#### Readers' Course Sub-Committee

Sub-Committee at 30 June 2015: 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 Hanak,
Miguel A Belmar Salas, Eugene F Wheelahan, Oren Bigos, Karen
Argiropoulos, Andrew T Broadfoot, Christopher Tran and Rachel
Chrapot (Manager, Education and 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. Of the 92 candidates who sat the October 2014 exam, 40 received offers. There were 42 readers in the March 2015 course.

In the May 2015 exam there were 89 candidates, and 36 candidates received offers. The September Readers' Course will commence on 31 August 2015 with 36 Readers.

The Sub-Committee continues to be involved with the continued development of curriculum of the Bar Readers' Course with input and support from Rachel Chrapot and Wendy Pollock.

#### Pacific Rim Sub-Committee

Committee as at 30 June 2015: The Hon. Raymond A Finkelstein QC (Chair), Remy van de Wiel QC, Philip D Corbett QC, Ian W Upjohn CS.C. S.C., Stephen T Russell, Trevor C Wallwork, Sarah J Porritt, Paul Panayi, Paul P Kounnas, Jonathan H Kirkwood, Matthew LL Albert 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 2014 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 five days. An extremely large group of 130 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 His Honour Judge Christopher O'Neill, Magistrate Martin Grinberg, Philip Corbett QC, Geoffrey Steward, Julie Condon, Nadia Kaddeche, Carolene Gwynn, Ashley Halphen, Paul Higham, Christine Melis 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 Committee conducted two one-week workshops for legal practitioners in Vanuatu in December 2014, which was funded by the Australian Government in conjunction with Stretem Rod Blong Jastis (SRBJ). The core purpose of this development was to offer public sector legal officers a unique and valuable professional development opportunity that would be readily translatable into practical advocacy skills, and ultimately improve the sectors ability to provide timely and effective justice services to the community. The intermediate program ran from 1 to 5 December and concentrated on building basic skills of courtroom advocacy in both civil and criminal jurisdictions. The first program was conducted by Carolene Gwynn, David Sexton, Jim Doherty and Hilary Bonney. A second more advanced program was conducted from 8 to 12 December by Michael Cahill, Jim Shaw, Guy Gilbert and Campbell Thomson. The training co-ordinators were very pleased with the courses, how they were delivered and the level of engagement of local colleagues in the learning and interaction.

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

#### Student Engagement Committee

Student Engagement Committee at 30 June 2015: Simon T Pitt (Co-Chair), Angela Lee (Co-Chair), Georgia M Douglas (Secretary), David O'Callaghan QC, Diana M Harding QC, Catherine L Symons, Richard Antill, Robert O'Neill, Carmella Pezzimenti, Michael D Stanton, Steven A Lowry, Diana Price, Lionel P Worth, Andrew J Bailey, Belinda F Franjic, Dr Kylie Weston-Scheuber, Nicole L Papaleo, Katherine A Brazenor, and Christopher Tran

The Committee thanks those members who retired during the year: Declan F Hyde, Ian P Horak, Sarah Leighfield (Co Chair), Christine Melis, and Jonathan S Rattray

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 past 12 months:

- The SEC has been promoting its Facebook page "Vic Bar for Students" in an effort to connect with students who are interested in a career in law. The Facebook page provides information on current trends, articles and insights regarding life at the Bar and in the law generally. The page has attracted more than 600 "likes" and the content posted reaches an audience of more than 1000.
- The SEC hosted a CPD for VicBar Members on "Mentoring secondary and tertiary education students: tips and tricks for an effective relationship". This CPD was delivered by experienced mentors who shared their insights on mentoring in the law.
- The professionally filmed clip of the SEC's Law Week 2014 moot was finalised and is now available on the Bar's website, the Facebook page and YouTube. The clip has been viewed more than 400 times.
- > 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 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 past 12 months, the Bar's relationship with those law schools has strengthened considerably.
- In 2015, the SEC members have also been involved in presenting to high schools and primary schools through the Victoria University "Leap into Law" program, which focuses on demystifying the jump from school to university and the profession. These talks explain legal career paths and the study of law to students of various age groups.

> 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: students@vicbar.com.au

# Legal Education and Training – Library Committee

Committee at 30 June 2015: Samantha L Marks QC (Chair), Richard L Brear (Deputy Chair), O Paul Holdenson QC, Anthony J Kelly QC, Georgina Schoff QC, Ian W Upjohn CS.C., Mark A Irving, Judy Benson, Gerard D Dalton, Leonie M Englefield, , Andrew M Bell, Mark P Costello, Sarah J Varney, Harry Forrester, Nawaar Hassan and Melanie Baker.

The Committee thanks those members who retired during the year: David Yarrow and O Paul Holdenson QC

The Committee has reviewed and added to the electronic holdings of the Bar Library and determined to obtain new computers for the library so that the extensive subscriptions now available can be easily accessed. It also continues to review the hard copy holdings to endeavour to have books that will be most used by barristers available in the library.

The Committee sent out a survey to all members of the Bar seeking information about how the library is used and can be improved, and has been busily implementing changes as a result. On 24 March a breakfast seminar was presented at the library by Samantha Marks QC, lan Upjohn S.C., Anne Wardell of CCH and James Hey of LexisNexis on the topic "Getting to know your library". It was well attended and plans are underway for more such seminars. Library attendance has increased markedly, as has usage of the computer research facilities.

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 and Samantha Marks QC have been to meetings relating to this. 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. As part of this process, a librarian was made available from the Supreme Court to the bar library once a week for a period of three months, assisting barristers with research requests. Ms Annie Hutchinson of CCH has also been available one morning a week assisting with CCH enquiries. These services have been well received.

Members of the Bar and Bench generously continue to donate books and other items to the library. In particular, the Committee thanks the estate of the late lan McIvor for a superb collection of books of famous trials and advocates that is now available for borrowing from the library. A benefactor who wishes to remain anonymous has donated a chesterfield couch and chairs, and a statue, to the library, and a cosy reading area is now established.

## Professional Standards

#### Alternative Dispute Resolution Committee

Committee at 30 June 2015: Michael D G Heaton QC, Tony Nolan QC, Robert Hay QC, Anthony C Neal QC, BA Toby Shnookal QC, Carolyn H Sparke QC, Peter F Agardy, Marianne TH Barker, Pierre Baume, Carmella Ben-Simon, Dr C Elizabeth Brophy, Dr Peter FJ Condliffe, Tony Elder, Mark G Hebblewhite, Julian G Ireland, Carmel M Morfuni, Care J Nichol, Angela O'Brien, Michael J O'Brien, Glen Pauline, David J Sanders, Michael JF Sweeney, Karen Streckfuss and Daniel Sweeney

The Committee thanks those members who retired during the year: Hugh Foxcroft QC, Christopher B. Thomson, Michael J. Rivette, Christopher J. Winneke and Ragini A. Durai

#### Biennial National Mediation Conference

In September 2014 the Biennial National Mediation
Conference was held in Melbourne. Members of the
Committee presented papers including Michael Heaton
QC, Tony Neal QC, Dr Elizabeth Brophy and Carmel
Morfuni. The ADR Committee also presented a panel
session which included Tony Nolan QC, Michael O'Brien
and Belle Lane. Tony Nolan QC was involved in a breakfast
presentation in relation to sports law. It was a very successful
conference. Dr Peter Condliffe and Mark Hebblewhite
were part of the organising team for the conference.



#### Lawyer's Certificate in Mediation Course

Another successful Lawyer's Certificate in Mediation Course was held in late in 2014. The course leaders were again Dr Peter Condliffe, Dr Elizabeth Brophy and Tony Neal QC. The Mediation Course Sub-Committee also invited Campbell Bridge S.C. to present at the Course. The Mediation Course is a premier course and the Mediation Course Sub-Committee is to be congratulated on the continued success of it.

#### New Mediator National Standards

The Mediator Standards Board, of which Mark Hebblewhite is a member, introduced new national standards in March 2015 operative from 1 July 2015. Those standards include new standards in respect of approval of mediators as well as practice standards. They are now all in one set of standards. The ADR Committee, on behalf of the Victorian Bar, with enormous help from Ross Nankivell made lengthy and detailed submissions in relation to drafts of the new standards. A considerable part of the submissions was taken into account by the MSB. The new standards will require amendment to standard mediation agreements and to practice and there are additional and wider CPD requirements.

# Melbourne Commercial Arbitration and Mediation Centre

The Melbourne Commercial Arbitration and Mediation Centre continues to operate under a Board chaired by the Honourable Stephen Charles QC. The Board is supported by an Advisory Committee under the chair of the Honourable Justice Clyde Croft. Michael Heaton QC is a member of the Advisory Committee as are Albert Monichino QC, and John Arthur from the Victorian Bar.

#### Definition of Barrister's Work

The Committee continues to urge the Victorian Bar Council, the Australian Bar Association and the Legal Services Council under the new Uniform Law to expressly state in the Uniform Bar Rules that barrister's work includes acting as an ADR principal.

#### **CPD Sub-Committee**

The CPD Sub-Committee under Carolyn Sparke QC, as well as conducting seminars has introduced monthly workshops for mediators to debrief, discuss recent issues or recent cases and authorities. This is a welcome addition where mediators can discuss issues or problems which have arisen.

#### Sub-Committees – General

The Sub-Committees of the ADR Committee have continued to be active and fulfil their functions. Carolyn Sparke QC continues in the role of chair of the CPD Sub-Committee. Dr Elizabeth Brophy continues as chair of the

Accreditation Sub-Committee overseeing the Committee's accreditation as an RMAB of Barrister-Mediators. David Sanders continue as chair of the Marketing and Publicity Sub-Committee. Michael Sweeney chairs the Arbitration Sub-Committee. Toby Shnookal QC chairs the Adjudication Sub-Committee. Carmella Ben-Simon chairs the Family Law Sub-Committee. These Sub-Committees meet as required.

#### Courts and Co-Mediation Scheme

Liaison continues with the Courts and VCAT. The Co-Mediation Scheme for Barristers continues to be promoted to assist Barristers obtaining the requisite hours and expertise. Carey Nichol continues to promote the Magistrates' Court SLEM (Single List of External Mediators) Scheme.

The ADR Committee thanks Ross Nankivell, Manager Assisting the CEO, for his attendance, input and assistance.

#### International Arbitration Committee

Committee at 30 June 2015: Martin R Scott QC (Chair), Michael H Whitten (Deputy Chair), Peter B Murdoch QC, Michael D G Heaton QC, Joshua D Wilson QC, Caroline M Kenny QC, Caroline E Kirton QC, William Alstergren QC, William E M Lye, Ian H Percy, Peter G Willis, Michael J F Sweeney, Kumar Kappadath and Andrew Di Pasquale

The Committee thanks those members who retired during the year: E Noel Magee QC, Hugh Foxcroft QC, Richard J Manly QC, Albert A Monichino QC, B A Toby Shnookal QC, Paul J Hayes, Anton P Trichardt, Albert M Dinelli, Dr Michael Wolff, Christine Melis and David J Goodwin

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

The International Arbitration Committee last year reported on its work in developing contacts and connections in the arbitration community across Australia and in our region.

The stated objective of launching an initiative with other Bars has not been met yet as the planning stage has involved additional preparatory work on the advice of our external consultant. This vital work has included international travel at the personal expense of participating Committee members, an act of generosity for which I am grateful. Caroline Kirton QC deserves special mention in this regard. The Committee also recognises the support of the Bar Council which has part-funded the external consultant who will report shortly. There are several related initiatives under development on which it is premature to report but will involve projecting the Bar's expertise into the region.

In the meantime, the Committee has continued to work in close cooperation with external bodies such as the

Chartered Institute of Arbitrators and the Melbourne Commercial Arbitration and Mediation Centre in the steady work of maintaining and developing the profile of arbitration generally. The Committee encourages members of the Bar to join the Chartered Institute and undertake its courses as appropriate and actively participate in its events locally and across the region.

The Committee also encourages members of the Bar to support the MCAMC. The Centre is modern, new and well appointed. That Centre was established with the support of Government and the Supreme Court to the significant benefit of the practising profession which had pressed for this facility for many years. The Bar currently provides administrative support for the operation of the Centre, but individual practitioners play a critical role in promoting its use.

# New Applications, Renewals and Referrals – Counsel Committee

Committee at 30 June 2015: Michael Wheelahan QC (Chair), Paul Anasstasiou QC, Jennifer Batrouney QC, Samantha Marks QC, Christopher Winneke, Sam Hay, Stewart Maiden, Paul Panayi (Honorary Secretary), Barbara Myers (Assistant Honorary Secretary) and Alison Rock (Manager Compliance)

The Committee thanks Jim Peters QC who retired during the year and welcomes new members Sam Hay and Stewart Maiden, both of whom have held the position of Honorary Secretary to Bar Council in the past. They were elected to Bar Council in November 2014

The Counsel Committee is appointed pursuant to clause 63 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, renewal, variation, suspension and cancellation of practising certificates, applications to sign the Roll of Counsel and the removal of names from the Roll (pursuant to part 14 of the Constitution).

Since the last report, the Committee has met once. The Committee is only required to meet on an ad hoc basis. The Bar's Protocol for Dealing with Disclosures 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.

The 2015-16 practising certificate renewal period will require the review of three disclosures for recommendation to Bar Council. Pursuant to the Protocol described above, the Honorary Secretary has reviewed and made recommendation on a further five matters.

Other matters considered by the Committee in 2014-15 were

five disclosures in respect of show cause events pursuant to s.2.4.27 of the Legal Profession Act 2004 (Vic). At 30 June, two show cause matters awaited determination.

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

# The Committee thanks James WS Peters QC, who retired during the year, and congratulates Ted Woodward S.C. on his appointment as Deputy Chair

Since the last report the Committee has met 13 times. Ten complaints were referred or delegated by the Legal Services Commissioner and nine investigations completed. Most of the 55 rulings and dispensations made by the Committee were considered and determined by circulating email. The Committee continues to work closely with the Commissioner, who appreciates the sense of balance the Committee brings to investigations. He and members of his staff are frequently welcoming guests at meetings.

Despite the relatively low number of complaints and rulings, the members of the Committee spend countless hours 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. The Ethics material for use in the Readers' Course has been completely revamped by a Sub-Committee, led by Ted Woodward S.C.

Some members, most notably Malcolm Titshall QC, Jeremy St John QC, Helen Symon QC and Kevin Lyons QC, have exceeded the usual term of service and for this the Committee is most grateful. The Committee particularly notes the dedication of James Peters QC notwithstanding his duties as Senior Vice-Chairman. He retired in October to take up the responsibility of Chairman (now President) of the Victorian Bar.

To spread the burden of responsibility undertaken by members, the new Constitution of the Victorian Bar Inc, approved in March 2015, removed the previous upper limit of 15 members. The Committee welcomed the additional appointment by Bar Council of Andrew Strum soon after.

The Ethics Committee worked closely with the Bar Council in preparing for the introduction of the Legal Profession Uniform Law Application Act on 1 July 2015:

- (a) The Committee made a comparison between the then Rules of Conduct and those which were to be made under the Legal Profession Uniform Law.
- (b) An important omission from the Uniform Rules was the Ethics Committee's power to provide rulings to members. In recognition of its benefit to members, the Bar Council made a determination (pursuant to CI 61.1 of the Constitution) to grant the Committee the power to make resolutions for the assistance of members faced with an ethical dilemma;
- (c) The Chair, Helen Symon QC participated in a CPD session drawing members' attention to the critical changes. Over the coming years, the Committee expects to continue to initiate and participate in CPD sessions and to issue Bulletins to ensure that members are aware how their obligations under the Uniform Rules may be different.

Clause 14 of the new Bar Constitution provides for the Ethics Committee to share with the Counsel Committee functions previously carried out solely by the Counsel Committee. Clause 14 provides that the Bar Council may refer for investigation and consideration a matter that may warrant removal of a member's name from the Bar Roll.

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

### **Professional Standards Committee**

Committee at 30 June 2015: Roisin N Annesley QC (Chair), Peter A Chadwick QC (Deputy Chair), Michael F Wheelahan QC, Michael F Wheelahan QC, Ian R L Freckelton 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 De Ferrari, Sarah F Cherry and Daniel B Bongiorno

The Professional Standards Committee has reviewed the obligations of members who participate in the Professional Standard Scheme with a view to ensuring that compliance is achieved without unnecessary administrative burdens being placed on Victorian barristers. This review is ongoing and it is anticipated that it will be completed by the end of the 2015 financial year.

In the lead-up to the introduction of the Uniform Law, the Professional Standards Committee made submissions to the Bar Council as to the proposed changes to the Rules and the likely impact on Victorian Barristers. Members of the Professional Standards Committee have and will continue to work with other Bar Committees in presenting CLE papers to assist barristers in their knowledge and understanding of the new Uniform Law and the new practice Rules.

The Chairman wishes to thank all members of the Committee for their assistance throughout 2014 and in particular to acknowledge the hard work of Gerard Meehan and Elizabeth Brimer in relation to the Professional Standards Scheme.

## Our Member Community

#### Health And Well Being Committee

Committee at 30 June 2015: 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 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 per cent. 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.

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 QC, 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 2015: Julien M Lowy (Chair), Andrew T Conley, Kevin F Jones (Secretary), Nicholas Pane QC. Erin J Gardner, Phoebe Knowles, Dean Luxton, Sam Andrianakis (AYLC Representative) Toby J Mullen, Katherine Brazenor, Fiona Batten, Karina Popova The Committee thanks those members who retired during the year: John (Jack) R M Tracey, Barbara A Myers, Eitan Makowski

The Committee is aware of the many challenges that new barristers continue to face including the pressures of establishing and managing a practice in an increasingly competitive and crowded environment for the supply of litigation services including advocacy services.

The Committee has communicated the survey results to the Bar Council. A number of initiatives are anticipated from this including upcoming seminars addressing some of the identified needs. The Committee is initiating a number of CPD events on pertinent topics and hopes to run a seminar later in the year, and incorporate others topics into an end-of-the-CPD-year seminar day aimed at new barristers to be run in conjunction with the Bar Education office.

During the year the Committee organised a well-attended CPD seminar on the topic of "Do's and don't's for a junior barrister – a judicial perspective". The Committee acknowledges with gratitude the generosity of The Honourable Justice Jack Forrest and Magistrate Charlie Rozencwajg in taking the time out of their busy schedules to share their perspectives and expertise with the junior bar.



ABOVE: Jim Peters QC and Paul Anastassiou QC greet guests at the Victorian Bar Dinner in May



ABOVE: The Honourable Susan Crennan AC QC addresses members of the Bar

The Committee facilitated a range of social functions so valuable to the ongoing health and wellbeing of new barristers. These include welcome events for Readers after completion of the Readers' Course, and other social gatherings, including in conjunction with the Young Lawyers section of the Law Institute of Victoria. These provide valuable relief from the day-to-day concerns of new barristers in a friendly and supportive environment. This year a renewed initiative is the Committee's support for the Young Lawyers Charity Ball on 3 September 2015 at the Myer Mural Hall.

The Committee has been represented nationally at the Australian Young Lawyers Committee of the Law Council of Australia.

The Committee is engaged with BCL to provide a forum where the needs of new barristers can be discussed and initiatives agreed. The Committee is grateful to BCL for this opportunity.

Thanks to all the Committee members for their tireless efforts on behalf of new barristers throughout the year.

Victorian Bar News Editorial Committee

Committee at 30 June 2015: Georgina L Schoff QC (co-editor),
Georgina Costello (co-editor), Anthony Strahan (deputy
editor), Maree Norton (deputy editor), Annette Charak
(deputy editor), Justin Wheelahan, Catherine Pierce, Brad Barr,
Jesse Rudd, Natalie Hickey, Denise Bennett and Sally Bodman

In keeping with the current publication schedule, the Committee has published two issues of *Victorian Bar News* this financial year. *VBN Issue 156*, published in December 2014 featured on its cover the Chief Justices of the Supreme Court of Victoria and of the Family Court of Australia, each of whom had served 10 years as a Chief Justice. *VBN Issue 157*, published in July 2015, was perhaps our biggest issue ever, coming in at 140 pages. This issue featured on its cover an iconic image of Joan Rosanove QC. In addition to recording the significant events and occasions that have involved our members during the year, each issue was full of interesting articles that we hope have engaged our readership.

The Committee would particularly like to thank those current and former members who regularly contribute articles: Julian Burnside, whose "A bit about words" never fails to interest and amuse; Clifford Pannam, whose insightful and often whimsical articles discuss important cases from the past; James Merralls, whose scholarly articles bring great weight to the publication and Stephen Charles, for his newsworthy and courageous writing. In addition, we now have a number of regular columnists writing on wine, food, music and etiquette who reflect the great diversity of interests and expertise at our Bar.

The Committee would especially like to thank Guy Shield and The Slattery Media Group, who are responsible for the design and production of the publication. Guy's unique illustrations are integral to the current look and feel of the Victorian Bar News. We were particularly pleased with his cover illustration for VBN 157

We also thank our editorial advisor Mr Peter Barrett. Robert Heath, who has been an invaluable member of the Committee, has this year retired and we thank him for his work on multiple editions.

#### Taking Time Out For Celebration (Functions Committee)

Committee at 30 June: Paul Panayi (Chair), William Alstergren QC, Nikola Dragojlovic, David C Turner, Natalie Vogel, Catherine Boston, Karen Argiropoulos, Barbara Myers and Nico Burmeister

The Committee thanks those members who retired during the year: Andrew Panna QC, Russel L Moore, Kathryn Cochrane, William HC Forrester and Kylie Westson-Scheuber.

The Bar has held a number traditional events such as the Bar Dinner, the Legends Dinner, a dinner in honour of the retirement of Justice Susan Crennan and a dinner to celebrate 10 years in office of Chief Justice Bryant and Chief Justice Warren. The Bar has also hosted a number of business development events this year. These events include innovative CPD's and drinks with solicitors and in house counsel as well as organising a CPD conference with the LIV, a major law firms dinner regional solicitors gatherings.

The Events Committee worked with the Business Development Committee to support and assist in organising these events with the marketing and events staff of the Victorian Bar.

#### Broadening Interests (Art and Collections Committee)

Committee at 30 June 2015: Peter J Jopling AM QC (Chair), Philip A Dunn QC, Campbell F Thomson, Ian B Stewart, Siobhan Ryan, Charles O Parkinson and Edward Gisonda

The Art and Collections Committee welcomed to its ranks new members Eddy Gisonda and Charles Parkinson during the course of the year. Since the opening of the Peter O'Callaghan QC Gallery, we have been delighted to receive a number of portraits. The first is a portrait of Sir Edward Woodward AC OBE QC on loan from his son Ted Woodward S.C. The work was painted by Clifton Pugh AO.

The second portrait is a portrait of Beatrice McCay, who signed the Bar Roll in 1925 and is number 224 on the Roll. McCay was the first female reader at the Bar and read with R.G. Menzies. Miss McCav later became Lady Reid, wife of Victoria's Attorney-General, Sir George Reid. The work was painted by Douglas Baulch and is on loan from his son Kevin Baulch.



ABOVE: The Bar has had an active social calendar during the last year

Dixon, Menzies and Reid have been hung together, along with a copy of the certificate of Sir Owen Dixon moving the admission of R.G. Menzies on 2 May 1918. This certificate was gifted to the Bar by the Chief Justice of the High Court, the Honourable Justice French AC, on the occasion of the opening of the Owen Dixon West extension on 7 November 2014.

The third portrait that has come into our collection this past year is the portrait of Lillian Lieder QC, which was gifted to the Bar by a number of her friends and unveiled by the Honourable Justice King on the eve of Justice King's retirement.

We were also delighted during the year to unveil the Bar Legends Honour Board in the front entrance foyer of Owen Dixon East. This Board serves as a fitting reminder to each generation of the Legends of our Bar and their significant contribution to our Bar and the wider community. This year we were delighted to honour:

- > Brind Zichy-Woinarski QC
- > Robin Gorton QC
- > Peter Rattray QC
- > Brian Collis OC
- > Noel Ackman QC
- > Arthur Adams OC
- > Dyson Hore-Lacy S.C.
- > Ian Hardingham QC
- > Remy van de Wiel QC
- > Stanley Spittle
- > Clive Rosen
- > Richard Boaden

During the course of the year we also became better appraised of the generous donation by Mr Geoffrey Sher QC of the portrait of Sir Isaac Isaacs and Sher's connection with the artist. The portrait was painted by Sher's maternal grandfather, Mr Percy White. The portrait has been in the Bar collection since the late 1970s but beyond the acknowledgment on its plaque, the gifting of the portrait by Sher has not been widely known. We are very pleased that Geoffrey Sher's generous gift and its interesting provenance will now be acknowledged on the Bar's portrait website.

The year ahead looks promising. In that period we hope to unveil three newly commissioned works.



ABOVE: The Honourable Betty King unveils a portrait of Lillian Lieder QC

#### Other Committees

#### Audit and Finance Committee

Committee at 30 June 2015: Samantha Lee Marks QC (chair), Paul E Anastassiou QC, Jennifer J Batrouney QC, Susan K Gatford, Daniel J Crennan, Benjamin J Murphy, Kate Beattie, Sarah Fregon (Chief Executive Officer)

The committee thanks those members who retired during the year: Matthew Walsh and Paul X Connor and Stephen Hare (former Chief Executive Officer)

The Committee exercises oversight over budgeting 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.

The Committee considered issues related to planned expenditure, sought clarification and made recommendations to Bar Council in relation to the budget.

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

#### Practising Past Chairmans' Committee

Andrew J Kirkham AM RFD QC, David E Curtain QC, Ross Ray QC, Michael W Shand QC, Mr Robin A Brett QC, Michael J Colbran QC, The Honourable Justice Peter J Riordan, Fiona M McLeod S.C., Mark K Moshinsky QC and William Alstergren QC

#### Chairs Of List Committees

LIST A	List A Barristers Pty Ltd	Paul E Anastassiou QC
LIST B	Michael Green Pty Ltd	David E Curtain QC
LIST D	Dever's List	Ross H Gillies QC
LIST F	Foley's List Pty Ltd	Jeremy H Gobbo QC
LIST G	List G Pty Ltd	Peter J Jopling AM QC
LIST H	Lennon's List Pty Ltd	Andrew J Keogh S.C.
LIST L	Paul Holmes Barristers Clerk Pty Ltd	Martin Bartfeld QC
LIST M	Meldrum And Hyland List	Ronald K J Meldrum QC
LIST R	R J Howells Pty Ltd	David P Gilbertson QC
LIST S	Gordon & Jackson Barristers Clerks	Gary B Hevey RFD
LIST T	Barristers Logistics	Norman J O'Bryan AM S.C.
LIST W	Patterson's List	Nicholas Papas QC
LIST Q	Young's List	Garry T Bigmore QC









#### JUDICIAL AND OTHER APPOINTMENTS

The Bar congratulates the following members appointed to judicial or other public office.

#### High Court of Australia

The Honourable Justice Geoffrey Nettle The Honourable Justice Michelle Gordon

#### Supreme Court of Victoria

#### Court of Appeal

The Honourable Justice Stephen Kaye AM The Honourable Justice Stephen McLeish

#### Trial Division

The Honourable Justice Christopher Beale The Honourable Justice Michael McDonald The Honourable Justice Peter Riordan

### Other States and Commonwealth

#### County Court of Victoria

Her Honour Judge Sara Hinchey Judicial Registrar Sharon Burchell Judicial Registrar My Anh Tran

#### Magistrates' Court of Victoria

His Honour Magistrate Gregory Robinson His Honour Magistrate Timothy Bourke His Honour Magistrate John O'Brien Her Honour Magistrate Carolene Gwynne

#### Public Office in Victoria

Solicitor-General for the State of Victoria Richard Niall QC

Crown Counsel for the State of Victoria Melinda Richards S.C.

#### District Court of Western Australia

His Honour Judge Laurence Levy S.C.

#### Federal Circuit Court of Australia

His Honour Judge Alexander (Sandy) Street

#### Administrative Appeals Tribunal

Senior Member Dr Damien Cremean

#### Superannuation Complaints Tribunal

Deputy Chairperson Ragini Durai

#### National Legal Profession Representative Bodies

#### Australian Bar Association

Fiona M McLeod S.C. (President elect), E William Alstergren QC (Treasurer) and James WS Peters QC (Victorian Bar representative)

#### Law Council of Australia

#### **Board of Directors**

#### Elected (not Victorian Bar representatives)

Fiona McLeod S.C., President Elect

Jennifer J Batrouney QC, 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 QC

Human Rights Committee

Fiona M McLeod S.C. (Chair)

Indigenous Legal Issues Committee

Thomas P Keely and Timothy B Goodwin

Insurance Contracts Act Referral Group

Michael D G Heaton QC

Judicial Issues Working Group

Jacob (Jack) I Fajgenbaum QC and

Michael J Colbran QC (Chair)

Military Law Working Group

Paul A Willee RFD QC (Chair)

National Criminal Law Liaison Committee

O Paul Holdenson OC and Dr David J Neal S.C.

National Elder Law and Succession Law Committee

Peter J Hanks QC

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 and 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 OC

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, Stewart M Anderson 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, Peter Fary, Penelope Neskovcin 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 QC, 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. Jennifer J Batrouney QC 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 Committee** 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)

Elizabeth M Brimer

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 QC (Chair)



#### PERSONALIA

#### **Obituaries**

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

Rebecca Lauren Thomas The Honourable William Ormiston AO

Adrian Michael Munro Peter Jones

Ian Dennis McIvor Peter Thomas Nugent

Dr John McLaren Emmerson QC His Honour Geoffrey Michael Byrne

His Honour Warren Christopher Fagan QC, Chev L H Francine Valerie McNiff

Thomas Lee Mees Professor Robin Sharwood AM

John Michael Clohesy

Retired Magistrate Clive James McPherson

Professor Harry Reicher

#### Farewells

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

#### Federal Victorian

The Honourable Justice Susan Crennan AC

His Honour Judge Peter Couzens

The Honourable Justice Kenneth Hayne AC The Honourable Justice Betty June King

His Honour Judge Frank Turner

The Honourable Justice Katharine Mary Williams

#### 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 2015

The Honourable Richard K R Alston AO

The Honourable Andrew J Rogers AO QC

Mr R Kingsley Davis OAM

#### The Queen's Birthday Honours 2015

The Honourable Justice Chris Maxwell AC

The Honourable Justice Lex Lasry AM

His Honour Reserve Magistrate Gregory Levine



#### Senior Counsel

On 26 November 2014, the Honourable Chief Justice Warren AC appointed as Senior Counsel in and for the State of Victoria the following members of the Victorian Bar:

Peter Fox QC	lan Upjohn CSC QC	Michael Galvin QC
Jeremy Twigg QC	Rowena Orr QC	Jacinta Forbes QC
Lachlan Armstrong QC	Steven Moore QC	Timothy Walker QC
Brendan Kissane QC	Helen Rofe QC	Pat Zappia QC
Trevor Wraight QC	David Robertson QC	Robert Hay QC
	Christopher Boyce S.C.	Kristen Walker QC

Paul Jens QC



#### 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 2015.

Division	Description	Male	Female	Total
Al	Victorian Practising Counsel	1460	542	2002
	- Queen's Counsel or Senior Counsel	234	30	264
	- Junior Counsel	1226	512	1738
All	Crown Prosecutors and Public Defenders	22	8	30
AIII	Interstate and Overseas Practising Counsel	115	15	130
	- Queen's Counsel or Senior Counsel	50	3	53
	- Junior Counsel	65	12	77
AIV	Victorian Practising Counsel without a current practising certificate, temporarily absent from practice	9	14	23
ВІ	Governors	1	0	1
BII	Judges, Associate Judges and Magistrates	189	61	250
BIII	Ministers of the Crown and Members of Parliament	5	0	5
BIV	Solicitors-General and Directors of Public Prosecutions	3	0	3
BV	Judicial Registrars	1	2	3
BVI	Full-Time Members of Statutory Tribunals	21	14	35
BVII	Crown Counsel and Parliamentary Counsel	0	2	2
BVIII	Other Official Appointments	4	4	8
CI	Retired Judges and Other Judicial Officers	118	9	127
CII	Retired Holders of Public Office other than Judicial Office	10	3	13
CIII	Retired Counsel	146	26	172
D	Academics	13	8	21
TOTAL		2117	708	2825

#### 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

Martin Garrett, Natalie, Hickey, Georgina Connelly, Catherine Dermody, Craig Sidebottom, Michael Freedman, Justin Hooper, Ellen Grant, Gerard O'Shea, Rahmin de Kretser, Paul Smallwood, James Anderson, Jonathan Miller, Brett O'Sullivan, Myles Tehan, Ben Gauntlett, Julia Watson, Lucy Line, Carmelina Spitaleri, Brooke Hutchins, Raymond Ternes, Brian Kennedy, Timothy Maxwell, Bridgette Kildea, Adam Baker, Morgan Brown, Daniel Dominic, Evelyn Tadros, Robert Boadle, Holly Renwick, Matthew Minucci, Christopher Tran, Elenie Nikou, Luke Howson, Lachlan Allan, Jessica Clark, Adrian Anderson, Anna Wilson, Toby Borgeest, Allan Sharp, Lucy Davis, Vivianne Morkos, Bradley Holmes, Richard Lewis, Rebecca Preston, Adrian Hoel, Lynton Hogan, Kess Dovey, Daniel McCredden, Samuel Prendergast, Nicholas Gallina, Christopher Micallef, Katherine Sudholz, Rebecca Howe, Peter Hamilton, Jordan Cohen, Geoffrey Kozminsky, Daniel Lorbeer, Johannes Angenent, Paul Czarnota, Diana Costaras, Amy Peek, Edward Batrouney, Craig Rossi, Mark Hosking, Roman Rozenberg, Saptarishi Gulati, Cara Foot, Daniel Buchanan, Lucien Richter, Cameron Charnley, Stephanie Clancy, Sarah Goldberg, Sandra Karabidian, Fiona Cameron, Catherine Kusiak, Christopher Sheen, Chiry Chen

#### Re-signed

Andrew Cameron, Ekbol Taghdir, Stephen Chambers, Dermot Connors, John Hall, Nicholas Gardiner, John Bailey, Ragunath Appudurai, Eric Wawra, Damian Ballan, Gabrielle Crafti, Roberto Nitti, Daryl Dealehr, Chris Nisiforou, Peter Faris QC, Esther James

#### Transfers from this part

Gregory Robinson, Jane Treleaven, Mark Bevan-John, Sharon Moore, John Grigg, John Wadsley, Elspeth Strong QC, William Pinner, Steven Castan, Michael Wood, David Wood, Isaac (Joe) Beder, The Hon. Linda Dessau AM, Andrew Archer, Trevor McLean, John O'Sullivan, G Martin Randall, Malcolm Ramsey, Anthony Lopes, Christine Boyle, Christopher Beale QC, James Fitzgerald, Michael McDonald, Timothy Bourke, William Dwyer, Richard McCormack, Carolene Gwynn, Peter Riordan QC, Stephen McLeish S.C., Robert Williams, Melinda Richards S.C., Sharon Burchell, My Anh Tran, Michael Kats, Ragini Durai, Sara Hinchey, Richard Niall QC, Sharna-Adelle Coombes

#### Transfers to the part

Dee Brooker, Susan Blashki, W Clarke Grainger, Munya Andrews, Rodney Hepburn, Michael Lee S.C., Dr Cynthia Holland, Sitesh Bhojani, Cornelia Fourfouris-Mack, John Manetta, Andrew Archer, John Wadsley, My Anh Tran, Simon Lee, David O'Brien, Anne Hassan. Michael Connolly, Christine Boyle, The Hon. Susan Crennan AC QC, Dimitrios (James) Podaridis, The Hon. Kenneth Hayne AC

#### Division A Part II (Crown Prosecutors and Public Defenders)

#### Signed

Marcus Langlois

#### Transfers from this part

Anne Hassan, Raymond Elston QC

#### Transfers to this part

Sharn-Adelle Coombes, Jeremy McWilliams, James Fitzgerald

#### Division A Part III (Interstate and Overseas Counsel)

#### Signed

Wendy Abraham QC, Geoffrey Kennett, Craig McConaghy, S Benjamin Whitten, Daniel Coombes, Picha Djohan, Noelle Hurley

#### Transfers from this part

Laurence Levy S.C., Michael Lee S.C., Donald Grieve QC, Sitesh Bhojani, Simon Lee, Alexander Street S.C.

#### Transfers to this part

Steven Castan, Robert Williams

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

#### Re-signed

My-Anh Tran

#### Transfers from this part

Munya Andrews, Rodney Hepburn, Dr Cynthia Holland, Cornelia Fourfouris-Mack, John Manetta, Andrew Archer, My Anh Tran, Christine Boyle, Dimitrios (James) Podaridis

#### Transfers to this part

Jane Treleaven, Sharon Moore, Michael J Wood, David Wood, Andrew D Archer, Christine Boyle, Michael Kats

#### Division B (Judiciary and Official Appointments)

#### Transfers from

William J G O'Day, Her Honour Margaret Rizkalla, His Honour James Duggan, David O'Brien, Michael Connolly, The Hon. Katharine Williams, The Hon. Justice Kenneth Hayne AC, His Honour Judge Peter Couzens, His Honour Judge Frank Turner, His Honour Judge Michael Rozenes AO QC, The Honourable Justice Eric M Heenan

#### Transfers to

Gregory Robinson, Laurence Levy S.C., Christopher Beale, Michael McDonald, Timothy Bourke, Alexander Street S.C. Carolene Gwynn, John O'Brien, Peter J Riordan QC, Stephen McLeish S.C., Melinda Richards S.C., Sharon Burchell, My Anh Tran, Ragini Durai, Sara Hinchey, Richard Niall QC

#### Division C (Retired)

#### Transfers from this Division

Susan Blashki, W Clarke Grainger, John Wadsley, The Hon. Susan Crennan AC QC

#### Transfers to this Division

His Honour James Duggan, William J G O'Day, Mark Bevan-John, John Grigg, John Wadsley, Elspeth Strong QC, William Pinner, Isaac (Joe) Beder, The Hon. Linda Dessau AM, Trevor McLean, John O'Sullivan, G Martin Randall, Malcolm Ramsey, Anthony Lopes, Her Honour Margaret Rizkalla, William Dwyer, The Honourable Katharine Williams, Donald Grieve QC, Richard McCormack, Raymond Elston QC, His Honour Judge Peter Couzens, His Honour Judge Frank Turner, His Honour Judge Michael Rozenes AO QC, The Honourable Justice Eric Heenan

#### Removed from the Roll (at own request)

Andrea Lawrence, Mark Leeton, Owen Mahoney, Chris Nisiforou, Kate A Hutchings, Kyriaki Vavoulis, Holly Van den Heuvel, Rupert Watters, Paul Bravender-Coyle, Peta Murphy, Glenn McGowan QC, Prudence Van der Craats, Esther James, Kimberley Moran, Clive Patrickson, Camilla Hopkins, David Babovic, Andrew Freadman, Michelle Zammit, Oya Girgin, Louise Martin, Miranda Bond, Michael Freedman, John Gleeson QC, Michael Abbott AO QC, Bernard O'Brien, Douglas Wilson, Andrea Lawrence, Mary Grieve, David Wheelahan, Marita Evans, Gabi Crafti



#### CONSOLIDATED GROUP ENTITIES

#### Victorian Bar Incorporated

Registered No. A0034304S

Owen Dixon Chambers East 205 William Street Melbourne Victoria 3000

T: 03 9225 7111 F: 03 9225 6068

E: vicbar@vicbar.com.au W: www.vicbar.com.au

#### The Melbourne Bar Pty Ltd

ACN 004 640 108

James WS Peters QC

#### Barristers Chambers Limited

ACN 004 454 004

#### Directors

Michael D Wyles QC (Chairman), Jacob (Jack) I Fajgenbaum QC (Deputy Chairman), David J O'Callaghan QC, Adrian J Finanzio S.C, Daniel J Crennan, Catherine G Button, Penelope Neskovcin, Alice Williams, Rebecca McGarth and Gary Brinkworth (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 2015. 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:

Paul Connor Michael Stanton
Kim Knights Jack Tracey
Elizabeth Brimer

Miguel Belmar Salas

#### 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.

## REPORTS OF GROUP ENTITIES

#### **Review of Operations**

During the financial year ended 30 June 2015 the Association achieved a surplus from ordinary activities of \$293,546 after an income tax benefit of \$205,922. Its consolidated surplus from ordinary activities was \$4,526,985 after income an tax expense of \$1,727,592.

#### 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

**James WS Peters QC** President 9 October 2015

Jennifer Batrouney QC Honorary Treasurer

#### Barristers' Chambers Limited Report

Financial Year 2015 was an enormous year for BCL, highlighted by the passing of the baton to our new CEO Mr Gary Brinkworth, the most successful completion of the West extension (a monumental achievement) and the transformational overhaul of the board culminating in the appointment of Ms Rebecca McGrath and Ms Alice Williams. BCL's revenues hit \$30m for the first time and are on track to surpass \$35m this financial year as more and more barristers return to BCL and ask that it provide to each of them the highest standard of chambers at sensible commercial pricing on a no-strings-attached monthly basis. And the transformation at BCL continues as we strive to achieve our vision of being the "provider of choice", because into the future the provision of traditional chambers to work in will not be enough. There is so much more that BCL can do to assist each member of the Victorian Bar to achieve the practice each strives for. Foremost, the technology offering can be so much more than just telephones and internet connections, and we are committed to achieving a computing and communications offering where no member of the Bar will ever again have to suffer technology downtime, where no technological interruption will be suffered and where all of your computing, printing and research needs will be met, in chambers, on the road, and at home.

In addition to improving our offering BCL is committed to finding non-barrister revenue streams that can be used into the future to lighten the load on each of you and at the same time wind back the commercial risk, which inevitably follows from having all your eggs in one basket. Profit again exceeded \$6m (\$6.16/\$6.33 in 2014), allowing BCL to repay debt and keeping our balance sheet strong. However, we are now providing chambers for approximately 1300 members of the Bar and this means that our refurbishment program has to be increased, especially if we are to maintain the same standard of accommodation for all members. To this end, more than \$11.5m was invested into new refurbished floors and the refurbishment program has gained momentum with several floors across all owned buildings being included. Upgrading and maintaining the quality of chambers is and continues to be a major focus for BCL as it strives to better serve each of its clients.

The development of the West Extension, Isaacs Chambers Level 12, and Levels 13 and 15 at Castan Chambers has added more than 140 high quality chambers to the portfolio. The addition of these chambers has provided opportunity for all members of the Victorian Bar. Particularly pleasing is the fact that more than 65 per cent of new Readers in 2015 chose to find chambers with BCL. In total BCL welcomed more than 100 new and returning barristers, up 15 per cent from 2014. BCL is driven to meet your demand for suitable chambers, including the need to accommodate those who do not want traditional chambers but who simply want a working hub, with access to conference rooms. BCL is committed to fostering collegiality, because it is better for barristers and, most importantly, improves the service delivery to the people of Victoria. We can do this by

providing "chambers" of choice, where barristers are satisfied that the value proposition that BCL offers is worth paying for.

BCL today is a large and complex organisation that could readily take its place within the ASX 200 if listed, with net assets exceeding \$150m. Each member of the Bar is entitled to the assurance that BCL is committed to excellence in corporate governance. To that end, I instigated a governance review in early 2014, with a request to Herbert Smith Freehills that they critically evaluate BCL's governance practices. Following HSF's review, PwC was engaged to benchmark BCL's governance practices against not dissimilar entities. In November 2014 the board unanimously adopted each of PwC's recommendations for the pursuit of excellence in corporate governance. This resulted in the engagement of Egon Zehnder to conduct a whole of board assessment, identifying the strengths and weaknesses of the board as a whole. Thereafter, our shareholder, on the recommendation of the Nominations and Remuneration sub-committee of the board (now more aptly titled the People and Culture Sub-Committee) appointed Ms Penny Neskovcin, Ms McGrath and Ms Williams to the board. We are truly fortunate to have attracted to our board persons of such high calibre in the case of Ms McGrath and Ms Williams and outstanding commercial experience.

I thank each of the members of the board for their selfless support and courage in committing BCL to pursue this transformational change. It is a change that will better ensure the rich legacy left in our care by our forebears will be wisely developed and built upon to provide a home, not only to our Bar, but for the rule of law in Victoria for decades to come. I would especially like to thank Ms Kate Anderson and Mr Scott Stuckey for their generous contribution to BCL over the seven-plus years each of them served on the board. Their contributions have left BCL a much improved enterprise and I thank them for their sage counsel and their support.

I also thank each of my fellow directors: Jacob (Jack) Fajgenbaum QC (Deputy Chairman), David O'Callaghan QC, Adrian Finanzio SC, Dan Crennan, Penelope Neskovcin, Catherine Button, Rebecca McGrath and Alice Williams. Each of them is tireless in their efforts on behalf of BCL. I am most grateful for their wisdom and advice. The whole Bar benefits from their service.

Finally, BCL today has developed a small but powerful team of employees. 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. In particular I thank Mr Gary Brinkworth for his patient and energetic leadership. No task is too small for Gary, and in a very short space of time he has left an indelible imprint on BCL, leading the whole staff creatively, with agility, reliably and safely.

#### Michael D Wyles QC GAICD

Chairman



#### The Essoign Club Limited Report

ACN 005 785 937

The Essoign Club ("the Club") has for many years seen itself as "the social heart of the Bar". To perform this role it provides core venue and hospitality services in a manner and style intended to foster collegiality, including conducting its own social functions (on an approximately quarterly basis), which are aimed to appeal to different member interests.

The Club offers membership to all at the Bar and has enjoyed the support of the Victorian Bar Inc. Membership subscriptions are modest. The Club has endeavoured to conduct its operations at a small profit sufficient to cover replacements and necessary upgrades so that members benefit.

In recent years the Club has expanded its external catering. External catering is commercially but competitively priced and has enabled the Club to repay debt and establish reserves against lean years which have been the historical norm for the Club. This year principally due to continued catering growth the Club expects to make a substantial profit. The Club has accordingly been able to:

- > Replace commercial ovens;
- Hire a breakfast chef to improve breakfast service (a growing area of patronage);
- > Hold prices steady. Coffee has remained stable at \$3.00 when all surrounding venues are at \$3.50 or more; and

> Look to refurbish the Bar area as well as (with the support of BCL and the Victorian Bar Inc.) construct a balcony over part of the William Street frontage.

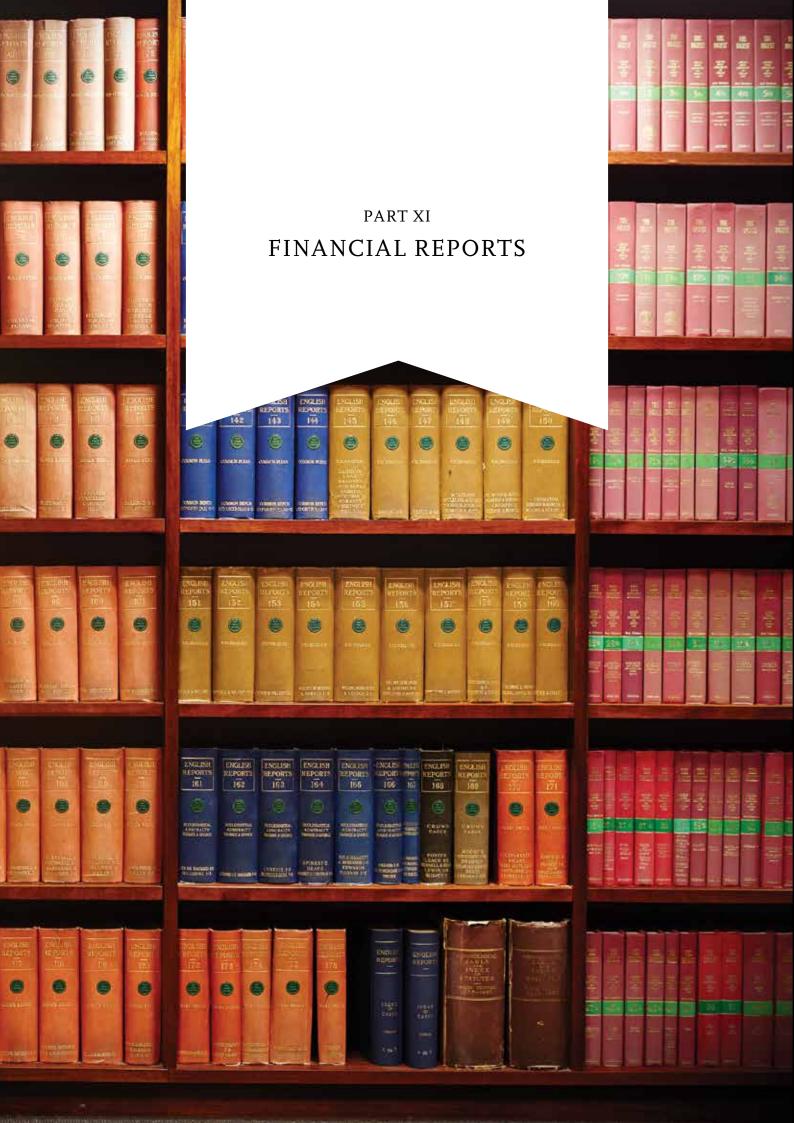
While a significant aspect of this year's profit is good management and improving patronage, these and the notable catering success could not have bene achieved without the experienced and respected Club Manager, Nicholas Kalogeropoulos, and his staff. The Essoign Board is, however, very conscious that catering income in particular is fickle. Even excellent food and service can be replaced at short notice because the customer "wants something different" and Club services are subject to increasing competition.

The Club is looking to increase its use of local and sustainable produce without increasing prices and increase the number and variety of events promoted by the Club itself to foster member collegiality in 2015/16.

The Club would not function without three groups: Nicholas and his staff, who provide the food, drink and service that makes the club work; the Club's Board, which provides overall direction and policy; and most importantly the members who continue to use and enjoy the club.

#### **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 2015, 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 55 to 71.

## **Deloitte**. Deloitte Touche Tohmatsu

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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 2015 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 Tohnadsu

DELOITTE TOUCHE TOHNATSU

Alison Brown Alison Brown

Partner, Chartered Accountants Melbourne, 9 October 2015

#### Officers' declaration

The Officers have determined that the Association is not a reporting entity because in the opinion of the Officers there are unlikely to exist users of the financial report who are unable to command the preparation of reports tailored so as to satisfy specifically all of their information needs. Accordingly this special purpose financial report has been prepared to satisfy the Officers' reporting requirements under the Victorian Bar Inc.'s Constitution and the Associations Incorporation Reform Act 2012.

The Officers of the Association declare that:

- 1. The financial statements and notes thereto, as set out on pages 56 to 71:
  - a. Comply with accounting standards, the Associations Incorporation Reform Act 2012 and the reporting requirements under the Victorian Bar's Constitution; and
  - b. Give a true and fair view of the financial position as at 30 June 2015 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,

James WS Peters QC

Officer

Melbourne, 9 October 2015

Jennifer Batrouney QC

Officer

Melbourne, 9 October 2015

## Statement of profit or loss and other comprehensive income for the year ended 30 June 2015

		Consolidated		Paren	t
	Note	2015 \$	2014 \$	2015 \$	2014 \$
Continuing operations			,		
Revenue	4	34,348,194	31,872,059	5,172,329	4,969,707
Employee benefits expense		(3,565,394)	(3,033,003)	(1,760,656)	(1,578,631)
Depreciation and amortisation expense	5	(4,517,664)	(3,932,331)	(64,652)	(58,772)
Finance expense	5	(3,270,428)	(2,836,307)	-	-
Rent & fitout expenses		(6,628,811)	(6,325,378)	(889,200)	(867,286)
Utilities expense		(990,817)	(1,165,893)	-	-
Administration expenses		(9,120,503)	(7,924,010)	(2,370,197)	(2,161,098)
Loss on disposal of assets	5	-	(25,903)	-	-
Surplus before income tax expense		6,254,577	6,629,234	87,624	303,920
Income tax (expense)/benefit	6	(1,727,592)	(1,856,762)	205,922	111,856
Surplus for the year		4,526,985	4,772,472	293,546	415,776
Other comprehensive income					
Items that will not be reclassified subsequently to profit or loss:					
Fair value gain on revaluation		26,683,121	-	-	-
Total comprehensive income for the year		31,210,106	4,772,472	293,546	415,776

#### Statement of financial position at 30 June 2015

		Consolida	Consolidated		Parent		
	Note	<b>2015</b> \$	2014 \$	2015 \$	2014 \$		
Current assets							
Cash and cash equivalents	7	8,268,886	10,705,516	5,850,353	4,852,030		
Trade and other receivables	8	2,719,559	986,549	642,590	2,310,060		
Other assets	9	164,175	209,221	2,795	6,207		
Total current assets		11,152,620	11,901,286	6,495,738	7,168,297		
Non-current assets							
Other financial assets	10	-	-	10,187,430	10,187,430		
Property, plant and equipment	11	195,310,561	156,209,116	156,317	158,848		
Other assets	9	411,954	411,954	-	-		
Deferred tax assets	15	-	-	68,203	89,154		
Total non-current assets		195,722,515	156,621,070	10,411,950	10,435,432		
Total assets		206,875,135	168,522,356	16,907,688	17,603,729		
Current liabilities		,					
Trade and other payables	12	14,015,874	8,895,480	3,553,253	2,649,605		
Borrowings	13	-	1,500,000	-	-		
Provisions	14	442,513	466,057	253,851	258,126		
Current tax liabilities	15	94,701	1,983,661	94,701	1,983,661		
Total current liabilities		14,553,088	12,845,198	3,901,805	4,891,392		
Non-current liabilities							
Borrowings	13	45,992,391	44,702,147	-	-		
Provisions	14	70,868	64,568	30,368	30,368		
Deferred tax liabilities	15	7,892,416	3,754,177	-	-		
Total non-current liabilities		53,955,675	48,520,892	30,368	30,368		
Total liabilities		68,508,763	61,366,090	3,932,173	4,921,760		
Net assets		138,366,372	107,156,266	12,975,515	12,681,969		
Equity							
Reserves		61,129,276	34,446,155	-	-		
Retained earnings		77,237,096	72,710,111	12,975,515	12,681,969		
Total equity		138,366,372	107,156,266	12,975,515	12,681,969		

#### Statement of changes in equity for the year ended 30 June 2015

	Capital profits reserve \$	Asset revaluation reserve	General reserve \$	Retained earnings \$	Total \$
Parent					
Balance at 1 July 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
Profit for the year		-	-	293,546	293,546
Other comprehensive income for the year	-	-	-	-	-
Total comprehensive income for the year	-	-	-	293,546	293,546
Balance at 30 June 2015	-	-	-	12,975,515	12,975,515
Consolidated					
Balance at 1 July 2013	-	34,446,155	-	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	-	34,446,155	-	72,710,111	107,156,266
Balance at 1 July 2014	-	34,446,155	-	72,710,111	107,156,266
Profit for the year	-	-	-	4,526,985	4,526,985
Other comprehensive income for the year – gain on revaluation of property	-	26,683,121	-	-	26,683,121
Total comprehensive income for the year	-	26,683,121	-	4,526,985	31,210,106
Balance at 30 June 2015	-	61,129,276	-	77,237,096	138,366,372

#### Statement of cash flows for the year ended 30 June 2015

	<u> </u>	Consolida	ted	Pare	nt
	Note	2015 \$	2014 \$	2015 \$	2014 \$
Cash flows from operating activities					
Receipts from members and customers		35,652,919	31,028,540	4,665,409	4,375,589
LSB reimbursements and contributions		707,138	671,455	707,138	671,455
Interest received		198,112	247,830	141,275	126,551
Payments to suppliers and employees		(19,100,186)	(18,602,183)	(4,453,378)	(4,634,297)
Finance expenses paid		(3,270,428)	(2,836,307)	-	-
Income tax paid		(3,845,192)	(6,145,333)	-	-
Net cash generated by operating activities	16(b)	10,342,363	4,364,002	1,060,444	539,298
Cash flows from investing activities					
Payments for property, plant and equipment		(12,569,237)	(21,741,550)	(62,121)	(53,351)
Net cash used in investing activities		(12,569,237)	(21,741,550)	(62,121)	(53,351)
Cash flows from financing activities					
(Repayment)/Draw-down of borrowings		(209,756)	16,202,147	-	-
Net cash (used in)/generated by financing activities		(209,756)	16,202,147	-	-
Net (decrease)/increase in cash and cash equivalents		(2,436,630)	(1,175,401)	998,323	485,947
Cash and cash equivalents at the beginning of the year		10,705,516	11,880,917	4,852,030	4,366,083
Cash and cash equivalents at the end of the year	16(a)	8,268,886	10,705,516	5,850,353	4,852,030

#### 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.I New and revised AASBs affecting amounts reported and/or disclosures in the financial statements In the current year, the Group has applied a number of amendments to AASBs and a new Interpretation issued by the Australian Accounting Standards Board (AASB) that are mandatorily effective for an accounting period that begins on or after 1 July 2014, and therefore relevant for the current year end.

#### Standards affecting presentation and disclosure

AASB 2012-3 'Amendments to Australian Accounting Standards - Offsetting Financial Assets and Financial Liabilities' The amendments to AASB 132 clarify the requirements relating to the offset of financial assets and financial liabilities. Specifically, the amendments clarify the meaning of 'currently has a legally enforceable right of set-off' and simultaneous realisation and settlement'.

AASB 2014-1 'Amendments to Australian Accounting Standards' (Part A: Annual Improvements 2010–2012 and 2011–2013 Cycles) The Annual Improvements 2010-2012 has made number of amendments to various AASBs, which are summarised below.

The amendments to AASB 3 clarify that contingent consideration that is classified as an asset or a liability should be measured at fair value at each reporting date, irrespective of whether the contingent consideration is a financial instrument within the scope of AASB 9 or AASB 139 or a non-financial asset or liability. Changes in fair value (other than measurement period adjustments) should be recognised in profit and loss. The amendments to AASB 3 are effective for business combinations for which the acquisition date is on or after 1 July 2014.

The amendments to the basis for conclusions of AASB 13 clarify that the issue of AASB 13 and consequential amendments to AASB 139 and AASB 9 did not remove the ability to measure short-term receivables and payables with no stated interest rate at their invoice amounts without discounting, if the effect of discounting is immaterial.

The amendments to AASB 116 and AASB 138 remove perceived inconsistencies in the accounting for accumulated depreciation/amortisation when an item of property, plant and equipment or an intangible asset is revalued. The amended standards clarify that the gross carrying amount is adjusted in a manner consistent with the revaluation of the carrying amount of the asset and that accumulated depreciation/amortisation is the difference between the gross carrying amount and the carrying amount after taking into account accumulated impairment losses.

The Annual Improvements 2011-2013 has made number of amendments to various AASBs, which are summarised below.

The amendments to AASB 140 clarify that AASB 140 and AASB 3 are not mutually exclusive and application of both standards may be required. Consequently, an entity acquiring investment property must determine whether:

the property meets the definition of investment property in terms of AASB 140; and the transaction meets the definition of a business combination under AASB 3.

The application of these amendments does not have any material impact on the disclosures or on the amounts recognised in the Group's consolidated financial statements.

AASB 1031 'Materiality', AASB 2013-9 'Amendments to Australian Accounting Standards' - Conceptual Framework, Materiality and Financial Instruments' (Part B: Materiality), AASB 2014-1 'Amendments to Australian Accounting Standards' (Part C: Materiality)

The revised AASB 1031 is an interim standard that cross-references to other Standards and the 'Framework for the Preparation and Presentation of Financial Statements' (issued December 2013) that contain guidance on materiality. The AASB is progressively removing references to AASB 1031 in all Standards and Interpretations. Once all of these references have been removed, AASB 1031 will be withdrawn. The adoption of AASB 1031, AASB 2013-9 (Part B) and AASB 2014-1 (Part C) does not have any material impact on the disclosures or the amounts recognised in the Company's financial statements.

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

#### 2.2 Standards and Interpretations in issue not yet adopted

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

Standard/Interpretation	Effective for annual reporting periods beginning on or after	Expected to be initially applied in the financial year ending
AASB 15 'Revenue from Contracts with Customers' and AASB 2014-5 'Amendments to Australian Accounting Standards arising from AASB 15'	1 January 2018	30 June 2019
AASB 2014-4 'Amendments to Australian Accounting Standards - Clarification of Acceptable Methods of Depreciation and Amortisation'	1 January 2016	30 June 2017
AASB 2015-2 'Amendments to Australian Accounting Standards - Disclosure Initiative: Amendments to AASB 101'	1 January 2016	30 June 2017
AASB 2015-3 'Amendments to Australian Accounting Standards arising from the Withdrawal of AASB 1031 Materiality'	1 July 2015	30 June 2016

#### 3. Significant accounting policies

#### Financial reporting framework

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

#### Statement of compliance

The financial report has been prepared in accordance with the Associations Incorporation Reform Act 2012, the Victorian Bar Inc Constitution, the basis of accounting specified by all Accounting Standards and Interpretations, and the disclosure requirements of Accounting Standards AASB 101 'Presentation of Financial Statements', AASB 107 'Statements of Cash Flow', AASB 108 Accounting Policies, Changes in Accounting Estimates and Errors, AASB 1031 'Materiality' 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 tax-consolidated group under Australian taxation
law. The Victorian Bar Inc. 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 Inc (as head entity in the tax-consolidation group).

#### (f) Property, plant and equipment

Each class of property, plant and equipment is carried at cost or fair value less, where applicable, any accumulated depreciation or impairment losses. Freehold land and buildings are considered to be property accounted for under AASB 116 'Property, Plant and Equipment' as opposed to investment property accounted for under

AASB 140 'Investment Property' because they are held to provide a service to members of the Victorian Bar Inc. rather than for investment purposes for profit. Accordingly they are shown at their fair value (being the amount for which an asset could be exchanged between knowledgeable willing parties in an arm's length transaction), based on periodic, biennial valuations by external independent valuers, less subsequent depreciation for buildings.

Any accumulated depreciation at the date of revaluation is eliminated against the gross carrying amount of the asset and the net amount is restated to the revalued amount of the asset. Increases in the carrying amount arising on revaluation of land and buildings are credited to the asset revaluation reserve in equity. Decreases that offset previous increases of the same asset are charged against the asset revaluation reserve directly in equity; all other decreases are charged to the Statement of Comprehensive Income.

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

The carrying amount of plant and equipment is reviewed annually by the Association's Officers to ensure it is not in excess of the recoverable amount from these assets. The recoverable amount is assessed on the basis of the expected net cash.

#### (g) Depreciation

The depreciable amount of all property, plant and equipment including buildings and capitalised leased assets, but excluding freehold land, is depreciated on a straight-line basis over their useful lives to the economic entity commencing from the time the asset is held ready for use. Leasehold improvements are depreciated over the shorter of either the unexpired period of the lease or the estimated useful lives of the improvements.

#### Classes of Plant and Equipment

	Depreciation Rate
Buildings	2%
Leasehold Improvements	4-10%
Plant and Equipment	5-33%

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

An asset's carrying amount is written down immediately to its recoverable amount if the asset's carrying amount is greater than its estimated recoverable amount. Gains and losses on disposals are determined by comparing proceeds with the carrying amount.

These gains and losses are included in the income statement. When revalued assets are sold, amounts included in the revaluation reserve relating to that asset are transferred to retained earnings.

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

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

#### (h) 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.

#### (i) Leased assets

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

#### Company as lessee

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

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

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

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

#### (j) 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.

#### (k) 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).

#### (l) 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.

#### (m) Goods and services tax

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

- 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.

#### (n) 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.

#### (o) Comparative amounts

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

#### (p) Working capital management

As at 30 June 2015 the consolidated entity has an excess of current liabilities over current assets of \$3,400,468 (2014: \$943,918) due to deferred revenue of prepaid rent and subscriptions of \$6,813,919 (2014: \$5,772,161). 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.

4. Revenue	Consolida	nted	Parent	
	2015 \$	2014 \$	2015 \$	2014
Revenue from operating activities				
Subscriptions	3,372,916	3,326,452	3,372,916	3,326,452
Rent and Joinery Revenue	27,635,859	25,231,465	-	-
Readers Course, Mediation & Seminar Fees	758,382	697,205	758,382	703,914
Other Revenue	1,675,787	1,697,652	192,618	141,335
	33,442,944	30,952,774	4,323,916	4,171,701
Revenue from non-operating activities				
Interest Revenue	198,112	247,830	141,275	126,551
Legal Service Board and Commissioner, Contributions and Reimbursements	707,138	671,455	707,138	671,455
	905,250	919,285	848,413	798,006
Total Revenue	34,348,194	31,872,059	5,172,329	4,969,707
Loss on disposal of property, plant and equipment	-	25,903	-	-
Finance cost				
Interest on Mortgage	3,270,428	2,836,307		
	3,270,428	2,836,307	-	-
Depreciation of non-current assets			-	-
Buildings	2,542,004	1,989,765	-	-
Plant, equipment and improvements	1,975,661	1,942,565	64,652	58,772
	4,517,664	3,932,331	64,652	58,772
Bad and doubtful debts				
Increase/(decrease) in provision		37,587	-	-
increase/ (decrease/ in provision				
Minimum lease payments on operating leases	7,287,919	6,325,378	904,788	892,622
· · · · · · · · · · · · · · · · · · ·	7,287,919	6,325,378	904,788	892,622
Minimum lease payments on operating leases	<b>7,287,919</b> 76,000	<b>6,325,378</b> 74,500	<b>904,788</b> 30,000	<b>892,622</b> 29,300
Minimum lease payments on operating leases  Auditors remuneration			·	·

The auditor is Deloitte Touche Tohmatsu.

6. Income tax	Consolida	ated	Parent	
(a) Components of income tax (expense)/benefit Tax expenses comprises:	2015 \$	2014 \$	2015 \$	2014 \$
Current tax (expense)/benefit	(1,956,836)	(1,983,661)	226,873	166,311
Deferred tax (expense)/benefit relating to timing differences	229,244	126,899	(20,951)	(54,455)
Solution tax (o.pp. 150), solution to data (o.pp. 150)	(1,727,592)	(1,856,762)	205,922	111,856
(b) Income tax (expense)/benefit calculated				
The prima facie tax (expense)/benefit on pre-tax accounting su reconciles to the income tax (expense)/benefit in the financial s				
Operating surplus from operations	6,254,577	6,629,234	87,624	303,920
Income tax (expense)/benefit calculated at the corporate tax rate in each year, 30%	(1,876,373)	(1,988,770)	(26,287)	(91,176)
Non-assessable mutual income	1,045,622	1,036,498	1,045,622	1,036,498
Non-deductible mutual & other expenses	2,558,343	(904,490)	(813,413)	(833,466)
Income tax (expense)/benefit	(1,727,592)	(1,856,762)	205,922	111,856
7. Cash and cash equivalents				
Cash on Hand	250	250	-	-
Cash Deposits with Banks	5,464,992	8,083,111	3,046,709	2,229,875
Short-term Money Market Deposits	2,803,644	2,622,155	2,803,644	2,622,155
	8,268,886	10,705,516	5,850,353	4,852,030
8. Trade and other receivables				
Trade receivables	852,862	854,168	18,796	123,388
Provision for doubtful debts	(45,583)	-	-	-
	807,279	854,168	18,796	123,388
Receivable from Barristers' Chambers Limited for income tax	-	-	510,879	2,172,966
Other receivables	1,912,280	132,381	112,915	13,706
	2,719,559	986,549	642,590	2,310,060
9. Other assets				
Current				
Prepayments	164,175	209,221	2,795	6,207
Non-current				
Bank guarantee deposit	411,954	411,954	-	-
10. Other financial assets				
Investment in subsidiaries	-	-	10,187,430	10,187,430

Barristers' Chambers Limited is a public company incorporated in Australia and operating in Australia. It is wholly owned by the Association. The Melbourne Bar Pty Ltd is a private company incorporated in Australia. It has not operated. It has acted as a nominee of the Victorian Bar Inc in being the registered owner of shares in Barristers Chambers Limited and entering into license agreements with approved clerks. The consolidated group is made up of the parent entity The Victorian Bar Inc and subsidiary companies Barristers' Chambers Limited and the Melbourne Bar Pty Ltd.

11.	Property, plant and equipment		Consoli	dated	Par	ent
			2015 \$	2014 \$	2015 \$	2014 \$
Free	hold land & building	,		'	,	
Land	d at valuation (June 2015)		64,300,000	31,500,000	-	-
Build	ling at valuation (June 2015)		110,200,000	86,875,000	-	-
Less	: Accumulated depreciation		-	(2,171,875)	-	-
Tota	I freehold land & building		174,500,000	116,203,125	-	-
Plan	rt, Equipment & Refurbishments					
In Fr	eehold Buildings at Cost		24,182,943	23,582,531	-	-
Less	: Accumulated Depreciation		(13,897,772)	(12,992,802)	-	-
			10,285,171	10,589,729	-	-
In Le	easehold Premises at Cost		16,298,852	16,048,784	1,286,083	1,225,256
Less	: Accumulated Depreciation		(9,261,536)	(8,197,122)	(1,143,387)	(1,085,012)
			7,037,316	7,851,662	142,696	140,244
Art \	Works at Cost		134,862	133,441	119,263	117,842
Less	: Accumulated Depreciation		(105,642)	(99,238)	(105,642)	(99,238)
			29,220	34,203	13,621	18,604
Wor	k in progress at Cost		3,458,854	21,530,397	-	-
Tota	l plant and equipment		20,810,561	40,005,991	156,317	158,848
Tota	l Property, Plant, Equipment & Refurbishmer	t	195,310,561	156,209,116	156,317	158,848
_	Parent		1			
		Freehold land and building \$	Plant and equipment at cost	Art Works	Work in Progress	Total \$
-	Balance at the beginning of the year	-	138,799	25,470	-	164,269
4	Additions	-	53,351	-	-	53,351
2014	Depreciation expenses	-	(51,906)	(6,866)	-	(58,772)
		-	140,244	18,604	-	158,848
	Balance at the beginning of the year	-	140,244	18,604	-	158,848
2	Additions	-	60,826	1,421	-	62,248
2015	Depreciation expenses		(58,375)	(6,404)	-	(64,779)
		-	142,696	13,621	-	156,317
	Consolidated					
	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	-	-	-	-	-
		114 202 125	18,441,391	34,203	21,530,397	156,209,116
		116,203,125				
	Balance at the beginning of the year	116,203,125	18,441,391	34,203	21,530,397	156,209,116
	Balance at the beginning of the year Additions		18,441,391 295,654	34,203 1,421	21,530,397 12,272,162	
						156,209,116 12,569,237 -
2015	Additions	116,203,125 -	295,654		12,272,162	
2015	Additions Transfers +/(-)	116,203,125 -	295,654		12,272,162	
2015	Additions  Transfers +/(-)  Disposal/asset written off	116,203,125 - 29,788,879 -	295,654 554,826 -	1,421 - -	12,272,162 (30,343,705)	12,569,237 - -

12. Trade and other payables	Consc	Consolidated		Parent	
	2015	2014	2015	2014	
	\$	\$	\$	\$	
Current		·			
Deferred revenue	6,813,919	5,772,161	2,273,035	1,936,925	
Trade creditors and accruals	2,230,952	1,053,543	1,218,191	499,770	
Owing to subsidiary - Barristers Chambers Limited	-	-	-	88,855	
Related Party - The Essoign Club	-	124,055	62,027	124,055	
Other creditors	4,971,003	1,945,721	-	-	
	14,015,874	8,895,480	3,553,253	2,649,605	
13. Borrowings					
Current					
Bills - secured	-	1,500,000	-	-	
Non-current					
Bills - secured	45,992,391	44,702,147	-	-	
14. Provision					
Current Employee benefits	442,513	466,057	253,851	258,126	
Non-current	442,313	400,037	233,031	230,120	
Employee benefits	70,868	64,568	30,368	30,368	
Aggregate Employee entitlement liability	513,381	530,625	284,219	288,494	
Employee numbers				,	
Average number of full- or part-time employees during the financial year	35	31	20	17	
Number of employees at reporting date	35	31	21	17	
15. Tax assets and liabilities					
Current					
Income tax payable	94,701	1,983,661	94,701	1,983,661	
Non-current					
Deferred income tax assets	(68,975)	(89,926)	(68,203)	(89,154)	
Deferred income tax liability	7,961,391	3,844,103	-	-	
	7,892,416	3,754,177	(68,203)	(89,154)	

#### 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
(b) Reconciliation of surplus for the year to net cash flows from opera	ating activities			
Surplus for year after income tax benefit/(expense)	4,526,985	4,772,472	293,546	415,776
Depreciation & amortisation of non-current assets	4,517,664	3,932,331	64,652	58,772
Loss on disposal of assets	-	25,903	-	-
Changes in net assets and liabilities:				
Increase/(Decrease) in trade & other receivables and other assets	(1,687,964)	294,184	1,670,882	4,238,415
Deferred tax asset	(228,640)	(126,899)	20,951	4,453
Increase/(Decrease) in trade & other payables	(5,120,394)	(472,737)	(903,648)	(103,186)
Increase/(Decrease) in provisions	(17,244)	104,420	(4,275)	86,740
Current tax liability	1,888,960	(4,161,672)	1,888,960	(4,161,672)
	10,342,235	4,364,002	1,060,444	539,298

#### 17. Officers remuneration

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

#### 18. Capital and leasing commitments

Lease commitments				
a) Leasehold premises				
Non-cancellable operating leases contracted for but not capitalise	ed in the accounts			
Not longer than 1 year	8,185,806	6,420,130	656,195	902,834
Longer than 1 year and not longer than 5 years	29,766,528	22,214,830	2,827,633	3,820,090
Later than 5 years	9,419,305	6,770,818	-	-
	47,371,639	35,405,778	3,483,827	4,722,924
b) Office equipment				
Not longer than 1 year	19,050	20,955	19,050	20,955
Longer than 1 year and not longer than 5 years	29,683	53,606	29,683	53,606
Later than 5 years	-	-	-	-
	48,733	74,561	48,733	74,561
Capital expenditure commitments				
Commitments contracted for but not capitalised in the accounts				
Not longer than 1 year	-	7,917,609	-	-
	-	7,917,609	-	-

#### 19. Subsequent events

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

#### PART XII

## THE VICTORIAN BAR INCORPORATED DETAILED INCOME STATEMENT

Detailed Income Statement for the Year Ended 30 June 2015 (Unaudited)

	<i>.</i>		,
		2015 (unaudited)	2014 (unaudited)
	Notes	\$	\$
Revenue			
Subscriptions		3,372,916	3,326,452
Legal Services Board & Commissioner		707,138	671,455
Readers Course Fees		391,064	367,450
Mediation Fees		276,528	297,459
Interest		141,275	126,551
Conference & Seminar Fees		90,791	39,006
Bar Dinner & Other Functions Receipts		137,472	94,747
Bar News Advertising		6,617	12,841
Grant income		1,500	0
Other		47,028	33,746
Total Revenue		5,172,329	4,969,707
Expenses			
Employee benefits and expenses		1,764,858	1,578,631
Rent, Amortisation & Fit-out	3	916,766	867,299
Pro Bono Scheme expenses (primarily but not wholly LSB funded)	2	430,797	387,999
Australian Bar Association & Law Council of Australia		343,552	340,719
Bar Dinner & Other Functions		200,910	177,938
Conference and Seminar (including CPD)		143,057	164,656
Health & Well Being Programs		95,348	93,577
Computer System Software, Support & Website		116,752	85,879
Media Consultant & Marketing		90,196	83,048
Project Costs		58,319	81,300
Bar News Expenses		34,813	78,674
Books & Subscriptions		84,562	76,576
Rent Subsidy, Member Parental Leave		74,192	72,379
CPD (including readers course)		109,120	59,710
Depreciation		64,652	58,771
Catering for Meetings		61,911	56,626
Audit & Tax Compliance & Advice Fees		54,075	50,913
Contract Accounting and Bookkeeping		55,444	46,567
Printing & Stationery		48,395	44,442
Travel Expenses		77,712	26,804
Credit Card Fees		26,393	26,460
Photocopying		25,214	23,838

President's Honourarium	-	20,000
Other Admin (Each expense category under \$20,000 in aggregate)	207,667	162,982
TOTAL EXPENSES	5,084,705	4,665,787
SURPLUS FOR YEAR BEFORE INCOME TAX BENEFIT/(EXPENSE)	87,624	303,920
Income Tax Benefit/(Expense)	205,922	111,856
SURPLUS FOR YEAR	293,546	415,776

#### Notes to the Detailed Income Statement for the Year Ended 30 June 2015

ı. Accumulated Funds	2015 \$	2014 \$
Accumulated Funds at the beginning of the financial year	12,681,969	12,266,193
Surplus for the year	293,546	415,776
ACCUMULATED FUNDS AT THE END OF THE FINANCIAL YEAR	12,975,515	12,681,969

#### 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.

	707,141	671,455
Pro Bono Scheme	417,002	388,000
Library	55,002	54,000
Bar news	0	0
Complaints and Discipline	89,994	86,644
Regulation	145,143	142,811

#### 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.

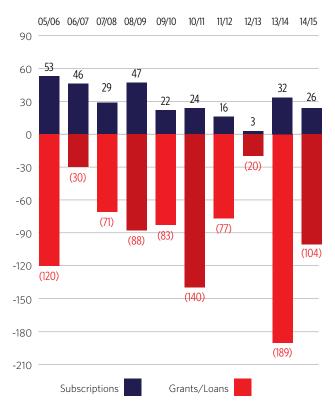


#### BARRISTERS' BENEVOLENT ASSOCIATION

#### Barristers' Benevolent Association Of Victoria Annual Report For The Year Ending 30 June 2015 (Unaudited)

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

#### 10 Year History of Subscriptions and Grants/Loans



During 2014-15, the Association made payments to eight members totalling \$103,600. Of this amount, \$27,700 were interest-free loans and \$75,900 were grants.

#### Amounts Held by Equity Trustees at Market Value at 30 June 2015

The market value of assets at 30 June 2015 with their rates of return is set out below:

	ASSET VALUE		ASSET	YIELD
	\$	%	\$	%
Equity Trustees Flagship Fund	798,854	39.4	27,237	7.8
Equity Trustees Wholesale Mortgage Income Fund	313,938	15.5	14,025	4.3
Equity Trustees PIMCO Wholesale Australian Bond Fund	370,841	18.3	28,864	5.6
Equity Trustees Cash Management Fund	542,888	26.8	8,993	1.8
	2,026,521		79,119	

#### Basis of Preparation of Comparative Financial Statement

The Comparative Financial Statement for the year ended 30 June 2015 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 2015

	2015 (unaudited)	2014 (unaudited)
	\$	\$
Capital Fund		
Opening balance at 1 July 2014	1,612,856	1,697,672
Receipts		
Donations received during the year	25,925	31,740
Loan repayments received	85,300	18,055
Imputation credits refund	-	-
Net Income Earned During the Year	79,119	56,923
	1,803,200	1,804,390
Payments		
Grants	75,900	44,662
Loans	27,700	144,300
Total payments to Members	103,600	188,962
	1,699,600	1,615,428
Capital movement within/between funds	(1,060)	(2,572)
Closing balance at 30 June 2015	1,698,540	1,612,856
Loans		
Opening Balance at 1 July 2014	370,266	250,021
Add new loans	27,700	144,300
Less loan repayments	(85,300)	(18,055)
Less loans converted to grant	(15,000)	-
Loans at 30 June 2015	297,666	370,266
TOTAL ASSETS AT 30 JUNE 2015	1,996,206	1,985,694
Amounts Held by Equity Trustees (At Cost) at 30 June 2015		
Equity Trustees Flagship Fund	465,692	466,752
Equity Trustees Wholesale Mortgage Income Fund	313,938	313,938
Equity Trustees PIMCO Wholesale Australian Bond Fund	376,021	376,021
Equity Trustees Cash Management Fund	542,889	456,145
BALANCE AT 30 JUNE 2015	1,698,540	1,612,856

#### James W S Peters QC and Jennifer J Batrouney QC

On behalf of the Committee of Management Victorian Bar Council

