

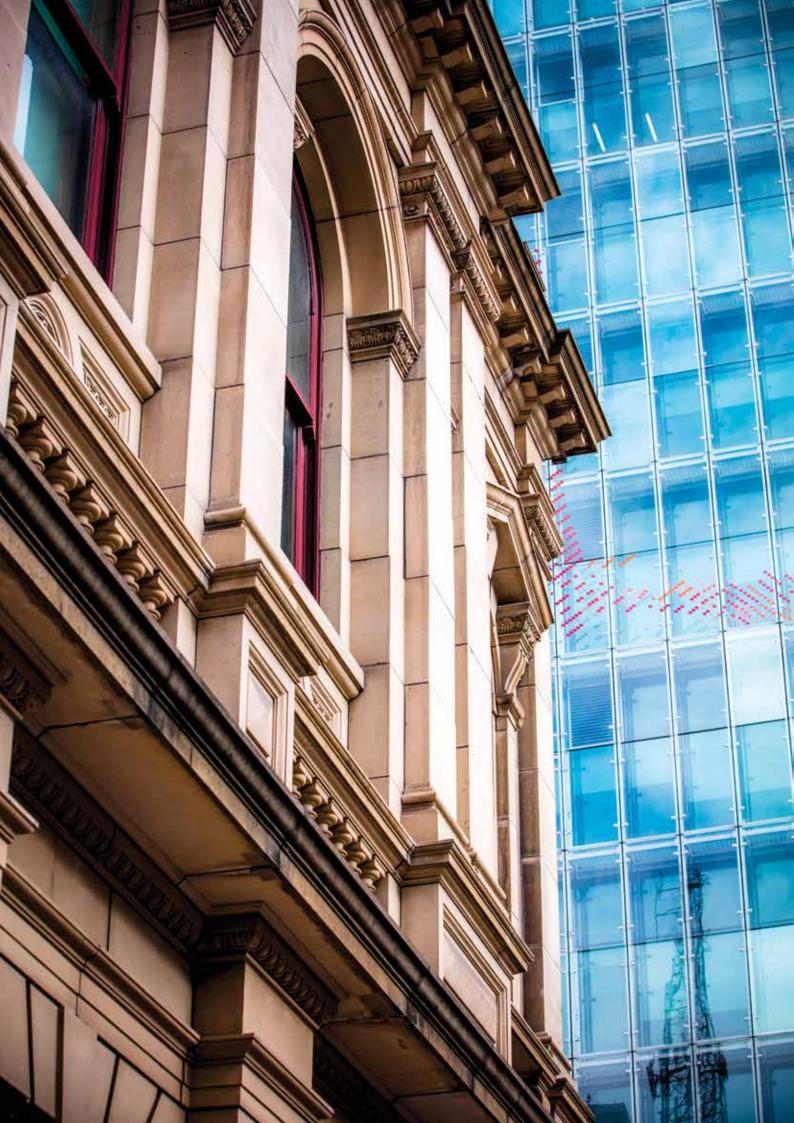




Annual Report of the Victorian Bar Incorporated for the year ended 30 June 2019

To be presented to the Annual General Meeting of the Victorian Bar Incorporated to be held 28 October 2019 in Owen Dixon Chambers East, William Street, Melbourne

THE VICTORIAN BAR INCORPORATED REGISTERED NO. A0034304S





PRESIDENT'S REPORT 2019

DR MATTHEW COLLINS AM OC



Independence, excellence, leadership, growth

In all of the work done by the Bar Council and the Victorian Bar staff in 2018–19, we have been guided by our vision for the Victorian Bar as stated in our strategic plan: 'independence, excellence, leadership, growth', and our purpose of ensuring that the Bar and its members thrive and continue to do so. Despite the challenging times that confront us, this has been a year in which we have much to be proud of.

In the course of the year, we substantially strengthened the governance of our college, including by the passage of a package of once-in-a-generation constitutional reforms. We have embarked upon an ambitious program aimed at improving work opportunities for all barristers by understanding the impediments to greater levels of direct briefing from corporate counsel and better explaining our value as trusted legal advisers. We have broadened our focus on the importance of diversity and inclusion to concentrate on groups who have been neglected for too long, with the aim of ensuring that opportunities are available to everyone equally based solely on merit. We received the results of our landmark Wellbeing at the Victorian Bar survey, and have sought to honour the learnings from that study by introducing new health and wellbeing measures, recognising that while life at the Bar is good for most, it can bring with it stresses and isolation that we can do more to counter. We have continued to improve the way in which we facilitate access to justice for the most disadvantaged in our society through the provision of the highest quality pro bono legal representation. And we have been active externally, contributing to many debates about law reform, engaging with stakeholders, participating in the work of the peak national bodies representing the legal profession, and raising the profile of the Victorian Bar in the media and the broader community.

This year we have faced the serious challenge of responding to revelations of grave misconduct by one of our members, currently being examined in the Royal Commission into the Management of Police Informants. By fully co-operating with the Royal Commission and engaging openly and constructively in the public debate about what occurred and why it was aberrant, I believe that we have promoted the values that make our Bar indispensable to the administration of justice.

We welcomed this year our new Chief Executive Officer, Katherine Lorenz, with whom Bar Council and I have enjoyed a close working relationship. Katherine is doing an outstanding job, leading the talented management team at the Bar and implementing the Bar Council's strategic vision. Her report follows mine and covers, among other things, the Bar's strong financial results for the 2018–19 financial year.

Governance review and constitutional changes

In 2016, the Bar Council formed a governance review working group, chaired by Wendy Harris QC. The working group made a large number of recommendations to strengthen the governance of the Bar. Successive Bar Councils in 2016, 2017 and 2018 have systematically implemented the recommendations of that working group. This year, we tackled the hardest recommendation of all—constitutional reform.

In the second half of 2018, a working group, led by Simon Marks QC, consulted members about possible changes to the Constitution. In 2019, I personally chaired the governance working group, which comprised Gabi Crafti, Kathleen Foley, Nawaar Hassan, Nicole Papaleo, Andrew Bell and Katherine Brazenor.

Two town hall-style meetings were held to debate proposed reforms on 21 August 2018 and 30 May 2019. A special general meeting to vote on a package of proposed reforms was then held on 12 June 2019.

At the special general meeting, fourteen out of sixteen packages of reforms passed, all supported by strong majorities of 85 per cent and above. In total, more than 100 provisions of the Constitution were amended or added.

The reforms make significant changes to the Constitution, including but not limited to:

- the purposes clause of the Constitution has been modernised;
- > the Bar has acquired greater flexibility in relation to the conduct of investigations into member conduct;
- we have implemented a 'count-back' system to fill casual vacancies on the Bar Council and a mechanism for resolving ties in the annual election;
- the Audit, Finance & Risk Committee, which is central to good governance and the setting of the budget, has been given Constitutional recognition; and
- the provisions of the Constitution governing the powers and operations of the Ethics and Counsel Committees have been improved.

The two special resolutions which did not reach the 75 per cent threshold required for their passage concerned the introduction of a biennial election for Bar Council and the introduction of a two-year term limit for the President; and an amendment in relation to the disciplining of members for certain conduct.

I thank the Bar Council and all those involved in the long history of these reforms. It was particularly gratifying to see the extent to which the reforms engaged the membership of the Bar. At the special general meeting, some terrific advocacy, both for and against particular special resolutions, was on display, as was the collegiality that characterises our Bar.

Corporate counsel engagement project

The State of the Bar report that we commissioned in 2018 identified, among other things, the changing composition of our work as counsel. In the past decade or so, the work we do on briefs from major law firms and corporate clients has declined as a proportion of our total work, as has the percentage of our time spent on preparatory and advice work.

In order to understand the factors underlying some of these changes, and to enhance professional opportunities for members, the Bar Council formed a corporate counsel engagement working group, chaired by Wendy Harris QC. That group has been very active in the past 12 months, meeting with and listening to many corporate counsel around Australia, and developing and launching a pilot program directed at enabling corporate counsel to understand the value that barristers can provide, and barristers to understand the expectations that corporate counsel have of their legal advisers.

There is more to be done in raising the awareness of our distinctive competencies among both clients and the broader community, and in ensuring that our members understand the opportunities for work from non-traditional sources. The corporate counsel engagement program is our most concerted effort to date in this area, and I congratulate Wendy and her team for their work and commitment.

Diversity and inclusion

In order to achieve our potential as a Bar, I believe that we must identify and remove all barriers to members achieving their potential, whatever their backgrounds, and strive to become a Bar whose composition truly reflects that of the community we exist to serve. This has been a key focus during my tenure as President, but it is not a novel idea.

Successive chairmen (as they were then called) and presidents of our Bar, motivated by what might be called conservative Bar principles—particularly equality of access to justice and excellence in legal practice—have championed diversity and inclusion. Many members have volunteered their time on committees and other groups to recommend and implement practical measures.

The State of the Victorian Bar report (March 2018) documented a Bar that is increasingly diverse in its composition. Fifteen per cent of Victorian Bar members were born overseas (from over 30 countries), with 18 languages other than English spoken at home. As at 30 June 2019, women comprised 30.2% of Victorian practising barristers (compared to less than 6% in 1980), as well as 43% of barristers under 10 years' call, with more women barristers moving to positions of seniority and leadership.

More Victorian barristers have adopted the Law Council of Australia's gender equitable briefing policy than in the rest of the nation combined—currently 62% of all practising counsel Australia-wide who have adopted the policy are members of our Bar.

In 2018–19, the Bar established three new working groups, to broaden the conversation about diversity from questions of gender equality, to other attributes affecting members of the Victorian Bar and the legal profession generally: LGBTI, disability and accessibility; and race, ethnicity and cultural diversity. All three groups have hit the ground running with exciting ideas and initiatives.

An example of a practical measure that has already emerged from the new groups is the online resource hub launched by the Bar's LGBTI working group in October 2018 to assist lawyers in tackling discrimination that may be faced by lesbian, gay, bisexual and trans people, and people with intersex variations, in the workplace. The resource provides all members of the profession with practical examples, information and strategies to support their practices and their colleagues. There are examples of comments and behaviours, excuses we make, and options for dealing with everyday discrimination when it is witnessed or experienced.

Health and wellbeing

In recent years, health and wellbeing has rightly become a priority concern for the Victorian Bar and the wider legal profession. It is critical that, as barristers, we develop strategies in our day-to-day lives to support emotional wellbeing and resilience, that we seek help at times of distress, and that we look out for one another.

The Bar has for many years funded 24/7 crisis counselling for members and their families. More recently, further resources have been developed to support and educate members on health and wellbeing strategies.

This year, three major reports were published: The *Wellbeing* at the Victorian Bar report (October 2018); the International Bar Association's report on bullying and sexual harassment in the legal profession, *Us Too?* (May 2019); and empirical research conducted by the Judicial College of Victoria's Carly Shrever, measuring judicial stress and wellbeing in Australia, published in the Journal of Judicial Administration (May 2019).

The Wellbeing at the Victorian Bar report was based on survey responses from 40% of our membership. Job satisfaction and workplace wellbeing measures among respondents ranked well above benchmarks from comparable surveys conducted elsewhere in Australia and the United Kingdom, with 73% of respondents reporting they were satisfied with the overall quality of their working lives, 90% reporting that they get a sense of achievement from doing their jobs, and 79% saying

that taking everything into consideration, they are satisfied with their job as a whole.

The report also highlighted areas of concern, however. Some 68% of respondents, for example, reported that they experience stress at work, and only 33% said they get the sleep they need each night.

Disturbingly, one third of women barristers and one-in-six male barristers reported experiencing discrimination—most commonly gender, but also age, race and other forms. 60% of those identified as being responsible for the incidents of discrimination were external to the Bar. 59% of respondents said they had experienced judicial bullying in the course of their careers.

The Bar responded quickly to the results of the *Wellbeing at the Victorian Bar* report by introducing a judicial conduct policy (an Australian first) and developing a judicial conduct protocol with the Supreme Court, which was launched in October 2018 by Chief Justice Anne Ferguson and myself. Soon afterwards, corresponding protocols were signed with the heads of the County Court, the Magistrates' Court and the Children's Court of Victoria. A federal protocol, based upon the Victorian initiative, is also now in place between the Australian Bar Association and the Federal, Federal Circuit and Family Courts of Australia.

The protocols provide avenues for raising directly with heads of jurisdiction, in a relatively informal manner, concerns about judicial conduct in Victorian courts. The judicial conduct policy and protocols are intended to work alongside the more formal complaints mechanism available via the Judicial Commission of Victoria.

I am grateful to the heads of all Victorian jurisdictions for their willingness to engage in an open, frank and constructive dialogue with the Bar about these difficult issues.

On 1 July 2018, the Bar introduced internal conduct policies against discrimination, bullying and sexual harassment, together with new procedures for either reporting an occurrence or making a complaint. Victorian Bar conciliators were appointed and trained in the conciliation of complaints made under these policies. They may also be contacted for advice by members who are experiencing unacceptable conduct. The new reporting, complaint and support structures add to the existing option of making a complaint to the Victorian Legal Services Commissioner.

Access to justice and pro bono work

A comprehensive review of the Victorian Bar's pro bono schemes commenced in 2018, with the aim of consolidating and streamlining programs for a more effective and efficient referral system.



ABOVE: Chief Justice Anne Ferguson and Dr Matt Collins AM QC at the Health & Wellbeing survey report launch

In November 2019, the Bar launches a new pro bono portal, which has been more than a year in the making, which will provide for courts to make referrals directly to our members, and for our members to have easier access to pro bono work.

In preparation for the launch of the new portal, in the past year the Bar has signed agreements with the County Court, the Coroners Court and the Supreme Court to formalise referrals for assistance by the courts where a party is unrepresented and lacks financial or other capacity to gain legal assistance, and where pro bono assistance would promote the due administration of justice. The agreements also provide for amicus curiae assistance in appropriate cases.

The new agreements address the nature and scope of requests for assistance in pro bono matters, so members can be assured that the matter warrants the provision of free legal advice or representation, and as to the court's expectations as to the extent of the involvement of counsel.

The new portal and protocols will improve the quality of experience for members in providing pro bono services which will, in turn, improve the outcome for clients and the courts.

The Bar's pro bono scheme, administered by Justice Connect, in which requests are made by members of the public rather than the courts, is separate to and not affected by these changes.

The Bar's pro bono awards, held earlier this year, highlighted the breadth of the work undertaken by our members, the benefit to the interests of justice and the profound benefit to the community (see p.32).

Royal Commission into the Management of Police Informants

An important part of the work of Bar Council this year has been managing the Bar's engagement with the Royal Commission into the Management of Police Informants.

In December 2018, the Victorian government announced that there would be a Royal Commission to examine the conduct of

a criminal law barrister who had been registered as an informer by Victoria Police and who had, while practising at our Bar between 1998 and 2009, provided information to police about clients that may have led to a large number of convictions—including information provided in circumstances involving appalling breaches of her ethical obligations.

The Victorian Bar welcomed the calling of the Royal Commission, on the basis that it is critical for the maintenance of confidence in the administration of justice for the community to understand how a barrister became and remained a police informer, and how information provided by her was used by Victoria Police.

At the same time, it is also important that the public be reassured that Victoria's barristers treat their paramount duty to the administration of justice, and their duties to the courts, their clients and colleagues with the utmost seriousness. The conduct now being examined at the Royal Commission does not reflect in any way upon the integrity of Victoria's barristers generally, who have over the course our 135-year history earned a reputation for upholding the highest ethical standards in furtherance of the administration of justice and the interests of our clients.

In my role as President, I have come to know the members of our Bar better than most. We are a college of professionals with a profound commitment to the administration of justice, the courts and our clients.

The Bar's educational, continuing professional development and professional standards functions are robust. The ethical and disciplinary regimes and bodies to which we are subject operate without fear or favour and hold us all to the highest standards of professional conduct. As a result of these and other matters, the public can, and should, have absolute confidence in the integrity of the Victorian Bar and its members.

National representative bodies

The Victorian Bar is an active constituent member of the two national representative bodies of the legal profession, the Australian Bar Association (ABA), which represents the independent referral bars of Australia, and the Law Council of Australia (LCA), which represents state and territory law societies and bar associations and an association of large firms.

In November 2018, my predecessor as Victorian Bar president, Jennifer Batrouney QC, was elected President of the ABA for the 2018–19 year. I have sat as the Victorian Bar's director on the ABA throughout that period. Justin Hannebery QC, a senior member of Bar Council, has been the Victorian Bar's representative on the council of the LCA.

The ABA held a national conference in Sydney in November 2018 and an international conference in Singapore in July 2019. Each event was highly successful and presented unique

opportunities for members of the independent bars to meet and discuss issues of common interest.

The LCA had an active year, too. The highlight for me came in September 2019, when I joined LCA President, Arthur Moses SC, in addressing the National Press Club in Canberra on the erosion of fundamental rights and freedoms in Australia.

Peter O'Callaghan QC Gallery

In March, we relaunched the Peter O'Callaghan QC Gallery, opening new exhibition spaces on the ground floor of Owen Dixon Chambers and unveiling seven new portraits. In a moving ceremony, a memorial to members of the Victorian Bar who have served in Australia's armed forces was also inaugurated, with wreaths laid by the Governor, her Excellency the Hon Linda Dessau AC and the Chief Justice of Australia, the Hon Susan Kiefel AC, overseen by ten practising members of counsel who have served the people of Australia through military service.

The Peter O'Callaghan QC Gallery is a museum of increasing importance. The subjects of the works have been selected because they reflect the best of who we are and what we aspire to be. The calibre of the works is extraordinary. The artists represented in the gallery are exceptional. And now the space in which the works are exhibited befits the subjects, the works and the artists.

There are many people to thank for the remarkable transformation of the gallery, including Barristers Chambers Ltd (BCL) and its Chair, John Karkar QC and CEO Paul Clark, and the Chair of the Board of the Gallery and of the Bar's Arts and Collections Committee, Peter Jopling AM QC.

Other matters

I have not touched in this report upon the warm and close relationship the Bar Council has enjoyed in the past 12 months with BCL.

Nor have I mentioned so many of the things that we do so well, year-in, year-out, such as the two readers' entrance examinations and courses, our CPD program, or the work of the Ethics and Counsel Committees and the Bar's many associations and other standing committees. I have not mentioned the work of the Barristers' Benevolent Association or the Victorian Bar branch of the Law Library of Victoria. All have reports of their work over the past year in this annual report. I commend them to you.

In closing

In late 2018, after consulting widely, I took the unusual step of standing for a second term as President because I believed that stability of leadership would assist the Bar in raising its gaze and focusing on programs and reforms in the longer-term interests of the Bar. My re-election meant that the Bar Council's

executive has remained unchanged since November 2017.

I would be remiss not to pay tribute to the extraordinary support I have enjoyed from the executive of the Bar Council— Senior Vice-President Wendy Harris QC, Junior Vice-President Simon Marks QC and Honorary Treasurer Sam Hay. We have operated a collegiate, cabinet-syle leadership of the Bar. Decisions have been greatly enhanced by their energy, wisdom and commitment. I also thank all other members of Bar Council and the Council's Honorary and Assistant Honorary Secretaries. Debate and decision-making on Bar Council is characterised by consensus, good humour and a shared commitment to the best interests of the Bar. I constantly marvel at the preparedness of so many of our members to volunteer their time, cheerfully, to the various Bar associations and committees of the Bar, to put their hands up when help is sought, and to take my calls and take on tasks when asked. Finally, I thank the Bar's CEO Katherine Lorenz and the whole of her team; and, unfair though it is to single them out, the Executive Assistant to the President and the Bar Council, Denise Bennett and the Manager of the Office of the CEO, Liz Ingham, without whose support the smooth functioning of the Bar would quickly grind to a halt.

I am convinced that the experiment of a two-term President has been worthwhile. I have been proud to progress, and champion, a number of programs commenced under my predecessors. Other reforms started in my term are well-advanced, with yet others still nascent. Initiatives such as constitutional reform and the corporate counsel engagement program would have been much more difficult to progress without continuity at the helm. Progress on diversity and inclusion projects, the implementation of the health and wellbeing survey results, and our response to the Royal Commission into the Management of Informants, are other examples of time-consuming initiatives that have been easier to manage with a stable leadership team.

It has been one of the great privileges of my professional life to serve as President of the Victorian Bar. My term will end in mid-November. I will leave the role with a greater understanding, and love, of the institution than I had as I embarked upon it. I will also leave with a sense of optimism for the future of our remarkable college, borne of a profound respect for its members and our shared values.

Dr Matthew Collins AM QC

President





CEO'S REPORT 2019

KATHERINE LORENZ



Reflecting on the last 12 months at the Victorian Bar, it has been a significant year in the organisation's long and proud history. Among many achievements, this year was marked by the implementation of new constitutional amendments, a review of the Bar entrance exam and developing a new strategic plan.

The strategic plan was developed with the Bar's purpose at the core: to ensure the Bar and its members thrive, now and into the future. The new strategic plan aims to represent our members' interests and support their practices by fostering excellence and promoting their unique skills. The strategy includes a focus on the internal capabilities that will help us to deliver on our strategic objectives over the next four years.

The strategic plan reflects the Bar's long-term commitment to improving its governance arrangements including to develop internal capability in order to promote effective decision-making.

One of the many highlights for this year for me was working with Wendy Harris QC on a range of initiatives to support our members to better promote their value proposition to corporate counsel. In April 2019, the Bar entered an alliance with the Association of Corporate Counsel (Victoria) to provide networking opportunities and education sessions to showcase our members' talent and expertise. We are encouraging our members to build their profiles through networking and their online presence. This work will continue into 2020 and beyond to strengthen the market position of Victorian barristers in a competitive legal landscape.

Meanwhile, the activities of the association have continued to hum along during the year. The management and staff at the Bar have continued to ensure that the Bar provides high-quality services to members and supports their practices. Under the strategic direction of Bar Council, some of the activities undertaken by management and staff have included:

- > ensuring the smooth running of elections, the AGM and the constitutional reform process;
- preparing the annual report, budget and audited accounts;
- > managing operational, reputational and strategic risks;
- > issuing practising certificates, managing movements between divisions on the Bar Roll, approving readers to sign the Bar Roll;
- > managing compliance in a range of contexts including professional standards scheme compliance, CPD compliance and clerk compliance;
- running two readers' courses and two readers' exams;
- > managing the Bar's busy CPD program;
- arranging events including the fabulous annual Bar dinner and countless functions associated with activities of the Bar and its members;
- > maintaining the Bar website;

- > drafting InBrief each week as well as supporting the drafting of speeches, notices and obituaries;
- > supporting the work of the Bar's charitable entities, namely the Barristers' Benevolent Fund, the Victorian Bar Foundation, the Peter O'Callaghan QC Gallery and the Indigenous Barristers' Fund;
- > contributing to relevant policy debates; and
- > managing the functions delegated to the Bar by the Legal Services Board and Commissioner.

I am grateful for the extraordinary leadership of the Victorian Bar President, Dr Matt Collins AM QC whose immense work ethic and commitment to the Bar and its members is inspirational.

The Victorian Bar team and I look forward to working with our members and supporting them in the year to come.

Katherine Lorenz

Kaxmane Cong

CEO

KEY FIGURES

Key insights from 2018-19

Governance and Policy

14

External policy submissions

6

New internal policies and protocols

4

New judicial conduct policies and protocols

Speeches and notices



Good Conduct
Guide,
PSS renewal,
HWB survey
& report,
Risk framework
& register





NOTICES 53

Appointments, welcomes, farewells

25 Obituaries 2018-19 Events



78
Internal CPDs

40 External CPDs (Events)

64
Other events

182 TOTAL

KEY FIGURES (continued)

Key insights from 2018-19





402
email campaigns

48,000 clicked email links

621,000
Vic Bar website users
+19% vs. previous year

Education

Readers' courses

220+
Readers' sessions
and moots

92 Readers assessed

2 exam

246

Membership & Finance



MILLION

website visits

donations raising over

\$390,000

146
division transfers
processed

(change to Roll of Counsel division)

new members (AI and AIII) approximately

2100 PCs issued

80 PEOPLE
Junior Bar conference
120+ PEOPLE
University Open day

LZ skills workshops

Pacific rim courses



BAR COUNCIL 2018-2019

Category A:

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



PresidentDr Matthew Collins
AM QC



Senior Vice-President Wendy Harris QC



Junior Vice-President Simon Marks QC



Honorary Treasurer Sam Hay



Paul Holdenson QC



MemberDr Ian Freckelton QC



MemberDr Suzanne McNicol
QC



Member Adrian Finanzio SC



Member Áine Magee QC



Assistant Honorary Treasurer Stewart Maiden QC



MemberJustin Hannebery QC

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 Elizabeth Ruddle



Meg O'Sullivan



Member Emily Porter



Member Gabi Crafti



Sarah Keating



Member Kathleen Foley

Category C:

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



Member Erin Hill



Member Nawaar Hassan



Member Nicole Papaleo



MemberDaniel Nguyen



Honorary Secretaries appointed



Honorary Secretary Andrew Bell



Assistant Honorary
Secretary
Katherine Brazenor

BAR COUNCIL MEETING ATTENDANCE 2018-2019

Nine meetings of the Victorian Bar Council were held between 1/7/18 and 15/11/18 (being the date of the final meeting of the 2017-2018 Bar Council), including three Special Purpose Bar Council meetings. Ten meetings were held between 15/11/18 (being the date of the first meeting of the 2018-2019 Bar Council) and 30/6/2019 including two Special Purpose Bar Council meetings.

Number of meetings attended/ Number eligible to attend

Bar Council Member	2017-2018	2018-2019
	Bar Council	Bar Council
Category A: Queen's Counsel, Senior Counsel or junior counsel who are of not less	than 15 years' standing in order of se	niority
Dr Matthew Collins AM QC (President)	8 of 9	9 of 10
Wendy Harris QC (Senior Vice-President)	8 of 9	9 of 10
Simon Marks QC (Junior Vice-President)	9 of 9	10 of 10
Sam Hay (Honorary Treasurer)		10 of 10
Paul Holdenson QC	6 of 8	9 of 10
Dr Ian Freckelton QC	7 of 9	8 of 10
Caroline Kenny QC	5 of 9	
Adrian Finanzio SC		6 of 10
Dr Suzanne McNicol QC (elected to Bar Council on 15/05/2019)		2 of 2
Jacinta Forbes QC (appointed to Supreme Court on 16/4/2019)	7 of 9	6 of 7
Áine Magee QC	9 of 9	8 of 10
Stewart Maiden QC (Assistant Honorary Treasurer)		7 of 10
Justin Hannebery QC	9 of 9	9 of 10
Fiona Ellis	9 of 9	
Susan Gatford	8 of 9	
Category B: Junior counsel who are of not less than 6 years standing and not of 15	or more years' standing	
Sam Hay (Honorary Treasurer)	9 of 9	Elected in Category A
Stewart Maiden (Assistant Honorary Treasurer)	8 of 9	Elected in Category A
Justin Wheelahan	7 of 9	
Elizabeth Ruddle	7 of 9	8 of 10
Meg O'Sullivan		10 of 10
Emily Porter		8 of 10
Gabi Crafti		9 of 10
Sarah Keating	7 of 9	8 of 10
Kathleen Foley	4 of 9	7 of 10
Category C: Junior counsel who are of less than 6 years' standing		
Barbara Myers	8 of 9	
Erin Hill	8 of 9	5 of 10
Nawaar Hassan		8 of 10
Julia Frederico	5 of 9	
Nicole Papaleo		9 of 10
Daniel Nguyen	9 of 9	6 of 10
Honorary Secretaries		
Andrew Bell (Asst. Hon Secretary 2017-18, Hon Secretary 2018-19)	5 of 9	9 of 9
Nicole Papaleo (Honorary Secretary)	6 of 9	Elected in Category C
Katherine Brazenor (Assistant Honorary Secretary)		5 of 7

VICTORIAN BAR STAFF

CEO & Leadership Team



Chief Executive Officer Katherine Lorenz



General Manager, **Corporate Services** Amanda Utt



Manager, Office of the CEO Elizabeth Ingham



Manager, Finance & Membership Susan Lawrence



Senior In-house Lawyer Travis McKay



Education Manager Nina Massara



Executive Assistant to the Bar Council Denise Bennett



Digital Communications Coordinator Daniel Cousens



Mediation Centre Coordinator Fiona Faulkner



Business Development Coordinator Sarah Harrison-Gordon



Administration Assistant - Membership Daphne Ioannidis



Events & Communications Coordinator Alannah Jones



Education Coordinator - CPD Golam Kibria



Executive Assistant to the CEO

James Kioussis



Education Coordinator

Aylah Lohman



Education Coordinator - Readers' Course

Christina Mavropoulos



Finance & Compliance

Helen Phan



Compliance Officer Marisa Pretotto



Mediation Centre Coordinator Melanie Purcell



Corporate Services Coordinator Poorva Sabnis



Graduate Lawyer Jaclyn Symons



In-house Lawyer Kai Li Zhu



List of Bar Association Committee Members at 30 June 2019

Children's Court Bar Association

Melissa Stead (President) Samantha Renwick (Honorary Treasurer)

Arna Delle-Vergini (Honorary Secretary)

Christine Pollard Judy Benson

Vicki Martv

Teresa Porritt

Commercial Bar Association

Nicholas Hopkins QC (President) Claire Harris QC

(Senior Vice-President)

Paul Hayes QC

(Junior Vice President/Convenor)

Stewart Maiden QC (Treasurer)

Kieran Hickie (Honorary Secretary)

Georgia Berlic

(Assistant Honorary Secretary)

Meg O'Sullivan

Dr Oren Bigos

Gabi Crafti

Sam Rosewarne Dr Elizabeth Boros

Luke Merrick

Common Law Bar Association

Ross Gillies QC (Chairman) Mary Anne Hartley OC (Treasurer)

David Martin (Secretary)

Tim Tobin SC

Fiona McLeod SC

James Mighell QC

Andrew Clements QC

Róisín Annesley QC

Áine Magee QC

Michelle Britbart OC

David Purcell SC

Fiona Ellis

Patrick Over

Gavin Coldwell

Stephen Jurica

Stella Gold

Michael Clarke

Julia Frederico

Gemma-Jane Cooper

Raph Ajzensztat

Scott Davison

Tristan Nathanielsz

Compensation Law Bar Association

Ian McDonald (Chairman) Ray Ternes (Treasurer) Anthea MacTiernan (Secretary) Michael Richards Bruce McKenzie Nick Horner Sascha Dawson Kim Bradey Megan Tait

Criminal Bar Association

Daniel Gurvich QC (Chair) Megan Tittensor (Vice Chair) Anthony Lewis (Treasurer) Simon Moglia (Secretary) Sally Flynn OC Jim Shaw Jason Gullaci Cecily Hollingworth Pardeep Tiwana

Ffyona Livingstone Clark

Family Law Bar Association

Paul Smallwood

Geoffrey Dickson OC (Chair) Rohan Hoult (Deputy Chair) Caroline Paterson (Treasurer) Jennifer Howe (Secretary) Gerard Holmes Rory McIvor Robin Smith Alison Burt (CPD Coordinator)

Industrial Bar Association

Richard Dalton QC (President) Catherine Symons (Senior Vice President)

Paul O'Grady QC (Vice President) Rohan Millar (Treasurer)

Andrew Bell (Secretary)

Craig Dowling SC Jenny Firkin OC

Gerard McKeown

Malcolm Harding

Marc Felman

Robert O'Neill

Kate Burke

Yasser Bakri

Andrew Denton

Rebecca Preston

Migration Law Bar Association

Guy Gilbert SC (President) Angel Aleksov (Vice-President) Krystyna Grinberg (Treasurer) Catherine Symons (Secretary) Georgina Costello Christopher Tran

Military Bar Association

The Honourable Chief Justice William Alstergren QC (Chief Patron)

Paul Panayi (Chair)

Gerard O'Shea (Deputy Chair)

Dan Coombes (Treasurer)

John T (Jack) Rush RFD QC (Navy Patron)

The Honourable Justice

Richard RS Tracey AM RFD

Andrew J Kirkham AM RFD QC (Air Force Patron)

Tax Bar Association

Terry Murphy QC (President) Daniel McInerney (Vice President) Eugene Wheelahan (Treasurer) Hadi Mazloum (Secretary) Andrew Broadfoot QC Fiona Alpins

Ria Sotiropoulos Angela Lee Steven Stern Claire Nicholson

(Communications Officer)

Anna Wilson

Fiona Cameron (Communications Officer)

Gareth Redenbach

(CPD coordinator)

Daniel Diaz

Mia Clarebrough Matthew Meng

Women Barristers' Association

Dr Kylie Weston-Scheuber

Georgia Berlic (Assistant Convenor) Sandra Karabidian

(Assistant Convenor)

Louise Martin (Secretary)

Veronica Holt (Asst Secretary)

Joy Elleray (Treasurer)

Natalie Blok (Membership officer)

Jennifer Batrouney QC

Susan Aufgang

Alison Umbers

Emma Peppler

Diana Price

Astrid Haban-Beer

Bridget Slocum

Christie Jones Xuelin Teo

Caitlin Dwyer

Erica Lawson

Gayann Walker

Laura Mills

Children's Court Bar Association

The Children's Court Bar Association is comprised of dedicated counsel who work in a unique area of law that is dynamic, challenging and rewarding. The Children's Court jurisdiction overlaps with other jurisdictions including family law, family violence and personal safety law, criminal law, human rights, and administrative law. Members must be across the law in multiple jurisdictions in order to advocate for children and family members effectively. This is a difficult but welcomed challenge.

This year saw the retirement of Magistrate Peter Power AO, an institution of the Children's Court and someone who will be sorely missed. Fortunately, his Honour will continue his association with the court as a consultant. Our President was called upon to give a speech on behalf of barristers and solicitors at his Honour's farewell.

Our association has been an integral part of a collaborative team working with Children's Court of Victoria to hold CPD seminars specific to this jurisdiction. Ms Stead was a presenter on the Running of Effective Submissions in court, and on Subpoena Law and Practice.

In July the Children's Court Bar Association and Criminal Bar Association combined to hold an inaugural joint health and wellbeing day. William Wainwright, forensic psychologist, conducted a half-day seminar in relation to managing the self in a challenging work environment. The two committees collaborated on this day in recognition of the similarity of the work environment and the potential impact on practitioners' health and wellbeing. We hope to combine our efforts to support the wellbeing of members of both associations in the future.

Additionally, in July, Magistrate Kune (former Children's Court Association member appointed in September 2018) gave an inspiring talk on advocacy and ethics from the perspective of the other side of the Bar table.

The Children's Court Bar Association aims to improve the recognition of this jurisdiction, collaborating with the court, solicitors, government lawyers and the Bar.

Commercial Bar Association

At the November 2018 AGM, Wendy Harris QC retired as the President of the Commercial Bar Association (CommBar). CommBar acknowledges and thanks Wendy for her substantial contribution to the association.

Upon Wendy retiring, Nick Hopkins QC was appointed President, Claire Harris QC was appointed as Senior Vice President and Paul Hayes QC assumed the role of Junior Vice President.



ABOVE: From Left: Wendy Harris QC, Dr Matt Collins AM QC and Paul Hayes QC.

CommBar Report

The 2018 – 2019 financial year has been busy and rewarding for CommBar.

A particular highlight was the establishment of the CommBar Alan Goldberg Readers' Bursary, to support young commercial practitioners intending to practise commercial law at the Victorian Bar.

Further, the Executive has continued to progress its work on behalf of CommBar members, including:

- consulting with stakeholders and participants in the CommBar equitable briefing program;
- representing CommBar at the Corporate Counsel Summit in Sydney (which CommBar also co-sponsored);
- > planning CommBar's third biennial International Commercial Law Conference in 2020 to be held in Penang, Malaysia;
- determining to create a new Media Law section of CommBar to reflect the continued work of members in defamation, suppression and communications related law and other work on behalf of media clients;
- > preparing submissions to law reform and other bodies;
- negotiating for the benefit of members continued subscription to Lexology; and
- > engaging with university law schools and the courts with respect to hosting of joint seminar programs.

CommBar looks forward to progressing the organisation's objectives into the 2019 – 2020 financial year.

Common Law Bar Association

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, Justice Dixon, Justice Keogh, Justice Zammit and Registrar of the Court of Appeal Ian Irwin regarding the conduct of common law trials in the Supreme Court;

- > meetings with judges of the County Court, in particular, Judge O'Neill, Judge Misso and Judge Tsalamandris. There has been a dramatic decrease in the number of cases listed in the County Court for hearing. The court has indicated that it has been prepared to backfill cases and indeed offer earlier dates for hearing;
- > the Common Law Bar Association is represented on the various user groups including the Personal Injuries List, the Medical List and the Dust and Diseases List and Key Points Bulletins emanating from the court following meetings of the various user groups have been circulated to members;
- > the association has been assisted by submissions drawn by members both to government and to the Victorian Bar;
- > the Common Law Bar Association jointly sponsored the AILA Conference and dinner in 2018. That sponsorship is to continue in 2019;
- > there has been a modest increase in the number of common law CPD's. A sub-committee has been formed to organise CPD's during 2019. The sub-committee consists of Justice Forbes (until her appointment to the Supreme Court), Áine Magee QC, Gemma-Jane Cooper, Raph Ajzensztat and Peter Hamilton:
- > the various users' groups in the Supreme Court have met from time to time. The communication with and by the court has been excellent;
- > a County Court users' group from the CLBA has been appointed at the request of Judge Misso. The sub-committee consists of James Mighell QC, Justice Forbes (until her appointment to the Supreme Court), Michelle Britbart QC and Michael Clarke;
- providing case summaries of recent court decisions to its members;
- 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 in December 2018.

The number of members of the Common Law Bar Association continues to increase. There are currently 326 members of the Victorian Bar who are members of the Common Law Bar Association.

Former committee members Justice Forbes, Judge Wheelahan and Coroner Simon McGregor accepted judicial appointments (Jacinta Forbes QC to the Supreme Court, Michael Wheelahan QC to the Federal Court and Simon McGregor to the Coroners Court). Richard Stanley QC, also a former committee member has retired from practice.

The association would like to record, acknowledge and thank each of them for the outstanding contribution which each of them has made to the Common Law Bar Association over many years.

Compensation Law Bar Association

The Compensation Law Bar Association (CLBA) continues as an active and vibrant association representing those barristers specialising in statutory benefits at the Victorian Bar. Its current membership is approximately 113, including a significant number of senior counsel. The CLBA continues to maintain a close relationship with the Common Law Bar Association and most of its members maintain dual membership.

Bruce McKenzie's diligent contemporaneous distribution of relevant judicial decisions from the Magistrates', County, Supreme and High Courts continues to be of enormous assistance to those practising in the jurisdiction and offers a compelling reason to join the association. We also thank those judicial officers, particularly Magistrate Wright, who continue to supply the CLBA with significant decisions virtually as soon as they are handed down in court.

Representatives of the association, Michael Richards and Nick Horner, have continued to liaise with the Magistrates' Court WorkCover users' group on a regular basis. There was a drop of 3% in WorkCover applications issued in the Magistrates' Court in the financial year 2018/2019, compared with 2017/2018 however there were still 1430 applications issued. Members of the CLBA also regularly practise in the County Court, VCAT and the Commonwealth AAT.

The association has continued to advocate for its members with respect to various issues of concern during the year, particularly the use of the limited conference rooms at the Magistrates'

The CLBA is currently in the process of drafting a detailed submission concerning the archaic use of the brief fee/refresher system in the Magistrates' Court compared to the system of daily fees that has been the norm in the County and Supreme Courts for a number of years.

The association held its AGM on 15 November 2018, followed by free drinks and canapes function for its members and guests. As usual the function was well attended and continues to be a significant occasion for the association's members and guests.

On 16 April 2019 the CLBA was delighted to note that one its most active and well-regarded members, Jacinta Forbes QC, was appointed a judge of the Supreme Court of Victoria, and a letter of congratulations was subsequently sent to her Honour. The CLBA was also pleased to note that in November 2018 two of its members, Andrew Ingram and Scott Smith, were appointed as senior counsel.

The association continues to provide educational and professional development support to ensure that the Bar maintains its high standard of representation. The association hosted a number of CPDs during the course of the year, and these were invariably well attended by members of the association and other members of the Bar. An added bonus for

attending the CPDs is that they are normally followed by drinks and canapes at the Essoign Club, and these functions are free for the CLBA's members.

Following on from the success of a social cocktail function in March 2017, the association held a similar function at State of Grace in King St, Melbourne on 1 August 2019. The primary purpose of the function was an opportunity for members of the CLBA to network with our large solicitor client base. The function was free for members and their guests and was extremely well attended. The CLBA is particularly indebted to Kim Bradey for the enormous amount of work by her to organise the function.

Criminal Bar Association

Fairness in the administration of criminal justice has been the focus of the Criminal Bar Association (CBA) in 2018-2019. Concerns relating to family violence and reduced funding have featured prominently in the work of the CBA.

Since mid-2018, the CBA has contributed to a wide range of work:

- making submissions to government and other bodies on diversion programs, County Court appeals, committals in sex offence cases, improving black economy enforcement, mental health services, appeals to the Court of Appeal, sentencing for firearms offences and contempt;
- > appearing in numerous bail test cases under new legislation that is widely regarded as having changed the landscape in bail law:
- > opposing the decision of the CDPP to not pay counsel during days on which a jury was out deliberating, we combined with others nationwide and convinced the Commonwealth to reinstate those fees; and
- > surveying members to find unacceptable rates of overdue fees owed to members (over \$4.5m overdue) and lobbying those who could do better to pay up.

Wellbeing in practice has been front of mind for the CBA this year. Seminars are good for education and awareness. Social events are good for informal support. But we regularly return to the question of how to encourage a healthy workplace. We must keep trying.

Members met regularly for CPD seminars (with over 25 different speakers) and for social support at the Essoign, The Mint and the Melbourne Town Hall for our annual dinner.

At the AGM in November, the CBA thanked Megan Casey, Nahrain Warda, Amanda Burnnard and Michelle Mykytowycz who finished their time on the committee and appointed Daniel Gurvich QC, Megan Tittensor, Anthony Lewis, Simon Moglia, Jim Shaw, Pardeep Tiwana, Jason Gullaci, Cecily Hollingworth, Sally Flynn QC, Paul Smallwood and Ffyona Livingstone Clark to maintain the good work.

In November, the CBA congratulated new silks: Ray Gibson QC, Andrew Palmer QC, Colin Mandy SC, Elizabeth Brimer QC, Justin Hannebery QC, Diana Piekusis QC and Fran Dalziel QC.

The CBA also celebrated the appointments of 16 members to the Supreme, County, Magistrates' and Coroners Courts and the Post-Sentence Authority: Mia Stylianou, Nahrain Warda, Olivia Trumble, Sarah Dawes, Scott Johns QC, David Sexton, Michelle Mykytowycz, Russell Kelly, Simon McGregor, Tim Hoare, Michele Williams QC, Jillian Crowe, Sean Grant (in NSW), George Georgiou SC, Elizabeth Brimer QC and Shiva Pillai. Additionally, we were glad to see the unveiling of Richter QC and Dunn QC in the Bar gallery.

Sadly, the CBA farewelled John Hassett, an important leader during the early years of the CBA and long-time judge of the County Court, and the Honourable Philip Cummins.

The CBA thanks the Victorian Bar for the support it always receives.

Family Law Bar Association

In 2018/2019 the Family Law Bar Association (FLBA) welcomed and applauded the appointments to the Federal Circuit Court of Australia of two very worthy members of our Bar. Judge Alice Carter and Judge Anna Boymal have taken on this role with grace and integrity. The FLBA also congratulates two past members of our association, Justice Nora Hartnett and Justice Jill Williams, who were elevated to the Family Court of Australia. Everyone from the FLBA congratulates these women.

Throughout the year, there continued to be significant public debate in relation to the future of the Federal Circuit Court and Family Court of Australia. Unfortunately, the public debate resulted in unrest and significant disharmony amongst the profession and the government. Whilst some interstate bar associations participated in the public debate via media outlets, the Victorian FLBA decided to continue to work with key stakeholders, prepare submissions for review and to not engage in any public displays of disagreement. With the election having put much of this debate on hold, it is foreshadowed that with the re-election of the government the debate will reignite and require more review and contributions of the FLBA. While there is little new to say, beyond the submissions we have already filed on the proposed merger bill, we will continue to advance and advocate the views of our members on this issue.

With the introduction of legislation to change the structure of the court currently before Parliament, and the review of the Family Law Act continuing, it is an unknown path that we are treading. The FLBA will continue to keep our members advised and updated with the changes that will directly affect their practice.

The FLBA continues to promote and encourage harmonious relationships between the Bar, Bench and solicitors, through our

social events. Thanks to the very hard work of our committee, in late February of this year, members of the profession took their shoes off and gathered at the Flagstaff Lawn Bowls club to enjoy a night of barefoot bowls and dinner. Over 250 legal professionals attended and participated in the event. Bragging rights went to the Bench and Bar team, consisting of Judge Riethmuller, Judge Bender, Jason Glass, Sarah Damon and Mary McNamee (Captain). This event is already scheduled into the 2020 social calendar.

The profession farewelled the Hon Paul Cronin in spectacular fashion in May 2019. 200 members of the profession, including a large number of retired members of the court and interstate judges, gathered in the members dining room of the Melbourne Cricket Ground to acknowledge the work undertaken by the Hon Paul Cronin. Special thanks need to be extended to our guest speaker Kevin Bartlett and our MC Rohan Hoult, who entertained us for the evening.

The FLBA will continue to organise functions, including CPDs that allow the profession to come together.

The year ahead will see the FLBA engaging in ongoing discussions with the Chief Justice to work together to bring about reductions in court lists, early resolution of cases and the implementation of any changes to the rules and functioning of the (currently two) courts in which our members practise.

Industrial Bar Association

The Industrial Bar Association (IBA) comprises counsel who undertake work in industrial and employment law in State and Commonwealth courts and tribunals. The number of members has continued to increase to over 170.

During the 2018-2019 financial year, the IBA co-ordinated and developed a CPD program on topics of significance to its members. The IBA continued to provide a forum for the exchange and dissemination of information relevant to its members. The IBA organised social functions to facilitate co-operation and comradery between its members and solicitors who practice in the industrial and employment field.

The events organised by the IBA during the 2018-2019 financial year included:

On 7 August 2018, the IBA and the Federal Circuit Court conducted a panel discussion on the Employment and Industrial List. The session concluded with a 'Q&A' of the Hon Richard Tracey AM RFD QC¹, who was retiring from the Federal Court. Stuart Wood AM QC interviewed the Hon Richard Tracey AM RFD QC about his career in industrial law in academia, the Bar and the Bench. Judges, solicitors and barristers packed out the big courtroom for this event

- and many stayed for the drinks function afterwards to congratulate the Hon Richard Tracey AM RFD QC on his great career and service as a Federal Court judge. The IBA was most grateful to Federal Circuit Court Chief Justice Will Alstergren, for hosting such a successful event.
- On 15 October 2018, the IBA conducted an Industrial Law Update. Chaired by Justice Bromberg, solicitors and barristers were fortunate to receive presentations from a great line of speakers: the Hon Dr Chris Jessup QC, Paul O'Grady QC, John Snaden and Rebecca Preston.
- On 8 November 2018, the IBA hosted the annual IBA dinner. A record crowd of over 60 attended the Essoign to celebrate the year and to acknowledge the retirement from the Federal Court of two greats of the Industrial Bar, the Hon Tony North QC and the Hon Richard Tracey AM RFD QC, who were our honoured guest speakers for the evening. Herman Borenstein QC and Justice Cavanough introduced them and paid tribute to their great careers and service on the Federal Court.
- On 28 March 2019, a joint IBA LIV workplace law networking event was hosted by the LIV Workplace Group at the impressive new LIV offices.

The IBA has organised a busy schedule of CPDs and events for the second half of 2019. At the time of writing this report, the IBA recently conducted a CPD on enterprise agreements and judicial review of the Fair Work Commission (FWC) decisions. The event was hosted by Rebecca Preston and Deputy President Gostencnik of the FWC, Richard Dalton QC and Malcom Harding delivered papers. The session was very well attended, with over 130 RSVPs from solicitors, in house lawyers and barristers. The IBA has scheduled a further seminar on 19 August 2019, titled 'a symposium on discrimination law: insights and recent developments', which Justice Bromberg, Kristen Hilton, Victorian Equal Opportunity and Human Rights Commissioner, Peter Hanks QC, Dr Laura Hilly, and Jenny Firkin QC (Chair of Equality and Diversity Committee) will present.

The IBA has engaged with the courts and the FWC through user groups and other forums. This year, the IBA partnered with the FWC to establish a pro bono scheme to offer barrister representation to parties in appropriate matters before the FWC.

The IBA is fortunate to have so many members contributing as committee members. The IBA thanks Mark Irving QC and Victoria Lambropoulos for their valuable contributions to the work of the IBA committee over past years and welcomes new committee members Jenny Firkin QC and Malcolm Harding.

Two of the IBA's committee members were appointed to the judiciary during the 2018-19 year: Steven Moore QC was appointed a justice of the Supreme Court of Victoria and John Snaden was appointed a justice of the Federal Court of Australia. Stuart Wood AM QC was recognised in the Australia Day Honours for significant service to the legal profession,

¹ The Hon Richard Tracey AM RFD QC sadly passed away on 12 October 2019. The Bar extends its condolences to Richard's family, friends and colleagues.



ABOVE: From Left: the Hon. Dr Chris Jessup QC, the Hon. Richard Tracey AM RFD QC² and the Hon. Tony North QC.

particularly in the area of industrial relations, as was Brian Lacy AO recognised for distinguished service to the public administration of Australia's Indian Ocean Territories, to industrial relations, and to the law. The IBA congratulates these members for their outstanding achievements.

The IBA thanks its members and supporters for their contribution to developing learning and co-operation within the industrial and employment jurisdiction.

Migration Law Bar Association

The year was a busy one for the association. A most successful social function was held at the Danish Club in November 2018, where solicitors and counsel attended to discuss the many areas of common interest between us.

A number of CPD events took place during the year. Solicitors from private practice, Victoria Legal Aid, Asylum Seekers Resources Centre, Refugee Legal, and firms representing the Minister, also attended.

As an example, the association co-sponsored a CPD event with the International Commission of Jurists (Vic), on the emergency medical transfers from Nauru and Manus, held at the offices of Russell Kennedy. Another seminar took place at the Bar in conjunction with Refugee Legal, where we sought to upskill junior counsel and solicitors, in how to run a character cancellation case at the Administrative Appeals Tribunal (where many applicants are unrepresented).

In March 2019 members of the association were well represented at the Law Council's annual Migration Law

Conference, which took place in Canberra. A number presented papers on complex aspects of migration and refugee law.

From time to time during the year, members of the association were sent a group email, to alert them to an important case that had been handed down, or a change in legislation. Because it is very difficult to keep up with the myriad of cases which are delivered, often on a daily basis, and the many amendments to the Migration Act and Migration Regulations, this has been a great service to members. Informally also, members exchanged queries between themselves, or sought guidance as to a particular issue that was arising in a case. Again, a very useful network for members.

The demand for pro bono assistance was ever present during the year. The Federal Circuit Court and Federal Court registrars often asked members to advise an unrepresented litigant and appear if there was sufficient merit. Justice Connect, ASRC and Refugee Legal made similar requests. Of particular note was the extraordinary contribution of some members who assisted asylum seekers on Manus and Nauru, who were wanting to come to Australia for medical treatment.

Finally, a Federal Court Pro Bono Working Group was formed, with the Simon Haag, the Migration Registrar in the Melbourne Registry, with attendees from the association, the Bar's Pro Bono Committee, and Justice Connect. It holds regular meetings, with the view to streamlining and improving the pro bono referral service. This is an important point of contact between the Bar and the Federal Court.

² The Hon Richard Tracey AM RFD QC sadly passed away on 12 October 2019. The Bar extends its condolences to Richard's family, friends and colleagues.

Military Bar Association

During the year, the Military Bar Association has been involved in a number of changes and new activities.

The association has been liaising with government, departmental and other stakeholders to provide input into policy and legislative changes affecting military law in operations, discipline and administrative law spheres.

The members' cocktail party was held on 2 August 2019, in the Essoign Club. The event was well attended with some good discussion and decisions on new initiatives for the association in the coming year.

Tax Bar Association

The Tax Bar Association (TBA) thanks those members who retired during the year for their hard work and contribution.

Highlights of the financial year included:

Membership

Membership increased to 128.

CPD

The TBA provided a number of CPD seminars on a range of topics, including:

- Commissioner's Powers to Obtain Information Under s 353-10 - 9 July 2018 - delivered by W. Brind Zichy-Woinarski QC, Rebecca Saint (ATO), Alex Patrick (KPMG), Kaitlin Lowdon (ABL), chaired by Angela Lee;
- Thomas Binding the Commissioner 24 August 2018 delivered by Michael Bearman and Catherine Pierce, chaired by Terry Murphy QC;
- Hart v Commissioner of Taxation 27 August 2018 delivered by Dr Philip Bender and Kellie Grant (ATO), chaired by Michael Flynn QC;
- Double Tax Agreements: A Shield or a Sword 26 November 2018 - delivered by Anna Wilson and James Strong, chaired by Dr Julianne Jaques;
- Trust Administration: section 100A November 2018 and February 2019 - delivered by Terry Murphy QC and Daniel Diaz;
- The implications of the High Court decision in Commissioner of State Revenue v Placer Dome Inc [2018] HCA 59 - 18 December 2018 - delivered by Eugene Wheelahan QC, chaired by Daniel McInerney;
- The Scope of the Taxation Promoter Penalties Regime <u>-</u>27 March 2019 - delivered by Assistant Commissioner Patricia Sampathy (ATO) and Andrew de Wijn, chaired by Andrew Broadfoot QC;
- The Full Federal Court Judgment in Commissioner of Taxation v Resource Capital Fund IV LP [2019] FCAFC 51 - 8 April 2019 - delivered by Gareth Redenbach and James Strong, chaired by Andrew Broadfoot QC;

- Section 100A 30 May 2019 delivered by Terry Murphy QC and Angela Lee to the ATO nationally; and
- > organising other various CPDs and social functions in partnership with the ATO & SRO as well as tax groups in law and accounting firms as well as with the Tax Institute of Australia.

Tax Bar website

The TBA actively updated its website: www.taxbar.asn.au. The website showcases member profiles, includes papers presented by barristers and other tax professionals, provides an easy search tool for tax barristers, and other users and links to research material and notices of forthcoming seminars and social events.

AAT Pro Bono Scheme

The TBA continued to work closely with the AAT to develop and implement its pro bono scheme to facilitate access to justice for those in need.

Melbourne University Tax Clinic

The TBA has assisted Melbourne University by promoting its tax clinic and providing barristers with the opportunity to volunteer their time to supervise tax students giving pro bono advice to impecunious taxpayers.

Consultation

The TBA provided submissions to the Law Council of Australia regarding Legal Professional Privilege and the appropriateness of how it is being used by taxpayers to withhold information or documents from the ATO.

Terry Murphy QC, Angela Lee and Gareth Redenbach met with representatives from the ATO to develop a joint CPD program whereby barristers attend ATO offices and present on various topics within their expertise.

Tax Bar newsletter

The TBA sent out regular electronic newsletters informing members, and subscribers from legal and accounting firms, the Australian Taxation Office, and universities, of the latest tax developments.

Bulk memberships to Thomson Reuters and CCH

The TBA obtained discounted memberships to the above publications for TBA members.

Social events

The 2018 annual dinner in December had as its guest speaker Justice Steward of the Federal Court.

Women Barristers' Association

- > The Women Barristers' Association (WBA) currently has 295 members, of whom 254 are fee paying (the remainder being judicial members and readers);
- > Justice Pamela Tate has performed the role of WBA patron this year, having taken on the role following the retirement of the Hon Marilyn Warren who was made an honorary
- on 9 October 2018, WBA celebrated its 25th anniversary with a cocktail event at Juliet in the Melbourne CBD featuring guest speakers Justice Tate and Judge Lewitan, both former convenors of WBA. It was wonderful to celebrate 25 years of continuing work to advance the position of women at the Bar;
- > WBA has worked to promote the Gender Equitable Briefing Policy (GEBP) and encourage members and non-members to sign up to the GEBP and promote ways in which members can benefit from the policy. These initiatives have included:
- continuing our project to record appearances by gender in the Supreme Court, thanks to the efforts of our team of volunteer law students, to combine with the publicly available Court of Appeal data;
- a CPD on 21 November 2018 presented by President Maxwell, Justice Quigley and Richard Attiwill QC and chaired by our convenor, providing statistics about appearances by gender in the Court of Appeal and Supreme Court, outlining the background to the GEBP and providing practical tips on complying with obligations under the GEBP;
- > coordinating a "class actions" networking event with Maurice Blackburn in October 2018 attended by barristers and solicitors from class actions law firms; and
- > continuing our series of networking lunches co-hosted with VWL connecting barristers and solicitors with briefing power in a range of practice areas including insurance, building and construction and wills and estates.
- > WBA organised a Court of Appeal advocacy development program for the third year running, in conjunction with Justice Tate and the Court of Appeal (August 2018). The 2018 problem concerned an appeal against a VCAT decision in relation to fertility treatment;

- > WBA coordinated a CPD entitled "Getting paid what you're worth" presenting data compiled from a number of the lists on average charge out rates and valuable advice from senior junior barristers about charging practices. This will tie in with the Equality and Diversity Committee's investigation into the gender pay gap at the Bar;
- > WBA organised its second and third sell-out "Women in Wine" networking events for members and their invited solicitors, hosted by Clare Burder of "The Humble Tumbler" and attended by women winemakers from regional Victoria (September 2018, May 2019);
- > we celebrated International Women's Day 2019 with two events. The first was "Things I wish I had known then: advice I would give myself as a young practitioner" featuring speakers from the Bench and senior members of the Bar. The second was co-hosting with VWL a lunch at the Windsor Hotel featuring Professor Gillian Triggs (March 2019);
- > we made a submission to the Sex Discrimination Commissioner's National Inquiry into Sexual Harassment in Australian Workplaces. Thank you to Natalie Blok for her hard work in preparing the submission (Feb 2019);
- WBA finalised its series of members' only events entitled "Dealing with Difficult People". Thanks to Susan Aufgang for her work in organising;
- > WBA hosted its annual "Leaps and Bounds" event celebrating a number of judicial, tribunal and silk appointments (December 2018);
- WBA continued to encourage members to apply for Bar Council and silk and ran a session on applying for silk;
- > WBA took part in the mentoring program with VWL and provided mentors and judges for the 2018 VWL Warren Moot;
- > WBA sponsored attendance at the AWL conference in Sydney in August 2018;
- > we supported "Dignity Drive", an initiative to donate tampons and sanitary products to women in need in the Melbourne area;
- > thank you to everyone who has been involved on the committee for the past year and in particular to our retiring secretary Jess Swanwick for her years of dedicated service to WBA.



VICTORIAN BAR COUNCIL

List Of Committees

Alternative Dispute Resolution Committee

Art & Collections Committee

Audit, Finance & Risk Committee

Continuing Professional Development Committee

Counsel Committee

Education and Professional Development Committee

Equality and Diversity Committee

Ethics Committee

Health and Wellbeing Committee

Human Rights Committee

Indictable Crime Certificate Committee (ICCC)

Indigenous Justice Committee

Innovation and Technology Committee

International Advocacy Training Committee

International Arbitration Committee

Library Committee

New Barristers' Committee

Practising Past Chairman's' Committee

Pro Bono Committee

Readers' Course Committee

Student Engagement Committee

List of Committee Members at 30 June 2019

Alternative Dispute Resolution Committee

Tony Neal QC (Chair)
Tony Elder (Deputy Chair)
Gregory Harris QC
Dr Peter Condliffe
Carmella Ben-Simon
Marianne Barker
Danielle Huntersmith
Dr Elizabeth Brophy
Carey Nichol
Tony Horan
Angela O'Brien
Cameron Charnley

Art & Collections Committee

Peter Jopling AM QC (Chair) Campbell Thomson Siobhan Ryan Charles Parkinson Stephen Jurica Edward (Eddy) Gisonda Leana Papaelia Raini Zambelli Daniel Kinsey

Audit, Finance & Risk Committee

Nicholas Modrzewski

Sam Hay (Chair and
Honourary Treasurer)
Stewart Maiden QC (Deputy
Chair and Assistant
Honourary Treasurer)
Dr Ian Freckelton QC
Andrew Broadfoot QC
Meg O'Sullivan
Katherine Lorenz (CEO)
Susan Lawrence (Manager –
Finance & Membership)

Continuing Professional Development Committee

Dr Michael Rush (Chair)
Dr Oren Bigos (Deputy Chair)
Lisa De Ferrari SC
Richard Dalton QC
Justin Castelan
Stephen Warne
Cecily Hollingworth
Leana Papaelia
Rachel Walsh

Counsel Committee

Áine Magee QC (Chair)
Andrew Bell (Honorary Secretary)
Katherine Brazenor (Assistant
Honorary Secretary)
Wendy Harris QC
Justin Hannebery QC
Sam Hay

Meg O'Sullivan

Nicole Papaleo

Education and Professional Development Executive

Simon Marks QC (Chair)
Dr Oren Bigos (Deputy Chair)
Dr Suzanne McNicol QC
(Deputy-Chair Readers Course
Committee)

Philip Corbett QC (Chair International Advocacy Training Committee)

Dr Michael Rush (Chair - CPD Committee)

Equality & Diversity Committee

Jenny Firkin QC (Chair)

Astrid Haban-Beer (Deputy Chair)
Christopher McDermott
(Secretary)
Gabi Crafti (Bar Council
Representative)
Sashi Maharaj QC
Grant Atkinson
David Klempfner
Carl Moller
Haroon Hassan

Ethics Committee

Reiko Okazaki

Andrea de Souza

Róisín Anneslev OC (Chair) Peter Chadwick QC (Deputy Chair) Noel Magee QC Dr Ian Freckleton QC Andrew Strum OC Stewart Maiden QC Peter Rozen QC Fiona Ellis Charles Shaw James Barber Lisa Hannon Simon Pitt Sarah Cherry Tyson Wodak Paul Kounnas Alexandra Golding Eloise Dias

Carmen Currie

Health & Wellbeing Committee

Philip Corbett QC (Chair)
Greg Ahern (Deputy Chair)
Mary Anne Hartley QC
Sally Flynn QC
Susan Borg
Bronia Tulloch
Kaye McNaught
Emily Porter
Cecily Hollingworth
Banjo McLachlan
Gemma-Jane Cooper
Matthew Meng
Roxanne Burd

Human Rights Committee

Peter Willis SC (Chair)
Russell Moore (Deputy Chair)
Susan Borg (Secretary)
Aggy Kapitaniak (Assistant Secretary)
Ron Meldrum QC
Michael Rivette
Anthony Krohn
Adam McLean
Maria Pilipasidis
Krystyna Grinberg

Andrew Yuile

Indictable Crime Certificate Committee (ICCC)

The Hon Robert Redlich QC (Chair)

Paul Holdenson OC Simon Marks QC Wendy Harris OC Daniel Gurvich OC

Indigenous Justice Committee

Anne Sheehan (Chair) Timothy Goodwin (Deputy Chair) Jennifer Batrouney QC Peter Willis SC Christopher Winneke QC Campbell Thomson Jeremy Whelen Elizabeth Ruddle Neil Howard Gordon Chisholm Kate Stowell

Innovation & Technology Committee

Garry Bigmore QC (Chair) Rachel Walsh (Deputy Chair) Tony Nolan QC Juliet Forsyth SC Don Farrands Chris Brown Timothy Dowling

Sarah Worsfield Neale Paterson

Emma Poole

Liaisons

Paul Clark (BCL CEO) Daniel Calleja (BCL Liaison)

Nicholas Papas QC (Criminal Bar

International Advocacy **Training Committee**

Philip Corbett QC (Chair) Sally Flynn QC Hilary Bonney Jim Shaw Jim Doherty Trevor Wallwork Paul Kounnas Emma Peppler Nicholas Goodenough Erin Hill

International **Arbitration Committee**

Martin Scott OC (Chair) Michael Whitten QC (Deputy Chair) Greg Harris QC Jeremy Twigg QC

Elizabeth Brimer SC (until appointment to the County Court of Victoria)

Dean Luxton Liam Connolly Joel Harris Eugenia Levine Raini Zambelli James Waters Elizabeth Bateman Amv Hando

Library Committee

Ian Upjohn CSC QC (Chair) Mark Robins QC (Deputy Chair) Richard Brear Mark Campbell John Gordon Paul Vout Melanie Baker Jonathan Wilkinson Nawaar Hassan Lucy Line Ray Ternes

New Barristers' Committee

Andrew Burnett

John Leung (Chair) Daniel Diaz (Secretary) Fleur Shand Timothy Dowling Nico Burmeister Daniel Nguyen Andrew Burnett Scott Davison Matthew Meng William Barker Andrea de Souza Lucy Dawson

Practising Past Chairman's' Committee

Andrew Kirkham AM RFD OC John (Jack) Rush RFD OC Susan Crennan AC QC David Curtain QC Michael Shand OC Michael Colbran QC Jennifer Batrouney QC Paul Anastassiou QC (until appointment to the Federal Court of Australia)

James W S Peters AM QC Fiona McLeod SC

Pro Bono Committee

Richard Wilson (Chair) Meredith Schilling (Deputy Chair) Claire Harris OC Tom Danos Michael Rivette Tomaso Di Lallo Donald Farrands Meg O'Sullivan Fiona Batten Eugenia Levine Kess Dovey Sarah Zeleznikow Willem Drent Lachlan Molesworth Alexia Staker

Christopher Lum Brendan Lacota (Justice Connect) Heather Bell (Justice Connect)

Readers' Course Committee

Simon Marks QC (Chair) Dr Suzanne McNicol OC (Deputy Chair) Raymond Finkelstein AO QC Adrian Finanzio SC Michael Borsky QC Lisa Nichols QC Eugene Wheelahan QC

Sarah Porritt Justin Graham Ben Ihle Aphrodite Kouloubaritsis Diana Price Christopher Tran

Lachlan Cameron

Student Engagement Committee

Zubin Menon (Co-Chair) James Waters (Co-Chair) Gerard O'Shea (Co-Secretary) Kess Dovey (Co-Secretary) Andrew Kirby Sebastian Reid Shaun Ginsbourg Jarrod Williams Erin Hill Amanda Burnnard Tim Farhall Vicki Bell

Victorian Bar News **Editorial Committee**

Justin Wheelahan (editor) Annette Charak (editor) Natalie Hickey (editor) Maree Norton (deputy editor) Carmella Ben-Simon Campbell Thomson Tony Horan Brad Barr Haroon Hassan Hadi Mazloum Jesse Rudd Reiko Okazaki Veronica Holt Meg O'Sullivan (Bar Council representative)

Finance

Audit, Finance & Risk Committee

In line with the Bar's continuing focus on improving corporate governance, the committee is now known as the Audit, Finance and Risk Committee. The change of name reflects the fact that the committee is now charged with monitoring risk. It continues to oversee the Bar's budget and its annual reporting obligations.

During the year the Bar's management team prepared and presented a number of important documents for consideration by the committee. These included the Bar's Risk Management Policy & Framework, the Compliance Management Framework and the 2020 financial budget all of which was recommended for approval by Bar Council.

The Bar's external auditors presented the results of the 2018 financial audit to the committee. The auditors concluded that the accounts presented fairly the financial performance and financial position of the Bar. As a result, the committee recommended that the consolidated financial accounts be approved by Bar Council for signing by the President and Honorary Treasurer.

In addition, management presented the 2018 Professional Standards Scheme audit report, the Professional Standards Improvement Plan annual report and the CPD audit report to the committee for noting.

Upon request of the committee, the Bar management team reported on a number of other items that have a significant impact on the financial results and risk profile of the Bar. These included a review of the Readers' Course fee, the costs of the current parental leave policy, the status of various Legal Services Board funded projects, and a review of the insurance cover held by the Bar.

The Bar remains in a solid financial position despite a number of unexpected and quite significant expenses arising in the second half of the financial year, particularly those incurred in connection with the Royal Commission into the Management of Police Informants.

The Chair would like to thank all members of the committee and the Manager, Office of the CEO for their excellent support throughout the year.

Promoting Access to Justice Indigenous Justice Committee

The Indigenous Justice Committee (IJC) thanks the contributions of retiring members Tom Keely SC, Marita Foley, Raymond Gibson QC, Elizabeth Bennett.

During National Reconciliation Week 2019, a Welcome to Country by Wurundjeri Elder Aunty Georgina Nicholson was conducted, poignantly reminding us of the theme "Grounded in Truth" based upon her own family's history. The CPD that followed was chaired by Magistrate Abigail Burchill, and included speakers Pat Warner (VALS), Kehndra Hooker and Terri Pollard (Djirra), and Alan Dewis (VLA) addressing substantive legal issues affecting Indigenous Victorians. Following the seminar members of the Bar made personal offers of pro bono assistance to the speakers.

In advancing the work of the Reconciliation Action Plan the IJC has:

- > sponsored four Aboriginal and Torres Strait Islander law students in the Indigenous Clerkship Program of three weeks' intensive work with the Federal Court, Supreme Court and the Bar:
- > matched Aboriginal and Torres Strait Islander students and law graduates to judicial and barrister mentors to foster their careers in law;
- in conjunction with the Commercial Bar Association, sponsored the professional development of an Indigenous barrister by attendance at the Hong Kong CommBar conference;
- continued to support the policy work of the LCA and the ABA on Indigenous incarceration, constitutional recognition and the Voice to Federal Parliament; and
- acted upon feedback from organisations providing legal assistance to Aboriginal and Torres Strait Islander people to provide CPD sessions and to improve communication with the Bar.

The IJC celebrates the achievement of Deputy Chair
Tim Goodwin being awarded National Indigenous Legal
Professional—Tim is an inspirational role model to Aboriginal and
Torres Strait Islander law students and prospective barristers.

Equality and Diversity Committee

The objective of the Equality and Diversity Committee is to develop a coordinated, holistic approach towards equality, inclusion and freedom from discrimination and harassment at the Victorian Bar.

Over the last year, the committee has engaged in a variety of initiatives to promote diversity at the Victorian Bar, including:

> launch of the LGBTI working group and its resource, Eliminating LGBTI discrimination. This resource identifies strategies for eliminating discrimination against the LGBTI community in the legal profession and other workplaces from the Victorian Bar. The launch event was open to all members of the legal profession and titled 'We're Coming Out: LGBTI Equality'. The Victorian Solicitor-General, Kristen Walker QC, and Judge Paul Higham, spoke at the event;

- > a launch of the Race, Ethnicity and Cultural Diversity working group with an event titled 'Diversity in the Legal Profession: A Panel Discussion'. The panel discussion, chaired by Justice Jacinta Forbes, was presented by Judge Philip Misso, Judge Karl Blake, Michelle Britbart QC and Rutenda Michunguri;
- > the establishment of a Disability and Accessibility working group to focus on issues affecting members of the Victorian Bar and the legal profession with disabilities;
- > presenting a CPD seminar titled 'Legal Issues affecting Indigenous Australians', together with the Indigenous Justice Committee. Panellists included Patrick Warner (Victorian Aboriginal Legal Service), Alan Dewis (Victoria Legal Aid) and Kendra Hooker (Aboriginal Family Violence Legal Service, Djirra). The discussion was chaired by Magistrate Abigail Burchill;
- > presenting an event titled 'New faces of the Bar' for Law Week 2019, aimed at sharing the stories and experiences of Victorian barristers from a diverse range of backgrounds, ethnicities, sexual orientations, and genders. Chaired by Christopher McDermott and presented by Philip Corbett QC, Rowena Orr QC, Angela Lee and Haroon Hassan; and
- > hosting a re-engagement lunch for members of the Bar currently on, recently returned from, or planning to take, extended leave (such as parental or carer's leave). This lunch was a great opportunity for open and frank discussion about issues faced, and the ways in which returning to the Bar and working flexibly can best be achieved.

The committee congratulates the former Chair, Justice Jacinta Forbes, on her appointment to the Supreme Court of Victoria. The committee is very grateful for her years of service to equality and diversity initiatives while at the Bar.

The committee also thanks the following members who retired during the financial year: Helen Rofe QC, Kim Knights (Deputy Chair), Susan Aufgang, Philip Teo, and Sarah Thomas.

Human Rights Committee

The committee thanks the following members who retired during the year, at 31 December 2018: Tomaso Di Lallo (Deputy Chair), Tim Maxwell (Secretary), Kate Bowshell (Assistant Secretary), Roshan Chaile, Malcolm Harding.

The committee's remit

The committee is one of the Bar Council's longest standing policy advisory committees. Its 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 committee's focus is on legislation and policy, and other issues which raise systemic issues, within Victorian and Commonwealth jurisdictions. It does not address individual cases.

Activities of the committee in 2018/2019

The committee met regularly during the year under review, on five occasions, as well as circulating material between meetings. The committee prepared a submission for the Bar Council on not yet introduced amendments to the *Victorian Charter of Human Rights and Responsibilities*.

The committee conducted two successful and well-attended CPD seminars: a practice refresher on refugee application cases (in conjunction with the Migration Law Bar Association) (August 2018) and a seminar on police accountability (October 2018). Further CPD seminars are in planning for the coming year.

The committee reviewed the human rights issues raised by federal and Victorian proposed legislation and by parliamentary and law reform and other governmental agency inquiries and policy announcements. Due to elections for the State Government (November 2018) and Federal Government (May 2019), the number of legislative proposals was less than in other years. Consistently with the themes of recent years, the committee particularly monitored human rights issues in the context of: access to justice and legal aid; respect for the independence of the courts and tribunals; police powers and accountability; sentencing and parole; counterterrorism; the rights of children; freedom of speech, freedom from discrimination and freedom of religion, conscience and belief; and the treatment of asylum seekers. The committee continues to study and support the constitutional recognition of Aboriginal and Torres Strait Islander peoples.

Working with others

Once again, the committee has worked collaboratively with other interested parts of the Bar, including the Equality and Diversity Committee; Indigenous Justice Committee; and the Criminal Bar Association and Migration Law Bar Association, and with the Law Council of Australia. We thank the Bar's in-house lawyers, Travis McKay and Jaclyn Symons, for their assistance.

By way of other contributions in the committee's field by members of the Bar, Peter Fox QC¹ and Peter Willis SC continued as member and alternate member, respectively, of the Law Council working group on Business and Human Rights.

¹ Peter Fox QC sadly passed away on 6 October 2019. The Bar extends its condolences to Peter's family, friends and colleagues.

Retiring members

In accordance with the Bar Council's policy on committees, several members of long-standing retired at the end of 2018. It is proper to mark particularly the service and dynamism of Tomaso Di Lallo and Malcolm Harding. They contributed greatly to the committee's work over a long period.

Pro bono commitment Pro Bono Committee

Supporting the longstanding tradition of barristers performing work pro bono publico, the Victorian Bar facilitates a range of pro bono schemes. These formal schemes are organised to make it easier for people to access pro bono legal services from the Bar and to better enable barristers to volunteer to undertake pro bono work as part of their professional practice. Pro bono work performed by barristers under the schemes helps improve access to justice for clients, promotes the rule of law and supports the administration of justice in our courts.

One of the committee's roles is to oversee the functioning of these schemes and to report to the Bar Council about their operation.

The Victorian Bar's schemes operate under two models: (1) the *Pro Bono Scheme* facilitates pro bono legal services to the general community; (2) the numerous *court referral schemes* facilitate pro bono services for self-represented litigants in cases that are already before courts.

- 1. The 'Victorian Bar Pro Bono Scheme' was established more than a quarter of a century ago as the 'Victorian Bar Legal Assistance Scheme'. Over the years it has developed to address emerging areas of legal need where government legal aid is unavailable, and individuals cannot otherwise access necessary legal services. The Bar has an external manager that administers this scheme. Justice Connect (formerly called PILCH) triages requests for assistance coming from the broad community and coordinates referral requests to barristers and law firms. Each year hundreds of referrals are placed with counsel in Victoria. Requests for help come directly from the public (including via Justice Connect's online intake tool and outreach services), and via referrals from legal networks, including community legal centres, private law practices and Legal Aid. Some 1200 Victorian barristers have signed up to volunteer for this scheme.
- > Work performed includes providing advice on merits, drafting court documents, appearing at hearings, and often extends to acting in entire cases. Clients assisted under the scheme come from across the Victorian and Australian community, and sometimes from further afield;
- In year ending 30 June 2019, 793 requests for assistance in Victoria were triaged by the scheme's administrator; of these 427 were assessed as eligible matters for referral and placed

- with lawyers; more than half of these (276) were referred to Victorian barristers;
- > Cases can be in any state or federal court or tribunal.

 Barristers can be working on more than one pro bono matter at a time. Often cases run to trial and sometimes to appeal.

 In many cases, having access to pro bono services from a barrister also leads to a client's matter resolving through settlement, avoiding the risks to the client of litigation;
- Cases referred under the scheme are undertaken voluntarily and sometimes involve both senior and junior counsel working together on a single matter. Undertaking a referral can take days and weeks of work, spanning months and sometimes years.
- 2. The various court referral schemes complement the Bar's general pro bono scheme. They respond to legal need that is identified at court in cases already before the courts; providing self-represented litigants who cannot otherwise access legal services with pro bono representation, advice and other legal assistance. They also support the administration of justice in the courts. The court-based schemes (some previously called 'duty barrister' schemes) have also evolved over the years. Today each of the Bar's schemes with Victorian courts now operates on a referral model, where the court makes a 'request' for a pro bono referral to a barrister, similar to the approach in the Federal Court under its rule of court see FCR 4.12 (formerly Order 80).

Jurisdictions in which court referral schemes operate include the Federal Court and Federal Circuit Court (under their respective rules of court), and the Victorian Supreme Court and Court of Appeal, County Court and Coroners Court. The committee also explores opportunities to facilitate the establishment of pro bono schemes with other courts and tribunals.

On-going review and improvement of court referral schemes

As reported in last year's annual report and in In Brief #873, the Pro Bono Committee, in conjunction with the Victorian Bar staff and a working group of the Bar Council, has been undertaking a collaborative review with the courts of the various court referral schemes: to improve their operation, efficiency and effectiveness; streamline processes; and make them more visible to barristers, judges and court staff. The aim is to better harness the capacity of barristers at the Victorian Bar to do pro bono work, improve the service the Bar can offer courts, maximise the impact of pro bono and to ensure that barristers have confidence in the integrity of each of the schemes. This review has involved a "co-operative venture" with the courts to develop a formal written protocol between the Bar and each court that governs how requests for pro bono assistance can be made to the Bar and establish clear and consistent, referral processes from each court.

The protocols address:

- > relevant *eligibility criteria* for courts to make requests for pro bono assistance to the Bar;
- > having such requests framed as a formal order or direction requesting pro bono assistance, to clearly define the referral brief;
- > the process for placing such requests with the Bar (and for counsel to accept a referral);
- > procedures for pro bono barristers to obtain documents from the court file or other information they may need from the Court; and
- > feedback and data collection for review and improvement of each scheme;
- > the protocols have a uniform structure and content but are adapted to the special circumstances of each court to address the distinct types of cases heard in each court, and which matters in their jurisdiction might be suitable for pro bono referral;
- > a feature of the new protocols with the state courts is that they also facilitate requests by courts for the assistance of counsel to appear as an amicus curiae.

The first protocol under the review was established with the County Court (in its Commercial and Common Law divisions) and was launched in November 2018. As reported in last year's annual report, its preparation was a collaborative effort involving the whole of the committee, members of the Bar Council's working group, and representatives from the County Court and Victorian Bar staff.

The review process has continued in 2019. It is pleasing to report that:

- in June 2019 a newly established pilot scheme with the Coroners Court was launched;
- in the Supreme Court and Court of Appeal consultations have also taken place to establish a new protocol for the court's trial and appellate divisions;
- in conjunction with the Federal Court and Federal Circuit Court, a working group has been established to reinvigorate, provide feedback on, and improve the operation of referral processes for requests for pro bono assistance made under their respective rules of court: FCR 4.12 and FCCR 12.02. That working group brings together representatives from those two courts and Justice Connect, and members of Pro Bono Committee and Migration Law Bar Association.

Launch of new Coroners Court pro bono referral scheme

A well-attended CPD, organised by the committee and Victorian Bar staff in June 2019, launched the protocol for the new pilot referral scheme with the Coroners Court of Victoria. As was described in *In Brief #908*:

"The scheme is designed to fill gaps in the provision of legal assistance and representation to people affected by the coronial process who cannot afford to pay for a lawyer at a particularly vulnerable time in their lives".

The pilot scheme's focus is on matters requiring specialised legal services in urgent matters. In appropriate cases, coroners can request the assistance of pro bono counsel regarding:

- > applications for review of the appointment of a person as senior next of kin;
- > appeals to the Supreme Court from decisions by a coroner to:
- > direct that an autopsy be performed;
- refuse a request for an autopsy;
- > release a body to a certain person; and
- in other exceptional circumstances (where a coroner forms the view that it is both necessary and in the interests of justice to refer a matter for pro bono assistance).

To aid barristers who volunteer, the Coroners Court also developed a *Pro Bono Referral Scheme Guide* that sets out 'relevant legal principles, legislative provisions and case law in relation to each of the principal categories that may be the subject of referral under the Scheme'. This guide is available to participating barristers to help ensure 'that high quality advice and representation can be provided, noting that assistance is often required on very tight timelines.' For counsel interested in developing their practice in the Coroners Court, the scheme is a way to gain valuable experience.

The idea for the scheme originated with the former state coroner, the Hon Sara Hinchey, and was subsequently championed at the court by another former member of the Bar, Coroner Simon McGregor. The collaborative development of the agreed protocol governing this new scheme's operation involved work over many months by past and current members of the committee. Announcing the scheme in *In Brief*, the Bar acknowledged the contribution of the committee's Deputy Chair, Meredith Schilling and Chair, Richard Wilson. The committee greatly appreciates the work of all those involved within the committee, at the Coroners Court of Victoria and in the Victorian Bar staff, on this significant achievement.

Pro bono portal

As noted in *In Brief #873*, "in partnership with the Icon Agency, the Bar is developing an online pro bono barrister portal to manage and streamline requests for pro bono assistance from courts and tribunals."

One of this project's aims is to harness the capacity of pro bono at the Bar, by increasing barrister participation rates in pro bono schemes and improving rates of acceptance of pro bono requests.

Throughout the year on-going feedback to the Victorian Bar staff on its development of this new online platform has been provided by members of the sub-committee for this project, chaired by Meg O'Sullivan. The portal is being designed to revolutionise the way referral requests for pro bono assistance from the various courts will be received by the Bar and communicated to and accepted by counsel. Using technology,



PRO BONO AWARDS 2019: From Left: Sarah Zeleznikow, Sarala Fitzgerald, Evelyn Tadros, Dr Ian Freckelton QC, Michael Gronow QC, Chief Justice Anne Ferguson, Brian Walters AM QC, Lisa De Ferrari SC, Dr Adam McBeth.

the platform will assist the Bar and courts to manage enquiries and requests for assistance in an efficient, accurate and timely manner.

The portal is anticipated to be launched later in 2019.

Pro Bono Awards 2019

Every two years the Bar formally recognises and celebrates the contributions of its members at the *Victorian Bar Pro Bono Awards*.

In February 2019 the awards ceremony, hosted by the Chief Justice Anne Ferguson, was held in the Supreme Court Library. Awards are conferred in four *seniority* categories (spanning readers to silks); for public interest or justice innovation; and for the 'Pro Bono Trophy' for *outstanding individual achievement in pro bono advocacy over a long period*. Nominees and winners were publicised in *In Brief #901* and an article in the Victorian Bar News.

The Pro Bono Trophy was awarded to Michael Gronow QC for his extensive assistance to litigants and the court as part of the Court of Appeal pro bono referral scheme and other pro bono programs, his willingness to take on hard cases, and his long-standing commitment to pro bono advocacy over many years.

The organisation of the nominations and selection process, and of the awards ceremony, could not have taken place without the hard work and commitment of Tom Danos and Meg O'Sullivan and the other members of the awards organising sub-committee, and the huge support of the Victorian Bar office. The Bar extends its gratitude to the Chief Justice and the Supreme Court for hosting the awards.

Pro bono film and other activities

Also occurring this year has been the commencement of production of a film about pro bono at the Bar. The short video will showcase the Bar's commitment to pro bono work and the difference it can make in the lives of clients and in the broader community. Michael Rivette chairs the subcommittee assisting the Victorian Bar staff and film crew with this project, and with

the other subcommittee members is working on several stories to use within the film to show the impact of pro bono for people coming into contact with the legal system.

CPD events

In July 2019, the committee sponsored a CPD presentation by Emrys Nekvapil on the topic *Pro Bono: A Professional Obligation*, examining the place of pro bono work in the practice of a barrister working in Victoria, the various rules of court and institutional frameworks, cultural expectations and norms, ethical responsibility, and the rule of law; it asked the question 'whether pro bono work now forms part of the professional obligations of a barrister?' Tomaso Di Lallo chaired the session.

Two further CPD sessions were presented about *Pro bono at the Bar*, to the two Bar Readers' course intakes. Committee members Richard Wilson and Meg O'Sullivan gave these presentations to new readers, with representatives from Justice Connect.

Education Continuing Professional

Development Committee

The Continuing Professional Development Committee (CPD Committee) with the assistance of the Victorian Bar staff, 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 2018/19 year has shown a 35% increase in CPD seminars and workshops provided to our members. Our education team endeavours to continually deliver high quality relevant content that covers all category areas. This year's program included a full day pleadings workshop, jury skills workshop and an intensive written advocacy workshop. Diversity and health and wellbeing seminars were also key inclusions.

Further, the 2019 Junior Bar Conference working group (comprised of the New Barristers' Committee members and CPD Committee members) put together a program for the 2019 event that focused on health and wellbeing and included guest keynote speaker Fiona McLeay, the Legal Services Commissioner. It was a highly successful event and received excellent feedback.

The committee oversaw the annual CPD audit. A random selection of 5% of the Victorian Bar members was selected to monitor that members are complying with their CPD



THE VICTORIAN BAR - SEPTEMBER 2018 READERS Back Row (Left to Right): Gregory Buchhorn; Anna O'Callaghan; David Foster; Carly Lloyd; Jonathan Manning; Claire Horan; Christopher Lum; Cameron Gauld; Timothy Bourbon; Jamie Grant; Timothy Gorton; Anthony Grant; Rowan Minson; Andrea De Souza; Emma Strugnell Middle Row: Rachel Chrapot; Stephanie Joosten; Natalie Kaye; Kathleen Crennan; Douglas Porteous; Alan Ford; Alexander Campbell; Lucy Dawson; Jordan Wright; Mark Sturges; Anthony Pyne; Steven Brnovic; Emma Poole; Jarrod Corbett; Neale Paterson; Vicki Bell; Chiara Bryan; Kate Stowell; Nina Massara Front Row: Jacqui Katsivas; Alexander James-Martyn; Kestin Mildenhall; Veronica Holt; Shanta Martin; Fabian Brimfield; Ranitha Gnanarajah; Alexia Staker; Andreia Monteiro; Monika Pekevska; Emily Anderson; Jordan O'Toole

obligations. Those who voluntarily disclosed that they had not complied with their CPD obligations at the time of renewing their practising certificates were also included in this audit process.

Readers' Course Committee

During the last year the Readers' Course Committee, chaired by Simon Marks QC, has continued to oversee the form and content of the Readers' course and the Bar exam in accordance with the Bar's application & reading regulations. This has been done in close consultation with Victorian Bar staff.

An important task undertaken this year was a review of the Bar entrance exam. A panel (comprising Dr Sue McNicol QC, Chair, Justice Mark Weinberg AO QC, John Noonan QC, Adrian Finanzio SC, Sarah Keating, Fleur Shand and Nicole Mollard) (Panel) was asked to review and consider the utility of the exam, to recommend any changes or modifications to improve it and to consider and recommend a more permanent solution to the overhang problem (i.e., the growing waitlist of applicants who have passed the exam but are waiting for a place to become available in the Readers' course). The Panel completed its report and made recommendations to Bar Council in July 2019. The committee is most grateful to the Panel for their significant work in considering these issues and preparing a comprehensive report.

The committee also launched the *International Internship* Pilot Program in June, in conjunction with the International Commission of Jurists ('ICJ Victoria'). This program is designed to provide an international applicant from a country in the

Asia Pacific region with an opportunity to secure an in-depth understanding of the administration of justice in Victoria, through a placement program run by the Victorian Bar with assistance from the ICJ, the Federal Court and the County Court. Under the program, the applicant will spend 4-5 weeks in Melbourne undertaking parts of the Readers' course, watching sitting judges in the Federal and County Courts and with a mentor barrister at the Bar. The applicant for the pilot program was Mr Collin Andrew, a practising solicitor from Malaysia. He commenced his internship in August 2019.

The Bar continues to attract great interest within the profession as a vocational destination. There were 135 candidates who sat the November 2018 exam. 66 candidates received offers to undertake the Readers' course. These candidates have been placed in either the March 2019 or September 2019 course. The March 2019 course commenced with 48 new readers, who have now joined our Bar. The committee congratulates each of them and wishes them well in their careers.

There were 117 candidates who sat the May 2019 exam with 55 candidates receiving offers for placement in either the September 2019 or March 2020 course. The September's Readers' course commenced on 29 August with 48 readers including two overseas readers from Papua New Guinea.

The administration of the exam and the Readers' course has gone smoothly over the last year but continues to present the committee with significant challenges. The committee is most grateful to the Victorian Bar staff for its work in coordinating the course, to the many volunteers (including judges and barristers) who, each course, give of their time to present



THE VICTORIAN BAR - MARCH 2019 READERS Back Row (Left to Right): Travis Brown; Benjamin Gahan; Kirsti Halcomb; Scott Cromb; Carlin Grant; Vince Murano; Christopher Hender; Christopher Oldham; Simon Frauenfelder; Dr Michael Taylor; Benjamin Fry; Lachlan Currie; Andrea Bannon; Peter Haddad Middle Row: Nina Massara (staff); Khai-Yin Lim; Emma Harold; Nicholas Bird; Annie Yuan; Antony Berger; Timothy Byrne; Jonathan Barreiro; Thomas Battersby; Andrew Crocker; Huw Whitwell; Thomas Wood; Angelo Germano; Andrew Healer; Felicity Fox; Huw Watkins; Conrad Banasik; Glyn Ayres; James Moore; Christina Mavropoulos (staff) Front Row: Suganya Pathan; Rabea Khan; William Blake; Erica Lawson; Kristy Fisher; Gayann Walker; Sean McArdle; Alexandra Guild; Edwina Smith; Rachel Amamoo; Susanna Locke; Collette Mintz; Ashleigh Harrold; Sarah Damon; Michelle Bennett; Laura Mills

seminars, conduct advocacy workshops, undertake assessment tasks and other work in and around the course. Without their involvement, the Bar could not conduct the current course program. The committee is particularly grateful to the Director of Trial Advocacy, Andrew Palmer SC and to the advocacy team, who work tirelessly to make Advocacy Week the success that it is. The committee extends its particular thanks to Judge Brimer who has been a huge contributor to the course and who retired from the committee this year upon her appointment to the County Court.

International Advocacy Training Committee

Since 1990 members of the Victorian Bar and judiciary have provided advocacy skills training to trainees of the Legal Training Institute (LTI), Port Moresby, Papua New Guinea and to lawyers of the South Pacific region generally. The committee continues with these activities.

In July 2018 the 18th Civil & Criminal Advocacy Workshop was conducted in Port Moresby for the LTI over of 5 days of intense teaching and coaching. A total of 85 trainees attended the workshop. These advocacy skills workshops have become an integral and compulsory part of the course undertaken by graduates as part of their qualification for admission to practice as national lawyers in PNG. The workshop was led by Philip Corbett QC and Justice Elizabeth Hollingworth of the Supreme Court of Victoria. The teaching team was Maya Rozner, Trevor Wallwork, Remy Van de Wiel QC, Sarah Porritt, Nicholas Goodenough, Diana Price and Wendy Pollock

(as administrative assistant). The director and the staff of the Legal Training Institute consider the workshop to have been extremely successful. Funding for the workshop is provided by the Australian Government Department of Foreign Affairs and Trade.

The Empowering Women in Law in PNG program for the female students of the LTI was delivered for the fourth time in 2019 in partnership with the LTI and with the support of the Australian Government – Justice Services and Stability for Development (JSSD). The aim of the program is to build confidence in and empower women entering the legal profession in PNG by engaging women on critical issues affecting their advancement within the profession. A new program for male students was also held at the same time with sessions on mentoring, health and wellbeing, respect in the workplace and improving legal research skills.

Once again, the Victorian Bar was invited to present a weeklong training series for government lawyers and prosecutors in the Solomon Islands. The teaching team comprised Maya Rozner, Trevor Wallwork, Magistrate Susan Cameron and Remy Van De Wiel QC.

A four-person teaching team also delivered a criminal advocacy workshop to prosecutors and public defenders in Vanuatu. The team was Sally Flynn QC, Hilary Bonney, Jim Shaw and Philip Corbett QC. The program also incorporated sessions on legal writing and urgent interlocutory applications.

Invitations have been extended to the Victorian Bar to deliver advocacy training in several other South Pacific nations in 2019 and 2020.

The committee also co-ordinates the selection and placement of international students in the Bar Readers' course, demand for places in the course for lawyers from the South Pacific has increased and is highly sought after by emerging leaders of the profession in the region.

The committee is continually arranging further advocacy skills workshops to meet the needs particularly of the lawyers of the South Pacific with whom the committee and teaching teams have formed close bonds. The Victorian Bar has developed and retains a strong reputation for the delivery of pro bono advocacy training in the South Pacific and 2018-2019 saw that reputation confirmed. The members of all teaching teams and committee work hard and under difficult conditions and their work and dedication reinforces the commitment of the Victorian Bar to legal education and advocacy training in the region.

Student Engagement Committee

The Student Engagement Committee has had a busy and successful year of achieving its aims of demystifying the Bar by providing high school and tertiary students with a better understanding of the work of the Bar, and of the pathways to becoming a barrister.

The Student Engagement Committee relies on, and has thrived with, the support of Bar Council, in particular, Dr Matt Collins AM QC and the assistance of the Victorian Bar staff. We offer our thanks.

We also thank our incredible Student Matching Coordinator, Danielle Hagan, for her excellent work in matching barristers to students and running the committee's social media campaigns.

During 2018-2019, the Student Engagement Committee met monthly and was actively involved in a number of initiatives to engage high school and university students from all institutions across Victoria with the Bar.

For the premier event of the committee's calendar, legendary script writer, Shaun Ginsbourg, crafted an excellent production, 'Chocolate and Wine, I Thought I Was Fine,' a bail application



ABOVE: Student Engagement Committee Law Week

for a young Dutch national accused of being the mule for importing drugs hidden in bottles of wine. The committee ran two showings of the production in the County Court, in which Judge Marich and Judge O'Connor presided and answered questions following the production, to court rooms bursting at the seams. Committee members ran a bustling desk in the foyer of the County Court fielding questions from young and old and offering their barristerial garb for dress ups.

Law Week was also an opportunity to showcase the committee's brand-new merchandise, including an informative brochure for students, a new banner and a selection of VicBarbranded stationery, which was snapped up by the barristers of tomorrow.

University and school events

Following the huge success of the Victorian Bar Open Day in 2018, the committee is offering its support and assistance with speakers, personnel and creative direction for this event in 2019, which is aimed at engaging with university students and identifying pathways to the Bar.

The committee conducted a number of presentations to educational institutions and arranged for barristers to attend events in order to inspire the barristers of tomorrow. This year barristers presented to University High School (thanks to Sebastien Reid), Wyndham Central College visit (thanks to Sebastian Reid and Gerard O'Shea), Bayside College (thanks to Amanda Burnnard), attended ACU Law careers fair (thanks to James Waters) and the La Trobe University Career's fair (thanks to Kess Dovey), Mount St Josephs, Altona (thanks to Amanda Burnnard), Victoria Uni Witness Examination Competition (thanks to Gerard O'Shea and Danielle Hagan).

Social media

The committee's social media presence was completely rejuvenated by Danielle Hagan's excellent work in publishing regular updates, photographs, videos and news of the Bar to the committee's Facebook page. The reach of social media posts and levels of engagement were extraordinary.

University shadowing and high school work experience

During 2018-2019, the committee fielded 285 enquiries from students, and placed 164 students (up 20% on last year) in shadowing placements for university students (116) and work experience for high school students (48).

As part of its ongoing trial of the committee's intensive placement programs for students, 38 students were placed in week-long intensive sessions. These provided invaluable positive and constructive feedback.

Across all student placements, the feedback received by the committee was excellent and highlights how valuable these

opportunities are to students, and in promoting the Bar as an excellent career.

The committee is grateful to the members of the Bar who continue to volunteer their time to attend school speaking engagements, act as mentors to students and afford work experience opportunities to students. The committee is always keen to hear from barristers who would like to participate in its program. If you have such an interest or would like to know more, please email students@vicbar.com.au.

Future direction of the Student Engagement Committee

The committee faced a crossroads, with the coalescing of unprecedented demand for placements by students, and a reduction in the pool of barristers accepting student placements. This led to an investigation of how the committee can best deliver its aims with limited resources (internally and with its pool of barristers). The investigation revealed that a disproportionate amount of time was spent liaising with high school students and their schools, to be shoehorned into the Work Experience program, the requirements for which do fit comfortably with barristers' operations as sole traders.

Following the committee's efforts to streamline its operations in 2017-2018, this year the committee resolved to no longer organise work experience for high school students but encouraging them to seek work experience directly with barristers or approach law firms and other legal organisations.

The committee continues to engage with universities in an effort to develop a program for shadowing barristers where the workload for the application process, selection of students and placement is borne by universities, but run in accordance with the Victorian Bar's and the committee's values. In 2019-2020, the committee aims to have a structured program with each university in Victoria to promote access to shadowing opportunities for those groups who may not otherwise have such access, including culturally and linguistically diverse groups, those who are underrepresented at the Bar and students with no contacts in the legal profession.

Library Committee

The Committee thanks the members who retired during the year, namely Peter Willis SC and Mark Irving QC.

The Bar Library's integration with the Law Library of Victoria (LLV) continues to bear fruit. Members are making frequent use of the 3 computer terminals in the Richard Griffiths Library to access to the LLV's vast digital collection. Members are also assisted by professional librarians, Belinda Schembri and Nadine Mann, who attend on Tuesday and Thursday

afternoons, providing direct assistance to barristers. The digital resources include Lexis Advance, as well as other LexisNexis AU titles, ThomsonReuters, CCH Intelliconnect, Timebase and many international resources, including ICLR, Hein Online, Westlaw UK and Westlaw Next. CPD seminars on the use of the LLV digital collection and other on-line resources were conducted in November 2018 and March 2019.

Members continue to make very kind donations of textbooks and monographs which they have written and to offer reports, journals and volumes from their own libraries upon retirement or downsizing. Particular thanks go to Sir Daryl Dawson QC, Cliff Pannam QC, Stewart Maiden QC and Andrew Sykes.

Members are reminded of the extensive monograph and reading collection in the Richard Griffith Library (RGL) and Bar Council Chamber. The Essoign Club is next door to the RGL and you are always welcome to bring in your morning tea or coffee to our coffee tables and enjoy browsing the monograph and historical collections. The RGL houses the computer terminals and photocopier, the Australian authorised reports, up to date and frequently used textbooks, heritage items and the lending library books (see yellow sticker on spine). Lots of new textbooks have been acquired in the end of financial year and calendar year sales.

English reports and most journals are in the Neil McPhee Room next door. Other international reports and journals are located in the Bar Council Chamber. Branch libraries for spare sets, some journals and older textbook collections have been established in Owen Dixon Chambers East and West, Lonsdale Chambers, Crockett Chambers and Castan Chambers in various common areas. See the Directory in the RGL room for details.

The lawlibrary.vic.gov.au website has a full catalogue of electronic and hard copy resources, which identifies the Bar Library's hard copy holdings. The Bar Library page on the vicbar. com.au website has library policies and procedures, as well as the library committee members who welcome your questions and suggestions. A hardcopy of catalogue of the LLV's Electronic Collection and exclusively hard-copy reports is kept in a folder in the RGL.

The Chair of the Committee addressed the March and September Readers' Courses and conducted tours of the library. Committee members have worked tirelessly throughout the year attending meetings and working bees to move and improve the collection, including moving the Victorian Statutes reprints (now obsolescent) to Owen Dixon Chambers West, 12th floor. Members participated in workshops conducted by the LLV on improving access by the legal profession to the LLV digital collection. The Committee looks forward to progressing this in 2020.

The Indictable Crime Certificate Committee (ICCC)

The Indictable Crime Certificate (ICC) is an accreditation and quality assurance program, overseen by the ICCC on behalf of the Victorian Bar in conjunction with Victoria Legal Aid.

In 2018-19 the ICCC received 30 applications, taking the total number of received applications to 344. The 2018-19 period saw the first round of ICC holders due for renewal. To facilitate the renewal process, the ICCC with the assistance of Victorian Bar staff have commissioned an update of the online knowledge test, a compulsory requirement of certification. This will be available by the end of 2019.

The committee thanks the Hon David Habersberger QC, the Hon Alex Chernov AC QC, the Hon Murray Kellam AO QC, the Hon David Harper AM QC and the Hon Katharine Williams who provide invaluable support to the ICC education programs and the committee.

Professional Standards

Alternative Dispute Resolution Committee

The Alternative Dispute Resolution Committee (ADR Committee) thanks those members who retired either during or at the end of 2018: Tony Nolan QC, Carolyn H Sparke QC, John Hall, Caroline Kenny QC, Belle Lane, Michael JF Sweeney, Glen Pauline and Gerard O'Shea.

New Victorian Bar website: Throughout the reporting period the ADR Committee has continued to engage with Bar representatives to drive some changes to the new website which went live on 22 May 2017. The committee was especially concerned to raise the visibility of accredited mediators and their particular areas of practice on the new website. Some of the requested changes have already been implemented. The committee is keen to see a national register of NMAS accredited mediators and the Victorian Bar website, in conjunction with other States' websites, is an obvious resource to achieve this. The goal of having a national register of barrister mediators arose from interest expressed by a national professional association in having access to such a register.

Promotion of Victorian Bar accredited mediators: The committee has an ongoing focus on bringing to the attention of the courts, professional associations and the wider community the benefits of using Victorian Bar accredited mediators. Based on a protocol developed earlier between the committee and the Federal Circuit Court, the court implemented a pilot project to refer intellectual property disputes for mediation by the Bar's nominee. With some further refinements it was hoped this protocol will become the basis for all requests received

by the Bar President for nominations of a mediator. Productive engagement with the CPA continues and a similar approach to the CAA is under consideration. Updating the accuracy of the Magistrates' Court SLEM list has also been achieved. Despite such work there is an obvious trend for the courts to prefer "in-house" mediation. There is much work yet to be done by the committee in this space.

Lawyer's Certificate in Mediation course: Another successful Lawyer's Mediation Certificate course was held in May 2019 in the Bar's newly renovated first floor premises. Sixteen participants, 14 barristers, 1 judge, 1 corporate counsel, attended the course. These participants rated the course very highly. The course leaders were again Dr Peter Condliffe, Dr Elizabeth Brophy and Tony Neal QC. The Mediation Course is a premier course and the Mediation Course sub-committee is to be congratulated on the continued success of it.

CPD subcommittee: The CPD subcommittee under Carolyn Sparke QC (2018) and Danielle Huntersmith (2019), as well as conducting seminars, has continued with monthly workshops for mediators to debrief, discuss current issues and recent authorities. Those participating report they are a valuable forum for sharing experiences. The committee's view is that such sessions qualify for NMAS re-accreditation purposes.

Accreditation subcommittee: This subcommittee has produced a valuable report reviewing the Victorian Bar's Advanced Mediator Scheme. Subject to some further refinements of a proposed re-vamped scheme the full committee will be voting on what to recommend to the Bar Council in the latter part of 2019.

ICC Asia Pacific mediation competition: The competition took place in July 2018. Committee member Marianne Barker liaised with the ICC in relation to this event and presented a Barsponsored prize awarded in honour of the late Henry Jolson QC.

Family law subcommittee: This subcommittee is closely monitoring developments in the family law space particularly stemming from the proposed merger of the Federal Circuit and Family Courts. The use of arbitration in family matters is a matter of particular interest. Efforts to promote the use of barrister mediators by courts exercising family law jurisdiction is also a focus of this subcommittee.

Acknowledgments: The ADR Committee thanks Ross Nankivell, former Manager assisting the CEO, for his attendance, input and assistance and Victorian Bar staff for its administrative assistance with the running of the LMC course. As of March 2019, Ross no longer works for the Bar and in his stead the Bar's Senior In-House Lawyer Travis McKay and Jaclyn Symons are assisting the committee. Their contributions are already proving valuable.

International Arbitration Committee

Building on the strength of the committee's work in 2017 and 2018, the prospect of creating specialist international arbitration chambers in Singapore for the Victorian Bar became much closer.

The committee has inspected available premises in Maxwell Chambers and planned a proposed fit-out. Lease negotiations are advancing by the committee on behalf of the Victorian Bar. Considerable work by members of the committee and other supporters of this initiative has been necessary, often at real inconvenience and personal expense, to drive this initiative for the strategic benefit of the Victorian Bar in the longer term. Mark Dempsey SC and Kieran Hickie are singled out for special mention.

During the course of the year, the committee consulted with and later made the Bar's submission to a report by the Hon Roger Gyles AO QC for the Australian Bar Association on international disputes. The ABA Convergence conference in Singapore links the substance of that report and the Maxwell Chambers initiative.

Finally, the committee congratulates Lord Chief Justice Michael Whitten on his appointment to the Supreme Court of Tonga and Judge Brimer on her appointment to the County Court of Victoria. The committee thanks both for their significant contributions to the committee over several years.

Counsel Committee

The Counsel committee thanks Justice Forbes for her valuable contribution to the committee prior to her appointment to the Supreme Court. The committee welcomed new members Justin Hannebery QC, Meg O'Sullivan and Nicole Papaleo.

The committee is appointed pursuant to clause 63 of the Constitution of the Victorian Bar. It is composed solely of members of the Bar Council. The role of the Counsel Committee is to consider, and make recommendations to the 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).

The committee meets on an as needed basis and since the last report has met five times for general matters and held one formal hearing.

The Bar's Protocol for Dealing with Disclosures delegates to the Honorary Secretary the role of reviewing routine disclosures made in the course of applications for renewal or grant of practising certificates, and applications to sign the Roll of Counsel, and to make recommendations directly to the Bar Council.

The 2018 - 2019 Practising Certificate renewal cycle required

the review of nineteen disclosures for recommendation to the Bar Council. Pursuant to the protocol described above, the Honorary Secretary reviewed and made recommendations on a further nine matters relating to reader applicants.

The committee has considered three fresh matters in which there were disclosures of show cause events pursuant to s 88 of the Legal Profession Uniform Law. At 30 June 2019, two of those matters had been finalised and one is the subject of continuing investigation. In addition, the committee finalised four other matters.

The committee is grateful for the ongoing support provided by the Victorian Bar staff and in particular would like to thank Travis McKay for the dedication and hard work he has provided in his role as Senior In-House lawyer.

Ethics Committee

Meeting approximately every three weeks, the Ethics Committee met on thirteen occasions in the financial year to 30 June 2019. In accordance with the delegation to the Bar Council, it received for investigation from the Legal Services Commissioner five complaints and one preliminary investigation. Throughout the course of the year, the Ethics Committee made recommendations to the Legal Services Commissioner on three complaints and two preliminary investigations.

The Ethics Committee received two new grievances made pursuant to the Bar's Grievance Protocol. It resolved three grievances as between barristers. The Grievance Protocol procedure appears to work well with barristers being able to address inappropriate or insensitive conduct between counsel in a structured and courteous manner, which avoids escalation of tension and unnecessary unpleasantness between counsel.

The Ethics Committee provided 55 Resolutions to members on a wide range of ethical issues, although with the main areas of concern being the ability and/or requirement to return briefs. It is recommended that members familiarise themselves with Rules 101 and 105 in that regard. The majority of Resolutions were provided to members within 24 hours, although a number were provided in a much shorter time frame.

During the financial year, two Ethics Bulletins were issued. The first reminded barristers of the prohibition on making a payment or giving a gift by reason of or in connection with the introduction of professional work. The second bulletin was to remind barristers not to undertake solicitor's work. There has been an unfortunate and continuing development of solicitors instructing barristers to do the work of a solicitor, including instructing in court. This is not barrister's work as defined in Rule 11 and must not be undertaken by barristers.

I wish to acknowledge the service of all of the committee members and in particular to recognise the service of the following outgoing members of the Ethics Committee: Jeremy St John QC, Jim Delaney QC, Andrew Palmer QC, Melissa Mahady and Justin Wheelahan. I especially pay tribute to Jeremy St John QC who tirelessly served on the Ethics Committee for 11.5 years - a great contribution to the many members of the Bar who benefitted from Jeremy's sage advice and counsel.

Our member community Health & Wellbeing Committee

The committee thanks those members who retired during the year. Emma Swart and Caroline Jenkins both long serving members of the committee, Daniel Harrison, and Natalie Campbell retired from the committee in 2019.

The committee has had an active and successful year. Our major focus has been the Quality of Working Life (or Wellness at the Bar) survey that was conducted in June 2018 and implementing strategies and programs to address the results of that survey.

There were a number of other initiatives carried forward from the previous year including various sporting activities, first aid initiatives and the CPD program. There were two Bring your Kids to Work days held, with tours of the Supreme Court and afternoon tea in the Essoign Club. Demand exceeded available places for both days and it is planned to hold similar events in 2019 and 2020.

The Victorian Bar Choir remains well supported by regular participants and there were a number of public performances. There was a joint performance held in the Supreme Court Library in April 2019 with members of the Bizkao Bar Choir from Bilbao, Spain.

The committee with the assistance of the Victorian Bar staff once again held a Winter Wellness Day where flu shots were made available to all members of the Bar, free of charge. This continues to attract strong support from members.

The committee continues to oversee the barristers' counselling service. The service provides both crisis and occasional counselling for barristers and members of their immediate family in times of need. Currently five counselling sessions are provided free of charge with the cost met by the Victorian Bar. It is a unique resource and one that places the Victorian Bar as an industry leader in the provision of health and wellbeing services to members.

A health and wellbeing portal for all members of the Victorian Bar is also a work in progress. Funding for the portal has been obtained and design is well underway with the intention to create a website with helpful health and wellbeing resources and links available to all members of the Victorian Bar and their families.



THE GOOD CONDUCT GUIDE LAUNCH: Róisín Annesley OC and Dr Matthew Collins AM QC at the Good Conduct Guide launch.

The Chairman of the committee and Bernadette Healy continues to present to each Readers' Course on the issues of mental and physical health, resilience, anxiety, sleep, emotional intelligence, mindfulness and achieving work/life balance. The Chairman, Sara Keating and psychologist Charlotte Keating also address each Readers' course on how to cope with a "bad day in court".

The Wellness at the Bar survey were presented to the Bar by the President of the Bar Council, Dr Matt Collins AM QC at an official launch in September 2018. The Chairman of the committee also presented these results to the Wellness in the Law Conference held at Monash University in February 2019. Greg Ahern was the driving force behind the survey and he was instrumental in bringing it to fruition. The Bar Council and committee are well advanced in developing strategies to meet the needs of members identified by the survey.

Occupational bullying and vicarious trauma will be subjects addressed in the CPD program for 2019-2020 to supplement seminars held in 2018-2019 on healthy sleep, managing unhealthy perfectionism and trauma.

The 'Health Central' web page has been improved on the Victorian Bar website. The committee has also maintained affiliation with several Health and Wellbeing interest groups including Minds Count, WATL (Wellness and the Law) and the Law Institute of Victoria. Funding for further programs and seminars has been sought from the Legal Services Board and WATL with a combined health and wellbeing initiative with the Law Institute planned for the second half of 2019.

New Barristers' Committee

The committee thanks those members who retired during the year: Sandra Karabidian, Kevin Jones, Joel Silver, Rebecca Howe, Amelia Hughes and Samantha Renwick.

The committee hosted three CPD session for new barristers. These were: a session on working with instructors in August 2018, a session with the heads of the Supreme, County and



VICTORIAN BAR NEWS EDITORIAL COMMITTEE (STANDING L-R):

Tony Horan, Jesse Rudd, Annette Charak (Editor), Haroon Hassan, Hadi Mazloum. (Seated L-R) Campbell Thomson, Justin Wheelahan (Editor), Natalie Hickey (Editor), Carmella Ben-Simon (Absent - Maree Norton, Brad Barr, Veronica Holt, Reiko Okazaki, Meg O'Sullivan [Bar Council representative], Denise Bennett, Amanda Utt, Sarah Harrison-Gordon).

Magistrates' Courts and VCAT about new and emerging areas of practice in February 2019 and a session about working with silks in June 2019. Each of these was well attended and the committee thanks the members of the judiciary and the counsel who were involved in those sessions. The committee has two further CPD sessions planned for the latter half of 2019, being a session on court craft and a session on business development and practices.

The committee hosted a number of casual networking coffees between junior barristers and silks in the latter half of 2018. These involved barristers in the commercial, administrative law and common law areas. These events were well attended and the committee thanks the senior counsel involved in the program. The committee will continue this initiative in the latter half of 2019.

The committee also hosted a drinks with criminal law silks and senior juniors in October 2018. This event was well attended and the committee thanks the counsel involved. The committee intends to continue this initiative in the latter half of 2019.

The committee has continued its focus on creating opportunities for junior barristers to meet solicitors. A drinks event between junior barristers and Law Institute of Victoria Young Lawyers was held on 10 May 2019. This provided a good opportunity for new barristers and solicitors to mingle in an informal setting.

The committee also held an end of year dinner event for new barristers in December 2018. This was very well attended and the committee will look to make this event a more permanent fixture in future.

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

The committee has continued to speak to March and September readers, fielding questions about what the new barristers can expect in the first year of practice.

The committee is grateful for the ongoing support it receives from the judiciary, senior members of the Bar, and the Bar management including the Education and Policy teams.

Victorian Bar News Editorial Committee

In 2018-2019, the Victorian Bar News committee continued to create a biannual magazine for members of the Bar and Bench. The summer issue was themed 'in search of wellbeing', taking a broad look at the ways in which barristers find balance and where the challenges to wellbeing lie. The winter issue led with what the Barrister X saga means for us as barristers. The 'Back of the Lift' section covers judicial appointments and farewells as well as obituaries of existing and past members. With a raft of judicial appointments in recent months and an ever-expanding Bar, this section continues to grow from issue to issue.

The purpose of Bar News is to inform readers of various activities around the Bar, to showcase the diversity and range of talent of its members, and to inspire debate and discussion about matters of interest to barristers and the legal profession. The Bar News Committee, refreshed in 2018-2019 with several new members, is assisted by copy editor Peter Barrett, and Guy Shield who deals with layout, illustrations, design, typesetting and the look and feel of the magazine. Slattery Media is responsible for final production.

Art & Collections Committee

The Art & Collections Committee has enjoyed another exciting year.

Our major initiative this paste twelve months was the opening of the extension of the Peter O'Callaghan QC portrait gallery in the presence of her Excellency, the Honourable Linda Dessau, Governor of Victoria, and the Chief Justice of the High Court the Honourable Susan Kiefel AC. The Chief Justice delivered an engaging and moving account of each of the portrait sitters as she unveiled seven new portraits and inaugurated the new Hartog Berkley QC room in the portrait gallery.

On the same occasion, the Governor and Chief Justice laid wreaths at the unveiling of the newly commissioned memorial to our Bar members who have engaged in active service for their country. This is the first such memorial to our colleagues in the history of the Bar.

We were also delighted during the year to unveil six new display boxes in the gallery. We are indebted to Chief Justice Ferguson for lending items of Sir Owen Dixon's regalia that are featured in the portrait of Sir Owen that is on display in the gallery.



ABOVE: The Hon Linda Dessau AC laying a wreath.

The regalia items form part of the Supreme Court's collection. A special thanks to Daniel Kinsey for his curation of the current exhibition and his ongoing curatorial role in guiding this aspect of the gallery's work. Daniel Kinsey also led a wonderful discussion about Sir Owen Dixon at our first in conversation evening for the year.

New portraits unveiled during the year include portraits of the Hon Alex Chernov AC QC by David Rosetzky, the Hon Michael Black AC QC by Louise Hearman, the Hon Raymond Finkelstein AO QC by Polly Boland, The Victorian Tapestry Workshop portrait of Mr A Archibald QC and the joint portrait of Robert Richter QC and Philip Dunn by Martin Tighe, along with generous gifts to the collection of portraits of the late the Hon Alec Southwell QC and Mr Jeff Sher QC by Lianne Gough.

I want to thank Campbell Thompson for all his good work in championing the cause of the Richter/ Dunn commission and encouraging the criminal bar to contribute to the fundraising of this portrait of two legendary Bar members.

We said farewell to our inaugural curator Mr Adam Bushby in 2018 and I want to take this opportunity to thank him for all his good work during his near 4-year association with the gallery. We are indebted to Adam for his skill, dedication and the enthusiasm he brought to the role.

In his stead we have appointed two curators Ms Taya Matheson and Ms Pascalle Bailey who are completing their Arts degrees at Monash University. We are delighted that they have joined the committee and we look forward to the newsletters they intend to publish on our behalf.

The work on the Bar History book by Dr Peter Yule continues apace and we are indebted to Charles Parkinson for his guiding hand in relation to that project. The book is due for publication in 2021. This project would not have been possible without the generosity and support of BCL. The draft chapters circulated for review to this date suggest the members will find the book a stimulating and enjoyable account of the workings of our Bar from its early beginnings in colonial times to the present.

We would like to thank Mr Stephen Jurica for his great work



ABOVE: Sally Ross with the Hon Diana Bryant AO QC

in mounting the Changing Faces of The Bar portrait exhibition which saw over 700 of our members contribute to the project. We are indebted to the photographer Mr Garth Oriander for the work he did in compiling so many wonderful portraits of our members in their various guises, some more informal than others. The invitation to members to "come as you are" spoke well of the changing practices of attire at the Bar, particularly when contrasted with the more formal portraits of the past that were also featured in the exhibition. The exhibition was well received and we hope to return in 2021 with a new portrait survey exhibition.

Finally, we want to thank Nick Modrzewski and retired Bar member, David Moore for the exhibition of David's wonderful Gallipoli paintings which were exhibited in the Essoign Club to coincide with this year's ANZAC day commemorations.

Innovation & Technology Committee

This Bar Council committee was established in 2017, originally chaired by Susan Gatford and, in 2018 and this year, by Garry Bigmore QC. It aims to share and promulgate information about technology-led change in the legal sector, opportunities for barristers to use technology to their advantage in their day to day practices, technology changes in courts and changes to the way in which barristers may be briefed.

The committee has liaised regularly with BCL, most recently in respect of the implementation of a password policy in respect of Victorian Bar email servers and has joined with BCL in presenting CPD seminars about cybersecurity risk minimisation.

Juliet Forsyth SC participated in this year's Junior Bar Conference, the theme of which was 'Health & Wellbeing', presenting on exploiting, while being careful with, technology in practice at the Bar.

The committee is presently focussing on supporting barristers to become confident enough to use a tablet in court and leave hard copy briefs in chambers or receive only electronic briefs in the first place.

PUBLIC, JUDICIAL & OTHER OFFICE

The Bar congratulates members appointed to Public, Judicial and other Office:

Victorian Appointments

Supreme Court of Victoria

Court of Appeal

The Honourable Justice Terry Forrest
The Honourable Justice Karin Emerton

Trial Division

The Honourable Justice Andrew Tinney The Honourable Justice Lesley Taylor The Honourable Justice Steven Moore The Honourable Justice Jacinta Forbes

County Court of Victoria

His Honour Judge Michael Cahill Her Honour Judge Sarah Dawes His Honour Judge Scott Johns His Honour Judge David Sexton His Honour Judge Philip Ginnane His Honour Judge George Georgiou Her Honour Judge Elizabeth Brimer

Magistrates' Court of Victoria

Her Honour Magistrate Mia Stylianou
His Honour Magistrate Kieran Gilligan
Her Honour Magistrate Olivia Trumble
Her Honour Magistrate Nahrain Warda
His Honour Magistrate Russell Kelly
Her Honour Magistrate Michelle Mykytowycz
Her Honour Magistrate Letizia Torres
His Honour Magistrate Randall Kune
His Honour Magistrate Constantinos Kilias
Her Honour Magistrate Alanna Duffy
His Honour Magistrate Timothy Hoare
His Honour Magistrate Shiva Pillai

Coroners Court of Victoria

His Honour Coroner Simon McGregor

Crown Counsel for the State of Victoria

Liam Tamas Brown

Mental Health Tribunal

Arna Delle - Vergini (sessional basis) Amanda E Hurst (sessional basis)

Post Sentence Authority

Deputy Chair Michele M Williams QC

Commonwealth Appointments

Federal Court of Australia

(Sydney Registry)

The Honourable Justice Michael Wheelahan
The Honourable Justice Paul Anastassiou
The Honourable Justice Michael O'Bryan
The Honourable Justice John Snaden
The Honourable Justice Angus Stewart (Sydney Registry)
The Honourable Justice Stewart Anderson
The Honourable Justice Wendy J Abraham

Family Court of Australia

The Honourable Chief Justice William Alstergren The Honourable Justice Jillian Williams The Honourable Justice Joshua Wilson The Honourable Justice Timothy McEvoy The Honourable Justice Norah Hartnett

Federal Circuit Court of Australia

Her Honour Judge Alice Carter Her Honour Judge Anna Boymal

Commonwealth Administrative Appeals Tribunal

Andrew Maryniak QC Christopher J Furnell

Victorian Civil and Administrative Tribunal

Kim J Knights

Australian Human Rights Commission

Disability Discrimination Commissioner Ben C Gauntlett

Other Appointments

Family Court of Western Australia

His Honour Magistrate Paul Glass

Joint Standing Committees

Law Aid

(Victorian Bar Incorporated and Law Institute of Victoria)
Christopher Blanden QC
James Mighell QC
Michelle Britbart QC
Fiona Ryan

Bar/BCL Liaison Committee

Aine Magee QC (Chair) Susan Gatford Elizabeth Ruddle Paul Clark (CEO, BCL)

Medico-Legal Standing Committee

Tim Tobin SC Mary Anne Hartley QC Sharon Keeling

National Legal Profession Representative Bodies

Australian Bar Association

Board of Directors Jennifer Batrouney QC (President)

Dr Matthew Collins QC (President)

Committees

Tax Committee

Jennifer Batrouney QC (Chair)

Ethics Committee Rowena Orr (Chair)

Law Council of Australia

Board of Directors

Justin Hannebery QC, Executive Member

Committees and Working Groups

Access to Justice Committee

Dr David J Neal S.C. (Co-Chair)

Australian Young Lawyers Committee

Daniel Nguyen

Business and Human Rights Committee

Peter Fox QC

Charities and Not for Profits committee

Jennifer Batrouney QC (Chair)

Competition and Consumer Law Committee

David Shavin OC

Corporations Committee

Philip D Crutchfield QC

Equal Opportunity Committee

Jenny Firkin QC

LCA Finance and Risk Committee

Claire Nicholson

PUBLIC, JUDICIAL & OTHER OFFICE

Human Rights Committee

Nicholas Cowdery AO QC and Emrys M Nekvapil

Insurance Contracts Act Referral Group

Michael D G Heaton OC

Military Justice Committee

Paul A Willee RFD QC (Chair)

National Criminal Law Committee

Dr David J Neal SC (Co-Chair), O Paul Holdenson OC and Michael Stanton

Business Law Section - Executive

Frank O'Loughlin QC

Business Law Section - Committees

David Shavin QC, George Golvan QC, Philip D Crutchfield QC,

Carl Moller, Frank O'Loughlin QC

Family Law Section - Executive

Minal Vohra

Family Law Section - Committees

Minal Vohra

Federal Litigation Section – Committees

David Shavin QC, Frank O'Loughlin QC, Stephen J Moloney and John R Wallace

Court and Tribunal Committees & Working Parties

Commonwealth Courts and Tribunals

Federal Court of Australia

Class Actions Committee

Charles Scerri QC, Wendy Harris QC, Bernard Quinn QC, Lachlan Armstrong QC

Employment & Industrial Relations NPA User Group

Craig Dowling SC

State Courts and Tribunals

Supreme Court of Victoria

Arbitration Users' Group

Hugh Foxcroft QC

Chief Justice's Rules Committee

Jonathan P Moore OC

Corporations and Commercial Court User Group

Garry T Bigmore QC, David G Collins QC,

Stewart M Anderson QC, Philip D Crutchfield QC,

The Honourable Justice Samantha L Marks QC,

Philip H Solomon QC, Michael J Galvin,

Lachlan W L Armstrong, Penny A Neskovcin QC,

Anton P Trichardt, Carl Moller, Simon Rubenstein,

Catherine F Gobbo, Joshua Kohn and Dr Oren Bigos

Legal Costs Committee

Samuel D Hay

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,

Michael F Fleming QC, Jason D Pizer QC, Lisa De Ferrari,

Rachel Ellyard, Christopher Horan, Ben Ihle, Emily Latif

Law Library of Victoria Committee

Mr Ian Upjohn CSC QC

Dr Paul Vout

Personal Injury User Group

Ross H Gillies QC, Timothy P Tobin S.C. and David J Martin

Probate Users' Committee

Richard R Boaden

Property Law List User's Group

Matthew Townsend, David Lloyd and Leana Papaelia

TEC List User Committee

Hugh Foxcroft QC and Kathryn L Stynes

Victorian Compensation and Planning Users' Group

Christopher J Canavan QC, Christopher J Wren QC,

David J Batt QC, Adrian J Finanzio S.C., Jason D Pizer QC,

Nicholas J Tweedie SC, Matthew D Townsend, Sarah J Porritt,

Marita H Foley, Paul F Chiappi and Peter E O'Farrell

County Court of Victoria

Banking & Finance Users Group

Bart Carew, Samantha Cipriano, Garry Moffat

and Aphrodite Kouloubaritsis

Commercial Division Users Group

Peter Lithgow, Michael Gronow QC and Aphrodite

Kouloubaritsis

Cost Review Committee

Timothy Tobin SC

Criminal User Group

Simon Moglia and Pardeep Tiwana

Family Property Division List Committee

Graham W Robertson

County Court Rules Committee

Michael J Corrigan

Sex Offence List User Group

Simon Moglia

WorkCover Users' Group

Michael J Richards

Magistrates' Court of Victoria

Alternative Dispute Resolution Committee

Carey Nicol and Cameron Charnley

Civil Rules Committee

Frank Rivada

WorkCover Users' Group

Michael Richards

Statutory Appointments

Legal Services Board

Jennifer Batrouney QC

Legal Services Board –Fidelity Fund Claims Advisory

Committee

Kevin J A Lyons QC

Legal Services Council – Admissions Committee

Dr Elizabeth J Boros

Representatives on Educational Bodies

Melbourne Law School Advisory Council

Jennifer Batrouney QC

Melbourne Law School Tax Masters Advisory Committee

Jennifer Batrouney QC

Monash University Centre for Commercial Law and Regulatory Studies - CLARS External Advisory board

Dr Oren Bigos and Mr Ian Horak

Monash University Dean of Law's External Professional

Advisory Committee

Paul A Willee RFD QC

Victoria University College of Law & Justice Program

Advisory Committee

David H Denton RFD QC

Victoria University Sir Zelman Cowen Centre Advisory

Committee

Fiona M McLeod SC

Other Bodies

Charity Law Association of Australia & New Zealand

Jennifer Batrouney OC

Takeover Panel

Michael Borsky QC

ACICA Board

Martin Scott QC and Caroline Kenny QC

Fair Work Commission Termination of Employment

User Group

Yasser Bakri and Rebecca Preston

Firearms Appeals Committee

Alexandra Burt (Chair)

Justice Connect

Richard Wilson





PERSONALIA

Obituaries

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

2018/19

Edward R Stoneham BR No: 2731, 25 July 2018

John Bernard Gaffney OAM BR No: 1450, 1 August 2018

Peter Julian Cahill BR No: 1019, 4 August 2018

Richard Henry Searby AO QC BR No: 562, 8 August 2018

His Honour John Thomas Hassett BR No: 934, 5 September 2018

His Honour Judge Kevin Patrick O'Connor AM BR No: 1676, 30 September 2018

The Honourable Ian ("Sam") Gray BR No: 454, 10 October 2018

Glenn Noel Holden BR No: 256620, October 2018

Frederick George Beaumont QC BR No: 876, 11 November 2018

Anthony (Tony) Eyres Radford BR No: 801, 8 December 2018

Patrick William Thomas McCabe BR No. 1195, 19 January 2019

John Joseph Goodman BR No. 1813 and 2208, 2 February 2019

Bernard (Barney) Cornelius Cooney BR No. 621, 9 February 2019

Gerard Michael Ryan BR No. 2788, 16 February 2019

Michael William Houlihan BR No. 1576, 20 February 2019

The Honourable Philip Damien Cummins AM QC BR No. 751, 24 February 2019

Richard Charles Forsyth BR No: 1157, 2 April 2019

The Honourable John (Jack) Winneke AC RFD QC BR No: 658, 4 April 2019

Andrew Nigel Bristow BR No: 1701, 6 April 2019 Leo La Fontaine BR No: 2852, 13 May 2019

Christopher Stewart Smale BR No: 2425, 11 June 2019

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 2019

The Honourable Justice Geoffrey Arthur Nettle AC

The Honourable Justice Michelle Marjorie Gordon AC

The Honourable Brian James Lacy AO

Rex Stephen Wild AO QC

The Honourable Justice Clyde Elliott Croft AM

The Honourable John Allen Coldrey AM QC

The Honourable Peter Charles Young AM QC

His Honour Anthony John Howard AM QC

John Willem de Wijn AM QC

Stuart John Wood AM QC

The Queen's Birthday Honours 2019

The Hon Dr Annabelle Claire Bennett AC SC

The Hon Paul Anthony Coghlan AO QC

Michael Warner Shand AM QC

James William Peters AM OC

Dr Matthew John Collins AM QC

45 Years at the Bar

Christopher Dane QC

Andrew John Crozier-Durham RFD

Denis Rodney Gibson

SENIOR COUNSEL



Victoria's newest silks are:

Front Row (L-R):

Colin Mandy

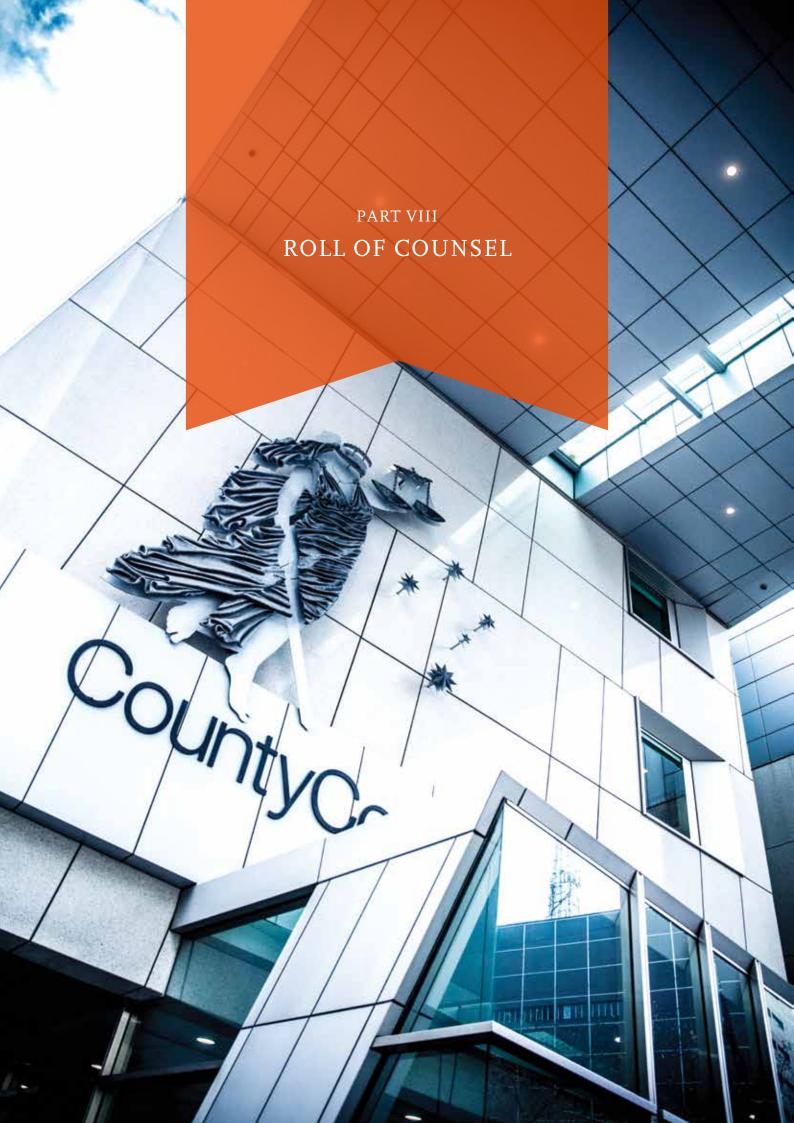
Christopher Archibald Cam Truong Peter Rozen Andrew Ingram Juliet Forsyth David McAndrew

Middle Row:

Richard Dalton
Fiona Forsyth
Dr Michael Rush
Eugene Wheelahan
Dr Catherine Button
Anthony Strahan
Andrew Palmer
Frances Dalziel
Elizabeth Brimer
William Lye

Back Row:

Scott Smith
Francis O'Loughlin
Justin Hannebery
Diana Piekusis
Dr Andrew Hanak
Tomo Boston
Raymond Gibson
Jennifer Firkin



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 2019.

Division	Description	Male	Female	Total
AI	Victorian Practising Counsel	1472	637	2109
	- Queen's Counsel or Senior Counsel	254	35	289
	- Junior Counsel	1218	602	1820
AII	Crown Prosecutors and Public Defenders	14	13	27
AIII	Interstate and Overseas Practising Counsel	94	16	110
	- Queen's Counsel or Senior Counsel	41	3	44
	- Junior Counsel	53	13	66
AIV	Victorian Practising Counsel without a current practising certificate, temporarily absent from practice	12	3	15
ВІ	Governors	0	1	1
BII	Judges, Associate Judges, Magistrates and Judicial Registrars	196	82	278
BIII	Ministers of the Crown and Members of Parliament	3	0	3
BIV	Solicitors-General and Directors of Public Prosecutions	2	2	4
BV	Full-Time Members of Statutory Tribunals	26	17	43
BVI	Crown Counsel & Parliamentary Counsel	1	0	1
BVII	Other Official Appointments	3	6	9
CI	Retired Judges and Other Judicial Officers	138	18	156
CII	Retired Holders of Public Office other than Judicial Office	14	4	18
CIII	Retired Counsel	217	41	258
D	Academics	9	6	15
TOTAL		2201	846	3047

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

Division A Part I (Victorian Practising Counsel)

Signed

Neale Damien Paterson, Shanta Tessie Martin, Jarrod Robert Corbett, Emily Jane Anderson, Carly Marcs Lloyd, Vicki Elizabeth Bell, Steven Brnovic, Anthony Edward Grant, Monika Pekevska, Anthony James Pyne, Jonathan Nicholas Manning, Jacqui Katsivas, Alexia Nadia Adeline Staker, Gregory Luke Buchhorn, Alexander James-Martin, Mark Andrew Sturges, Jordan Charles Wright, Claire Michelle Horan, Rowan Alistair Minson, Chiara Giannini Bryan, Kathleen Crennan, Timothy James Bourbon, Kestin Ruby Hallett Mildenhall, Andrea De Souza, Emma Catherine Poole, Stephanie Louise Joosten, Andreia Sofia DaSilva Monteiro, Cameron Rodney Arnold Gauld, David William Foster, Christopher Alan Stephen Lum, Emma Alexandra Jane Strugnell, Natalie Denise Kaye, Fabian Charles Brimfield, Timothy Brendan Deak Gorton, Katherine Elizabeth Stowell, Jamie William Guy Grant, Anna Jane O'Callaghan, Veronica Joan Holt, Lucinda Rose Dawson, Douglas Andrew Patrick Porteous, Jordan William O'Toole, Alexander Charles Lachlan Campbell, Alan Joseph Marc Ford, Surane Markroy Fonseka, Zoran Lee Petric, Timothy Byrne, Khai-Yin Lim, Alexandra Arnold Guild, Andrea Sheree Bannon, Edwina Smith, Michelle Lee Bennett, Rachel Serwah Amamoo, Andrew William Healer, Andrew Stephen Crocker, Rabea Masood Khan, Scott Cromb, Suganya Pathanjalimanoharar, Huw Rufus Watkins, Kristy Maree Fisher, Peter Joseph Haddad, Christopher John Oldham, Ashleigh Harrold, Erica Clare Lawson, James William Moore, Angelo Germano, Gayann Walker, Lachlan Davies Currie, Benjamin James Fry, Simon Geoffrey Frauenfelder, Susanna Grace James Locke, Colette Mintz, Sean McArdle, Vincenzo Murano, Glyn Ayres, Christopher James Hender, Felicity Fox, Thomas Michael Wood, Annie Yuan, Huw Christopher Whitwell, Jonathan Barreiro, William Harley Blake, Sarah Louise Damon, Conrad Banasik, Carlin Vaughan Grant, Thomas Battersby, Kirsti Clare Halcomb, Emma Rachel Harold, Laura Elizabeth Mills, Antony Lee Berger, Michael Taylor, Benjamin Edward Gahan, Nicholas James Bird, Travis Cameron Brown

Re-signed

Michael Kats, Anna Maria McDonald, Kyriaki Vavoulis, Lana Collaris, Steven Milesi, Luisa Alampi, Gordan R Ritter QC

Transfers from

Rodney Willcox, Naomi C Smith, Angela S Ellis, Constantine Heliotis QC, Barbara M Phelan, John Rowland QC, Ian M Hayden, Ben Gauntlett, Leo Faust, John D Atkins, Benny Browne, Kevin J Doyle, Barry Fox, Margo J Harris, Denis M McDonald, Melissa A Mahady, Steven J Moore QC, Alan D Nash, Frances Gordon, Peter J O'Callaghan QC, Craig W Porter, Michael S Roche, Lesley Ann Taylor QC, Raymond L Gibson, Gerard Long, Matthew J Stirling (1 June 2018), Olivia Trumble, Nahrian Warda, Scott Robert Johns QC, David A Sexton, Russell Kelly, Michelle Mykytowycz, Bruce O Bowlby, Geoffrey Slater, Thomas B Ashton, Robin A Robinson, Richard St. A Kendall QC, Liam T Brown, Randall J Kune, Letiza Torres, Paul S Glass, Simon K McGregor, Michael F Wheelahan QC, Alannah Duffy, Neill A Hutton, Timothy S Hoare, Paul E Anastassiou QC (1 February 2019), Michael H O'Bryan QC, John Snaden, David E Curtain QC, Andrew J Maryniak QC, Alice E Carter, Timothy J F McEvoy, Anna M Boymal, Angela M Malpas, Jacinta Forbes, Alan C Archibald QC, Alan W Sandbach RFD, Stewart Anderson QC, Shiva N Pillai, Trevor J Rosen, Elizabeth M Brimer QC, George A Georgiou SC, Christopher J Furnell, Victor Perton, Kim J Knights

Transfers to

Sharn A Coombes, Beata Armatys, Christopher Tesoriero, Arna Delle-Vergini, Daryl A Brown, Brendan A Murphy QC, Helen A Tiplady, Angela Lee, Oliver Scoullar-Greig, Leo Faust, Dr Damien J Cremean, His Honour Duncan Allen, His Honour Geoffrey Chettle, Piotr Klank, Lynda White, Frances I Gordon, The Honourable Anthony M North QC

Removed from

Amelia Hughes, Penny A Harris, Nik Dragojilovic, Laurance J Liddell, Marcus R Finlay, Pierre H Testart, James C J Haumphris, Gordon R Ritter OC

Division A Part II (Crown Prosecutors & Public Defenders)

Signed

Transfers from

Sharn A Coombes, Daryl A Brown, Andrew J Tinney S.C., Kieran G Gilligan

Transfers to

Naomi Smith, Angela Ellis, Melissa A Mahady, Kevin Doyle, Raymond L Gibson, Neill Hutton

Division A Part III (Interstate and Overseas Counsel)

Signed

Eliza Mary Bergin, Prue Margaret Bindon, Gillian Caitlin Walker, Michael John Wells, Jason Raftos, Piotr Klank, Justin Kevin Carter, Patrick Vincent O'Halloran

Transfers from

Christopher Tesoriero, Helen A Tiplady, Keith J Oderberg, John Marshall SC, Piotr Klank, Angus Stewart QC, Frances I Gordon, Ben C Gauntlett, Wendy J Abraham QC

Transfers to

John Rowland QC, Ben Gauntlett, Margo J Harris, Frances Gordon, The Honourable John Gilmour QC

Removed from

Brett Young, Philip L Carr, Perry Herzfeld, Jacoba Brasch QC, Francis M Douglas QC, Guy Sara, Quang Nguyen, Quentin Duff, Nicholas Healy

Division A Part IV (Vic Practising Counsel temporarily absent without current PC)

Transfers from

Beata Armatys, Nicola M Gobbo, Angela Lee, Oliver Scoullar-Greig, Leo Faust, Lynda White

Transfers to

Leo Faust, Denis M McDonald, Matthew J Stirling, Robin A Robinson, Richard St. A Kendall QC, Alan W Sandbach RFD, Victor J Perton

Stayed In

Vincent Tallarida

Division B (Judiciary and Official Appointments)

Transferred To

Daniel Crennan QC (appointed to the Australian Securities and Investments Commission as Deputy Chairperson, Enforcement)

Steven J Moore QC (appointed to the Supreme Court of Victoria)

Andrew J Tinney SC (appointed to Supreme Court of Victoria)

Lesley Ann Taylor QC (appointed to the Supreme Court of Victoria)

The Honourable Justice Terence Forrest (appointed to the Supreme Court of Victoria)

The Honourable Justice Karin L Emerton (appointed to the Court of Appeal (Supreme Court)

Arna Delle-Vergini (appointed to the Mental Health Tribunal (sessional basis)

Amanda E Hurst (appointed to the Mental Health Tribunal (sessional basis)

Olivia Trumble (appointed to the Magistrates' Court of Victoria)

Kieran G Gilligan (appointed to the Magistrates' Court of Victoria)

Nahrian Warda (appointed to the Magistrates' Court of Victoria)

Scott Robert Johns QC (appointed to the County Court of Victoria)

David A Sexton (appointed to the County Court of Victoria)

Russell Kelly (appointed to the Magistrates' Court of Victoria)

Michelle Mykytowycz (appointed to the Magistrates' Court of Victoria)

Magistrate Sarah Kingsley Dawes (appointed to the County Court of Victoria)

Liam T Brown (appointed as Crown Counsel for the State of Victoria)

Randall J Kune (appointed to the Magistrates' Court of Victoria)

Letiza Torres (appointed to the Magistrates' Court of Victoria)

Paul S Glass (appointed as a Registrar of the Family Court of Western Australia)

Simon K McGregor (appointed to the Coroners Court of Victoria)

Michael F Wheelahan QC (appointed to the Federal Court of Australia)

Alannah Duffy (appointed to the Magistrates' Court of Victoria)

The Honourable Robert Redlich QC (appointed as Commissioner of the Independent Broad-based Anti-Corruption Commission)

Timothy S Hoare (appointed to the Magistrates' Court of Victoria)

Michele M Williams QC (appointed as Deputy Chair of the Post Sentence Authority)

Paul E Anastassiou QC (appointed to the Federal Court of Australia)

Angus Stewart QC his (appointed to the Federal Court of Australia - Sydney Registry)

Michael H O'Bryan QC (appointed to Federal Court of Australia - Melbourne Registry)

John Snaden (appointed to the Federal Court of Australia - Melbourne Registry)

Andrew J Maryniak QC (appointed to the Administrative Appeals Tribunal)

Alice E Carter (appointed to the Federal Circuit Court of Australia)

Timothy J F McEvoy (appointed to the Family Court of Australia)

Anna M Boymal (appointed to the Federal Circuit Court of Australia)

Stewart Anderson QC (appointed to the Federal Court of Australia)

Ben C Gauntlett (appointed to the Australian Human Rights Commission as Disability Discrimination Commissioner)

Shiva N Pillai (appointed to the Magistrates' Court)

Elizabeth M Brimer QC (appointed to the County Court of Victoria)

His Honour Duncan L Allen (appointed as a Reserve Judge of the County Court of Victoria) George A Georgiou SC (appointed to the County Court of Victoria) Christopher J Furnell (appointed to Administrative Appeals Tribunal) Kim J Knights (appointed to Victorian Civil and Administrative Tribunal) Wendy J Abraham QC (appointed to the Federal Court of Australia - Sydney Registry)

Transfers from

The Honourable Justice Joseph G Santamaria, Brendan A Murphy QC, Robin A Brett QC, Her Honour Judge Suzanne Jones, Major General Justice Richard R S Tracey AM RFD, His Honour Judge Graeme G Hicks, The Honourable Justice Anthony North, His Honour Judge James D Montgomery, Rodney L Crisp, Dr Damien J Cremean, His Honour Judge Duncan L Allen, His Honour Geoffrey Chettle, Peter H Mealy, The Honourable Andrew McIntosh, The Honourable Justice Paul Cronin, Her Honour Judge Barbara A Cotterell, His Honour Paul D Grant

Division C (Retired)

Signed In

Ross M C Nankivell

Transfers from

Daniel Crennan QC, Michele M Williams QC, The Honourable Anthony M North QC, John Gilmour QC

Transfers to

Alan Nash, Rodney Willcox, Contantine Heliotis QC, Barbara M Phelan, The Honourable Justice Joseph G Santamaria, Ian M Hayden, John D Atkins, Robin A Brett QC, Benny Browne, Barry Fox, Her Honour Judge Suzanne Jones, Peter J O'Callaghan QC, Craig W Porter, Michael S Roche, Major General Justice Richard R S Tracey AM RFD, Gerard Long, His Honour Judge Graeme G Hicks, Bruce O Bowlby, Geoffrey Slater, Thomas B Ashton, Nicola M Gobbo, The Honourable Justice Anthony North, Keith J Oderberg, John Marshall SC, His Honour Judge James D Montgomery, Rodney L Crisp, Peter H Mealy, David E Curtain QC, The Honourable Andrew McIntosh, Angela M Malpas, Alan C Archibald QC (30 June 2019), The Honourable Justice Paul Cronin, Trevor J Rosen, Her Honour Jude Barbara A Cotterell, Paul Grant

Name removed

Irene Bolger, Robert L Dean

Division D (Academics)

Name Removed

Abraham (Abe) Herzberg

Grant of PC

Sharn A Coombes, Beata Armatys, Christopher Tesoriero, Daryl A Brown, Brendan A Murphy QC, Michael Kats, Matthew D Phillips, Anna Maria McDonald, Helen A Tiplady, Angela Lee, Oliver Scoullar-Greig, Leo Faust, Kyriaki Vavoulis, Neale Damien Paterson, Shanta Tessie Martin, Jarrod Robert Corbett, Emily Jane Anderson, Carly Marcs Lloyd, Vicki Elizabeth Bell, Steven Brnovic, Anthony Edward Grant, Monika Pekevska, Anthony James Pyne, Jonathan Nicholas Manning, Jacqui Katsivas, Alexia Nadia Adeline Staker, Gregory Luke Buchhorn, Alexander James-Martin, Mark Andrew Sturges, Jordan Charles Wright, Claire Michelle Horan, Rowan Alistair Minson, Chiara Giannini Bryan, Kathleen Crennan, Timothy James Bourbon, Kestin Ruby Hallett Mildenhall, Andrea De Souza, Emma Catherine Poole, Stephanie Louise Joosten, Andreia Sofia DaSilva Monteiro, Cameron Rodney Arnold Gauld, David William Foster, Christopher Alan Stephen Lum, Emma Alexandra Jane Strugnell, Natalie Denise Kaye, Fabian Charles Brimfield, Timothy Brendan Deak Gorton, Katherine Elizabeth Stowell, Jamie William Guy Grant, Anna Jane O'Callaghan, Veronica Joan Holt, Lucinda Rose Dawson, Douglas Andrew Patrick Porteous, Jordan William O'Toole, Alexander Charles Lachlan Campbell, Alan Joseph Marc Ford, Dr Damien J Cremean, Lana Collaris, His Honour Duncan L Allen, Surane Markroy Fonseka, Geoff Chettle, Piotr Klank, Steven Milesi, Zoran Lee Petric, Timothy Byrne, Gordan R Ritter QC, Lynda White, Frances I Gordon, Khai-Yin Lim, Alexandra Arnold Guild, Andrea Sheree Bannon, Edwina Smith, Michelle Lee Bennett, Rachel Serwah Amamoo,

Andrew William Healer, Andrew Stephen Crocker, Rabea Masood Khan, Scott Cromb, Suganya Pathanjalimanoharar, Huw Rufus Watkins, Kristy Maree Fisher, Peter Joseph Haddad, Christopher John Oldham, Ashleigh Harrold, Erica Clare Lawson, James William Moore, Angelo Germano, Gayann Walker, Lachlan Davies Currie, Benjamin James Fry, Simon Geoffrey Frauenfelder, Susanna Grace James Locke, Colette Mintz, Sean McArdle, Vincenzo Murano, Glyn Ayres, Christopher James Hender, Felicity Fox, Thomas Michael Wood, Annie Yuan, Huw Christopher Whitwell, Jonathan Barreiro, William Harley Blake, Sarah Louise Damon, Conrad Banasik, Carlin Vaughan Grant, Thomas Battersby, Kirsti Clare Halcomb, Emma Rachel Harold, Laura Elizabeth Mills, Antony Lee Berger, Michael Taylor, Benjamin Edward Gahan, Nicholas James Bird, Travis Cameron Brown, The Honourable Anthony M North QC



CONSOLIDATED GROUP ENTITIES

Victorian Bar Incorporated

Registered No. A0034304S

Owen Dixon Chambers East Level 5 / 205 William Street Melbourne, Victoria 3000

T: 03 9225 7111 F: 03 9225 6068

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

Bar Council Members

Dr Matthew Collins AM QC (President) Ms Wendy Harris QC (Senior Vice-President) Mr Simon Marks QC (Junior Vice-President) Mr Samuel D Hay (Honorary Treasurer) Mr Paul Holdenson QC Dr Ian Freckelton QC Dr Suzanne McNicol QC (elected to Bar Council on 15/05/2019) Mr Adrian Finanzio SC Ms Jacinta Forbes QC (appointed to Supreme Court on 16/4/2019) Ms Áine Magee QC

Mr Stewart Maiden QC (Assistant Honorary Treasurer) Mr Justin Hannebery QC Ms Elizabeth Ruddle Ms Meg O'Sullivan Ms Emily Porter Ms Gabi Crafti Ms Sarah Keating Ms Kathleen Foley Ms Erin Hill Ms Nawaar Hassan Ms Nicole Papaleo Mr Daniel Nguyen Mr Andrew Bell (Honorary Secretary) Ms Katherine Brazenor (Assistant Honorary Secretary)

Barristers Chambers Limited

ACN 004 454 004

Board of Directors

Mr John Karkar QC (Chairman)
Mr Adrian J Finanzio SC (Deputy Chairman)
Ms Penny A Neskovcin QC
Ms Susan Brennan SC
Ms Lisa Nichols QC
Ms Catherine Walter AM
Mr Paul Clark (CEO and Managing Director)
Mr Mick Brennan

Opus Workspaces Pty Ltd

ACN 624 652 357

Board of Directors

Ms Susan Brennan SC Mr Paul Clark

The Melbourne Bar Pty Ltd

ACN 004 640 108

Dr Matthew J Collins AM QC Mr Samuel D Hay

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 2019. 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 13 of the annual report under Bar Council, except for the following who retired from the previous Bar Council during the year:

> Jacinta Forbes QC (now Justice Forbes).



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. Barristers Chambers Limited has one wholly owned subsidiary, Opus Workspaces Pty Ltd, which provides serviced office space.

Review of Operations

During the financial year ended 30 June 2019 the Association achieved a surplus from ordinary activities of \$411,993 (2018: \$704,553) after an income tax benefit of \$164,528 (2018: \$54,545). Its consolidated surplus from ordinary activities was \$32,331,807 (2018: \$29,769,828) after an income tax expense of \$10,347,053 (2017: \$7,948,564).

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 13 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.

Associations Incorporation Reform Act 2012 Sections 94(2)(b), 97(2)(b) and 100(2)(b)

Annual Statements Give True and Fair View of Financial Position of Incorporated Association

We, Matthew Collins AM QC and Samuel Hay, being President and Honorary Treasurer of the Victorian Bar Council respectively, and members of the Victorian Bar Council, which is the Committee of the Victorian Bar Incorporated certify that:

The financial statements (and notes thereto) attached to this certificate give a true and fair view of the financial position of the Victorian Bar Incorporated during and at the end of the financial year of the Association ended on 30 June 2019.

Dated this 11th day of October 2019

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

On behalf of the Officers

Dr Matthew J Collins AM QC

President 11 October 2019 Samuel D Hay

Honorary Treasurer 11 October 2019



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

Report on the Audit of the Financial Report

Opinion

We have audited the financial report of The Victorian Bar Incorporated and its subsidiaries (the "Group"), which comprises the statement of financial position as at 30 June 2019, the statement profit or loss and other comprehensive income, statement of changes in equity and statement of cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies and declaration by the Officers.

In our opinion the accompanying financial report presents fairly, in all material respects, the Group's financial position as at 30 June 2019, and of its financial performance and its cash flows for the year then ended in accordance with Australian Accounting Standards to the extent described in Note 3 to the financial report, the Associations Incorporation Reform Act 2012 and the Constitution.

Basis for Opinion

We conducted our audit in accordance with Australian Auditing Standards. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Report section of our report. We are independent of the Group in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 Code of Ethics for Professional Accountants (the Code) that are relevant to our audit of the financial report in Australia. We have also fulfilled our other ethical responsibilities in accordance with the Code.

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

Emphasis of Matter – Basis of Accounting

We draw attention to Note 3 to the financial report, which describes the basis of accounting. The financial report has been prepared for the purpose of fulfilling the Officers financial reporting responsibilities under the Associations Incorporation Reform Act 2012 and the Constitution. As a result, the financial report may not be suitable for another purpose. Our opinion is not modified in respect of this matter.

Other information

The Officers are responsible for the other information. The other information comprises the information included in, or distributed with the annual, but does not include the financial report and our auditor's report thereon.

Our opinion on the financial report does not cover the other information and we do not express any form of assurance conclusion thereon.

In connection with our audit of the financial report, our

Deloitte.

Deloitte Touche Tohmatsu ABN 74 490 121 060

550 Bourke Street Melbourne VIC 3000 GPO Box 78 Melbourne VIC 3001 Australia

DX: 111 Tel: +61 (0) 3 9671 7000 Fax: +61 (0) 3 9671 7001 www.deloitte.com.au

responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial report or our knowledge obtained in the audit or otherwise appears to be materially misstated.

If, based on the work we have performed, we conclude that there is a material misstatement of this other information; we are required to report that fact. We have nothing to report in this regard.

Officers' Responsibilities for the Financial Report

The Officers are responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards and the Associations Incorporation Reform Act 2012 and the Constitution and for such internal control as the Officers determine is necessary to enable the preparation and fair presentation of the financial report and is free from material misstatement, whether due to fraud or error.

In preparing the financial report, the Officers are responsible for assessing the Group's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the officers either intend to liquidate the Group or to cease operations, or have no realistic alternative but to do so.

Auditor's Responsibilities for the Audit of the Financial Report

Our objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

As part of an audit in accordance with the Australian Auditing Standards, we exercise professional judgement and maintain professional scepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit 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 Group's internal control.
- > Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the officers.

- > Conclude on the appropriateness of the Officers' use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Entity's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Group to cease to continue as a going concern.
- > Evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.

We communicate with the Officers regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

DELOITTE TOUCHE TOHMATSU

11 1 00

Robert Collie

Partner Chartered Accountants Melbourne, 11 October 2019

Officers' declaration

The Officers have determined that the Victorian Bar Inc (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 Officer's reporting requirements under the Victorian Bar Inc.'s Constitution and the Associations Incorporation Reform Act 2012.

The Officers of the Association declare that:

- The financial statements and notes thereto, as set out on pages 61 to 80:
 - Comply with accounting standards, the Associations Incorporation Reform Act 2012 and the reporting requirements under the Victorian Bar's Constitution; and
 - Give a true and fair view of the financial position as at 30 June 2019 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

Dr Matthew J Collins AM QC

President

Melbourne, 11 October 2019

Mr Samuel Hay

Honorary Treasurer

Melbourne, 11 October 2019

Statement of profit or loss and other comprehensive income for the year ended 30 June 2019

		Consol	idated	Pare	Parent	
	Note	2019 \$	2018 \$	2019 \$	2018 \$	
Continuing operations						
Revenue	4	49,573,475	44,806,852	6,780,460	6,734,218	
Gain on revaluation of investment properties		37,902,736	35,824,625	-	-	
Employee benefits expense		(6,551,357)	(7,898,620)	(2,508,910)	(2,017,500)	
Depreciation and amortisation expense	5	(2,674,660)	(2,391,330)	(142,728)	(158,703)	
Lease expenses		(14,936,226)	(11,511,159)	(1,123,670)	(1,097,699)	
Administration expenses		(5,716,742)	(7,663,780)	(2,829,374)	(2,775,820)	
Finance expense	5	(2,045,804)	(2,138,930)	-	-	
Building management expenses		(7,630,469)	(7,362,256)	-	-	
Technology expenses		(1,470,622)	(1,313,618)	-	-	
Utilities expense		(2,836,011)	(2,598,904)	-	-	
Gain / (loss) on financial assets		101,686	(34,488)	101,686	(34,488)	
Surplus before income tax expense		43,716,006	37,718,392	277,465	650,008	
Income tax (expense) / benefit	6	(10,347,053)	(7,948,564)	164,528	54,545	
Surplus for the year		33,368,953	29,769,828	441,993	704,553	
Other comprehensive income net of income to	tax					
Items that may be reclassified subsequently to profit	or loss:					
Fair value loss on cash flow hedging instruments duri	ing the period	(1,037,146)				
Total comprehensive income for the year		32,331,807	29,769,828	441,993	704,553	

The accompanying notes form part of these financial statements.

Statement of financial position at 30 June 2019

	Consolidated			Parent	
	Note	2019 \$	2018 \$	2019 \$	2018 \$
Current assets					
Cash and cash equivalents	7	12,416,086	8,738,033	4,622,374	3,400,807
Current tax receivable		1,820,468	249,881	1,820,468	249,881
Trade and other receivables	8	226,492	885,649	116,176	119,926
Other assets	9	2,088,933	1,968,559	16,131	17,807
Total current assets		16,551,979	11,842,122	6,575,149	3,788,421
Non-current assets					
Investment in subsidiary	10	-	-	10,187,430	10,187,430
Other financial assets	11	3,862,420	3,764,869	3,862,420	3,764,869
Property, plant and equipment	12	17,180,409	14,088,428	203,483	239,226
Intangible assets	14	215,264	245,475	215,264	245,475
Investment property	13	281,400,000	242,899,980	-	-
Goodwill		153,330	153,330	-	-
Other assets	9	12,932,227	13,429,353	-	-
Deferred tax asset		27,098	940,483	27,098	940,483
Total non-current assets		315,770,748	275,521,918	14,495,695	15,377,483
Total assets		332,322,727	287,364,040	21,070,844	19,165,904
Current liabilities					
Trade and other payables	15	19,806,085	17,065,740	4,719,381	3,666,619
Provisions	17	327,449	418,336	89,453	177,840
Intercompany payable		-	-	1,434,387	941,713
Borrowings	16	45,192,391	-	-	-
Derivative financial liability	19	776,827	-	-	-
Total current liabilities		66,102,752	17,484,076	6,243,221	4,786,172
Non-current liabilities					
Borrowings	16	-	45,492,391	-	-
Provisions	17	1,008,634	759,794	23,673	17,775
Trade and other payables	15	13,420,770	14,001,645	-	-
Deferred tax liabilities		26,795,495	17,223,184	-	-
Derivative financial liability	19	260,319	-	-	-
Total non-current liabilities		41,485,218	77,477,014	23,673	17,775
Total liabilities		107,587,970	94,961,090	6,266,894	4,803,947
Net assets		224,734,757	192,402,950	14,803,950	14,361,957
Equity					
Reserve		(1,037,146)	-	-	-
Retained earnings		225,771,903	192,402,950	14,803,950	14,361,957
Total equity		224,734,757	192,402,950	14,803,950	14,361,957

Statement of changes in equity for the year ended 30 June 2019

		Retained earnings \$	Total \$
Parent			
Balance at 1 July 2017		13,657,404	13,657,404
Profit for the year		704,553	704,553
Other comprehensive income for the year		-	-
Total comprehensive income for the year		704,553	704,553
Balance at 30 June 2018		14,361,957	14,361,957
Balance at 1 July 2018		14,361,957	14,361,957
Profit for the year		441,993	441,993
Other comprehensive income for the year		-	-
Total comprehensive income for the year		441,993	441,993
Balance at 30 June 2019		14,803,950	14,803,950
	Retained earnings \$	Cash flow Hedge Reserve \$	Total \$
Consolidated			
Balance at 1 July 2017	162,633,122	-	162,633,122
Profit for the year	29,769,828	-	29,769,828
Other comprehensive income for the year	-	-	-
Total comprehensive income for the year	29,769,828	-	29,769,828
Balance at 30 June 2018	192,402,950	-	192,402,950
Balance at 1 July 2018	192,402,950	-	192,402,950
Profit for the year	33,368,953	-	33,368,953
Other comprehensive income for the year		(1,037,146)	(1,037,146)
Total comprehensive income for the year	33,368,953	(1,037,146)	32,331,807
Balance at 30 June 2019	225,771,903	(1,037,146)	224,734,757

The accompanying notes form part of these financial statements.

Statement of cash flows for the year ended 30 June 2019

		Consolid	lated	Pare	ent
	Note	2019 \$	2018 \$	2019 \$	2018 \$
Cash flows from operating activities					
Receipts from members and customers		49,573,573	36,418,177	5,727,066	5,239,453
LSB reimbursements and contributions		852,413	777,767	852,413	777,767
Interest paid		(2,000,097)	(2,089,602)	-	-
Payments to suppliers and employees		(36,677,196)	(29,177,341)	(5,485,273)	(6,423,981)
Income tax (paid)		(1,406,626)	(216,694)	-	147,037
Net cash generated by operating activities	18(b)	10,342,067	5,712,307	1,094,206	(259,724)
Cash flows from investing activities					
Receipts (payments) for financial assets		4,135	(1,363,541)	4,135	(1,363,543)
Payments for intangible assets		(37,000)	(41,192)	(12,500)	(41,192)
Proceeds from dividends received from subsidiary		-	-	200,000	550,000
Payments for investment property improvements		(598,020)	(1,175,375)	-	-
Payments for property, plant and equipment		(5,733,129)	(7,762,965)	(64,274)	(109,990)
Net cash (used in) / generated by investing activities		(6,364,014)	(10,343,073)	127,361	(964,725)
Cash flows from financing activities					
(Re-payment) Proceeds from borrowings		(300,000)	1,000,000	-	-
Net cash (used in) / generated by financing activities		(300,000)	1,000,000	-	-
Net increase / (decrease) in cash and cash equivalents		3,678,053	(3,630,766)	1,221,567	(1,224,449)
Cash and cash equivalents at the beginning of the year	r	8,738,033	12,368,799	3,400,807	4,625,256
Cash and cash equivalents at the end of the year	18(a)	12,416,086	8,738,033	4,622,374	3,400,807

The accompanying notes form part of these financial statements.

1. General information

The Victorian Bar Inc. (the Association) is incorporated under the Associations Incorporation Reform Act 2012, Victoria and operates in Australia.

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

Level 5, 205 William Street Melbourne Victoria 3000

The Association is a private, voluntary, self-funded, non-profit, professional association of barristers who practise in Victoria. Its principal activities during the period related to the provision of regulatory and other services to barristers who practice in Victoria

2. Adoption of new and revised Accounting Standards

2.1 Amendments to Accounting Standards that are mandatorily effective for the current reporting period

The entity has adopted all of the new and revised Standards and Interpretations issued by the Australian Accounting Standards Board (the AASB) that are relevant to their operations and effective for an accounting period that begins on or after 1 July 2018. These include:

- > AASB 9 Financial Instruments;
- AASB 15 Revenue from Contracts with Customers, AASB 2014-5 Amendments to Australian Accounting Standards arising from AASB 15, AASB 2015-8 Amendments to Australian Accounting Standards Effective Date of AASB 15, and AASB 2016-3 Amendments to Australian Accounting Standards Clarifications to AASB 15, and
- AASB 2017-3 Amendments to Australian Accounting Standards - Further Annual Improvements 2014-2016.

AASB 9 Financial Instruments and related amending Standards

In the current year, the entity has applied AASB 9 *Financial Instruments* (as amended) and the related consequential amendments to other Accounting Standards that are effective for an annual period that begins on or after 1 January 2018.

AASB 9 introduced new requirements for:

- > the classification and measurement of financial assets and financial liabilities, and
- >impairment of financial assets.

There was no material impact on the Group's financial statements, as the classification of financial assets did not change on adoption of the new standard. The transition provisions allow an entity not to restate comparatives and the Group has elected not to do so.

Classification and measurement of financial assets

The date of initial application is 1 July 2018. Accordingly, the Group has applied the requirements of AASB 9 to instruments that continue to be recognised as at 1 July 2018 and has not applied the requirements to instruments that have already been derecognised as at 1 July 2018.

All recognised financial assets that are within the scope of AASB 9 are required to be subsequently measured at amortised cost or fair value on the basis of the entity's business model for managing the financial assets and the contractual cash flow characteristics of the financial assets.

The officers of the Group reviewed and assessed the Group's existing financial assets as at 1 July 2018 based on the facts and circumstances that existed at that date and concluded that the initial application of AASB 9 has resulted in no material change to the Group's financial assets with regards to their classification and measurement. The application of AASB 9 has had no impact on the classification and measurement of the Group's financial liabilities.

Impairment of financial assets

In relation to the impairment of financial assets, AASB 9 requires an expected credit loss model as opposed to an incurred credit loss model under IAS 39. The expected credit loss model requires the entity to account for expected credit losses and changes in those expected credit losses at each reporting date to reflect changes in credit risk since initial recognition of the financial assets. In other words, it is no longer necessary for a credit event to have occurred before credit losses are recognised.

The application of AASB 9 has not resulted in a material change to the measurement of impairment of financial assets.

AASB 15 Revenue from Contracts with Customers and related amending Standards

In the current year, the Group has applied AASB 15 Revenue from Contracts with Customers (as amended) which is effective for an annual period that begins on or after 1 July 2018. AASB 15 introduced a 5-step approach to revenue recognition. Far more prescriptive guidance has been added in AASB 15 to deal with specific scenarios.

2. Adoption of new and revised Accounting Standards (continued)

2.1 Amendments to Accounting Standards that are mandatorily effective for the current reporting period (continued)

The core principle of AASB 15 is that an entity should recognise revenue to depict the transfer of promised goods or services to customers in an amount that reflects the consideration to which the entity expects to be entitled in exchange for those goods or services. Specifically, the Standard introduces a 5-step approach to revenue recognition:

- > Step 1: Identify the contract(s) with a customer.
- > Step 2: Identify the performance obligations in the contract.
- > Step 3: Determine the transaction price.
- > Step 4: Allocate the transaction price to the performance obligations in the contract.
- > Step 5: Recognise revenue when (or as) the entity satisfies a performance obligation.

Under AASB 15, an entity recognises revenue when (or as) a performance obligation is satisfied, i.e. when "control" of the goods or services underlying the particular performance obligation is transferred to the customer. The application of AASB 15 has not had a significant impact on the financial position and/or financial performance of the Group.

2.2 New and revised Australian Accounting Standards in issue but not yet effective

At the date of authorisation of the financial statements, the Group has not applied the following new and revised Australian Accounting Standards, Interpretations and amendments that have been issued but are not yet effective:

Standards/amendment	Effective for annual reporting periods beginning on or after	For reporting period ending
AASB 16 Leases	1 January 2019	30 June 2020
AASB 1058 Income of Not-for-Profit Entities, and AASB 2016-8 Amendments to Australian Accounting Standards - Australian Implementation Guidance for Not-for-Profit Entities	1 January 2019	30 June 2020
AASB 2017-1 Amendments to Australian Accounting Standards – Transfers of Investment Property, Annual Improvements 2014-2016 Cycle and Other Amendments	1 January 2019	30 June 2020
AASB 2018-1 Amendments to Australian Accounting Standards - Annual Improvements 2015-2017 Cycle	1 January 2019	30 June 2020

The potential impact of the revised Standards/Interpretations on the Associations financial statements has not yet been determined.

In addition, at the date of authorization of the financial statements the following IASB Standards and IFRIC Interpretations were on issue but not yet effective, but for which Australian equivalent Standards and Interpretations have not yet been issued.

Standard/amendment	Effective for annual reporting periods beginning on or after	For reporting period ending
Amendments to References to the Conceptual Framework in IFRS	1 January 2020	30 June 2021
Standards		

2. Adoption of new and revised Accounting Standards (continued)

2.2 New and revised Australian Accounting Standards in issue but not yet effective (continued)

AASB 16 - Leases

AASB 16 was issued in June 2016. It will result in almost all leases being recognised on the statement of financial position as the distinction between operating and finance leases has been removed. Under the new standard, an asset (the right to use the leased item) and a financial liability to pay rentals are recognised on the statement of financial position. The only exceptions are short-term and low-value leases. The accounting for lessors will not significantly change.

The standard will affect primarily the accounting for Group's operating leases. As at the reporting date, the Group has non-cancellable lease commitments of \$97.2m. The Group has determined these commitments will result in the recognition of a material asset and a liability for future payments and will materially affect the Group's profit and classification of cash flows. At this stage, the Group does not intend to adopt the standard before its effective date. The standard is mandatory for the financial year commencing 1 July 2019.

Other revised Standards / Interpretations

The potential effect of the other revised Standards / Interpretations listed above on the financial statements has not yet been determined. The Officers do not expect any material impact on the financial position and performance, with the adoption of revised Standards/ Interpretations.

3. Significant accounting policies

Financial reporting framework

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 to satisfy specifically all of their information needs. Accordingly, this special purpose financial report has been prepared to satisfy the Officer's reporting requirements under the Victorian Bar Inc.'s Constitution and the Associations Incorporation Reform Act 2012.

For the purpose of preparing the financial statement, the Association is a for profit entity.

Statement of compliance

The financial report has been prepared in accordance with the Associations Incorporation Reform Act 2012, the Victorian Bar Inc. Constitution, the basis of accounting specified by all Accounting Standards and Interpretations, and the disclosure requirements of Accounting Standards AASB 101 'Presentation of Financial Statements', AASB 107 'Statements of Cash Flow', AASB 108 Accounting Policies, Changes in Accounting Estimates and Errors, and AASB 1054 Australian Additional Disclosures'.

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 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.

Investment properties

The fair values of properties are calculated using a combination of market sales comparison and capitalisation rate. To assist with calculating reliable estimates, the Group uses external valuers on at least a biennial basis. The fair values are a best estimate, but may differ to the actual sales price if the properties were to be sold. The key judgements for each valuation method are explained below:

- > Market sales comparison: Utilises recent sales of comparable properties, adjusted for any differences including the nature, location and lease profile;
- > Capitalisation rate: Capitalises the fully leased net income for a property into perpetuity at an appropriate capitalisation rate. The fully leased net income is based on market rents, operating costs and future income on vacant space. The capitalisation rate reflects the nature, location and tenancy profile of the property, together with current market evidence and sales of comparable properties.

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

3. Significant accounting policies (continued)

(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, 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, and its subsidiary (Opus Workspaces Pty Ltd), 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

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

3. Significant accounting policies (continued)

(f) Property, plant and equipment

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

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

Depreciation

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

Classes of Plant and Equipment

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

The assets' residual values and useful lives are reviewed, and adjusted if appropriate, at each reporting period. 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.

(g) Investment property

Investment properties, land and office buildings, are held for rental yields and are not occupied by the Group. They are carried at fair value. Changes in fair values are presented in profit and loss as part of other income. The cost of major renovations and improvements are capitalised as an addition. The cost of maintenance, repairs and minor improvements are charged to profit and loss when incurred.

The Group obtains independent valuations for its investment properties at least every two years. At the end of each reporting period, the directors update their assessment of the fair value of each property, taking into account the most recent independent valuations. The Group determine a property's value within a range of reasonable fair value estimates.

The best evidence of fair value is current prices in an active market for similar properties. Where such information is not available the directors consider information from a variety of sources including:

- current prices in an active market for properties of different nature or recent prices of similar properties in less active markets, adjusted to reflect those differences;
- discounted cash flow projections based on reliable estimates of future cash flows;
- > capitalised income projections based upon a property's estimated net market income, and a capitalisation rate derived from an analysis of market evidence.

(h) Intangible assets

Intangible assets with finite lives that are acquired separately are carried at cost less accumulated amortisation and accumulated impairment losses. Amortisation is recognised on a straight-line basis over their estimated useful lives. The estimated useful life and amortisation method are reviewed at the end of each reporting period, with the effect of any changes in estimate being accounted for on a prospective basis. Intangible assets with indefinite useful lives that are acquired separately are carried at cost less accumulated impairment losses.

An internally-generated intangible asset arising from development (or from the development phase of an internal project) is recognised if, and only if, all of the following have been demonstrated: the technical feasibility of completing the intangible asset so that it will be available for use or sale, the intention to complete the intangible asset and use or sell it, the ability to use or sell the intangible asset, how the intangible asset will generate probable future economic benefits, the availability of adequate technical, financial and other resources to complete the development and to use or sell the intangible asset and the ability to measure reliably the expenditure attributable to the intangible asset during its development.

The amount initially recognised for internally-generated intangible assets is the sum of the expenditure incurred from the date when the intangible asset first meets the recognition criteria listed above. Where no internally-generated intangible asset can be recognised, development expenditure is recognised in profit or loss in the period in which it is incurred. Subsequent to initial recognition, internally generated intangible assets are reported at cost less accumulated amortisation and accumulated impairment losses, on the same basis as intangible assets that are acquired separately.

3. Significant accounting policies (continued)

(i) 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.

The Group is required to restore leased premises to their original condition at the end of the respective lease terms. A provision is recognised for the present value of the estimated expenditure required to remove any leasehold improvements where the obligation and the amount can be reliably estimated.

(i) Leasing

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

Association as lessee

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

Lease payments are apportioned between finance charges and reduction of the lease obligation so as to achieve a constant rate of interest on the remaining balance of the liability. Finance charges are charged directly against income, unless they are directly attributable to qualifying assets, in which case they are capitalised in accordance with the 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.

Association as lessor

Amounts due from lessees under finance leases are recognised as receivables at the amount of the Association's net investment in the leases. Finance lease income is allocated to accounting periods so as to reflect a constant periodic rate of return on the Association's net investment outstanding in respect of the leases. Rental income from operating leases is recognised on a straight-line basis over the term of the relevant lease. Initial direct costs incurred in negotiating and arranging an operating lease are added to the carrying amount of the leased asset and recognised on a straight-line basis over the lease term.

A number of lease agreements include fit out contributions provided by the lessor as a lease incentive. Such incentives are recognised as a liability. The aggregate benefit of incentives is recognised as a reduction of rental expense on a straightline basis, except where another systematic basis is more representative of the time pattern in which economic benefits from the leased asset are consumed.

(k) 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.

(l) 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.

Revenue from leased properties is recognised as invoiced on a monthly basis based on the short term tenancy agreements with barristers.

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).

Significant accounting policies (continued)

(m) 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 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.

(n) Goods and services tax

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

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

The net amount of GST recoverable from, or payable to, the taxation authority is included as part of receivables or payables. Cash flows are included in the cash flow statement on a net basis. The GST component of cash flows arising from investing and financing activities which is recoverable from, or payable to, the taxation authority is classified as operating cash flows.

(o) 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.

(p) Financial instruments

Financial assets and financial liabilities are recognised when the Group becomes a party to the contractual provisions of the instrument. Financial assets and financial liabilities are initially measured at fair value. Transaction costs that are directly attributable to the acquisition or issue of financial assets and financial liabilities (other than financial assets and financial liabilities at fair value through profit or loss) are added to or deducted from the fair value of the financial assets or financial liabilities, as appropriate, on initial recognition. Transaction costs directly attributable to the acquisition of financial assets or financial liabilities at fair value through profit or loss are recognised immediately in profit or loss.

Financial assets

Financial assets are measured subsequently in their entirety at either amortised cost or fair value, depending on the classification of the financial assets.

3. Significant accounting policies (continued)

(p) Financial instruments (continued)

Classification of Financial assets

Financial assets that meet the following conditions are measured subsequently at amortised cost:

- > The financial asset is held within a business model whose objective is to hold financial assets in order to collect contractual cash flows.
- > The contractual terms of the financial asset give rise on specified dates to cash flows that are solely payments of principal and interest on the principal amount outstanding.

By default, all other financial assets are measured subsequently at fair value through profit or loss (FVTPL).

(i) Amortised cost and effective interest method

The effective interest method is a method of calculating the amortised cost of a debt instrument and of allocating interest income over the relevant period.

(ii) Financial assets at fair value through profit or loss

Financial assets at FVTPL are measured at fair value at the end of each reporting period, with any fair value gains or losses recognised in profit or loss to the extent they are not part of a designated hedging relationship.

(iii) Derivative financial instruments

Derivatives are initially recognised at fair value on the date a derivative contract is entered into and are subsequently remeasured to their fair value at the end of each reporting period. The accounting for subsequent changes in fair value depends on whether the derivative is designated as a hedging instrument and if so, the nature of the item being hedged..

The Group uses interest rate swaps that are designed and qualify as hedges. The effective portion of the cumulative gain or loss on the hedging instrument is initially recognised directly in OCI within equity. The ineffective portion of the gain or loss on the hedging instrument is recognised immediately in finance expenses in the profit or loss.

Impairment of financial assets

The Group recognises a loss allowance for expected credit losses on investments in financial assets that are measured at amortised cost. These include trade and other receivables. The amount of expected credit losses is updated at each reporting date to reflect changes in credit risk since initial recognition of the respective financial instrument.

Financial liabilities

Financial liabilities represent liabilities for goods and servives provided to the group prior to the end of the financial year which are unpaid. The amounts are unsecured and are usually paid within 30 days of recognition. Trade and other payables are presented as current liabilities initially recorded at fair value and then subsequently measured at amortised cost.

(q) Business Combinations

Acquisitions of businesses are accounted for using the acquisition method. The consideration transferred in a business combination is measured at fair value, which is calculated as the sum of the acquisition-date fair values of assets transferred, liabilities incurred and the equity instruments issued by the Association in exchange for control of the acquiree. Acquisition-related costs are recognised in profit or loss as incurred. At the acquisition date, the identifiable assets acquired and the liabilities assumed are recognised at their fair values.

Goodwill is measured as the excess of the sum of the consideration transferred over the net of the acquisition-date amounts of the identifiable assets acquired and the liabilities assumed. If, after reassessment, the net of the acquisitiondate amounts of the identifiable assets acquired and liabilities assumed exceeds the sum of the consideration transferred, the excess is recognised immediately in profit or loss as a bargain purchase gain. Where the consideration transferred by the Association in a business combination includes assets or liabilities resulting from a contingent consideration arrangement, the contingent consideration is measured at its acquisition-date fair value. Changes in the fair value of the contingent consideration that qualify as measurement period adjustments are adjusted retrospectively, with corresponding adjustments against goodwill.

Measurement period adjustments are adjustments that arise from additional information obtained during the 'measurement period' (which cannot exceed one year from the acquisition date) about facts and circumstances that existed at the acquisition date.

The subsequent accounting for changes in the fair value of contingent consideration that do not qualify as measurement period adjustments depends on how the contingent consideration is classified. Contingent consideration that is classified as equity is not remeasured at subsequent reporting dates and its subsequent settlement is accounted for within equity. Contingent consideration that is classified as an asset or liability is remeasured at subsequent reporting dates in accordance with AASB 139 'Financial Instrument: Recognition and Measurement', or AASB 137 'Provisions, Contingent Liabilities and Contingent Assets', as appropriate, with the corresponding gain or loss being recognised in profit or loss.

Significant accounting policies (continued)

(q) Business Combinations (continued)

If the initial accounting for a business combination is incomplete by the end of the reporting period in which the combination occurs, the Association reports provisional amounts for the items for which the accounting is incomplete. Those provisional amounts are adjusted during the measurement period (see above), or additional assets or liabilities are recognised, to reflect new information obtained about facts and circumstances that existed as of the acquisition date that, if known, would have affected the amounts recognised as of that date.

(r) Goodwill

Goodwill arising on an acquisition of a business is carried at cost as established at the date of the acquisition of the business (see Note q above) less accumulated impairment losses, if any. For the purposes of impairment testing, goodwill is allocated to each of the Association's cash generating units (or Groups of cash-generating units) that is expected to benefit from the synergies of the combination. A cash-generating unit to which goodwill has been allocated is tested for impairment annually, or more frequently when there is an indication that the unit may be impaired. If the recoverable amount of the cash-generating unit is less than its carrying amount, the impairment loss is

allocated first to reduce the carrying amount of any goodwill allocated to the unit and then to the other assets of the unit pro rata based on the carrying amount of each asset in the unit. Any impairment loss for goodwill is recognised directly in profit or loss. An impairment loss recognised for goodwill is not reversed in subsequent periods. On disposal of the relevant cash-generating unit, the attributable amount of goodwill is included in the determination of the profit or loss on disposal. The Association's policy for goodwill arising on the acquisition of an associate or joint venture is described at 3.6 below.

(s) Working capital

As at 30 June 2019 the consolidated entity has an excess of current liabilities over current assets of \$49,550,773 (2018: \$5,641,954) due to deferred revenue relating to prepaid rent and subscriptions of \$6,293,630 (2018: \$6,229,029) which will be realised in the ordinary course of business over the next 12 months. In addition, the Group's banking facility of \$45,192,391 has been classified as a current liability as it is due to mature in May 2020 (previously classified as non-current). Based on the Group's strong covenant compliance history, low leverage position, available security and plans for the future, the directors expect the Group will be able to secure the necessary ongoing financing prior to the maturity of the current facility.

Therefore, the Officers consider it appropriate for the Group's financial statements to be prepared on a going concern basis.

	Consc	olidated	Pai	ent
	2019 \$	2018 \$	2019 \$	2018 \$
4. Revenue				
Revenue from operating activities				
Subscriptions	3,968,509	3,805,293	3,968,509	3,805,293
Readers' course, mediation & seminar fees	1,315,894	1,239,870	1,315,894	1,239,870
Technology revenue	1,650,535	1,462,766	-	-
Other revenue	362,846	309,962	474,727	778,68
Rental income	40,428,162	35,962,389	-	-
Managed floor solutions	804,603	1,066,873	-	-
	48,530,549	43,847,153	5,759,130	5,823,84
Revenue from non-operating activities				
Interest revenue	21,596	49,328		
Investment income	168,917	132,605	168,917	132,605
Legal Service Board and Commissioner	<u> </u>		·	
contributions	852,413	777,767	852,413	777,76
	1,042,926	959,700	1,021,330	910,372
Total Revenue	49,573,475	44,806,852	6,780,460	6,734,218
Total Revenue 5. Surplus before income tax Surplus for the year has been arrived at after charging the finance cost		44,806,852	6,780,460	6,734,218
5. Surplus before income tax Surplus for the year has been arrived at after charging the f		2,138,930	6,780,460	6,734,218
5. Surplus before income tax Surplus for the year has been arrived at after charging the finance cost	following items of expense:			6,734,218 -
5. Surplus before income tax Surplus for the year has been arrived at after charging the f Finance cost Interest on mortgage	following items of expense:			6,734,218 - 59,174
5. Surplus before income tax Surplus for the year has been arrived at after charging the finance cost Interest on mortgage Depreciation and amortisation	following items of expense:	2,138,930	-	-
5. Surplus before income tax Surplus for the year has been arrived at after charging the finance cost Interest on mortgage Depreciation and amortisation Software	2,045,804 67,210	2,138,930 59,174	- 67,210	- 59,174
5. Surplus before income tax Surplus for the year has been arrived at after charging the finance cost Interest on mortgage Depreciation and amortisation Software Plant, equipment and improvements	67,210 2,607,450	2,138,930 59,174 2,332,156	- 67,210 75,518	- 59,174 99,529
5. Surplus before income tax Surplus for the year has been arrived at after charging the finance cost Interest on mortgage Depreciation and amortisation Software Plant, equipment and improvements Auditors remuneration - Deloitte	2,045,804 67,210 2,607,450 2,674,660	2,138,930 59,174 2,332,156 2,391,330	- 67,210 75,518 142,728	- 59,174 99,529 158,703
5. Surplus before income tax Surplus for the year has been arrived at after charging the finance cost Interest on mortgage Depreciation and amortisation Software Plant, equipment and improvements Auditors remuneration - Deloitte Auditing of the financial reports	67,210 2,607,450 2,674,660	2,138,930 59,174 2,332,156 2,391,330	- 67,210 75,518 142,728 42,600	- 59,174 99,529 158,703
5. Surplus before income tax Surplus for the year has been arrived at after charging the finance cost Interest on mortgage Depreciation and amortisation Software Plant, equipment and improvements Auditors remuneration - Deloitte Auditing of the financial reports Taxation and accounting services	67,210 2,607,450 2,674,660 42,600 24,000	2,138,930 59,174 2,332,156 2,391,330 37,100 23,500	- 67,210 75,518 142,728 42,600 24,000	59,174 99,529 158,703 37,100 23,500
5. Surplus before income tax Surplus for the year has been arrived at after charging the finance cost Interest on mortgage Depreciation and amortisation Software Plant, equipment and improvements Auditors remuneration - Deloitte Auditing of the financial reports	67,210 2,607,450 2,674,660	2,138,930 59,174 2,332,156 2,391,330	- 67,210 75,518 142,728 42,600	59,174 99,529 158,703 37,100 23,500
5. Surplus before income tax Surplus for the year has been arrived at after charging the finance cost Interest on mortgage Depreciation and amortisation Software Plant, equipment and improvements Auditors remuneration - Deloitte Auditing of the financial reports Taxation and accounting services Other services Auditors remuneration - PwC	67,210 2,607,450 2,674,660 42,600 24,000 6,200	2,138,930 59,174 2,332,156 2,391,330 37,100 23,500 5,900	- 67,210 75,518 142,728 42,600 24,000 6,200	59,174 99,529 158,703 37,100 23,500
5. Surplus before income tax Surplus for the year has been arrived at after charging the finance cost Interest on mortgage Depreciation and amortisation Software Plant, equipment and improvements Auditors remuneration - Deloitte Auditing of the financial reports Taxation and accounting services Other services Auditors remuneration - PwC Auditing of the financial reports	67,210 2,607,450 2,674,660 42,600 24,000 6,200	2,138,930 59,174 2,332,156 2,391,330 37,100 23,500 5,900 54,000	- 67,210 75,518 142,728 42,600 24,000 6,200	59,174 99,529 158,703 37,100 23,500
5. Surplus before income tax Surplus for the year has been arrived at after charging the finance cost Interest on mortgage Depreciation and amortisation Software Plant, equipment and improvements Auditors remuneration - Deloitte Auditing of the financial reports Taxation and accounting services Other services Auditors remuneration - PwC	67,210 2,607,450 2,674,660 42,600 24,000 6,200	2,138,930 59,174 2,332,156 2,391,330 37,100 23,500 5,900	- 67,210 75,518 142,728 42,600 24,000 6,200	- 59,174 99,529

The auditor of the Association is Deloitte Touche Tohmatsu.

	Consc	olidated	Parent	
	2019 \$	2018 \$	2019 \$	2018 \$
6. Income tax (expense)/benefit				
Components of income tax (expense)/benefit			1	
Tax expenses comprises:				
Current tax (expense)/benefit	(1,404,511)	741,436	181,014	48,918
Deferred tax (expense)/benefit relating to timing differences	(8,942,542)	(8,690,000)	(16,486)	5,627
	(10,347,053)	(7,948,564)	164,528	54,545
7. Cash and cash equivalents				
Cash deposits with banks	8,438,182	5,810,376	644,470	473,149
Short-term money market deposits	3,977,904	2,927,657	3,977,904	2,927,658
	12,416,086	8,738,033	4,622,374	3,400,807
8. Trade and other receivables				
Trade receivables	404,351	961,938	116,176	119,926
Provision for doubtful debts	(177,859)	(76,289)	-	-
	226,492	885,649	116,176	119,926
9. Other assets				
Current				
Prepayments	259,037	238,505	16,131	17,807
Fit-out incentive	1,829,896	1,730,054	-	-
	2,088,933	1,968,559	16,131	17,807
Non-current				
Fit out incentive	12,932,227	13,429,353	-	-
	12,932,227	13,429,353	-	-
10. Investment in subsidiary				
Investment in subsidiaries	-	-	10,187,430	10,187,430
	-			

Barristers' Chambers Limited is a public company incorporated in Australia and operating in Australia. Opus Workspaces Pty Ltd is a private company incorporated and operating in Australia. It is wholly owned by Barristers' Chambers Ltd. Barristers' Chambers Ltd 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 the Melbourne Bar Pty Ltd, Barristers' Chambers Limited and its subsidiary Opus Workspaces Pty Ltd.

		Consoli	dated	Parent	
		2019 \$	2018 \$	2019 \$	2018 \$
11. Other financial	assets				
Financial assets carried at fair value	through profit or loss	3,862,420	3,764,869	3,862,420	3,764,869
12. Property, plant	and equipmer	nt			
Carrying amounts of					
Plant and equipment		127,795	166,236	127,795	166,236
Art works		72,372	55,290	72,372	55,290
Fixtures and fittings		11,516,076	12,945,687	-	-
Assets under construction		5,464,166	921,215	3,316	17,700
		17,180,409	14,088,428	203,483	239,226
Parent					
		Plant and equipment at cost	Art Works	Capital Work-in- progress	Total
		\$	\$	\$	\$
Balance at 1 July 2017					
Cost		1,532,184	185,275	17,700	1,735,159
Accumulated depreciation		(1,365,948)	(129,985)	-	(1,495,933)
		166,236	55,290	17,700	239,226
Balance at 1 July 2018					
Cost		1,556,893	211,275	3,316	1,771,484
Accumulated depreciation		(1,429,098)	(138,903)	-	(1,568,001)
		127,795	72,372	3,316	203,483
Consolidated					
	Assets under construction	Fixtures and fittings	Plant and equipment at cost	Art Works	Total
	\$	\$	\$	\$	\$
Balance at 1 July 2017					
Cost	921,215	29,715,079	1,532,184	185,275	32,353,753
Accumulated depreciation	-	(16,769,392)	(1,365,948)	(129,985)	(18,265,325)
	921,215	12,945,687	166,236	55,290	14,088,428
Balance at 1 July 2018					
Cost	5,464,166	30,860,229	1,556,893	211,275	38,092,563
Accumulated depreciation	-	(19,344,153)	(1,429,098)	(138,903)	(20,912,154)
	5,464,166	11,516,076	127,795	72,372	17,180,409

13. Investment properties

Consolidated				
	Land and buildings Owen Dixon Chambers West	Land and buildings Owen Dixon Chambers East	Land and buildings Douglas Menzies Chambers	Total
	\$	\$	\$	\$
As at 1 July 2017				
Cost or fair value	131,700,000	57,500,000	16,700,000	205,900,000
Additions	1,081,980	48,000	45,000	1,174,980
Revaluation	22,018,000	9,152,000	4,655,000	35,825,000
Balance as at 30 June 2018	154,799,980	66,700,000	21,400,000	242,899,980
As at 1 July 2018				
Cost or fair value	154,799,980	66,700,000	21,400,000	242,899,980
Additions	137,020	344,000	117,000	599,020
Revaluation	24,263,000	6,256,000	7,383,000	37,902,000
Balance as at 30 June 2019	179,200,000	73,300,000	28,900,000	281,400,000

14. Intangible assets

Parent and Consolidated		
	Software \$	Total \$
Cost	311,302	311,302
Accumulated amortisation	(65,827)	(65,827)
Balance as at 30 June 2018	245,475	245,475
Cost	348,302	348,302
Accumulated amortisation	(133,038)	(133,038)
Balance as at 30 June 2019	215,264	215,264

The useful life of Software used in the calculation of amortisation is 5 years.

	Consol	idated	Pare	ent
	2019 \$	2018 \$	2019 \$	2018 \$
15. Trade and other payables				
Current				
Deferred revenue	6,293,630	6,229,029	2,642,036	2,032,181
Trade creditors and accruals	6,438,476	3,778,886	1,992,672	1,561,343
The Essoign Club	84,673	73,095	84,673	73,095
Other creditors	5,159,410	5,254,676	-	-
Fit out incentive	1,829,896	1,730,054	-	-
	19,806,085	17,065,740	4,719,381	3,666,619
Non-Current				
Deferred revenue	488,542	572,292	-	-
Fit out incentive	12,932,228	13,429,353	-	-
	13,420,770	14,001,645	-	-
16. Borrowings				
Current	1		1	
Bank borrowings	45,192,391	-	-	
Non-Current				
Bank borrowings	<u>-</u>	45,492,391	-	-

The loan is secured by a charge over property situated at 525-539 Lonsdale Street, Melbourne known as Owen Dixon Chambers West and property situated at 205-221 William Street, Melbourne known as Owen Dixon Chambers East. The loan has an unused drawing capacity of \$15,500k at year-end and the facility matures in May 2020.

17. Provision

Employee benefits	45,305	40,771	23,673	17,775
Make good provision	963,329	719,023	-	-
Non-current				
	327,449	418,336	89,453	177,840
Employee benefits	327,449	418,336	89,453	177,840
Current				

Cons	olidated	Parent	
2019	2018	2019	2018
\$	\$	\$	\$

18. 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	12,416,086	8,738,033	4,622,374	3,400,807
(b) Reconciliation of surplus for the year to net cash flow	s from operating activiti	es	,	
Surplus for year after income tax (expense)/benefit	33,368,953	29,769,828	441,993	704,553
Depreciation & amortisation of non-current assets	2,674,660	2,391,330	142,728	158,703
Gain on revaluation of investment property	(37,902,736)	(35,824,625)	-	-
Derivative financial liability	1,037,146	-	-	-
Unrealised loss/(gain) on financial asset	(101,686)	34,488	(101,686)	34,488
Dividend income treated as investing	-	-	(200,000)	(550,000)
Changes in net assets and liabilities:				
(Increase)/decrease in assets:				
Trade & other receivables and other assets	(1,237)	(8,466,933)	5,426	29,688
Increase/(decrease) in liabilities:				
Trade & other payables	2,193,905	9,595,879	1,052,762	(707,683)
Provisions	157,953	480,471	(82,489)	(21,965)
Current taxes	(1,570,587)	42,981	(1,077,913)	932,495
Deferred taxes	10,485,696	7,688,888	913,385	(840,003)
	10,342,067	5,712,307	1,094,206	(259,724)

19. Derivative financial instruments

Current				
Interest rate swap contracts	776,827	-	-	-
Non-Current				
Interest rate swap contracts	260,319	-	-	-

20. 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.

	Consol	idated	Parent	
	2019 \$	2018 \$	2019 \$	2018 \$
21. Leasing commitments				
Leasehold premises				
Non-cancellable operating lease commitments				
Not longer than 1 year	12,249,875	12,068,409	99,875	97,409
Longer than 1 year and not longer than 5 years	46,201,000	41,891,000	-	-
Longer than 5 years	38,891,000	42,052,000	-	-
	97,341,875	96,011,409	99,875	97,409
Office equipment				
No longer than 1 year	10,979	10,979	10,979	10,979
Longer than 1 year and not longer than 5 years	10,979	21,959	10,979	21,959
Longer than 5 years	-	-	-	-
	21,958	32,938	21,958	32,938

22. 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.

THE VICTORIAN BAR INCORPORATED DETAILED INCOME STATEMENT

Detailed Statement of Profit and Loss for the year ended 30 June 2019

	Notes	2019 (unaudited)	2018 (unaudited)
Revenue			
Bar Dinner Fees		83,206	76,728
Bar News Advertising Revenue		6,864	7,000
Conferences, Seminars & CPD Fees		106,275	87,037
Dividend		200,000	550,000
Income from Investments		168,917	132,605
Legal Services Board & Commissioner	1	852,413	777,767
Mediation Fees		494,678	516,988
Readers Course Fees		712,023	608,382
Subscriptions		3,968,509	3,805,293
Other		187,576	172,412
Total Revenue		6,780,460	6,734,211

Detailed Statement of Profit and Loss for the year ended 30 June 2019 (continued)

	2019 (unaudited)	2018 (unaudited)
	(unaudited)	(unaudited)
Expenses	72.005	125.242
Audit Fees & Tax	72,005	125,243
Australian Bar Association	149,959	141,890
Bank & Credit Card Fees	12,721	5,207
Bar Dinner Expense	100,781	92,403
Bar News Expenses	49,516	64,476
Bookkeeping & Accounting	-	57,375
Books & Subscriptions	93,819	92,764
Catering Expenses	55,025	85,764
Computer Software and Support	150,575	150,044
Depreciation	142,728	158,703
Conference & seminars	62,683	41,307
Health & Well Being Program Expense	106,237	82,221
ICC Project Expenses	28,025	3,440
Law Council of Australia	223,656	221,234
Marketing and Sponsorships	120,022	87,107
Media & Consultants	263,368	140,890
Photocopier Expenses	10,460	20,884
Printing & Stationery	40,641	31,841
Pro Bono Scheme Expenses	470,642	453,200
Readers Course & CPD	353,772	351,778
Rent, Amortisation & Fit-out	1,123,670	1,097,699
Employee benefits & expenses	2,508,910	2,017,500
Travel Expenses	74,291	94,456
Other Administration Costs	289,489	466,778
Total Expenses	6,502,995	6,084,203
Surplus before Income Tax Benefit	277,465	650,008
Income Tax Benefit	164,528	54,545
Surplus for the year	441,993	704,553

Notes to Detailed Statement of Profit and Loss for the year ended 30 June 2019

1 LSB/LSC Reimbursement and Contribution	2019 (unaudited)	2018 (unaudited)
The Legal Services Board (LSB) and the Legal Services Commissioner (LSC) reimburse relation to regulation and registration of barristers in Victoria.	e the Victorian Bar for the costs of the role	s delegated to it in
Regulation	160,302	99,923
Complaints & Disputes	167,702	162,076
Library	55,074	60,101
Pro Bono Scheme	469,335	455,667
	852,413	777,767
2 Retained Earnings		
Retained Earnings at the beginning of the year	14,361,957	13,657,404
Surplus for the year	441,993	704,553
Retained Earnings at the end of the year	14,803,950	14,361,957

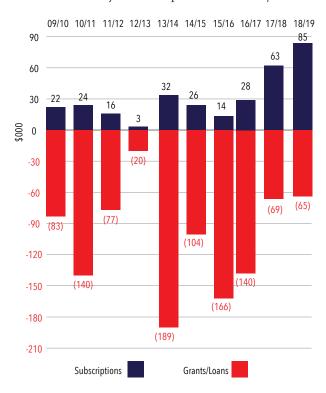
BARRISTERS' BENEVOLENT ASSOCIATION OF VICTORIA

PART XIII

Barristers' Benevolent Association of Victoria Annual Report for the year ended 30 June 2019 (Unaudited)

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

10 Year History of Subscriptions and Grants/Loans



During 2018-2019, the Association made payments by way of loans or grants to eight members totalling \$64,658. Of this amount, \$42,658 were loans and \$22,000 were grants.

The Association received loan repayments totalling \$53,000 during the year.

The Sub Committee of Management also wrote to members to encourage donations, resulting in the highest level of donations in the last 10 years. Donations received for the 2018-2019 year were \$85.185.

Overall, total receipts for the Association were \$249,607 compared to payments of \$64,658 as described in the Comparative Financial Statement.

Amounts Held by Equity Trustees at Market Value at 30 June 2019

The market value of the Association's investment portfolio at 30 June 2019, together with the income and asset yield is set out below:

	ASSET VALUE		ASSET YIELD	
	\$	%	\$	%
Equity Trustees				
Wholesale Mortgage	\$363,938	15.5%	\$13,713	3.8%
Income Fund				
Equity Trustees Growth Fund	\$1,525,299	65.0%	\$77,413	5.9%
Equity Trustees Cash Management Fund	\$458,374	19.5%	\$3,844	1.1%
·	\$2,347,610		\$94,970	

Basis of Preparation of Comparative Financial Statement

The Comparative Financial Statement for the year ended 30 June 2019 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 or 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 2019

		2019 (unaudited)	2018 (unaudited) \$
		\$	
Capital Fund			
Opening balance at 1 July		2,111,676	1,673,325
Receipts			
Donations received during the year		85,185	62,723
Loan repayments received		53,000	16,000
Imputation credits refund		13,448	84,215
Net Income Earned During the Year		97,974	50,197
Total receipts		249,607	213,136
Payments			
Grants		(22,000)	(16,405)
Loans		(42,658)	(52,500)
Investments		-	(90,336)
Total payments		(64,658)	(159,241)
Net receipts/(payments)		184,949	53,895
Capital movement within/between Funds		-	384,457
Capital Fund (at cost) at 30 June	(a)	2,296,626	2,111,676
Loans			
Opening Balance at 1 July		382,145	473,746
Add new loans		42,658	52,500
Less loan repayments		(53,000)	(16,000)
Less loans converted to grant		-	(128,101)
Loans at 30 June		371 803	382,145
Total Assets at 30 June	,	2 668 429	2,493,821
Capital Fund Investments held by Equity Trustees (at cost)			
Equity Trustees Growth Fund		1,474,314	1,474,314
Equity Trustees Wholesale Mortgage Income Fund		363,938	363,938
Equity Trustees Cash Management Fund		458 374	273,424
	(a)	2,296,626	2,111,676

Dr Matthew Collins AM QC and Mr Samuel Hay

Sub-Committee of Management Victorian Bar Council



