



PRESIDENT'S REPORT 2023

SAM HAY KC



For the first time in recent years, 2023 saw the Bar and its members free to operate entirely without COVID restrictions. It was a welcome return to normality. As detailed below, the Bar hosted a series of successful events, and launched several initiatives during the year.

Bar Dinner

The 2023 Bar Dinner was very well received. With 504 members in attendance, the night celebrated the achievements of 13 members who have been in continuous practice at the Bar for 45 years, plus one who had been in continuous practice for 50 years. Our honoured guests for the evening included Her Excellency the Hon. Linda Dessau AC CVO, Governor of Victoria, the Hon. Mark Dreyfus KC MP, Attorney-General of the Commonwealth of Australia, and the Hon. Jaclyn Symes MLC, Attorney-General for the State of Victoria. It also featured a keynote speech by Dr Stephen Donaghue KC, Solicitor-General of Australia.

Launches

We relaunched the Open Justice Project, and the Barrister Shadowing program. We were also grateful to the Victorian Legal Services Board (VLSB) for providing funding for a new role within the Bar Office to oversee our very busy pro bono program.

The Bar's IT infrastructure program kicked into high gear, with a lot of work being done from late January onwards. Once the project is complete, members will see some changes to the Bar's website, and our back office online capabilities will be vastly improved. It is on track to be finished in first half of 2024. I would like to thank Michael Shand AM KC and Paul Frances, IT project manager, for their excellent stewardship of this very important project.

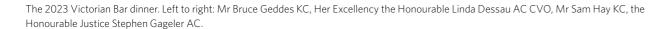
Pro Bono Awards

The biannual Pro Bono awards were announced in late March 2023, with the Victorian Bar Pro Bono Trophy being awarded to Julian McMahon AC S.C. for his decades of pro bono service. All nominees and recipients are worthy of celebration and are a real credit to the Bar and our profession at large.

Appointments and celebrating our members

A number of members were appointed during the year. The Honourable Justice Debbie Mortimer was appointed as Chief Justice of the Federal Court of Australia, while the Honourable Justice Karin Emerton was appointed President of the Victorian Court of Appeal. In both instances, their Honours were the first women appointed to those roles.

The Honourable Justice Edward (Ted) Woodward was appointed to the Supreme Court of Victoria and President of the Victorian Civil and Administrative Tribunal. The Honourable Justice Peter Gray, and the Honourable Justice Patricia Matthews were also appointed to the Supreme Court, along with a welcome ceremony for the Honourable Associate Justice Matthew Barrett.



The Honourable Justice Catherine Button was appointed to the Federal Court of Australia, as was the Honourable Justice Emilios Kyrou AO, who was also appointed as President of the Administrative Appeals Tribunal.

Her Honour Judge Áine Magee, her Honour Judge Robyn Harper, her Honour Judge Barbara Myers, his Honour Judge John Kelly, and her Honour Judge Diana Manova were appointed to County Court of Victoria.

His Honour Judge Mark Champion was appointed to Federal Circuit and Family Court of Australia.

Magistrates

Her Honour Deputy Chief Magistrate Susan Wakeling (reappointment)

His Honour Deputy Chief Magistrate Timothy Bourke

Her Honour Magistrate Lucia Raponi

His Honour Magistrate David Langton

His Honour Magistrate Brett Sonnet

His Honour Magistrate Malcolm Thomas

His Honour Magistrate Jarrod Williams

Her Honour Magistrate Megan Casey

Her Honour Magistrate Belinda Franjic His Honour Magistrate Andrew Sim

2023 saw several portraits unveiled in the Peter O'Callaghan QC Gallery, including the Honourable Justice Susan Kenny AM and the Honourable Justice Kate McMillan, Nimal Wikramanayake

KC, and Peter Jopling AM KC (a former Chair of the Gallery).

The Gallery has been repainted and its collection reorganised. It remains unique and is something of which we can all be proud.

Parental leave subsidies and other financial matters

The Bar continues to be a strong supporter of diversity within the profession with its long-established parental leave subsidy, which we were able to increase this past year in line with rising rental costs. On top of the Victorian Bar Council's Parental Leave Policy, barristers are assisted by accommodating those taking leave for pregnancy, or a child coming into their care and custody. A rental subsidy and a discount on Bar subscriptions are also available for eligible barristers for a period of up to six months in the case of a single child, or cumulative periods of six months in cases concerning the birth or care of multiple children.

The Bar Council determined that there was to be no change to the subscription fees for the 2023-24 financial year from those levied for 2022-23. Over the previous two years, the Bar Council provided subscription reductions (of around 12.5%), as well as the rebate paid to members in May 2021 to address the impact that COVID-19 had on members. The Bar has also given significant leeway to members experiencing financial hardships, offering waivers by request to those who felt that the payment of subscription fees would have a material impact on their ability to continue to practise, or to support their family.

Health and Wellbeing

The Bar Council approved a project to update the content on the health and wellbeing portal, and also commissioned the production of a series of short films on the impact trauma can have on barristers. In backing these programs, we aim to bring mental health issues and remedies to the attention of our members.

We have also prepared a revised 'State of the Bar Survey'. This is being done as part of our ongoing commitment to improving the wellbeing of our members, and to collect data to compare with the 2018 survey results. The survey will guide the Bar Council in the coming years and help inform the next iteration of the Bar's strategic plan, which needs to be renewed next year.

Some acknowledgments

I have greatly enjoyed my time as President. Performing the role has been the highlight of my career. I would like to acknowledge the contribution and support I have received from Bar Council members during the year. I would particularly like to thank Vice-President Georgina Schoff KC; Vice-President Elizabeth Bennett S.C.; Honorary Treasurer Mark Robins KC; Assistant Honorary Treasurer Catherine Boston; Honorary Secretary Owen Wolahan; Assistant Honorary Secretaries Ben Gibson and Elle Nikou Madalin.

My sincere gratitude goes to Amanda Utt, Executive Director of the Victorian Bar; Miranda Tulloch, Corporate Services Manager; Kai Li Zhu, Senior In House Counsel; and Sharni Doherty, Executive Assistant. They all helped me get through the mountain of day-to-day work that lands on a VicBar President's desk. I could not have done the job without them.

I would like to thank and acknowledge the work done by my predecessor, Róisín Annesley KC, who helped the Bar reemerge from the pandemic.

My thanks to the Victorian Bar office staff. They provide our members with first-rate service, and they do not always get the acknowledgement they deserve. Members should know that our staff keep the wheels of our organisation turning each year. We are very lucky to be so well supported.

Finally, to those members who kindly gave up their time to contribute to our committees, associations, education programs, and working groups, and to all the other Bar activities performed by members across the past 12 months, thank you very much for making 2023 a success.





KEY FIGURES (CONTINUI

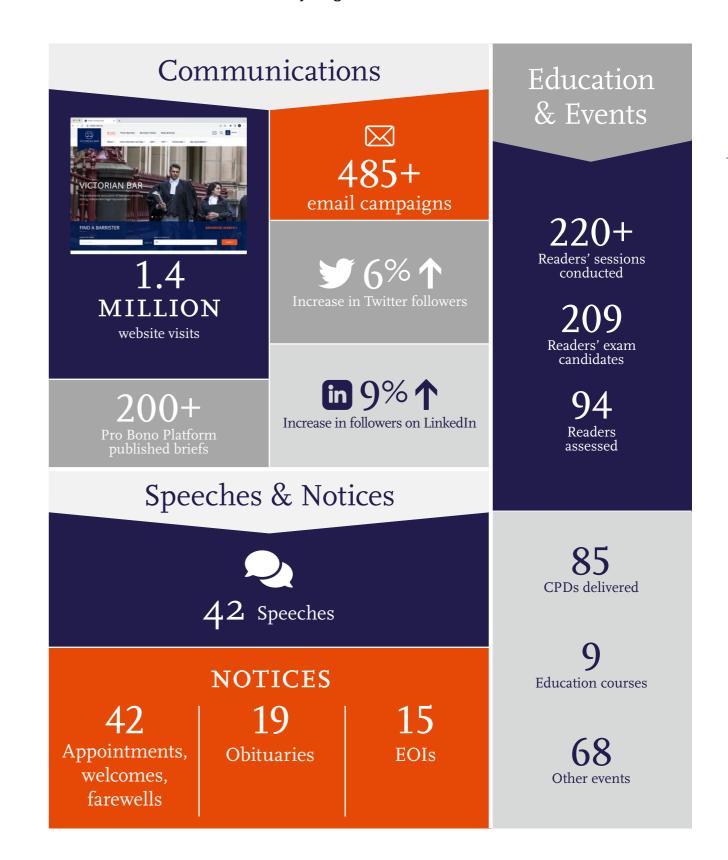
KEY FIGURES

Key insights from 2022-23

Governance & Policy Membership & Finance 27 \$88,282 **Counsel Committee** Policy Amount raised for matters finalised submissions the Victorian Bar Foundation 109 National Mediator Accreditation Scheme accreditations and re-accreditations 276 22 Bar Council Board papers meetings prepared Members guided through PSS renewals 92 Special Purpose Bar meetings held Council meetings \$158,041 35 64 Amount raised for the **Ethics Committee Ethics Committee** Peter O'Callaghan QC Gallery resolutions guidance provided

KEY FIGURES (continued)

Key insights from 2022-23







VICTORIAN BAR COUNCIL

Category A:

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



Sam Hay KC







Georgina Schoff KC Elizabeth Bennett Mark Robins KC



Gavin Silbert KC



Peter Chadwick KC Dr Suzanne (Sue) McNicol AM KC



Colin Mandy S.C. Alistair Pound S.C. Darryl Burnett





Category B:

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



Member Ashlee Cannon



Assistant Honorary Catherine Boston



Nawaar Hassan



Timothy Goodwin Daniel Nguyen



Honorary Secretaries appointed

by the Victorian Bar Council



Member Raini Zambelli

Category C:

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



Jessie Taylor



Clark

Ffyona Livingstone Rishi Nathwani



Andrèa Skinner



Honorary Secretary Owen Wolahan



Assistant Honorary Secretary Ben Gibson



Assistant Honorary Secretary Elle Nikou Madalin

BAR COUNCIL MEETING ATTENDANCE 2021-2022

Eight Meetings of the Victorian Bar Council were held between 1/07/22 and 10/11/22 (being the date of the last meeting of the 2021/2022 Bar Council)

Number of meetings attended / Number eligible to attend

Bar Council Member 2021-2022 Bar Council

Category A: King's Counsel, Senior Counsel or junior counsel who are of not less than 15 years' standing in order of seniority				
Róisín Annesley KC (President)	8 of 8			
Charles Shaw KC (Vice-President)	8 of 8			
Darryl Burnett (Vice-President)	7 of 8			
Mark Robins KC (Honorary Treasurer)	8 of 8			
Peter Chadwick KC	3 of 8			
Robert Hay KC	5 of 8			
Paul Hayes KC	6 of 8			
Marylyn Smallwood S.C.	5 of 8			
Sam Hay KC	8 of 8			
Dr Michelle Sharpe	6 of 8			
Maria Pilipasidis	5 of 8			
Category B: Junior counsel who are of not less than six years standing and not of 15 or more	years' standing			
Benjamin Murphy	8 of 8			
Robyn Sweet (Assistant Honorary Treasurer)	8 of 8			
Amy Wood	7 of 8			
Dr Robin Smith	8 of 8			
Nawaar Hassan	7 of 8			
Daniel Nguyen	3 of 8			
Category C: Junior counsel who are of less than six years' standing				
Raini Zambelli	6 of 8			
Nicholas Phillpott	6 of 8			
Lana Collaris	6 of 8			
Andrèa Skinner	5 of 8			
Honorary Secretaries				
Sarah Cherry (Honorary Secretary)	5 of 5			
Eitan Makowski (Assistant Honorary Secretary)	0 of 1			
Owen Wolahan (Assistant Honorary Secretary)	1 of 1			

BAR COUNCIL MEETING ATTENDANCE 2022-2023

Ten Meetings of the Victorian Bar Council were held between 10/11/22 (being the date of the first meeting of the 2022/2023 Bar Council) and 30/06/2023, including six Special Purpose Bar Council Meetings.

Number of meetings attended / Number eligible to attend

Bar Council Member	2022-2023 Bar Council

Category A: King's Counsel, Senior Counsel or junior counsel who are of not less than 15 years' standing in order of seniority				
Sam Hay KC (President)	10 of 10			
Georgina Schoff KC (Vice-President)	9 of 10			
Elizabeth Bennett S.C. (Vice-President)	10 of 10			
Mark Robins KC (Honorary Treasurer)	10 of 10			
Gavin Silbert KC	8 of 10			
Peter Chadwick KC	9 of 10			
Dr Suzanne McNicol AM KC	8 of 10			
Colin Mandy S.C.	8 of 10			
Alistair Pound S.C.	8 of 10			
Darryl Burnett	10 of 10			
Dr Michelle Sharpe	9 of 10			
Category B: Junior counsel who are of not less than six years standing and not of 15 or	more years' standing			
Ashlee Cannon	7 of 10			
Catherine Boston (Assistant Honorary Treasurer)	7 of 10			
Nawaar Hassan	7 of 10			
Timothy Goodwin	8 of 10			
Daniel Nguyen	5 of 10			
Raini Zambelli	9 of 10			
Category C: Junior counsel who are of less than six years' standing				
Jessie Taylor	8 of 10			
Ffyona Livingstone Clark	10 of 10			
Rishi Nathwani	7 of 10			
Andrèa Skinner	5 of 10			
Honorary Secretaries				
Owen Wolahan (Honorary Secretary)	3 of 3			
Ben Gibson (Assistant Honorary Secretary)	2 of 3			
Elle Nikou Madalin (Assistant Honorary Secretary)	4 of 5			





VICTORIAN BAR STAFF



Amanda Utt **Executive Director**



Mark Bryant Manager, Finance and Membership



Miranda Tulloch Corporate Services



Senior In-house Legal Counsel



Education Manager



Communications & Stakeholder **Engagement Lead**



Mediation Centre Coordinator



Administration Reception



Daniel Cousens Digital Coordinator



Sharni Doherty **Executive Assistant**



Paul Francis IT Project Manager



Fernando Gallieto In-house Lawyer



Jodie Hill In-house Lawyer - Governance and Regulatory



Daphne Ioannidis Administration Assistant -



Golam Kibria Education Coordinator - CPD



Vicky Kourtis Education Coordinator



Lisa Paykel **Pro Bono Program** Manager



Stephen Porter Events and Communications



Sarah Samaraweera Finance and **Compliance Officer**



Nikki Walker Education Coordinator -



Children's Court Bar Association

Committee as at 30 June 2023: Natalie Sheridan-Smith (President), Arna Delle-Vergini (Vice-President), Christine Pollard (Honorary Treasurer), Michelle Jenkins (Secretary), Alexander Klein, Anna McDonald, Adrian Kennedy, Jordana Cohen, Kate Stowell, Beth Warnock and Tanya Kamil.

This year the Children's Court jurisdiction has benefited from key infrastructure developments including the brand new, purposebuilt facilities at Bendigo Children's Court and Dandenong Children's Court. These buildings have been specifically designed to support the attendance of children and families at Court and to connect them to the extensive support network services available. This achieves better engagement with families and better outcomes for children at the litigation end of the spectrum.

Additionally, Marram-Ngala Ganbu (MNG), meaning 'we are one' in the Woiwurrung language, celebrated two years of operation at Shepparton and is continuing at Broadmeadows and we hope to see this further rolled out across the state.

MNG, along with the Family Drug Treatment Court are achieving remarkable results with First Nations families.

Another new important piece of infrastructure is the CMS Portal, the new electronic filing system for the Children's Court which will go live in October. The Court has been proactive in collaborating with stakeholders including the CCBA Committee in the design, rollout and training plans and it is hoped that the new system will make life a lot easier.

In July 2023, we conducted our first full-day CPD conference for members. The event was well attended, and we intend to hold it annually. The presenters were excellent and the content was of great value to our members. The discussions were animated and constructive. Special thanks to our Committee member Jordana Cohen who has worked tirelessly for the last few years to create educational opportunities for our members – not just for the CCBA but also through the Children's Court CPD Committee.

Our membership has been very proactive in raising with the Committee their concerns and matters of interest for our ongoing liaison with partnership organisations including the Children's Court itself, DFFH/CPLO, VLA, private practitioners and the other legal agencies we work with on a daily basis. In particular, the Committee has been involved with a working group convened by DFFH/CPLO involving all organisations who appear in this jurisdiction. The working group is focussed on creating a less adversarial, and more collaborative way of working to benefit children and their families. As always, there is more that can be done.

CCBA is now turning its focus to ensuring our members can stay connected and support each other in this challenging jurisdiction:

• Our 'panic list' to assist members informally and at short notice is well utilised.

- Our CPD sessions are well attended statewide.
- Our committee member Anna McDonald is doing a great job in creating informal social opportunities to allow our members to stay in touch.

Commercial Bar Association

Committee as at 30 June 2023: Stewart Maiden KC (President), Paul Hayes KC (Senior Vice-President), Meg O'Sullivan KC (Vice-President Convenor), Sam Rosewarne KC (Treasurer), Veronica Holt (Honorary Secretary), Anna O'Callaghan (Assistant Honorary Secretary), Gemma Cafarella (Assistant Honorary Secretary), Jeremy Twigg KC, Hamish Redd, Sergio Freire, Dr Kylie Weston-Scheuber, Jesse Rudd, Elle Nikou Madalin, Raini Zambelli, Daniel Lorbeer (Honorary Member) and Scott Cromb (Honorary Member).

Last year's annual report described a two-year project that was designed to refocus the Commercial Bar Association (CommBar) and provide it with a more efficient platform for future operations. This year, we are pleased to report that those plans have proceeded as planned and have borne fruit.

A special general meeting was held in August 2023 to approve the incorporation of the association and amendments to its rules. The eventual incorporation of CommBar is envisaged by its existing rules, and the case to incorporate now is clear: over CommBar's 29-year life, it has grown to be a large organisation (with some 800 members at last count) with a significant annual budget and a track record of pursuing ambitious projects. Incorporation will give CommBar's executive some protection from liability and make it easier for it to enter into commercial relationships when it needs to. Among other things, the rule changes will expand the size of the executive, allowing for more members to share an increased workload, and make the allocation of portfolios realistic.

The other significant matter which is underway at the time of writing is preparation for CommBar's next conference, to be held at the Inns of Court in London on 3 and 4 July 2024. It follows on the heels of our first regional conference in Albury-Wodonga



AT THE COMMBAR COCKTAIL PARTY (L-R): Chief Justice James Allsop, Chief Justice Anne Ferguson and Stewart Maiden KC

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COMMBAR (INSURANCE SECTION) CPD EVENT

in November 2022, which was a roaring success. Aimed principally at the junior bar, that conference was enthusiastically supported by the Supreme Court, the County Court and the wider profession, and even attracted local print media coverage. The executive is considering whether to hold regional and international conferences on a rotating basis.

Closer to home, CommBar's sections have been streamlined and reinvigorated, with the result that most of the 18 sections have had what is probably their most active year ever. Many have contributed to law reform initiatives: notable efforts include the Insolvency Section's contribution to an inquiry by a Commonwealth joint parliamentary committee, which was mentioned in that committee's public report. Others, including the Building & Construction Section, have actively engaged with the courts to assist in the evolution of our civil justice system. Most sections have conducted professional development events. I make specific mention of the Public Law Section which conducted a half-day public symposium, the Insurance Section which held a well-attended offsite CPD for solicitors, counsel and industry, and the newly launched Energy Section which held a seminar featuring representatives of the Australian Energy Regulator and the Essential Services Commission. As usual, members have presented many seminars and published case notes and other pieces via CommBar's various outlets.

The Alan Goldberg AO QC Bursary continues its good work in lowering barriers to entry to the Bar, awarding its tenth scholarship this financial year. To complement the bursary, this year CommBar launched an internship programme which will fund work experience with commercial barristers for law students whose financial circumstances might otherwise prevent them from taking time off work to obtain that experience.

As usual, the CommBar executive has engaged with the judiciary and government on matters concerning the operation and staffing of the courts, reforms to civil procedure rules, and gender equity initiatives. CommBar and the Victorian Bar have continued our joint sponsorship of the Association of Corporate Counsel, with professional development and social activities generating good opportunities for our members. And CommBar resumed its usual social calendar, with an extremely

popular cocktail party hosted at the Federal Circuit and Family Court of Australia in March, at which both Chief Justice James Allsop and Chief Justice Anne Ferguson spoke.

CommBar's executive is fortunate to have the support and active involvement of a very wide group of hard-working members who have driven the organisation's many achievements this year. We thank all of them and look forward to building on the new platform to achieve great things in CommBar's 30th anniversary year.

Common Law Bar Association

Committee as at 30 June 2023: James Mighell KC (Chair), Mary Anne Hartley KC (Treasurer), David Martin (Secretary), Lachlan Allan (Assistant Secretary), Tim Tobin SC, Róisín Annesley KC, Andrew Clements KC, Michelle Britbart KC, Fiona Ellis, Patrick Over, Gavin Coldwell, Stephen Jurica, Michael Clarke, Julia Frederico, Raph Ajzensztat, Carmelina Spitaleri, Jessica Clark, Scott Davison, Tristan Nathanielsz and Peter Haddad.

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

- Representatives of the Common Law Bar Association have met regularly with judges of the Supreme and County Courts in relation to the conduct of common law trials in both courts and serious injury applications in the County Court.
- In addition, the Association continues to be represented on the various user or stakeholder groups of the Supreme and County Courts and provides updates to its members as required following meetings of these groups.
- The Association has continued to advocate for the interests of its members in relation to:
- > the Supreme and County Courts' Review of Litigious Costs;
- WorkSafe's proposed amendments to the Legal Costs Orders and Ministerial directions.
- > The Association, after consultation with the Common Law Division of the County Court of Victoria, has agreed to act as a 'postbox' for pro-bono referrals within that Division, with the aim of increasing the uptake of those referrals from the Bar. Early feedback on this arrangement from the Court, and from the Association's members has been very positive.
- > The Association's CPD Sub-committee continues to provide a comprehensive program of regular CPDs for members and also to solicitors working in the common law jurisdiction.
- > The Association continues to provide regular case summaries of recent Court decisions to its members.
- → The Association's Annual Meeting and Dinner, held on 23 November 2022 was very well attended.

Currently, there are 330 members of the Victorian Bar who are members of the Common Law Bar Association.

Compensation Law Bar Association

Committee as at 30 June 2023: Megan Cameron (President), Ray Ternes (Treasurer), Kathy Karadimas (Secretary), Kim Bradey, Lachlan Allan, Robert Paoletti, Brendan Johnson and Luke Perilli.

The Compensation Law Bar Association (CLBA) continues as an active and vibrant association representing barristers specialising in statutory benefits at the Victorian Bar and advocating for the efficient administration of justice in these jurisdictions. Its current membership is 137, including many senior counsel.

The CLBA continues to conduct social and educational events of benefit to its members. Megan Cameron and Kim Bradey continue attending the Magistrates' Court WorkCover Users Group meetings on the CLBA's behalf and provide members with contemporaneous updates.

From 1 September 2022, the CLBA (via Lachlan Allan and Luke Perilli) continued to be involved in consultation regarding the arbitration service to be provided by the Workplace Injury Commission.

In May 2023, the Victorian government announced its intention to curtail the statutory entitlements of injured workers under the WorkCover scheme. The CLBA (via Megan Cameron) has been in direct communication with the office of the Hon. Danny Pearson MP (the Minister for WorkSafe and the TAC), requesting it be consulted regarding the proposed amendments.

The CLBA congratulates Her Honour Judge Áine Magee and Her Honour Judge Barbara Myers, both former members of the CLBA, on their appointment to the County Court in December 2022.

The Committee wishes to thank all those members involved in presenting educational seminars and running events for their hard work over the past year.

Criminal Bar Association

Committee as at 30 June 2023: David Hallowes S.C. (Chair), Sally Flynn KC (Vice Chair), Morgan Brown (Treasurer), Paul Smallwood (Secretary), Colin Mandy SC, Jason Gullaci SC, Jim Shaw, Sharon Lacy, Shaun Ginsbourg, Sam Andrianakis, Alexander Patton, Zubin Menon, Amanda Burnnard, Christopher Wareham, Abbie Roodenburg, Amit Malik, Susanna Locke and Felicity Fox.

It has been another busy year for the Criminal Bar. With the courts appointing more judicial officers from our ranks and increasing the number of hearings to deal with the backlogs, it has been difficult at times to find barristers for all matters. We have sought to ensure that all hearings are properly funded and that courts understand the need for barristers to manage their workloads in a realistic fashion.

The Criminal Bar and the courts are always looking for ways to improve the system to ensure fairness and efficiency. I thank the committee members who have worked tirelessly with the courts on working groups, consultative committees and

behind the scenes. Similarly, we have made submissions on many pieces of proposed legislative change and have made representations to the Department of Justice, the Victorian Law Reform Commission, and several other organisations.

We are often asked to provide commentary to the media on legal issues of the day and the decision whether to comment involves consideration of several factors. Our early support of the 'Yes' vote in the referendum was greeted with overwhelming support by our members.

Finally, we hosted a very successful conference at Healesville earlier this year. The conference was enjoyed by all.

Family Law Bar Association

Committee as at 30 June 2023: Geoffrey Dickson KC (Chairperson), Caroline Paterson (Deputy Chair), Anna Goldthorp (Treasurer), Sophie Mariole (Secretary), Gerard Holmes, Hilary Bonney, Sarah Hession, Therese Borger and Jeanette Swann (CPD Co-Ordinator).

The members of the Family Law Bar have continued to adapt well to the 'new reality' of family law practice which consists of a hybrid of in-person and online hearings. Whilst the former mode of hearing is usually preferred, even some of our most 'technologically challenged' members now appear in online hearings with great effect. Of course, most members still enjoy the opportunity to attend a courtroom to flex their advocacy skills and enjoy the camaraderie of their colleagues.

The Committee hosted a number of fabulous social events over the last year including the annual barefoot bowls in February. This was again a huge success and provided an opportunity for members of the bar to mingle with solicitors and members of the bench in a fun and (only slightly) competitive setting (noting that the Bar took out the title!).

We acknowledge that practice is markedly different for the newer members of the Bar who have fewer opportunities to meet colleagues at Court, to practise their advocacy skills in a courtroom and to observe others doing so. To that end, we hosted an informal drinks evening for readers and our new members to meet the committee members and a number of the Family Law Bench who graciously gave their time to share their observations and tips for practice.

Throughout the year, the Committee made several submissions on behalf of our members including on the Family Law Amendment Bill 2023. Prior to doing so, we hosted an online meeting to invite views and discussions on these issues from our members.

The Association's CPD program has continued to thrive under the management of Jeanette Swann. The Committee is indebted to the members who have generously shared their knowledge and time regarding a broad range of practical and compelling topics which were delivered both in person and online.

PART IV THE VICTORIAN BAR ANNUAL REPORT 2023

We organised social drinks for our members to mark the end of the financial year in June; we are also planning the annual Christmas dinner, an event which is always well attended by Bar and bench.

Industrial Bar Association

Committee as at 30 June 2023: Malcolm Harding S.C. (President), Jenny Firkin KC (Senior Vice-President), Alex Manos (Vice-President), Nico Burmeister (Treasurer), Yasser Bakri (Secretary), Marc Felman KC, Kate Burke, Joel Fetter, Eugenia Levine, Dimitri Ternovski, Fiona Knowles, Andrew Denton, Andrew Pollock, Leigh Howard, Franceska Leoncio, Christopher McDermott and Declan Murphy.

The IBA is an association of barristers who practise in the field of industrial and employment law or who have an interest in doing so. The IBA's membership also includes holders of judicial and quasi-judicial offices with the requisite field interest. The Federal Court of Australia and the Supreme Court of Victoria recognise industrial and employment law as a national practice area. Accordingly, IBA members practise in State and Federal courts and tribunals throughout Australia and represent the interests of employers, employees, representative bodies of each (such as trade unions), as well as regulators.

The field is diverse and busy.

The strength of the IBA was again demonstrated this year by the interest shown by members in serving on the IBA's committee and the consistent stream of new members that the IBA has attracted over the course of the year. An important reason for the latter is the IBA's engagement with the Victorian Bar's Readers' course, which this year was addressed by Joel Fetter on behalf of the Association. The IBA is fortunate to attract this level of interest from members and new barristers alike.

An important area of IBA activity is its program of high-quality CPD seminars and events on topics of significance to the IBA membership and those interested in the field. Industrial and employment law is a field that regularly attracts the attention of superior courts, including the High Court. Accordingly, there is a considerable body of jurisprudence to draw upon in devising topics for CPD seminars. This year has been no exception.

CPD highlights have included detailed and informative seminars about two landmark High Court cases which represent significant departures from the law to date. The senior and junior counsel who appeared in the cases presented the seminars and provided valuable insights. One was a decision on how to distinguish an independent contractor from an employee (CFMMEU v Personnel Contracting [2022] HCA 1 and ZG Operations v Jamsek [2022] HCA 2). This decision is also likely to impact taxation and workers' compensation. The other High Court decision was on the role that the criminal concept of proportionality plays in sentencing for contraventions of civil penalties (Australian Building and Construction Commissioner v Pattinson & Anor [2022] HCA 13).

This decision will affect how the courts approach sentencing in any area where civil penalties are ordered, including, most notably, competition and corporate law. The IBA also ran what might be termed a "practical" CPD on running general protections cases as well as a CPD in conjunction with the Victorian Bar's Equality and Diversity Committee, which aimed to educate on recent statutory changes to discrimination and sexual harassment law.

The IBA has continued to engage with courts and tribunals. For instance, IBA representatives have continued to participate in the Federal Court's users' group. This year, they have assisted the Court in arranging its annual national industrial and employment law seminar. The IBA has also communicated to the Fair Work Commission about practice-specific matters.

A significant field of IBA activity is arranging opportunities for members to socialise. To that end, the IBA again ran its popular comedy debate, this year between Rachel Doyle S.C. and Alex Manos v Stuart Wood AM KC and Rebecca Davern, and its annual dinner. Each event is held in the year's first and second half, respectively and is always well attended and entertaining. This year was no exception.

The President thanks all those who have contributed to the Association this year. A special mention goes to Siobhan Kelly for her work on the Association's committee last year, as well as Mark Irving KC for his continuing contribution to the work of the CLE sub-committee chaired by the Association's Vice-President, Alex Manos. I welcome the contributions of Marc Felman KC, Andrew Pollock, Franceska Leconcio, Declan Murphy, and Eugenia Levine, who all joined the IBA committee for the first time this year.

I conclude by reiterating the Association's importance of members' willingness to volunteer their time and energy. The Association welcomes and encourages the involvement of new members in its activities

Migration Law Bar Association

Committee as at 30 June 2023: Georgina Costello KC (Chair), Min Guo (Deputy-Chair), Angel Aleksov (Secretary & Treasurer), Cahal Fairfield (Membership Officer), Rosaline Germov (CPD Officer), Christopher Horan KC, Anthony Krohn, Matthew Albert, Krystyna Grinberg, Evelyn Tadros, Adam McBeth, Mathew Kenneally and Kay Chan.

Guy Gilbert S.C. retired as Chair of the Migration Bar Association in 2022 and the Association thanked him for his service at a function at the Danish Club. The Association has formed a new committee, noted above. The Committee is planning CPD events for later in 2023.

Tax Bar Association

Committee as at 30 June 2023: Eugene Wheelahan KC (President), Catherine Pierce (Vice President), Gareth Redenbach



WBA WELCOMES AFGHAN JUDGES: In August 2022, the Women Barristers' Association hosted an afternoon tea to welcome nine Afghan women judges who had recently settled in Victoria. The welcome was the third in a series of conversations held by the WBA about the recent political upheavals in Afghanistan and the effect in particular on women and girls. WBA members joined the Hon. Diana Bryant AO QC, former Chief Justice of the Family Court, the Hon. Pamela Tate SC, former Justice of the Court of Appeal, WBA patron the Hon. Melinda Richards and members of the Australian Association of Women Judges to welcome the judges and hear their engaging and moving stories about their work as judges in Afghanistan and their desperate flight from the country when the Taliban assumed political control.

(Treasurer), Daniel Diaz (Secretary), Fiona Cameron, James Strong, Michael Wells, Piotr Klank, Khai-Yin Lim, Andrew Healer, Kay Chan, Paul Jeffreys, Alyse Mobrici, Nick Dodds (CPD-Convenor) and Mark Gioskos.

Members who retired in 2022: Andrew Broadfoot KC (Treasurer), Dr Steven Stern, Claire Nicholson (Communications Officer), Mia Clarebrough, Matthew Meng and Adam Craig. Hadi Mazloum also retired in May 2023.

Daniel McInerney KC retired as the Tax Bar Association (TBA) President at the October 2022 AGM. The TBA acknowledges and thanks Daniel for his significant contribution to the TBA.

The TBA remains an innovative bar association. Given the easing of restrictions associated with the COVID-19 pandemic, the TBA has focussed efforts on providing opportunities for younger TBA members (who may have conducted some or all of their reading periods or their first years at the Bar in lockdown) to network with senior TBA members and members of the profession. To that end, the TBA has conducted or scheduled networking and social functions with those junior members in mind. The TBA has also provided continuing professional development, professional engagement, and pro bono advocacy and has arranged other networking and social functions.

Highlights in the 2023 financial year include:

- > Delivering the TBA annual dinner in November 2022 with the Hon. Justice Lisa Hespe as the keynote speaker.
- > Supporting promotion of the Administrative Appeals Tribunal's pro bono scheme, which it assisted in establishing.
- > Providing submissions related to the potential reform of costs rules in the Administrative Appeals Tribunal.
- > Organising speed networking events for the third consecutive year to introduce new counsel to the ATO and its panel firms.

Women Barristers' Association

Committee as at 30 June 2023: Elizabeth Ruddle KC (Convenor), Sandra Karabidian (Assistant Convenor), Priva Wakhlu (Assistant Convenor), Joye Elleray (Treasurer), Shannon Finegan (Secretary), Gemma Cafarella (Assistant Secretary), Lana Collaris (Membership Officer), Julianne Jaques KC, Sharn-Adelle Coombes, Shivani Pillai, Susan Aufgang, Marita Ham, Luisa Alampi, Deanna Caruso, Kylie Evans, Dr Kylie Weston-Scheuber, Natalie Blok, Astrid Haban-Beer, Emily Golshtein, Marion Isobel, Fiona Martin and Monique Hardinge.

The Women Barristers' Association (WBA) enjoyed a productive year, supported by a hardworking volunteer committee. We thank those who assisted the WBA in its events program to continue promoting and supporting women at the Victorian Bar. The WBA also extends its gratitude to the Hon. Justice Melinda Richards for her patronage.

This year we've focused on how women at the Bar can lift each other, and other women, up. We've had a lot of fun social events this year, including our "Women in Wine" event and casual drinks in support of various female-focused charities, which has been an excellent opportunity for members to catch up and network as we return to our "new normal". We've run seminars on financial literacy and getting involved in Bar Council.

But most importantly, we have been inspired by women this year. Kate Eastman S.C. gave us food for thought at our "Breakfast with the Stars". We heard the fantastic and harrowing stories of the female judges evacuated from Afghanistan with the assistance of the International Association of Women Judges. We learnt how modern data collection can drive positive change at our co-hosted Annual Dame Roma Mitchell Memorial Luncheon.



Alternative Dispute Resolution Committee

Committee as at 30 June 2023: Glen Pauline (Chair), Mark
Campbell (Deputy Chair), William Lye OAM KC, Gregory Harris
KC, William Gillies, Tomaso Di Lallo, Darren Mort, Carey Nichol,
Samantha Cipriano, Philip Hayes, Temple Saville, Karen Le Faucheur,
Tasman Ash Fleming, Eleanor Coates, Cameron Charnley, Nussen
Ainsworth and Jessie Taylor (Bar Council Representative).

Carey Nichol resigned from the Committee on 30 June 2023 due to his retirement from practice at the Victorian Bar that day. The Committee thanks Carey for his many years of service and wishes him well in retirement

The Committee thanks the members who retired during or at the end of 2022: Tony Elder, Susan Gatford, John Hall, Timothy Maxwell, Manuel Puyol, and Alyse Mobrici.

During the year, the Committee was assisted by and extends its thanks to Bar staff, particularly the Education Team, including Michelle James, Nikki Walker, Golam Kibria, and the in-house legal team. particularly Fernando Gallieto and Jodie Hill.

Accreditation Sub-committee chaired by Cameron Charnley:

- The sub-committee considered and approved where the relevant requirements were met, applications for NMAS accreditation and re-accreditation and reinstatement, as well as applications relating to the Victorian Bar Advanced Mediator Scheme 2019 (VBAM).
- In October 2022, the VBAM Scheme was amended to require VBAMs to make reasonable endeavours to facilitate two comediations (previously referred to in the VBAM Scheme rules as 'observation') per year in line with the (National Mediator Accreditation System (NMAS) re-accreditation requirements. Co-mediation opportunities can now be sought by email to the Bar Office, which circulates opportunities to co-mediate to Bar mediators.
- In October 2022, the Victorian Bar pro-forma Mediation Agreement was updated and made available to members on the Bar's website.
- The sub-committee created a PDF 'guide' to marketing NMAS accreditation to be attached to one's standard email. It is sent to barristers when they obtain NMAS accreditation or re-accreditation.
- The sub-committee formulated a resolution, passed by the ADR Committee, requesting the Bar Office to report to the ADR Committee any Victorian Bar members holding themselves out as being accredited despite not being accredited under the NMAS either with the Victorian Bar or with any other RMAB.
- A working group has been formed to consider proposed amendments to the NMAS Practice and Approval Standards when released by the Mediator Standards Board.

- > Courts Liaison sub-committee chaired by Glen Pauline:
- > The Chair arranged to promote the Schemes at the CommBar conference in Albury-Wodonga in November 2022.
- > The Chair presented at the Supreme Court Access to Justice Roundtable conference on 9 June 2022 on the Victorian Bar/County Court Mediation Referral Schemes and since then has communicated with court staff with a view to the Supreme Court implementing similar Schemes. The Chair and Bill Gillies met with Judicial Registrar Caporale and Nicholas Day on 15 May. The Chair has also communicated with Justices Delany and Tsalamandris in June 2023 and is awaiting their response to the proposal.
- Acarey Nichol and Nussen Ainsworth served on the Magistrates' Court's ADR Committee in 2022 and 2023. They proposed amendments to the Court's Notice of Referral to Mediation insofar as it related to Victorian Bar mediators, in line with the new List of External Mediators (LEM) Scheme fee arrangements and to ensure the information as to services of Victorian Bar mediators and Law Institute of Victoria solicitors and other mediators are described consistently. An informal short-notice mediation arrangement has been established with the Bar Office's in-house lawyers as the point of contact for any requests from the Court for a mediator.
- The Courts Liaison Sub-Committee facilitated the nominations by the President and subsequent appointment of a Victorian Bar nationally accredited mediator in:
 - > Eight County Court proceedings according to the Victorian Bar/Commercial Division Mediator Referral Scheme. The President also nominated mediators for one proceeding that did not fall within the Commercial Division; and
 - > Twenty-three proceedings per the Victorian Bar/Family Property List Mediator Referral Scheme for County Court testators' family maintenance proceedings.
- Education sub-committee chaired by Susan Gatford in 2022 and Tasman Ash Fleming in 2023:
- > The sub-committee arranged and hosted a program of CPD sessions open to all Victorian Bar members and regular "Reflecting on Practice" discussion groups via Zoom. The program provided increased mediation-related CPD opportunities for the CPD requirements of practising certificates and sufficient mediation content for the purposes of NMAS re-accreditation.
- > Since 30 June 2022, the program has delivered four CPD and six Mediators' Discussion Groups via Zoom or in person. The online and hybrid sessions were very well attended, with significant registrants. There was a strong turnout for the inperson session with His Honour Magistrate Phillip Goldberg.
- The Lawyers Mediation Certificate (LMC) course was presented by Dr Peter Condliffe, Principal Instructor, together with co-instructors Eleanor Coates, Peter Fary S.C., Tasman

- Family Law: chaired by John Hall in 2022 and Darren Mort in 2023:
- > Since 30 June 2022, two specific Family Law Mediation CPDs were presented with excellent attendance.
- > Publicity, Media and Communications sub-committee chaired by Tasman Ash Fleming in 2022 and Karen Le Faucheur in 2023:
- > Since 30 June 2022, the sub-committee compiled and distributed two newsletters to the Bar's accredited mediators using the closed LinkedIn Group for communications to members.
- > Victorian Bar sponsorship of the International Chamber of Commerce Asia Pacific Commercial Mediation Competition continued, including awarding the Henry Jolson QC prize to the winning team.
- I wish to thank the members of the Committee, members of the Bar Office and Bar Presidents Róisín Annesley KC and Sam Hay KC for their work on the various projects addressed by the Committee.

Arbitration & Victorian Commercial Arbitration Scheme (VCAS) Committees

Arbitration Committee as at 30 June 2023: Gregory Harris KC (Chair), Dr Andrew Hanak KC (Deputy Chair), Matthew Harvey KC, Premala Thiagarajan, James Waters, Amy Hando, Huw Watkins, Dr Drosso Stamboulakis and Jessie Taylor (Bar Council Representative).

Victorian Commercial Arbitration Scheme Committee as at 30 June: Gregory Harris KC (Chair), Dr Andrew Hanak KC (Deputy Chair), Philip Hayes, Karen Le Faucheur, Brenton Devanny, Andrew Burnett, Ben Petrie, Amy Hando, Huw Watkins, Nussen Ainsworth and Raini Zambelli (Bar Council Representative).

2022

Much of the Committee's work over the 2022 period centred around creating and implementing the Victorian Commercial Arbitration Scheme (VCAS). Several meetings were held by the Chair and Co-Chair of the Committee with judicial officers of the County Court of Victoria regarding VCAS and the Court's desire to refer matters, or parts of matters. to arbitration. At the close of 2022, there were 21 arbitrators, being members of the Victorian Bar, appointed to the VCAS panel.



IN PORTAIT: Artist Marie Mansfield in front of her portrait of The Hon. Justice Susan Kenny AM (right). The painting was unveiled on International Women's Day, 2023.

2023

In 2023, the Committee continued to promote arbitration as a safe alternative to litigation. As of the date of this report, the Committee, in conjunction with the VCAS Committee, has held the first seminar in a series of four that is aimed at educating practitioners about the fundamentals of arbitration and, at the same time. promoting VCAS. The Committee continues to engage with judicial officers from the Supreme Court of Victoria, the County Court of Victoria and VCAT concerning arbitration and what the Bar can do to assist the Courts and Tribunal with the backlog of cases and continued delays due to the COVID-19 pandemic.

Art and Collections Committee

Committee as at 30 June 2023: Siobhán Ryan KC (Chair), Peter Willis S.C. (Deputy Chair), Charles Parkinson KC, Cilla Brookes, Morgan McLay, Julia Frederico, Evelyn Tadros, Melanie Albarella, Luisa Frederico, Timothy Goodwin (Bar Council Representative) and Sophie Price (Honorary Curator).

In December 2022, the Art & Collections Committee farewelled committee members Leana Papaelia, Daniel Kinsey, Nicholas Modrzewski, Amy Wood and Rohan Millar and welcomed new members Morgan McLay, Julia Frederico, Evelyn Tadros, Melanie Albarella and Tim Goodwin.

The functions of the Committee are to advise and assist with the maintenance and development of the Victorian Bar's collections of art and artefacts and to assist in the promotion,



IN PORTAIT: Artist Jenny Watson in front of her portrait of the Hon. Justice Kate McMillan (right).

preservation and protection of material culture belonging to and associated with the Victorian Bar.

In that respect, the Committee acts as an advisory committee to the Peter O'Callaghan QC Gallery Foundation Ltd. It works closely with the Foundation in commissioning portraits of past and present luminaries of the Bar to grow and display the Gallery Foundation's collection. It makes recommendations to the Bar Council concerning the custodianship, maintenance, development, cataloguing, care and conservation, and display of art and artefacts associated with or relevant to the Bar. The Committee also works to promote access to and appreciation of the collections by the wider community as well as the Bar.

In the period 1 July 2022 to 30 June 2023, we took delivery of the following commissions:

- > The Honourable Justice Kate McMillan by Jenny Watson
- > The Honourable Justice Susan Kenny AM by Marie Mansfield
- > Professor Michael Dodson AM by James Henry
- > Peter Jopling AM KC by Louise Hearman
- > The Honourable John Middleton AM KC by Rick Amor
- > Nimal Wikramanayake KC (photograph)

The Committee also accepted two gifts. The first is a portrait of The Honourable Kenneth Marks AM QC by Deborah Russell, gifted by the Marks family. The second is a portrait of Remy van de Wiel KC by Katsuya, given by Remy.

All these works have now been installed under the expert eye of curator Murray White. Murray also oversaw the repainting of the Gallery, with Charanjit Sohal, Barristers' Chambers Limited

Property Operations Manager, from May to June 2023 and undertook a rehang of the collection.

Also, a portrait of the Honourable Linda Dessau AC by Yvette Coppersmith was commissioned during the year. We have also secured a photo of Barbara Hocking on Mer Island by Bryan Keon-Cohan KC, recognising her contribution to the legal recognition of native title and the framework for the Mabo case. The portrait of the Hon. Geoffrey Nettle AC by Jude Rae is a work in progress; completion is expected in late 2023 or early 2024.

In conjunction with the Bar's Indigenous Justice Committee, in the Dhumba Djerring meeting room on Level 1, ODC East, the Committee had framed and hung photographic portraits of Indigenous members of the Victorian Bar by Indigenous photographer James Henry.

The Archives & Artefacts sub-committee is undertaking a comprehensive cataloguing exercise, and we were delighted to be able to move the artefacts collection into a dedicated ACC storage room provided by BCL.

We were pleased to host the following events:

- > 8 March 2023 (International Women's Day) portraits of The Hon. Justice Kate McMillan by Jenny Watson and The Hon. Justice Susan Kenny AM by Marie Mansfield were unveiled in the presence of the artists Peter Jopling AM KC.
- > 17 May 2023 Law Week a lecture by Professor Jenny Hocking AM on The Palace Papers, Royal secrecy and the dismissal of the Whitlam government with a Q & A session facilitated by Tom Cordiner KC.

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Audit Finance and Risk Committee

Committee as at 30 June 2023: Mark Robins KC (Chair, Bar Council Representative), Catherine Boston (Deputy Chair, Bar Council Representative), David Gilbertson KC, Michael Flynn KC, Dean Luxton, Edward (Eddy) Gisonda, Jane Sharp, Temple Saville, Justin Mereine, Andrew Morrison, Myles Tehan and Andrew Burnett.

The Audit Finance and Risk Committee (AFRC) acknowledges and is deeply grateful for the support of Amanda Utt (Executive Director), Mark Bryant (Manager - Finance and Membership) and all of the other diligent members of the Bar Office. The Chair also thanks all members of the Committee for their diligent service.

2023 activities and achievements: The AFRC oversees the Bar's budget and annual reporting delegations and monitors and maintains the Bar's risk register. Its most important responsibility is to oversee the preparation of the budget and end-of-year accounts and to make recommendations about these matters to Bar Council. In discharging its obligations, the AFRC liaises with the Bar management and external auditors.

The AFRC, working closely with Bar Office management. recommended a budget to the Bar Council which enabled the maintenance of existing subscription fees without any increase for all barristers in Category A I for the 2023-2024 financial year and which will still achieve a modest surplus (before allowing for the IT Project extraordinary expense). The Bar Council duly approved the proposed budget and maintenance of existing subscriptions. Given rampant inflation and rising interest rates, this was no mean achievement.

Further to its regular oversight activities, this year, the AFRC:

- > Reviewed the risk register.
- > Reviewed the Professional Standards Improvement Plan.
- > Reviewed the Risk Management and Policy Framework.
- > Consulted with members of the IT Steering Group as to the ongoing progress and implementation of the IT Project.
- > Consulted with BCL's CEO and Chair regarding the challenges BCL faced with debt recovery issues, rising costs, particularly rising costs of BCL leased premises, increasing maintenance charges for BCL-owned buildings and the need to increase BCL rental charges.

Continuing Professional **Development Committee**

Committee as at 30 June 2023: Richard Dalton KC (Chair). Rachel Walsh (Deputy Chair), Romauld Andrew KC, Ian Horak KC, Zoe Maud S.C., Deborah Siemensma, Robert O'Neill, Andrew Meagher, Glenn Worth, Premala Thiagarajan, Amit Malik and Alistair Pound S.C. (Bar Council Representative).

With pandemic restrictions behind us, the CPD Program saw a strong resurgence with 85 sessions, 25 of which were conducted in person, 22 via Zoom and 38 via in-person and live stream. The total number of attendees for the year was 5,023.

There was a good range of content across the four CPD categories (Substantive Law, Barrister's Skills, Practice Management/Business Skills, and Ethics/Professional Responsibility). There were contributions from all Bar Associations and Bar Committees, most notably the Commercial Bar Association (17 sessions), the Alternative Dispute Resolution Committee (9 sessions), the Common Law Bar Association (6 sessions), the Criminal Bar Association (6 sessions) and the Family Law Bar Association (5 sessions).

There were seven CPDs with Ethics content, but only two were exclusively Ethics. The CPD Committee would like to see more Ethics sessions and the incorporation of more practical ethics into the CPD sessions (cf. Recommendation 84 of the report of the Royal Commission into the Management of Police Informants).

The CPD Committee held four meetings in the 2023 financial year: 21 July 2022, 29 August 2022, 8 February 2023 and 10 May 2023. The main activities of the CPD Committee for the year were:

- > Collaborating with the Victorian Bar's Education Team in providing administrative support and resources to Bar Committees and Associations for the scheduling and delivery of their CPD sessions.
- > Providing advice and guidance to barristers on whether specific sessions or other activities attract CPD points (and any caps on points for such sessions/activities).
- > Updating the CPD Guidelines.
- > Collaborating with the New Barristers' Committee and the Practice Development Committee to organise the Junior Bar Conference held in June 2023.
- > Overseeing the annual audit of barrister compliance with the CPD Rules.

One of the recent initiatives of the CPD Committee has been collating feedback from barristers on the delivery of all CPD sessions through the Survey Monkey platform. This offers barristers a convenient way to provide feedback about the presenters, the content and style of the presentations, and preferences for future topics. This year, we received 898 survey responses.

For the compliance audit, 111 barristers were randomly audited. 11 barristers did not initially meet the audit requirement and were required to submit rectification plans. Of these, nine have complied submitting rectification plans and two remain non-compliant. In addition, 34 barristers ticked 'No' on their PC renewal that they had not met the minimum requirements of the CPD Rules. Of these, 26 achieved compliance by submitting rectification plans, seven remained non-compliant as at 31 July 2023.

The Committee thanks all barristers who have served on the CPD Committee this year. Special thanks are given to Michelle James and Golam Kibria of the Bar's Education Team, who do much of the work necessary to organise the CPD Program. The Chair is particularly grateful to Rachel Walsh, whose advice and assistance as Deputy Chair have been invaluable.

Counsel Committee

Committee as at 30 June 2023: Peter Chadwick KC (Chair), Gavin Silbert KC (Deputy Chair), Darryl Burnett, Nawaar Hassan, Raini Zambelli, Ffyona Livingstone Clark and Rishi Nathwani. It is assisted by Owen Wolahan (Honorary Secretary), Ben Gibson and Elle Nikou Madalin (Assistant Honorary Secretaries).

The Committee thanks those members who retired in November 2022: Charles Shaw KC (Chair), Robert Hay KC, Marylyn Smallwood S.C., Ben Murphy, Dr Robin Smith, Nicholas Phillpott, and assisted by Sarah Cherry (Honorary Secretary). Nawaar Hassan resigned from the Committee, effective 2 May 2022, and was reappointed in December 2022.

The Committee is appointed according to clause 63 of the Constitution of the Victorian Bar. It is comprised solely of members of the Bar Council. It considers matters in relation to the grant, renewal, variation, suspension or cancellation of practising certificates and applications to sign the Roll of Counsel and makes recommendations to the Bar Council on these matters. The Committee also deals with matters relating to removing members' names from the Roll under the show-cause procedure set out in clause 14 of the Constitution.

The Committee meets as necessary depending on the work of the Committee. Since the last annual report, it has met eight times and has had four hearings.

The 2023-24 practising certificate renewal cycle necessitated the review of 11 disclosures for recommendation to the Bar Council. In comparison, this was less than the 14 disclosures from the 2022-23 renewal cycle.

Pursuant to the Bar's Protocols for Dealing with Disclosures, the Honorary Secretary reviewed and made recommendations on 38 disclosures made by September 2022 Reader applicants and 36 disclosures by March 2023 Reader applicants. Following Honorary Secretary interviews with all Reader applicants, one application was referred to the Committee for determination.

During the 2022/23 financial year, the Committee considered nine matters arising from out-of-cycle disclosures relating to fit and proper person issues or disclosure of automatic show cause events according to section 88 of the Legal Profession Uniform Law. As of 30 June 2023, five of those matters had been finalised, and four remained the subject of continuing investigation.

The Committee monitors compliance with conditions placed on barrister practising certificates and undertakings given by barristers concerning their practising certificates. As of 30 June 2023, 20 practising certificate restrictions and undertakings were being monitored for compliance.

Overall, including suitability matters disclosed as part of the 2023/24 practising certificate renewal cycle and out-of-cycle disclosures, the Committee finalised 16 matters from July 2022 to June 2023.

The Committee is grateful for the support provided by the Victorian Bar Office, in particular by Kai Li Zhu (Senior In-house Legal Counsel), Fernando Gallieto (In-house Lawyer) and Jodie Hill (Legal Officer - Governance and Regulatory Compliance).

Equality and Diversity Committee

Committee as at 30 June 2023: Haroon Hassan (Co-Chair), Clare Cunliffe (Co-Chair), Paul Panayi (Vice Chair), Natalie Campbell (Co-Secretary), Andrea de Souza (Co-Secretary), Diana Manova, Mark Irving KC, Carl Moller S.C., Benjamin Reid, Sasha Manova, Zubin Menon, Lachlan Carter, Nadia Stoianova, Shawn Rajanayagam, Celeste Shambrook, Olivia Go and Colin Mandy S.C. (Bar Council Representative).

The Committee has been very active since its appointment. It continues to pursue a number of initiatives to promote greater diversity and inclusion within the Bar and the wider legal profession. These include:

- > Participation in the Australian Bar Association's CPD presentation on supporting colleagues with caring responsibilities to achieve their professional goals ("Caring for the Carers" on 2 February 2023).
- > A CPD on "Gendered Violence and Practice as a Barrister" on 2 February 2023.
- > A joint CPD session with the Industrial Bar Association on the "New Law of Sexual Harassment" on 9 May 2023.
- > Progressing a proposal to collect data about diversity characteristics as part of the Victorian Bar's annual subscription process.
- > We are progressing a constitutional amendment to amend the "purposes" clause of the Constitution to expressly recognise the goals of promoting and fostering diversity and inclusion and preventing and redressing harassment and discrimination.
- > We have worked with BCL to re-establish a multi-faith prayer room accessible to all members in Owen Dixon Chambers East.
- > We are liaising with the Federal, Supreme and County Courts to implement their new diversity internships.
- > Reviewing existing practice notes across various jurisdictions to collate an electronic repository of initiatives that aim to ensure the administration of justice is accessible and inclusive to the community it serves.

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- > Maintaining ties with external stakeholders such as the LIV and other professional associations that focus on supporting equality, diversity, and inclusion across the legal profession.
- > We are providing feedback to the Bar Council on equality and diversity issues affecting members of the Bar.

Current Projects

- > We are liaising with Victorian Legal Aid and other stakeholders to expand equitable briefing policies and initiatives to include broader diversity characteristics other than gender.
- > We are exploring initiatives to reduce barriers to entry to the Victorian Bar and encourage persons traditionally underrepresented at the Bar to consider careers as advocates.
- > We are developing a CPD on intersectionality (to be delivered on 31 July 2023) and the challenges faced by those with intersecting diversity characteristics.

Working groups

- 1. Race, Ethnicity and Cultural Diversity Working Group (Co-Chairs - Zubin Menon and Olivia Go)
 - > The working group has recently received expressions of interest to refresh its membership.
 - > The working group plans activities for the year's second half, discussing cultural diversity within the profession and encouraging lawyers from non-traditional backgrounds to pursue career pathways that will support them in pursuing careers at the independent Bar.
- 2. Gender Equality Working Group (Chair Natalie Campbell) The working group:
 - > continues to work with the Women's Legal Service "It Starts With Us" project and related initiatives.
 - > has delivered two CPDs this year.

- 3. LGBTIQ+ Working Group (Chair Nadia Stojanova) The working group:
 - > hosted another successful "Rainbow Dinner" at the Builders Arms Hotel in conjunction with the launch of the Victorian Chapter of Pride in Law.
 - > hosted an LGBTIQ+ Awareness seminar to coincide with the International Day Against Homophobia, Biphobia and Transphobia; and is coordinating a new mooting competition in conjunction with the Student Engagement Committee.

Ethics Committee

Committee as at 30 June 2023: Lisa Hannon KC (Chair), James Barber KC (Deputy Chair), Ian Waller KC, Daniel Gurvich KC, Jason Pizer KC, Dr Andrew Hanak KC, Samuel Tatarka OAM, John Saunders, Darren Mort, Patrick Over, Timothy Scotter, Eliza Holt, Christopher Brown, Alexandra Golding, Dr Robin Smith, Ben Jellis, Leana Papaelia, Dimitri Ternovski, Lucy Line, Scott Cromb and Dr Michelle Sharpe (Bar Council Representative).

The Ethics Committee is the first port of call for many members in dealing with difficult ethical issues impacting on their professional practice. The prompt resolution of those issues is important to individual members of our Bar, from both a professional and personal perspective. However, it is also a critical means by which the high standards expected of members of our Bar are maintained.

The Committee continues to discharge a number of important functions, providing advice and, if requested or required, formal resolutions, to individual members of the Bar confronted with a situation that raises an ethical difficulty. Advice and resolutions are often provided in urgent circumstances and frequently

within a short time of a request being made. In the 2023 financial year, 87 formal resolutions were issued to members.

The number of formal resolutions given by the Committee was easily eclipsed by the number of occasions on which members of the Committee engaged in informal discussions with individual members of the Bar who wished to seek advice about an ethical concern. The availability of this process continues to be a valuable and efficient means by which members of the Bar may seek assistance and reassurance on ethical questions which may not require formal resolution. It is of particular assistance to more junior members of our Bar. During the course of the year, the Committee implemented a new process to facilitate the sharing of information in relation to certain requests for informal guidance, both to broaden the knowledge base of Committee members in relation to common problems arising in areas of the law in which they do not practice, and also to identify any new or "trending" issues for discussion at Committee level.

The Committee also conducted grievance procedures between barristers commenced under the Bar's Grievance Protocol. The Committee's role in this regard has been expanded by the amendments to the Protocol, which now permit grievances to be lodged by a range of persons who come into contact with barristers, including support staff, Bar staff, Court staff and members of the public. In the 2023 financial year, the Committee conducted five grievance procedures, four of which were resolved or withdrawn, with one ongoing.

The Committee continues to be consulted by Bar Council on a range of matters, including on ethical issues that have arisen, and for assistance in responding to relevant matters arising in relation to draft legislation, proposed law reform and other matters affecting the regulation of barristers. For example, members of the Committee continued to participate the Royal Commission into the Management of Police Informants (RCMPI) sub-committee, and assisted Bar Council in responding to the passage of the Human Source Management legislation through the Victorian parliament.

As part of its responsibility for matters relating to the ethical standards of members of the Bar, in 2022 the Committee published three Ethics Bulletins and one Note to Members on a variety of topics. Committee members also conducted or contributed to seminars for the continuing professional development of members of the Bar, notably:

- on 28 March 2023, a seminar on common ethical problems and how the Ethics Committee could assist counsel to resolve those problems; and
- on 26 April 2023, a seminar in conjunction with the Health and Wellbeing Committee on dealing with clients in suicidal distress.

The Committee continued to play a significant role in the Readers' Course. In addition to the Ethics Introduction

session conducted by the Chair and the Deputy Chair, up to six members of the Committee participated in the half-day Ethics Workshop in every course intake. A new seminar was also added to the program this year, focusing on counsels' obligations under the Civil Procedure Act. The Committee is very grateful to the Hon. Justice John Dixon for his significant contribution to the delivery of that new session.

Thanks goes to long-serving Committee member and Deputy Chair, James Barber KC for his tireless work, including his assumption of responsibility for the Working Group on the new Ethics Portal planned for the upgraded Victorian Bar website. I also acknowledge with gratitude the substantial service of the departed members of the Committee: Coroner Paul Lawrie, Sarah Cherry and Carmen Currie.

I am indebted to the immediate past Bar Council President Róisín Annesley KC (herself a former Chair of the Ethics Committee) and current President Sam Hay KC for their unfailing support of the Committee, and willingness to address both urgent and systemic issues of importance to members of our Bar and the administration of justice. Finally, I thank Fernando Gallieto in the Bar Office for his hard work in support of the Committee, particularly in respect of requests that require attention at short notice, late at night and over weekend and holiday periods.

Health & Wellbeing Committee

Committee as at 30 June 2023: Dr Michelle Sharpe (Chair) Elizabeth Bennett S.C. (Deputy Co-Chair), Michael Stanton (Deputy Co-Chair), Robert Hay KC, Darren Mort, Kaye McNaught, Shaun Ginsbourg, Stella Gold, Amy Peek-Lasry, Nicholas Walter, Scott Cromb and Ashlee Cannon (Bar Council Representative).

This year the Committee hosted seminars on time management, dealing with clients in suicidal distress and identifying and managing the risk of vicarious trauma in legal practice.

The Committee has developed a proposal to create two professional films on wellbeing to add to the resources available to members on the wellbeing portal. Filming should commence early in the new financial year. The Committee is otherwise adding to and improving the wellbeing portal in response to feedback from members in the survey published on 21 April 2021 in response to recommendation 89 in the final report of the Royal Commission into the Management of Police Informants.

The Committee has also developed a proposal to run a debriefing program across the Bar and has applied for funding for the program from the Legal Services Board.

The Committee has continued responding to inquiries/concerns raised by members, speaking to the Readers about wellbeing and liaising, as required, with the providers of counselling services to the Bar. We especially want to thank Bernadette

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Healy of the Re-Vision Group for her wise counsel on wellbeing. Bernadette's experience and knowledge of wellbeing issues unique to Victorian barristers is unparalleled.

Human Rights Committee

Committee as at 30 June 2023: Daniel Star KC (Chair), Dr Felicity Gerry KC (Deputy Chair), Alexander James-Martin (Secretary), Anthony Krohn, Rohan Millar, Agusia (Aggy) Kapitaniak, Stella Gold, Eugenia Levine, Evelyn Tadros, Dr Adam McBeth, Julia Kretzenbacher, Julie Buxton, Shanta Martin, Julian Murphy and Alistair Pound S.C. (Bar Council Representative).

Committee in 2022 calendar year was: Alistair Pound S.C. (Chair), Paul Hayes KC (Deputy Chair), Julia Kretzenbacher (Secretary), Julie Buxton (CPD Coordinator), Julian Murphy (CPD Coordinator), Gavin Silbert KC, Tom Di Lallo, David Colman, Stephen Moloney, Anthony Krohn, Rohan Millar, Dr Jason Harkess, Stella Gold, Eugenia Levine, Rachel Walsh, Adam Chernok, Nicholas Goodfellow and Alexander James-Martin.

The Committee's remit

- > The Human Rights Committee (HRC) is one of the Bar Council's longest-standing policy advisory committees. In accordance with its Charter, its task is to "raise for attention issues that affect the liberty and dignity of all persons where those issues engage human rights".
- The HRC focuses on existing legislation and responding to calls for submissions on law reform issues engaging human rights, which mainly raise systemic issues within Victorian and Commonwealth jurisdictions. It does not address individual cases.

The Charter establishes that the HRC has a particular focus on issues affecting access to justice, equality before the law, freedom from discrimination and 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.

Activities of the Committee in 2021-2022

During 2022-2023, the HRC met regularly in person, by video conference, and by circulating material outside of scheduled meetings. In the 2022 calendar year, the Committee, as then constituted, met on 20 July, 14 September, and 2 November. In the 2023 year, the Committee met on 15 February, 18 April, and 14 June so far and has more meetings scheduled.

During 2023, the HRC has been called on to consider many human rights issues in both the Commonwealth and Victorian jurisdictions, many of which are contentious. Committee members have drafted submissions and recommendations for the Victorian Bar (through the Bar Council or its executive) to consider adopting and sending to outside bodies. This has included (without being exhaustive):

> The Victorian Bar's response to the coronial findings from the Veronica Nelson Inquest, including a media release soon after the Coroner's decision.

- > Current and Proposed Sexual Consent Laws.
- > Religious Education Institutions & Anti-discrimination Laws.
- > Privacy Act Review Report.
- > Costs in anti-discrimination proceedings.
- Australia's Human Rights Framework Review (with the Public Law Section of the Commercial Bar Association of Victoria [CommBar]).
- The Constitution Alteration (Aboriginal and Torres Strait Islander Voice) 2023 Bill (the 'Voice to Parliament').
- > The review of post-sentence terrorism orders: Division 105A of the Criminal Code Act 1995.

The HRC jointly organised with the Indigenous Justice Committee (IJC) a CPD presentation on the Voice to Parliament. This featured Laureate Professor Cheryl Saunders and Dr Eddie Cubillo as the speakers and was jointly chaired by Dan Star KC with Timothy Goodwin of the ICJ. The seminar satisfied an action item under the Victorian Bar's Reconciliation Action Plan and was held during Reconciliation Week.

It was exceptionally well attended, with approximately 100 inperson and more than 100 online registrations.

Working with others:

- > The HRC has worked collaboratively with various other sections of the Bar, including the Indigenous Justice Committee (IJC), the Criminal Bar Association of Victoria, and the Public Law Section of CommBar. We also thank the Bar's policy lawyers, Kai Li Zhu and Fernando Gallieto for their work.
- > During the period under report, HRC members Alistair Pound S.C. and Aggy Kapitaniak were members of the Victorian Bar's Veronica Nelson Inquest Response Working Group.
- Non-member Bryn Overend also assisted the HRC in drafting its submission on Religious Education Institutions & Antidiscrimination Laws.

Indictable Crime Certificate Committee

Committee as at 30 June 2023: Robert Redlich AM KC (Chair), Peter Chadwick KC, David Hallowes S.C. (ex-officio), Richard Dalton KC, Patrick Doyle S.C. and Ruth Shann S.C.

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

In 2020 Bar Council commissioned a review of the Indictable Crime Certificate to determine whether the accreditation scheme to obtain and maintain an ICC provided suitable quality assurance and was fit for purpose. The Bar's review was finalised in November 2022 after being interrupted by COVID-19. In the consultation phase, the stakeholders engaged included members of the Bar, content deliverers, Victoria Legal Aid, the Criminal Bar Association and Barristers' Clerks. ICC surveys were completed by Members of the Bar holding the ICC accreditation, Barristers' Clerks and Members who did not hold the ICC accreditation. The survey responses provided additional data to analyse and evaluate the accreditation scheme and this highlighted the need to make changes to the ICC maintenance and renewal requirements to retain accreditation. In particular, the survey data indicated that the requirement to complete the online Knowledge Test when renewing the accreditation was a burden and had no quantifiable benefit to ICC holders.

A report was provided by the Committee to Bar Council at its December 2022 meeting with a recommendation to replace the existing ICC renewal procedure (completing the online ICC Knowledge Test plus three ICC approved CPD points over the three-year maintenance period) with a new mandatory requirement that any barrister applying to renew their ICC accreditation is to complete five CPDs points annually from the program of CPDs approved by the ICCC from time to time. Bar Council resolved at its meeting in December 2022 to adopt the Committee's recommendations and the change to the maintenance and renewal procedure was implemented on 1 January 2023.

In the 2022-23 financial year the ICCC received six new applications, taking the total number of applications received to 382 and 76 ICC holders renewed their certificates. In this period, the Committee approved the issuing of ICC certificates to 20 barristers who completed all the ICC assessment requirements.

The Committee gratefully acknowledges his Honour Justice Paul Coghlan AO for his valuable contribution towards barristers gaining their ICC by facilitating seven ICC Advocacy Assessment workshops in 2022-2023.

The Chair also acknowledges the valuable contribution and work undertaken by each member of the Committee over the last year. The Committee also acknowledges and thanks the Victorian Bar staff for their work in support of the Committee, Michelle James (Education Manager) and Golam Kibria (Education Coordinator).

Indigenous Justice Committee

Committee as at 30 June 2023: Timothy Goodwin (Co-Chair), Serena Armstrong (Co-Chair), Christopher McDermott (Secretary), Duncan Robertson, Julia Kretzenbacher, Julie Buxton, Katherine Stowell, John Heard, Julian Murphy, Cal Viney, Nicholas Boyd-Caine, Sophie Coulson and Daniel Nguyen (Bar Council Representative).

Retired members: The Committee thanks those members who retired during the year: Anne Sheehan (Co-Chair), Ben Ihle KC, Anthony Schlicht and Gordon Chisholm.

The Committee acknowledges the significant contribution of all present and retiring members. In particular, it notes the many years of outstanding service by Anne Sheehan, including several years as Chair and Co-Chair.

The Committee thanks the following judicial consultants for their valued and continuing support: Justice Stephen Kaye (Victorian Court of Appeal), Justice Rita Incerti (Victorian Supreme Court), Justice Mordecai Bromberg (Federal Court) and Judge Arushan Pillay (County Court).

Members of the Committee contributed to a demanding year of activities, including mentoring and support for Indigenous legal practitioners to support their journey to and continued practice at the Victorian Bar. Other core activities of the Committee included the organisation and presentation of CPD sessions, submission writing, stakeholder engagement and implementation of the Reconciliation Action Plan (RAP), supported by the Committee's RAP Working Group.

The Committee is delighted to acknowledge the achievements of Sophie Coulson, the latest Indigenous barrister to join our Bar. Sophie signed the Roll 20 October 2022, joining other recent Indigenous members Greer Boe (5 May 2022) and John Heard (7 May 2020). There are currently eight First Nations practising members of our Bar, three of whom are members of the Committee.

Individual portraits of Mick Dodson AM, Jacki Turfrey, Greer Boe and Sophie Coulson were commissioned in conjunction with, and through funding by, the Arts and Collections Committee. These were created by Melbourne-based Indigenous photographer James Henry, who was also commissioned to produce a group portrait with Mick Dodson and other First Nations barristers. The photographs are hung in the dhumba djerring meeting room, alongside works commissioned in 2020.

The National Referendum on the Voice to Parliament (the Voice) kept the Committee busy, focusing on education and the accuracy of information regarding the proposed change to the Constitution.

On 18 November 2022, the Committee presented a seminar by Senator Pat Dodson, the Special Envoy for Reconciliation and the Implementation of the Uluru Statement from the Heart. In April 2023, the Committee provided a detailed briefing on the Voice to the Bar Council. In May 2023, a CPD on the Voice, jointly presented with the Human Rights Committee, had more than 150 attendees, including barristers and judicial officers.

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SEMINAR ON ULURU STATEMENT FROM THE HEART: In November 2022, Senator Patrick Dodson presented a seminar on the Uluru Statement from the Heart. (L-R): Christopher McDermott, Anne Sheehan, Senator Patrick Dodson, Serena Armstrong and Mick Gooda.

In June 2023, a member poll on a motion for the Bar to declare formal public support for the Voice was conducted; more than 1,008 members (79.3% of eligible members), voted in support of the motion:

The Victorian Bar supports constitutional recognition of Australia's First People. The Victorian Bar considers that the amendment proposed by the Bill for an Act to alter the Constitution is sound, appropriate, and compatible with Australia's system of representative and responsible government which would be enhanced by the addition of the Voice.

Also in June 2023, Bar News included several articles on the Voice, including one by Committee members Tim Goodwin, Julie Buxton and Julian Murphy.

The discussions around the Voice and the Coroner's findings in the Veronica Nelson Inquiry have drawn attention to the need for greater understanding and awareness amongst the legal fraternity, including barristers, as to the challenges faced by Indigenous people and how these can be effectively addressed. To this end, the Committee in 2022-2023 has put significant effort into submissions and stakeholder liaison around these issues. This included providing submissions to the Bar's Veronica Nelson Inquest Response Working Group and working with stakeholders to develop a consistent and recognised First Nations Cultural Capability Framework for lawyers in Victoria who provide legal services to First Nations clients.

The Committee also responded to the Supreme Court's Diversity and Inclusion Committee, which seeks to understand and address common issues experienced by Indigenous barristers and clients when accessing the Court or participating in proceedings.

Finally, the Committee notes the Indigenous mentoring and clerkship programs for 2023 were a huge success. The mentoring program, co-ordinated by John Heard, pairs Indigenous law students and graduates with two mentors: a judicial mentor and a barrister mentor. The clerkship program sees clerks rotating through four-week placements at the Victorian Bar, the Supreme Court, the County Court, and the Federal Court. The feedback from the clerks, barristers and judicial officers involved is consistently positive, with many developing ongoing connections and support networks. The Committee acknowledges and thanks all involved in the programs.

Finally, the Committee acknowledges its thanks to the essential assistance from Bar Office staff, including Kai Li Zhu and Fernando Gallieto.

Innovation & Technology Committee

Committee as at 30 June 2023: Michael Wise KC (Chair), Emma Poole (Deputy Chair), Garry Bigmore KC, Brenton Devanny, Matthew Meng, Eliza Bergin, Adam Craig, Sanjay Schrapel, Michael Arbogast, Stephen Bunce and Ffyona Livingstone Clark (Bar Council Representative).



Bar News Summer 2022.

The Committee wishes to acknowledge the enormous contribution to the work of the Committee of Garry Bigmore KC as former Chair.

The Committee also thanks Eliza Bergin, who resigned from the Committee in April 2023.

During this term, the Committee's work focused on supporting barristers as they returned to chambers and in-person hearings while maintaining the skills and tools for working remotely and appearing online honed during the COVID-19 pandemic.

The Committee assisted with the Bar's IT redevelopment and received regular briefings from BCL IT on new and forthcoming initiatives. This year, the Committee has continued to engage with BCL IT and has been briefed on the redevelopment of the Bar's website.

The Committee provided feedback to BCL IT on several projects, including its newly managed desktop services, the expansion of its printer program, two-factor authentication and password expiry policies, as well as discussing key IT support issues for BCL, such as lost passwords and security risks.

The ITC has run several CPD sessions this year;

A session in which speakers provided an update on remote advocacy technology and techniques gathered from the past three years of online advocacy experience. They addressed practical elements of effective online advocacy, including best practices for audio-visual presentation and document management.

- A two-part CPD series on AI Technology. The first session canvassed the risks and ethics of AI Tech with contributions from Professors Jeannie Paterson and Dr Shaanan Cohney of the University of Melbourne and Professor Patrick Fair of Deakin University. The second session focused on the practical use of AI Tools in barristers' practices and was held in August 2023.
- A CPD on the use of technology by criminal barristers took place in August 2023.

For the Bar, the Committee prepared and supervised a Digital Courts Survey. This survey was built on a study conducted in 2021, at the height of the pandemic, which canvassed the opinions of members on the digital technologies and services provided by State and Federal jurisdictions in relation to online hearings. The survey results will help frame the advocacy of the Bar to the courts and tribunals as they continue to develop practices and procedures for online and hybrid hearings.

Following a pilot in 2022, the Committee revived the Reverse Mentorship Scheme with a new intake in June 2023. The scheme was launched with an event at the Essoign. This scheme pairs senior barristers, who wish to develop specific digital skills or improve their knowledge of particular tools, with barristers under five years call who volunteer as mentors.

Insurance Committee

Committee as at 30 June 2023: John Noonan KC (Chair), Roslyn Kaye S.C. (Deputy Co-Chair), Gerard Meehan (Deputy Co-Chair), James Barber KC, John Tesarsch, David Klempfner, Jamie Richardson, Joel Harris, Matthew Hooper and Mark Robins KC (Bar Council Representative).

The Committee thanks its Chair from 2021 to April 2023, John Noonan KC, who retired in April 2023.

In 2022-2023, the Committee continued to liaise with the Legal Practitioners' Liability Committee (LPLC) in relation to its proposed changes to the 2023-2024 policy wording. The Committee will continue to work with the LPLC regarding any changes to the policy applicable to the next financial year and further improve the policy to better reflect barristers' practices.

The Insurance Committee identified a gap in the insurance offerings presently available to barristers in relation to cyber security and investigated options for barristers to take up cyber security insurance. The Committee ran a CPD presentation in the second half of 2023 concerning cyber risks and an insurance option concerning those risks.

The Committee also prepared a summary of gaps in the insurance coverage provided by the LPLC and requested that the President remind all barristers of those gaps and the need to consider top-up insurance.

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The important issues the Committee intends to continue to address are the gaps in the LPLC policy:

- > That the \$2m compulsory layer of the cover is inclusive of defence costs.
- > The Professional Standards Scheme caps liability at \$2m, meaning that barristers may be required to make up a shortfall if there is a costs order.
- > The lack of cover for some disciplinary proceedings,
- and making the policy better tailored to barristers' practices.

The Committee has also had further discussions about exploring the availability of alternative insurers to benchmark premium levels and scope of cover.

International Advocacy Training Committee

Committee as at 30 June 2023: Remy van de Wiel KC (Chair), Ben Ihle KC (Deputy Chair), Albert Dinelli S.C., Sarah Thomas, Hilary Bonney, Anne Sheehan, Peter O'Farrell, Clare Cunliffe, Fung Yee (Stragen) Foo, Simon Fuller, Sophie Molyneux and Rishi Nathwani (Bar Council Representative)

As requested by the Victorian Bar Council, the following report summarises the International Advocacy Training Committee's (IATC) activities this year.

Solomon Islands

The International Advocacy Training Committee organised an intensive trial advocacy workshop in Honiara in the Solomon Islands from 12-16 June 2023.

The Victorian Bar coaches were Remy van de Wiel KC, Ian Upjohn KC, Albert Dinelli KC, Clare Cunliffe and Sophie Molyneux. They were assisted, for the first time, by some local coaches, Andrew Ega Kelesi, the Deputy Director of Public Prosecutions, Leonard Chite, a former Principal Magistrate, and Maitoo Hauirare, a former prosecutor. This initiative was a welcome addition because it enabled the local participants to receive input from experienced practitioners and helped build local expertise to continue the important work undertaken by the Committee in the region.

The Chief Justice of the Solomon Islands, Sir Albert Palmer, opened the Program and, along with the Hon. Justice Howard Lawry, attended the entire course, assisting in teaching and providing feedback for students.

With the support of the Chief Justice, the course was taught at the High Court of the Solomon Islands. The 40 local participants participated in a program involving criminal and civil examples. It involved a mix of teaching and practical demonstrations. However, the focus was on the presentation by participants of all aspects of the trial process, including openings, closings and examination of witnesses, with feedback provided by the VicBar and local coaches. The Australian Solomon Islands Justice Program provided funding.

The course was well-received. It was the first time the Victorian Bar delivered an advocacy program in person there since the onset of the COVID-19 Pandemic. (Two online appellate advocacy courses were presented by VicBar coaches in June 2021 and April 2022.)

Following the success of the 2023 program, a further course is planned for June 2024. The Chief Justice has offered the use of the High Court again.

In-person and remote training for Tongan practitioners did not occur in 2022 because of the tragic volcanic eruption and tsunami in early 2022 and attendant internet issues.

The IATC is currently communicating with contacts in Tonga to provide in-person advocacy training in 2024.

Vanuatu

A team of five members from the Victorian Bar delivered a three-day intensive Advocacy Training Program to publicly employed lawyers in October-November 2022. The participants included lawyers from the Office of the Public Prosecutor, the Public Solicitor's Office and the State Law Office. The Vanuatu Women's Centre staff and the Law Reform Commission also attended. Several attendees participated remotely from other islands following the cancellation of flights due to earlier wet weather.

The Victorian Bar Teaching Team members were Remy van de Wiel KC, Ben Ihle KC, Sarah Thomas (Working Group Leader), Simon Fuller and Felicity Fox. The Program consisted of an initial injunction application, followed by a criminal problem based on the same factual scenario. Participants were expected to make submissions, cross-examine, lead evidence-in-chief and open or close the case during the workshop. Improvement in case planning, confidence in public speaking and preparation by participants was observed during the Program.

The Program was conducted at the University of the South Pacific campus in Port Vila. It was the first overseas in-person training provided by the Bar since the pandemic. The Chief Justice of Vanuatu, the Hon. Vincent Lunabek, opened it, with the Australian Deputy High Commissioner, Ms Clemency Oliphant, and other dignitaries in attendance.

In a news report published in the Vanuatu Daily Post on 8 November 2022, the importance and success of the Program was acknowledged:

"VicBar have been advising the legal profession in Vanuatu and in the Pacific since the first advocacy skills training workshop took place in PNG in 1990 and has been delivering advocacy workshops in Vanuatu since 1995.

Their commitment to this long running program, and to the independence and professional standard of the legal profession in Vanuatu is recognised with gratitude by the participants and their agencies.

Following the training, the lawyers felt more confident to assist people that come into contact with the law including vulnerable defendants and victims of crime as they navigate the justice system."

The Program was funded through the DFAT Vanuatu Australia Policing and Justice Program (VAPJP) and organised and delivered with the assistance of Alice McGrath (Program Co-ordinator - Justice), Natalie Elliot and Suzanne Mayhew (adviser).

During the visit to Port Vila, team members also visited the Supreme Court of Vanuatu and met with Justice Viran Molisa Trief and local practitioners. As a result of these experiences and discussions, as well as during the workshop, the Victorian Barristers observed and learnt about the challenges faced by local practitioners, including heavy workloads, limited opportunities for professional development and significant isolation in the regions. Local practitioners raised the need for advocacy training at the pre-admission level and additional professional development opportunities for lawyers post-admission.

The IATC is committed to continuing and enhancing our strong links with the profession in Vanuatu and hopes to engage with a broader cohort of local lawyers and graduates in the future. Committee members are working on delivering in-person training in early 2024. It is hoped that there will be engagement with a broader group, including preadmission lawyers.

Papua New Guinea

November 2022 Intensive Advocacy Skills Workshop

The PNG program remains the front-runner and exemplar of the IATC's 'in country' work.

In November 2022, an Advocacy Training Team of 10 from the Victorian Bar, supported by the Australian Government in partnership with the Legal Training Institute (LTI) of PNG, delivered a Program of Intensive Advocacy Skills to a cohort of 81 graduate law students who named themselves 'Team 81'.

Post-graduate training is delivered by the LTI under the auspices of the PNG Centre for Judicial Excellence before admission as lawyers of the Supreme and National Courts of PNG. Successful completion of the LTI course is a pre-requisite to admission to legal practice in Papua New Guinea.

Support from the Australian Government was provided via the Australian High Commission, the Department of Foreign Affairs and Trade and the Justice Services and Stability for Development Program JSS4D.

Members of the Victorian Bar Advocacy Training Team were the Hon. Christopher Maxwell AC (Former President of the Victorian Court of Appeal), Murray McInnes, Tim Walker KC, Maya Rozner, Susan Gatford, Peter O'Farrell (Team Leader), Janine Gleeson, Samuel Burt, Nick Caine-Boyd and Michelle James (Education Manager, Victorian Bar).

This was the first time the Program had been delivered since the onset of the COVID-19 Global Pandemic.

Throughout the 2022 Workshop, almost without exception, all students demonstrated the following:

- > A high level of preparation.
- > Displayed understanding and development of Case Concepts.
- An understanding of the key techniques that were taught.
- > A willingness to attempt new methods of advocacy.
- > Continual improvement with each successive performance.

The LTI hosted an event during the November Workshop, which included guests from:

- > the Judiciary of both PNG and Australia
- > the LTI Council and Staff
- > the PNG Centre for Judicial Excellence
- > the Australian High Commission
- > the Australian DFAT
- > members of JSS4D
- > PNG Victorian Bar Alumni, and
- > Members of the PGN Legal Association

This event provided an excellent opportunity for various discussions and building relationships among the Program's key supporters.

Relationships were also created through the kind invitation from:

- > the PNG Chief Justice
- > the PNG Solicitor General, and
- > the PNG Parliament with on-site engagements and tours of the new PNG Supreme Court precinct under construction, the Office of the Solicitor General and Parliament House.

During the delivery of the 2022 Intensive Advocacy Skills Workshop, a WhatsApp Group called PNG VicBar Alumni was created. Many people who signed the Roll of Overseas Practitioners from PNG have joined the group. It is hoped that this group will provide a regular point of connection between PNG and the Victorian Bar.

A Report on the Workshop and Ongoing Development 2022 was prepared following the November Workshop.

2022 Report

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PAPUA NEW GUINEA ADVOCACY TEAM: The 2023 graduate cohort with the Chief Justice of Papua New Guinea and Chair of LTI, the Honourable Sir Gibbs Salika, LTI Deputy Director Angelyn Paranda and Members of the Victorian Bar Advocacy Training Team - the Hon. Chris Maxwell AC (Former President of Victorian Court of Appeal), the Hon. Peter Riordan KC (former Justice of Victorian Supreme Court), Rosalind Avis (Judicial Registrar of County Court), Tim Walker KC, Maya Rozner, Sarah Porritt, Susan Gatford, Peter O'Farrell (Team Leader), Carolyn Sparke KC, Kathleen Foley SC, Jim Doherty, Nick Goodenough, Andrew Woods, Shivani Pillai.

June 2023 Envoy to PNG

Following the success of the 2022 Program, an application was made for additional funding to expand the PNG Program to include three streams:

- > LTI Stream
- > Government Lawyers advanced advocacy stream, which was conducted with lawyers at the Office of the Solicitor General, and
- > Judicial Forum stream.

A 40% increase in funding was obtained. A delegation of 14 members of the Victorian Bar Advocacy Training Team were the Honourable Christopher Maxwell AC, the Honourable Peter Riordan, Judicial Registrar Roslyn Avis, Peter O'Farrell (Team Leader), Carolyn Sparke KC, Tim Walker KC, Kathleen Foley S.C., Maya Rozner, Jim Doherty, Shivani Pillai, Sarah Porritt, Susan Gatford, Andrew Woods and Nick Goodenough.

The PNG VicBar Alumni were also actively engaged throughout the Program delivery. It is hoped that over the coming years, trainers from PNG will increasingly form part of the teaching cohort.

The June 2023 envoy to PNG was the largest-ever cohort of trainers and students for the IATC Programs, with 14 trainers and 190 participants across the three streams. It was made

possible by the increase in funding, the application for which was made on the basis that a gender-neutral delegation would travel to PNG, and the funding support was provided on that basis.

A key initiative for the 2023 Program was the development of a Student Assessment App – a digital platform that recorded key metrics for each student's performance that allowed for individual and whole cohort reports to be created. This data was an essential component of the Program to enable analysis of performances across age, gender and province of origin. Year-on-year reporting is anticipated to provide for ongoing monitoring of the Program results.

Singapore

The IATC continues to develop plans to establish ongoing training opportunities between the Victorian Bar via the IATC and the Law Society of Singapore, specifically in relation to the practice of Family Law.

A three-phased approach is being taken to establish an ongoing program/relationship.

Phase 1 — An introductory dialogue with the Singapore Law Institute culminated in a meeting in March 2023 involving Hilary

Bonney and Stragen Foo of the IATC with relevant Chairs of Family-Law related section of the Singapore Law Institute.

Phase 2 — Organising introductory teaching seminar/conference — is scheduled for completion in Mid-2024.

Phase 3 — Ongoing project work in Singapore — is hoped to be commenced as of early 2025.

IATC TRAINER WORKSHOP

On 13 May 2023, the IATC conducted a Workshop directed at those members of the Bar who are interested in travelling overseas as Advocacy Trainers as part of the IATC Programs. The half-day workshop provided general information on the various Programs and tailored addresses on each country in which the IATC teaches. The workshop aimed to increase the cohort of barristers trained and ready to travel with one of the IATC envoys.

IATC TEACHING MANUAL

An IATC Teaching Manual has been produced in the draft working form. The purpose of the Manual is to capture the collective knowledge of the IATC and its various Programs so that each year, there is a repository of the collective knowledge that can be drawn upon by those conducting the Programs from year to year.

Key information about the IATC and its function, followed by country information for each relevant country, is to be completed by the end of 2023 by the IATC.

By June 2023, the Chapter on PNG has been completed with other countries to follow in the same format. The Manual is to be maintained by the IATC in a digital format, to be added to and updated yearly.

DEVELOPING AN INTERNATIONAL LEGAL CLERKSHIP PROGRAM

On 30 May 2023, the Bar Council approved the canvassing of the Victorian and Federal Courts for international law teaching for practitioners from the Pacific Islands.

To further this, the IATC Chair, Remy van der Wiel KC, has enlisted assistance from the Hon. Christopher Maxwell AC and the Hon. Michael Black, former Chief Justice of the Federal Court of Australia. Their Honours have both advised which judges to approach to advance the idea. As the Hon. Christopher Maxwell was going to Papua New Guinea with our New Guinean contingent, the IATC Chair requested he speak to the relevant members of the judiciary and sound out their views on local support. We await His Honour's advice as to the progress of these discussions.

Whilst in the Solomon Islands between 12 and 16 June 2023, on the Program facilitated by the International Advocacy Training Committee, Remy van der Wiel KC also spoke to both local members of the judiciary, namely the Chief Justice, Sir Albert Palmer, and Justice Howard Lowry, as to their views. They were both enthusiastic, as was the former Principal Magistrate and the current DFAT leader, with whom the Committee will be having ongoing regarding potential funding.

The idea currently envisages a candidate spending 4–6 weeks in Victoria, attached to a barrister (as a mentor), and time in the Federal, Supreme, County, and Magistrates' Courts to observe and understand our practices in civil and criminal matters.

The IATC wants to ensure offshore support for the Program before engaging in further discussions with the local judiciary.

WORKING GROUPS

The IATC has established working groups, comprised entirely of IATC members, for developing and delivering advocacy training to each of the five nations referred to above and in relation to international readers. They exist for those purposes which are ongoing.

Each course and Program delivered under the auspices of the IATC is initially developed by the respective working groups. They are reviewed and approved by the IATC executive before delivery.

It is the view of the executive of the IATC that its working groups are adequately resourced and supported and that the processes of content approval are appropriate and effective.

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Library Committee

Committee as at 30 June 2023: Dr Paul Vout KC (Chair), Peter Willis S.C. (Deputy Chair), Dr Steven Stern (Secretary), Lucy Line (CPD Organiser), Richard Brear, John Gordon, Romesh Kumar, Andrew Burnett, Nicholas Bird, Christopher Hooper and Nawaar Hassan (Bar Council Representative).

The Committee thanks its previous members, Cilla Brookes, and Jonathan Wilkinson, who retired in December 2022.

The Committee meets formally four times a year. Law Library of Victoria (LLV) Director Laurie Atkinson and Manager Library Reference Services Belinda Schembri are routinely invited to Committee meetings. Additional working bees are conducted.

Working closely with the LLV, the Committee provides management of the Richard Griffith Library and library services to barristers. The Committee oversees the Bar's collection of physical law report volumes, textbooks, and journals available at all hours to members of the Bar. These are housed in the Richard Griffith Library on the first floor of Owen Dixon Chambers East and in the adjoining Neil McPhee Room and Bar Council room, as well as in various 'branch libraries' within BCL's buildings, courtesy of the tenants of the relevant floors and BCL.

Additionally, in cooperation with the LLV, the Committee provides access to a broad and increasing range of digital legal resources (including, through three computer terminals in the Richard Griffith Library, access to the full suite of electronic resources available in the Supreme Court Library) and provides training and legal research assistance.

Staff from the LLV continue their part-time physical presence in the Richard Griffith Library: Nadine Mann on Wednesdays from 9 am to 11 am and Alissa Duke on Thursdays from 1 pm to 3 pm. This is provided pursuant to a service agreement between the Bar Council, and the LLV (LLV Agreement) renewed on 1 July 2021 for another three years.

Using the LLV Agreement's annual budget for purchases, the Committee substantially updated and extended the textbook collection in this reporting period, with input from specialist practice associations of the Bar, the Committee and LLV. Deselected texts were either added to the heritage collection in the Bar Library Annexe (if of heritage value) or donated to Papua New Guinea after coordination with Albert Dinelli S.C.. The LLV's current catalogue of the Victorian Bar collection of books and law reports can be searched or browsed online.

Twelve CPD sessions were held by the LLV for barristers during the reporting period, with 244 barristers attending. A further 30 LLV CPD sessions were open to all members of the legal profession to attend. On 5 December 2023, a 2022 CPD session was reprised to highlight the Judicial College's scholarship for the Legal Community research program, presented by a range of members and other contributors,

including former President of the Court of Appeal, the Hon. Chris Maxwell AC, and the Committee Chair.

Furthermore, for the first time, the Bar Library Committee participated in Law Week by joining LLV staff to present a webinar: 'Intro to Legal Resources'. The webinar was presented on 17 May 2023 by Lucy Line from the Committee and Renee Naylor from the LLV to explain the range of legal resources available, with Lucy emphasising the use of those materials in court. The Committee thanks Lucy for her contribution and Renee and the LLV team for yet another instance of successful cooperation between the Committee and the LLV.

The Committee is the custodian of many valuable and historical texts and sets of law reports, many donated by their previous owners, distinguished members of the Bar and the judiciary. We gratefully record the acceptance of such donations and other records and the contributions of legal publishers. In particular, we thank Julian Burnside AO KC for a very substantial donation from his personal library upon his retirement from a long and distinguished career at the Bar.

With pressure on shelf space and concern about the storage and protection of donated items (including items of Bar heritage value) the Committee accepted an invitation from BCL to relocate the Bar Library Annexe from Level 8 Douglas Menzies Chambers to two larger rooms on Level 5 of Owen Dixon Chambers East with additional shelving provided gratis. The extra shelf space was particularly timely following the generous donation by Julian Burnside AO KC and others. The Committee extends its thanks to BCL for its generosity and responsiveness. The Committee also wishes to thank the Bar Office - in particular, Miranda Tulloch - for arranging the packing and transportation of specific donated collections and books to the Bar Library Annexe and for providing administrative services from time to time and to BCL for funding the provision of free photocopying in the Richard Griffith Library.

Intending to maximise available shelf space in the Richard Griffith Library, converting the RGL into a pure reference library, and promoting the use of the Bar Library's lending collection, the Committee decided to move books available for loan from the library to a dedicated area in the Essoign Club. The Committee wishes to thank Marijana Hegedis for enthusiastically welcoming the lending collection into the Essoign Club and to BCL and the Bar Office for the bespoke shelving and loan ledger provided. The Committee hopes that members of the Bar will browse and borrow enthusiastically from the Bar Library lending collection whilst relaxing in the Essoign Club.

At its meeting on 23 November 2022, the Committee adopted a 'Bar Library Policy on Donations and Gifts'. A working group headed by the Deputy Chair has also designed a draft Bar survey regarding the use and expectations of members of the Bar with respect to the Bar Library and its print and digital resources. The Committee hopes to put the survey electronically to members in



COFFEE WITH SILKS: (Left to right) Matthew O'Grady, Harriett Geddes and Tim Puckey KC.

the second half of 2023, following consultation with the LLV and the Bar President and Vice-Presidents. The survey results will, in turn, inform the formulation of a 'Bar Library Collections Policy' to be drafted in 2024.

New Barristers' Committee

Committee as at 30 June 2023: Shane Lethlean (Chair), Agusia (Aggy) Kapitaniak (Deputy Chair), Matthew Follett, Kieran Hickie, Daniel Briggs, Natalie Hickey, Sanjay Schrapel, Rebecca McCarthy, Annette Gaber and Andrea Skinner (Bar Council Representative).

- The NBC in 2023 did not form sub-committees for Education and Social matters due to the Committee's size.
- > The NBC continued the 'Coffee with Silks' programme scheduled for late October 2023.
- > The NBC collaborated with the LIV Young Lawyers to have a joint evening on 15 September at the Essoign for up to 120 attendees; This event is intended to assist in integrating both junior arms of the profession.
- The NBC collaborated with the Chief Magistrate of Victoria, informally deputised to Magistrate Rob Stary for assistance in organising a breakfast event, 'A Morning with Magistrates' in October.
- > At the event tables of six to eight juniors joined a sitting magistrate per table. The tables were organised between criminal and civil jurisdictions (with various areas of law) and rotated at 10 to 15-minute intervals. Sitting magistrates can offer insights and encouragement to juniors on what may be reasonably expected in court on specific issues/applications.
- The Chief Magistrate communicated support for any initiative that educates and supports juniors coming through the system.
- > The idea for the gathering was borne out of the overrepresentation of juniors in accessing the Victorian Bar psychological services due to stress and anxiety about the junior practice at the Bar.



COFFEE WITH SILKS: (Left to right) Genna Angelowitsch, Fiona Ryan S.C. and Jade Ryan

The NBC has delivered a CPD concerning early and comprehensive financial planning, and other ideas for CPDs are in discussion and planning.

Practice Development Committee

Committee as at 30 June 2023: Dr Oren Bigos KC (Chair), Sarah Porritt (Deputy Chair), William Lye OAM KC, Christopher Brown, Tasman Ash Fleming, David Kelsey-Sugg, Kieran Hickie, Rachel Walsh and Dr Suzanne (Sue) McNicol AM KC (Bar Council Representative).

The Practice Development Committee is a relatively new committee established in 2022. It aims to assist members of the Victorian Bar, particularly junior members, to broaden their practice areas and to increase the quality and quantity of briefs. The Committee has provided suggestions to the Bar Council on practice development initiatives.

Several successful CPD seminars were held, both on specific practice areas (insurance law, sports law, and white-collar crime), as well as on providing tips such as the use of blogs and championing juniors and mentoring. We also hosted a session on practice development for the Junior Bar Conference. The Committee is always looking out for new ideas to develop the practice areas of our barristers, recognising that this has flow-on benefits for the Bar as a whole.

Pro Bono Committee

Committee as at 30 June 2023: Matthew Harvey KC (Chair), Geraldine Gray (Deputy Co-Chair), Christopher Lum (Deputy Co-Chair), Andrew Woods, Adam Coote, David Kelsey-Sugg, Daniel McCredden, Willem Drent, Laura Hilly, Anna O'Callaghan, Alexander Campbell, Michelle Zammit, Amanda Storey, Rebecca Aoukar and Jessie Taylor (Bar Council Representative).

The Committee's 2022 Members: Matthew Harvey KC (Chair), Geraldine Gray (Deputy Chair), Meghan O'Sullivan KC, Nicholas Kanarev, Andrew Woods, Martin Guthrie, Adam

RETIREMENT OF JUSTIN GRAHAM KC



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THE 2023 PRO BONO AWARDS WERE HELD IN MARCH AT THE PETER O'CALLAGHAN QC GALLERY: Back row (L-R): The Hon. Ron Merkel KC, Peter Willis S.C., Matthew Albert, Julian McMahon AC S.C., Alison Umbers, Sam Hay KC. Middle row (L-R): The Hon. Chief Justice Debbie Mortimer, Claire Harris KC, Juliet Forsyth S.C., Evelyn Tadros, Katharine Brown, Gemma Cafarella, Min Guo, Colette Mintz, Tim Jeffrie. Front row (L-R): The Hon. Justice Michelle Gordon AC, Uncle Jim Berg, Matthew Harvey KC, Nicholas Baum, The Hon. Justice Kristen Walker KC, The Honourable Justice Michael Croucher, The Hon. Justice Simon Steward, The Hon. Chief Justice William Alstergren AO.

Coote, Joel Silver, Michelle Zammit, Laura Hilly, Willem Drent, Christopher Lum, Anna O'Callaghan, and Maria Pilipasidis (Bar Council representative).

The Pro Bono Committee supports the longstanding tradition of barristers performing work pro bono publico by overseeing the Bar's various pro bono schemes. 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.

The work of the Pro Bono Committee comprises three broad areas of activity:

- 1. The Victorian Bar Pro Bono scheme.
- 2. The various Court referral schemes.
- 3. A collection of activities designed to facilitate the first two.

Justice Connect administers the Victorian Bar Pro Bono Scheme. People seeking the assistance of a barrister's service pro bono may apply to Justice Connect via its online platform. Justice Connect then assesses the application's eligibility, which involves determining whether it is appropriate that the person receive pro bono assistance and whether the person requires the help of a barrister.

In the last 12 months, the Committee worked with Justice Connect to improve the eligibility guidelines.

The various Court referral schemes facilitate pro bono services for self-represented litigants in cases already before the Courts. Through these schemes, the Courts can also seek the assistance of counsel acting as amicus curiae. These schemes currently operate in the Victorian Supreme Court and Court of Appeal, the County Court, the Coroners Court and the Federal Circuit and Family Court of Australia. These schemes advance the rule of law by assisting the Courts in administering justice, giving people greater access to the Courts, and allowing barristers to hone their skills.

The additional activities which the Committee oversees are as follows.

- > The Open Justice Project: This project is a collaboration between the Monash University Law School and the Victorian Bar. Now in its third year, the Open Justice Project allows Monash law students to assist barristers working on pro bono matters.
- > The Victorian Bar's Pro Bono Awards: This project recognises some of the exceptional pro bono contributions

and achievements of Victorian barristers. This year's awards were announced at a ceremony in the Peter O'Callaghan QC Gallery on Tuesday, 21 March 2023, with winners being:

Victorian Bar Pro Bono Trophy: Julian McMahon AC S.C.

Daniel Pollak Readers' Award: Katharine Brown

Ron Castan AM QC Award: Tim Jeffrie

Susan Crennan AC KC Award: Alison Umbers

Ron Merkel KC Award: Juliet Forsyth S.C.

Public Interest/Justice Innovation Award: Claire Harris S.C., Christopher Tran. Colette Mintz and Nicholas Baum

Debbie Mortimer S.C. Award: Gemma Cafarella

Uncle Jim Berg Award: Tim Farhall

Equality Award: Min Guo

Pro Bono Team Excellence Award: Peter Willis S.C., Matthew Albert and Evelyn Tadros

The next Pro Bono Awards ceremony will be held in 2025.

Disaster Legal Help Victoria: Two members of the Committee represent the Victorian Bar as partners of Disaster Legal Help Victoria. This scheme provides pro bono assistance to Victorians affected by natural disasters in the state.

Continuing Professional Development: The Committee organised several CPD activities in 2022-2023.

Future directions: The Committee has concluded discussions with representatives of VCAT as to a potential pro bono referral scheme with that tribunal.

Finally, the Committee records its thanks to previous members who dedicated themselves to advancing the Committee's work. It also extends its gratitude to Miranda Tulloch and Lisa Paykel, both from the Bar Office, for their invaluable assistance over the last twelve months.

Readers' Course Committee

Committee as at 30 June 2023: Anthony Strahan KC (Chair), Ben Ihle KC (Deputy Chair), Christopher O'Grady KC, Christopher Archibald KC, Albert Dinelli S.C., Bronia Tulloch, Erin Gardner, Sarah Porritt, Aphrodite Kouloubaritsis, Alexandra Folie, Georgia Douglas, Gordon Chisholm, James McComish, Robert Forrester, Nicholas Walter, Felicity Fox, Nadia Deltondo and Raini Zambelli (Bar Council Representative).

Justin Graham KC led the Readers' Course Committee as Chair until May 2023. The Committee and the Bar's Education team are very grateful to Justin for his outstanding commitment, hard work and excellent leadership of the Committee as its Chair from 1 July 2021 to 24 May 2023 and for his dedication before he was appointed Chair as a member of the Committee from February 2017. Justin will continue to support the Committee and future members of the Bar by presenting sessions in the Readers' Course. Justin continues to make an outstanding contribution to the Readers' Course and the Bar.

COURSE OPERATIONS

PART V

During the 2022/23 year, the Readers' Course Committee, in close consultation with Victorian Bar staff (particularly Michelle James and Nikki Walker and, from May 2023, Vicky Kourtis), continued to oversee the Readers' Course and the Bar Exam in accordance with the Bar's Application & Reading Regulations.

The Course Review Working Group (CRWG), which reviews the Readers' Course content, undertook post-course reviews of the September 2022 and March 2023 courses shortly after each had been completed. The refinements recommended by the CRWG and adopted by the Committee after a review of the September 2022 course were implemented for the March 2023 Course. At the time of writing, the September 2023 course is also being prepared to reflect suggestions for improvement. While the key lessons for young barristers remain the same, the course is subject to continual refinement and improvement. Thanks are due to all those who have contributed to that process.

In the past year, there has also been a further review of the advocacy training methods and resources used in the course, which is the focus of another working group. Particular thanks are due to Nicholas Walter for his efforts in refining the mooting problems and instructions used in the course.

The Course reviews are assisted and informed by feedback from readers. This feedback was obtained via weekly email surveys, telephone call check-ins, and face-to-face sessions with readers. The process for obtaining the feedback was overseen by a working group chaired by Sarah Porritt.

ADVOCACY TEACHING

For many years, all advocacy teachers/instructors in the course must undertake advocacy teaching training administered by the Australian Advocacy Institute. This requirement has been aimed at ensuring a high standard of advocacy teachers and uniformity in the teaching method. The past year saw the rollout of a pilot program involving a few highly experienced advocates (usually recently retired judicial

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THE VICTORIAN BAR SEPTEMBER 2022 READERS, Front row (L-R): Kaitlyn Foote, Owen Nanlohy, Elodie Nadon, Campbell Woollacott, Sheeana Dhanji, Haley Aprile, Rebecca Kelly, Kalia Laycock-Walsh, Michela Agnoletti, Daniel Kaufman. Second row: Madeleine Grant, Ella Crotty, Genna Angelowitsch, Alison Martyn, William Phillips, Holly Baxter, Maria Cananzi, Sophie Coulson, Emma Fargher, Olivia Go, Leo Freckelton, Amy Surkis, Natalie Simpson, Marcus Roberts, Damon Hunter, Jonathan Barrera. Third row: Tim Staindl, Ruby Heffernan, Nikolas Barron, Elle Addams, Tom Ellicott, Simone Kipen, Lauren Bull, Oliver Smith, Anthony Roden-Paru, Melinda Jackson. Back row: John Riordan, Christopher Glerum, Drossos Stamboulakis, Declan Murphy, Jack Kelly, Jeremy Hallett, Arjunan Thangarajah, Michael Reardon, Yanni Goutzamanis. Absent: Brittany Myers

officers) being invited to teach in the course without requiring them to undertake the AAI training.

Candidates selected for this role were provided with a summary of the teaching method used in the course, which they were asked to implement, and were paired with one of our experienced instructors. The pilot has received good feedback and is likely to continue. Adding these experienced practitioners to the ranks of our advocacy instructors contributes further depth to the teaching ranks and will benefit readers.

Thanks are due to the members of the working group who put together this initiative, particularly Diana Price, an experienced advocacy instructor who kindly agreed to assist the working group.

DEMAND FOR THE COURSE

The Bar offers only a limited number of places in the Readers' Course each year (currently a maximum of 96 places across two courses). Demand exceeds the number of places available. As a pre-condition of eligibility for a place in the Readers' Course, candidates are required to pass the Bar's Entrance Exam. An "overhang" of eligible reader applicants who had passed the Entrance Exam but had not been allocated a place in a Readers' Course were carried over into 2022/2023.

The September 2022 course had 46 readers, and the March 2023 course had 48 readers. The September 2023 course will have 44 readers (following some late deferrals). As of 30 June, 15 places had been allocated in the March 2024 course, and two places had been allocated in the September 2024 course.

In October 2022, a further exam was administered. 289 candidates registered for the exam, with 209 sitting on exam day. There were 84 candidates who passed the exam (40%). These candidates and the 2021 overhang cohort were invited to nominate their preference to undertake the Readers' Courses in March and September 2023 or March 2024. Of the 209 exam candidates, 45% were male, and 55% were female.

As of 30 June 2023, there were 460 expressions of interest from potential candidates to sit the October 2023 exam - a very significant increase on the number in 2022.

Meeting the demand for places at our Bar remains a pressing issue. In 2022, Bar Council established the Readers' Course Overhang Implementation Working Group, headed by Dr Sue McNicol, to review and advise on the implementation of determinations directed at the 'overhang issue' made late in the term of the Bar Council elected in October 2021. It is anticipated that the working group will be able to report to the Bar Council in Q3 of 2023.



THE VICTORIAN BAR MARCH 2023 READERS, front row (L-R): Shakti Nambiar, Bernice Chen, Ashleigh Best, Tegan McWilliam, Odette Richwol, Iman Osman, Mehdi Rohani, Nardine Hanna, Emily Riordan, Tara Hooper, Anesti Petridis, Jamie Blaker. Second row: Annabelle Ballard, Caitrin Davis, Emily Allan, Elarya George, Briana Proud, Chris Lees, Alistair Haskett, Daniel Zajd, Kepler Ryan, Nick Ellis, Carly Burgess, Adele Balkin, Narod Hosikian, Edward Moore, Sarah Weinberg. Third row: Elissa Taylor, Jessica Apel, Jessica Elliott, Jacob Waller, Samuel Blashki, Tristan Joseph, Niko Kordos, Amy Johnstone, Prudence Barker, Chris Kaias, Joshua Forrest. Back row: Olivia Cameron, Hamish Williamson, Angus Kleiman, Liam Dogger, Lewis Winter, David Brown, Laura Schuijers, Stephanie Cheligoy, Ned Marlow-Weir, Tim Burn-Francis.

FXAM

As noted, in October 2022, the Bar Exam took place. As of 2021, it was successfully delivered as an electronic exam. The ExamSoft software, which included remote invigilation mechanisms, has continued to be an effective platform for delivering the Bar's exam. There were no technical errors experienced by candidates in 2022.

The exam continues to be prepared and overseen by the Chief Examiner, Dr Jason Harkess. It is reviewed by the Standing Exam Review Panel appointed by the Bar Council in accordance with the recommendations of the 2019 Exam Review Panel Report. The Panel, chaired by Ben Ihle KC, has the responsibility to confer with the Bar's Chief Examiner, with respect to the content, form and complexity of the exam. The Exam Working Group, chaired by Felicity Fox, has responsibility for the conduct of the exam.

In May 2023, Bar Council changed the appointment terms of the Standing Exam Review Panel from one to three years. The Panel works in conjunction with the Chief Examiner to ensure the setting and conduct of the exam remain consistent with its purpose.

In 2022, the pre-exam lecture sessions, developed in 2021, continued. These were well attended and received by candidates. Her Honour Judge Martine Marich kindly continued to offer her podcast series, and she once again presented a "Deep Dive" into a past exam webinar to exam candidates to assist in their preparations for the exam. The Committee is very grateful for Her Honour's ongoing support.

During the past year, the Committee also established a working group to consider how to approach the use of sensitive content in the reading guide for the exam and as part of the course. The working group presented its preliminary views to the Committee in May 2023. The working group's final recommendations are anticipated to be given to the Committee in Q3/4 of 2023.

INTERNATIONAL INTERNSHIP PROGRAM

The International Internship Program, launched in August 2019, was put on hold in 2020 and 2021 due to the pandemic. It could not be implemented in 2022-23 due to various challenges.

The program was developed to provide international applicants 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 International Commission of Jurists (ICJ), the Federal Court and the County Court. Sarah Porritt chairs the working group in charge of the program, and

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the timing to reactivate the program is being explored in collaboration with the International Advocacy Training Committee.

FIRST NATIONS READERS

In 2023, the Committee (in conjunction with the Indigenous Justice Committee) continued a mentor programme for First Nations Bar Exam candidates. In the programme's third iteration, a First Nations candidate was paired with a barrister who had recently completed the exam and course. Since the programme's inception in 2021, all candidates who have participated in the programme have gone on to pass the

ACKNOWLEDGEMENTS AND THANKS

In addition to Justin Graham's contribution noted above, the Committee also acknowledges and extends a warm thank you to:

- > The Bar's Education team, including Michelle James, Nikki Walker, Golam Kibria and Vicky Kourtis, for their care, hard work and excellent service in administering the Readers' Course, the Exam, and in assisting the Committee;
- > The retiring committee members (in November 2022), including Patrick Over, Paul Kounnas, Nicholas Phillpott and Alyse Mobrici, for their valued service and commitment to the work of the Committee and the Bar; and
- > The many volunteer presenters, advocacy trainers, moot judges and mentors from the Bar and Bench, whose generosity made the Readers' Course possible and successful.

Finally, in 2022, Professor the Honourable George Hampel AM KC stepped back from his active teaching role in the Readers' Course. Professor Hampel was instrumental in developing the course, which was introduced in 1980 and has been involved with teaching the course since. His contribution to the Victorian Bar over this extensive period is unmatched and unlikely ever to be matched. His service to our Bar is part of his broader commitment to the teaching of advocacy that has been recognised worldwide: barristers around the globe are now schooled in the "Hampel Method". The Bar is enormously grateful to Professor Hampel for his outstanding contribution.

Student Engagement Committee

Committee as at 30 June 2023: Sebastian Reid (Co-Chair), Timothy Farhall (Co-Chair), Bonnie Renou (Co-Secretary), Matthew Weinman (Co-Secretary), Her Honour Judge Diana Manova, Clive Madder, Adam Rollnik, Kylie Evans, Dr Andrew Newman, Reegan Grayson Morison, Veronica Holt, Erik Dober, Priya Wakhlu and Daniel Nguyen (Bar Council Representative).

The Student Engagement Committee (SEC) was formed in 2010 with the objective of "demystifying" the Bar by providing secondary and tertiary students with a better understanding of the Bar's work and the pathways to becoming a barrister. On behalf of the SEC, we are pleased to report that this important work continues.

Throughout the year, SEC members spoke at numerous schools, including Fitzroy High School, Blackburn High School, and Newhaven Secondary College, both in person and remotely, with a continued emphasis on those Victorian schools underrepresented at the Bar. The work is important in providing secondary School students with a window into the practice of law as a barrister and assisting with their understanding of the critical importance an independent Bar plays in protecting rights, resolving disputes and responding to the demands of a modern pluralist community. Barristers in the SEC continue to generously provide their time and skills to these visits, and they continue to be a cornerstone of the SEC's work. Our efforts are complemented by the Victorian Law Foundation (VLF), which provides a constant source of referrals to the SEC for these visits to occur. One highlight was a presentation at Blackburn High School, with His Honour Judge Stewart Bayles of the County Court also in attendance.

Much work has also been undertaken to expand the SEC Shadowing Program, which builds upon secondary school visits. The SEC has actively worked with several Law school programs to create a unique student experience. In the months ahead, students from Victoria University, Deakin University and La Trobe University will be allocated to a floor of barristers, who themselves have donated their time, to get a truly immersive experience of practice at the Bar. In accordance with the SEC's Charter, the program targets students from diverse backgrounds or those who do not have existing links to the legal profession. There is no better way to understand the work of the Bar and its many pathways than this program. The SEC work also continues to build the Bar's connection with the Judicial College, Juries Commissioner and the Coroners Court. The SEC is incredibly proud of this program, and we thank the Bar Council for its support.

The Vic Bar Moot is a further area of continuing efforts. The Victorian Bar Mooting Competition will invite the winning senior mooting team from each Victorian Law School to compete. The SEC continues to work to progress this initiative, and in the months ahead, will announce details of the inaugural competition.

As always, the SEC also supported Victorian Law Week and had intended to perform as part of the program. Unfortunately, a number of factors combined to prevent the performance from going ahead, but we hope to incorporate the performance into the upcoming Shadowing Program, and we will meet with the Victorian Law Foundation (VLF) to make some firmer arrangements around 2024.

We continue to provide support and assistance where possible to other Bar sub-committees such as our continuing work with the Pro Bono Committee (particularly on the Open Justice Project, a joint initiative between the SEC, Pro Bono Committee and Monash University) and support for the Equality and Diversity Committee's own Moot proposal

The Committee's key activities for 2023-2024 are:

- > Shadowing program The successful completion of the upcoming program with Victoria University, Deakin University and La Trobe University. After successfully completing the pilot program, the Committee is now working to roll out the program more broadly and ensure that it is sustainable in years to come.
- > Victorian Bar Mooting competition At its November 2021 meeting, Bar Council endorsed developing and operating a Victorian Bar Mooting Competition, in which the winning senior mooting team from each Victorian Law School would be invited to compete. The Committee continues working to progress this initiative, intending to run the first competition in the next 12 months.
- > Law Week The Committee will meet with the VLF to create more certainty regarding location, nature of contribution etc, for Law Week 2024. We would again look to promote the event - and by extension, the Bar - in conjunction with the VLF.
- > University outreach The Committee continues to be regularly invited to participate in university careers fairs, training sessions and other university events throughout the year and will continue to arrange for members to attend in response to each request.
- > Secondary school outreach The Committee regularly receives invitations to speak to secondary school students about substantive legal topics and the Bar, or legal industry more generally, and will continue to arrange for members to attend.
- > Social media presence Social media continues to be a key medium for information consumption, and Committee members have committed to ensuring relevant, interesting posts are published on a frequent basis.

The Committee extends its thanks to James Waters, who stepped down in 2022 from the Committee. James was a previous Co-Chair and a long-term stalwart of the SEC. James brought a high level of leadership, energy and commitment - we thank him for his efforts. The Committee also thanks long-serving member Rachel Matson who departed at the end of 2022, for her dedication and effort to the Committee over the years.

Victorian Bar News Editorial Committee

Committee as at 30 June 2023: Banjo McLachlan (Editor), Luke Merrick (Editor), Maree Norton (Editor) Jesse Rudd (Editor), Edward Heerey KC, Stephen Warne, William (Harry) Forrester, Sandip Mukerjea, Joel Silver, Emma Poole, Alexander di Stefano, Lara O'Rorke, Michael Wyles and Ashlee Cannon (Bar Council Representative).



Bar News Winter 2023.

Current activities:

- To produce the new Victorian Bar News (VBN), we maintain a content schedule that is updated regularly. At the Committee's monthly meetings, responsibility for each item in the content schedule is allocated to Committee members.
- > The editors also meet regularly to discuss the magazine's direction, make editorial decisions and ensure allocated tasks are being attended to.
- The Committee is well supported by the Bar Office, in particular Sharni Doherty, who plays a vital role in keeping things on track.
- > External editorial support is provided by Peter Barrett (content) and Guy Shield (illustration).

Committee membership:

The Committee is functioning effectively. However, as editors. we plan to improve our systems to ensure a greater sharing of the workload across the Committee, as well as a smoother distribution of that workload in the time between the distribution of the previous issue and the publication of the next.



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

Commonwealth Appointments

Commonwealth Appointments

Federal Court of Australia

The Honourable Chief Justice Debra Mortimer

The Honourable Justice Catherine Button

Federal Circuit and Family Court of Australia

His Honour Judge Mark Champion - Division 2 (Melbourne Registry)

Victorian Appointments

Supreme Court of Victoria

Court of Appeal

The Honourable Justice Karin Emerton (President)
The Honourable Justice Lesley Taylor

Trial Division

The Honourable Justice Edward (Ted) Woodward

The Honourable Justice Peter Gray

The Honourable Justice Patricia Matthews

County Court of Victoria

Her Honour Judge Áine Magee

His Honour Judge John Kelly

Her Honour Judge Barbara Myers

Her Honour Judge Robyn Harper

Her Honour Judge Diana Manova

Magistrates' Court of Victoria

His Honour Deputy Chief Magistrate Timothy Bourke

Her Honour Magistrate Lucy Raponi (Children's Court)

His Honour Magistrate David Langton

His Honour Magistrate Brett Sonnet

His Honour Magistrate Malcolm Thomas

His Honour Magistrate Jarrod Williams

Her Honour Magistrate Megan Casey

Her Honour Magistrate Belinda Franjic

His Honour Magistrate Andrew Sim

Coroners Court of Victoria

Coroner Paul Lawrie

Victorian Civil and Administrative Tribunal

President The Honourable Justice Edward (Ted) Woodward (effective 1 July 2023)

Other Appointments

Joint Standing Committees

Law Aid

(Victorian Bar Incorporated and Law Institute of Victoria)

Paul O'Dwyer S.C. (Trustee) James Mighell KC

Michelle Britbart KC

Fiona Ryan S.C.

Medico-Legal Joint Standing Committee

Tim Tobin S.C.

Mary Anne Hartley KC Marietta Bylhouwer

Dr Paul Halley

Police/Lawyers Liaison Joint Standing Committee

National Legal Profession Representative Bodies

Australian Bar Association

Board of Directors

Róisín Annesley KC (Vice President) and Sam Hay KC

(Victorian Bar Representative)

Committees

Charities and Not-for-profits Committee

Jennifer Batrouney AM KC

Criminal Law Committee

Zoe Broughton and Zubin Menon

Diversity & Inclusion Committee

Christopher McDermott

Ethics Committee

Dr Michael Rush KC, Patrick Doyle S.C., Maree Norton and

Maya Narayan

Family Law Committee

Tim Puckey KC and Andrew Barbayannis

First Nations Issues Committee

Thomas Keely S.C. and Anne Sheehan

International Committee

Paul Hayes KC, Ian Horak S.C., Raini Zambelli and Huw

Watkins

Practice Development Committee

Dominique Hogan-Doran S.C. (Chair), Oren Bigos KC and

Rachel Walsh

Taxation Committee

Jennifer Batrouney AM KC, Daniel McInerney KC, Angela Lee, Kateena O'Gorman, Gareth Redenbach and Michael Wells

Law Council of Australia

Director

Lachlan Molesworth

Advisory Committees and Working Groups

Access to Justice Committee

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

Business and Human Rights Committee

Shanta Martin

Defamation Working Group

Renee Enbom KC

Equal Opportunity Committee

Jenny Firkin KC

Futures Committee

Laurence White

Indigenous Legal Issues Committee

Julie Buxton

Indigenous Incarceration Working Group

Dr David Neal S.C.

National Criminal Law Committee

Dr David Neal S.C. (Co-Chair), Paul Holdenson KC and Michael

Stanton

National Human Rights Committee

Nicholas Cowdery AO KC (Chair) and Emrys Nekvapil S.C.

National Security Working Group

Dr David Neal S.C., Ian Upjohn KC and Chris Tran

Rural, Regional and Remote Committee

The Honourable Simon Molesworth AO KC

Young Lawyers Committee

Rebecca McCarthy

Business Law Section - Committees Dr Elizabeth Boros KC (Executive Member)

Customs & International Transactions Committee

Dean Merriman (Deputy Chair)

Taxation Committee

Angela Lee (Chair) and Mia Clarebrough (Deputy Chair)

Family Law Section - Executive Committee

Dr Robin Smith (Victorian Bar Representative)

Federal Litigation and Dispute Resolution Section -

Committees

Georgina Costello KC (Treasurer)

Military Justice Committee

Paul Willee RFD KC

Court and Tribunal Committees & Working Parties

Commonwealth Courts and Tribunals

Federal Court of Australia

Corporations and Commercial NPA User Group

Stewart Maiden KC, Anthony Strahan KC, Michael Borsky KC, Cam Truong KC, Dr Oren Bigos KC, Greg Ahern, Alison

Umbers and Raini Zambelli.

Employment & Industrial Relations NPA User Group

Malcolm Harding S.C.

Insolvency (Bankruptcy and Corporate Insolvency) User

Philip Corbett KC, Michael Gronow KC, Carl Moller and

Charles Parkinson KC

Intellectual Property Practice Area Users' Group

David Shavin KC and Tom Cordiner KC

State Courts and Tribunals

Supreme Court of Victoria

Rules Committee Jonathon Moore KC

Law Library of Victoria Committee

Dr Paul Vout KC and Lucy Line

Chief Justice's Legal Costs Committee

Stewart Maiden KC

Supreme Court Library Committee Dr Paul Vout KC and Lucy Line

Probate Users' Committee

Richard Boaden, Shane Newton, Simon Pitt, Ursula Stanisich, Thomas Mah, Eleanor Coates, Lucy Dawson and Nicholas

Baum

County Court of Victoria

County Court Rules Committee

Michael Corrigan

Commercial Division Users Group

Jeremy Twigg KC, Con Salpigtidis, Catherine Gobbo, Andrew

Downie and Georgia Berlic

Criminal Users Group

Alexander Patton, Jim Shaw and Morgan Brown.

Magistrates' Court of Victoria

Alternative Dispute Resolution Committee

Carey Nichol, Tasman Fleming, Steven Lowry and Nussen

Ainsworth

Civil Practice Committee

Hugh Burchill and Steven Lowry

Criminal Court Users Group

Sam Andrianakis and Chris Wareham

WorkCover Users Group

Megan Cameron and Kim Bradey

Statutory Appointments

Legal Services Board Sam Hay KC

Legal Services Council – Admissions Committee The Honourable Justice Arthur Emmett AO KC (Chair) and The Honourable David Habersberger KC

Legal Services Council – Law Admissions Consultative Committee (LACC)

The Honourable David Habersberger KC

Representatives on Educational Bodies

Melbourne Law School - Centre for Employment and Labour Relations Law Advisory Board

The Honourable Justice Mordy Bromberg (Chair) and Dr Laura Hilly

Melbourne Law School - Asian Law Centre Advisory Board The Honourable Justice Susan Kenny (Chair) and The Honourable Peter Gray AM

Melbourne Law School – Centre for Comparative Constitutional Studies Advisory Board

Dr Gavan Griffith AO KC, Peter Hanks KC, Wendy Harris KC, Dr Stephen Donaghue KC, and Jason Pizer KC

Melbourne Law School – Indigenous Law and Justice Hub Advisory Board Timothy Goodwin

Melbourne Law School Advisory Council Jennifer Batrouney AM KC

Melbourne Law School – Taxation Law and Policy **Advisory Committee**

Jennifer Davies KC, Frank O'Loughlin KC (Principal Fellow), Jennifer Batrouney AM KC (Principal Fellow) and Mia Clarebrough.

Victoria Law School

Robert Richter KC, Dr David Denton RFD KC, Richard Manly KC, David Bailey, Dr Steven Stern and Nussen Ainsworth

Monash University Law School - Centre for Commercial Law and Regulatory Studies

The Honourable Justice Clyde Croft AM, The Honourable Marilyn Warren AC KC

Other Bodies

ACICA Board

Jonathan Redwood S.C. (Vice President) and Dr Caroline Kenny KC

ATO Public Advice and Guidance Panel

Jennifer Batrouney AM KC

Australian Bar Review - Editorial Board

Annette Charak

Charity Law Association of Australia & New Zealand Jennifer Batrouney AM KC

Competition & Consumer Law

Alice Muhlebach (Chair), Jillian Williams (Co-Secretary) and Tim Farhall (Co-Secretary)

Commonwealth Lawyers Association

Fiona McLeod AO S.C.

Council of Law Reporting

Michael Pearce S.C. and David Colman

Disability Discrimination Commissioner

Dr Ben Gauntlett

Fair Work Commission Termination of Employment User

Yasser Bakri and Rebecca Preston

Firearms Appeals Committee

Samuel Stafford, Katherine Brazenor, Simon Lee, and Christopher Sheen

Heritage Council of Victoria

The Honourable Simon Molesworth AO KC and Adrian Finanzio S.C.

International Bar Association – Bar Issues Committee Fiona McLeod AO S.C.

International Bar Association - Diversity and Inclusions

Fiona McLeod AO S.C. (BIC Representative) Law Aid - Trustees James Mighell KC, Michelle Britbart KC, Andrew Clements KC and Fiona Ryan S.C.

Law Institute of Victoria – Charities and Not-For-Profit Committee

Jennifer Batrouney AM KC



Law Institute of Victoria – States Taxes Committee Tim Grace

Law Institute of Victoria – Tax and Revenue Committee Matthew Meng

Law Institute of Victoria - IP and IT Committee Sanjay Schrapel

Legal Practitioners Liability Committee Board Adrian Finanzio S.C.

Legal Super Pty Ltd James Peters AM KC

Mediator Standards Board - Board of Directors Dr Peter Condliffe

Post Sentence Authority Michele Williams KC (Chair)

Standing Exam Review Panel (SERP) Ben Ihle KC (Chair)

Takeovers Panel Michael Borsky KC Victoria Law Foundation Board Peter Caillard

Victorian Law Reform Commission Kathleen Foley S.C.

Victorian Legal Admissions Board

The Honourable David Habersberger KC (Chair) and Alexandra Golding

Victorian Legal Admissions Committee

The Honourable David Habersberger KC (Chair), Sam Hay KC, Ian Waller KC, Peter Chadwick KC, Cam Truong KC, Matthew Harvey KC, Lisa Hannon KC, Gerard Butcher RFD, Dr Magda Karagiannakis, Alexandra Golding and Tamieka Spencer Bruce

Victorian Legal Admissions Academic Course Appraisal Committee

The Honourable David Habersberger KC (Chair), Dr Jason Harkess and Dr Magda Karagiannakis.



Obituaries

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

2022/23

Mr Barton H Stott, BR No: 815, 9 April 2022

His Honour Joseph Gullaci, BR No: 1042, 6 July 2022

The Honourable Robert Clive Tadgell AO QC, BR No: 614, 14 July 2022

John Kelly Arthur, BR No: 2419, 16 August 2022

The Honourable Robert Brooking AO KC, BR No: 528, 11 September 2022

The Honourable Michael Watt KC, BR No: 1428, 20 September 2022

Richard Read, BR No: 893, 25 September 2022

John Bailey, Br No: 669, 1 October 2022

The Honourable Robert Ellicott AC KC, BR No: 2598, 31 October 2022

Stanley Isaiah, BR No: 3548, 8 November 2022 Malcolm Titshall KC, BR No: 1210, 17 November 2022 Raymond Johnstone, BR No: 778, 1 December 2022

Brendan Murphy KC, BR No: 994, 26 December 2022

Anthony Ellis, BR No: 2379, 14 January 2023

Ellen-Nora Connors (née Whitehouse), BR No: 3249, 8 February 2023

R Kingsley Davis OAM, BR No: 877, 7 April 2023 Dr C Elizabeth Brophy, BR No: 3347, 10 April 2023

John Batten, BR No: 1572, 12 May 2023

The Honourable Alwynne Rowlands AO RFD KC, BR No: 691, 13 May 2023 $\,$

The Honourable David Jackson AM KC, BR No: 2661, 15 May 2023

Gerald Grabau, BR No: 2313, 21 May 2023

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 2023

Companion of the Order of Australia (AC)

The Honourable Chief Justice James Leslie Allsop AC

Member of the Order of Australia (AM)

The Honourable Pamela Mary Tate AM KC $\,$

Dr David Hope Denton AM RFD KC

Medal of the Order of Australia (OAM)

Mr Samuel Louis Tatarka OAM

The King's Birthday Honours 2023

Member of the Order of Australia (AM)

His Honour Michael Strong AM

Medal of the Order of Australia (OAM)

Tim North OAM KC Stephen Wilmoth OAM

45 Years at the Bar

John Karkar KC

David Shavin KC

David Levin KC

Bruce Geddes KC

Aristomenis (Manny) Garantziotis KC

Anthony Neal KC

Nicholas Robinson KC

Ralph Greenberger

Leonard Hartnett

Alasdair (Sandy) Robertson

Reuben Benkel

Graeme Thompson

John Salamanca

SENIOR COUNSEL



Victoria's newest silks are:

Back Row of 4 (L-R): Christian Juebner S.C., Sam Rosewarne S.C., Romauld Andrew S.C., lan Horak S.C.

2nd Row Down of 4: Melanie Baker S.C., Robyn Sweet S.C., Mark Costello S.C., Zoe Maud S.C.

3rd Row Down of 6: Eleanor Mallett S.C., Craig Smith S.C., Jonathan Kirkwood S.C., Roslyn Kaye S.C., Jason Gullaci S.C., Albert Dinelli S.C.

Bottom Row: Carl Moller S.C., William Edwards S.C., Emrys Nekvapil S.C., Raelene Sharp S.C., James Barber S.C., Maria Pilipasidis S.C., Melanie Szydzik S.C., Elizabeth Boros S.C., Frances Gordon S.C.



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 2023.

Division	Description	Male	Female	Total
Al	Victorian Practising Counsel	1472	745	2217
	- King's Counsel or Senior Counsel	249	57	306
	- Junior Counsel	1223	688	1911
All	Crown Prosecutors and Public Defenders	18	16	34
AIII	Interstate and Overseas Practising Counsel	83	16	99
	- King's Counsel or Senior Counsel	39	5	44
	- Junior Counsel	44	11	55
AIV	Victorian Practising Counsel without a current practising certificate, temporarily absent from practice	11	7	18
BI	Governors	0	1	1
BII	Judges, Associate Judges, Magistrates and Judicial Registrars	199	116	315
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	24	20	44
BVI	Crown Counsel & Parliamentary Counsel	1	0	1
BVII	Other Official Appointments	11	4	15
CI	Retired Judges and Other Judicial Officers	144	27	171
CII	Retired Holders of Public Office other than Judicial Office	12	3	15
CIII	Retired Counsel	310	52	362
D	Academics	6	3	9
TOTAL		2296	1012	3308

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

Division A Part I (Victorian Practising Counsel)

Nellie Bennett, Daniel Kaufman, Rebecca Kelly, Haley Aprile, Olivia Go, Sheeana Dhanji, John Riordan, Amy Surkis, Melinda Jackson, Michael Reardon, Jeremy Hallett, Emma Fargher, Nikolas Barron, Genna Angelowitsch, Arjunan Thangarajah, William Phillips, Elle Addams, Drossos Stamboulakis, Michela Agnoletti, Ella Crotty, Holly Baxter, Oliver Smith, Natalie Simpson, Sophie Coulson, Tom Ellicott, Alison Martyn, Jonathan Barrera, Christopher Glerum, Brittany Myers, Campbell Woollacott, Yanni Goutzamanis, Elodie Nadon, Owen Nanlohy, Leo Freckelton, Ruby Heffernan, Declan Murphy, Madeleine Grant, Timothy Staindl, Lauren Bull, Kaitlyn Foote, Marcus Roberts, Kalia Laycock-Walsh, Simone Kipen, Maria Cananzi, Damon Hunter, Jack Kelly, David Heaton, Priscilla Blackadder, Elissa Taylor, Emily Riordan, Sarah Weinberg, Odette Richwol, Emily Allan, Kepler Ryan, Nardine Hanna, Stephanie Cheligoy, Laura Schuijers, Nick Ellis, Olivia Cameron, Lewis Winter, Briana Proud, Tristan Joseph, Prudence Barker, Amy Johnstone, Anesti Petridis, Narod Hosikian, Christopher Lees, Caitrin Davis, Edward Moore, Alistair M Haskett, Daniel

Zaid, Christopher Kaias, Jamie Blaker, Tara Hooper, Carly Burgess, Ashleigh Best, Elarya George, Niko Kordos, Ned Marlow-Weir, Iman Osman, Jessica Elliott, Hamish John, Williamson, Jacob Waller, Joshua Forrest, Shakti Nambiar, Jessica Apel, Bernice Chen, Liam Dogger, Timothy Burn-Francis, Adele Balkin, David Brown, Tegan McWilliam, Samuel Blashki, Annabelle Ballard, Angus Kleiman and Mehdi Rohani.

Re-signed

James McIntyre, Peter S Kilduff, Joel Harris, Paula Piccinini, Miranda Bond, John Murphy, David Kent-Hughes, James Humphris, Amber L Harris, Debra Coombs, Declan Manly, Caroline Ratcliffe-Jones, Michael Brugman and Anthony Beck-Godoy.

Transfers from

Andrew Conley, Jeremy Rapke KC, Roberta Page, W Guy Gilbert S.C., John Bailey, Kate Burke, Stephanie Clancy, Christopher Canavan KC, Edward Delany, Zoltan Friedman, J Paul McCaffrey, Christopher O'Meara, George Slim, Sam Ure, the Honourable Donnell Ryan KC, Jaclyn Lontos, Lucy Raponi, Brett Sonnet, David Langton, Michael Tovey KC, Charles Gidley, Paul Lawrie,

Matthew Minucci, John Larkins, Damien Lockie, John R V Kelly S.C., Áine Magee KC, Barbara Myers KC, Megan Casey, Belinda Franjic, Andrew Sim, Malcolm Thomas, Jarrod Williams, Rodney Hepburn, David Wood, Mark Champion, Nicholas Goodenough, Miriam Orwin, Michelle Bennett, Neville Bird, Damian Austin, Richard Boaden, John Noonan KC, Amanda Hurst, Mark Holden, Carey Nichol, Sergio Zanotti Stagliorio, David Goodwin, Neil Rattray, Ella Zauner, Thomas Gyorffy KC, Steven Milesi, Annabel Tresise, Maxwell Grant, the Honourable Stuart Morris KC, Graham Berkovitch, Diana Manova, Robyn Harper, Peter R D Gray KC, Ronald Curtain, Peter Moloney and Peter Sest KC.

Professor Antonio Ciro, his Honour Judge P Justin Hannebery, Rudi Cohrssen, Judge Anthony Kelly, Tania N Bolton, Ashleigh Harrold, Kate Burke, Judge Jonathan Davis KC, his Honour Mark Dean KC, Susan Borg, Coroner Darren J Bracken, Zoe Broughton, Rohan Hoult and Matthew Stirling.

Removed from

John Wallace, Patrick Gordon, Katrina Webster, Rebecca Ayres, Kate Burgess, Dr Victoria Lambropoulos, Peter Rattray KC, Peter Kilduff, Hadi Mazloum, Chiry Chen, Damien Lockie, Eric Wawra, Declan Hyde and Laura Keily.

Division A Part II (Crown Prosecutors & Public Defenders)

Signed

Jordan Johnston

Transfers from

Zoe Broughton

Transfers to

Nicholas Goodenough and Amanda Hurst

Division A Part III (Interstate and Overseas Counsel)

Signed

Suzanne Mackenzie, Michael Green S.C., Alison James, Simon David Ower KC, Catherine Wen-Hsien Chiang, Carly Sluiter, Kate Minucci and Sergio Zanotti Stagliorio. Louise Mooney S.C., Eliot Lee Olivier, Ming Gu, Darren William Leslie Renton S.C., David Paul Jones KC and Lyma Nguyen.

Transfers from

Anthony Bartley S.C., Kate Burke

Transfers to

Andrew Conley, Christopher O'Meara, Sam Ure, Matthew

Re-signed

Todd Kovacic

Removed from

Stephen Lee, Geoffrey Kennett S.C., Patrick Keyzer, Kate Davenport KC, Edwina Keynes, Simon Bright and Anthony Renshaw.

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

Transfers from

Matthew Stirling and Patmalar Ambikapathy

Transfers to

Kate Burke, the Honourable Donnell Ryan KC, Rodney Hepburn, David Wood, Miriam Orwin, Michelle Bennett, Ella Zauner and Annabel Tresise.

Division B (Judiciary and Official Appointments)

Transferred To

Stephanie Clancy (appointment as Crown Prosecutor)¹ Lucy A Raponi (appointed to the Magistrates' Court of Victoria) Brett L Sonnet (appointed to the Magistrates' Court of Victoria) David A Langton (appointed to the Magistrates' Court of Victoria) Paul J Lawrie (appointed to the Coroners Court of Victoria) John F M Larkins (appointed as Deputy Chair of the Victorian Liquor Commission)

John R V Kelly S.C. (appointed to the County Court of Victoria) Áine M Magee KC (appointed to the County Court of Victoria) Barbara A Myers KC (appointed to the County Court of Victoria) Megan E Casey (appointed to the Magistrates' Court of Victoria) Belinda F Franjic (appointed to the Magistrates' Court of Victoria) Andrew J Sim (appointed to the Magistrates' Court of Victoria) Malcolm H Thomas (appointed to the Magistrates' Court of Victoria) Jarrod D Williams (appointed to the Magistrates' Court of Victoria)

Mark R Champion (appointed to Federal Circuit and Family Court of Remain in Australia - Melbourne Registry)

The Honourable Clyde Croft AM S.C. (appointed to the Supreme Court of Victoria)

Diana Manova (appointed to the County Court of Victoria) Robyn L Harper (appointed to the County Court of Victoria) Peter R D Gray KC (appointed to the Supreme Court of Victoria)

Transfers from

His Honour Judge P Justin Hannebery KC, the Honourable Justice Arthur R Emmett AO², Daniel J Crennan KC, Judge Anthony J Kelly, Louis J Hill, Ashleigh Harrold, Judge Jonathan Davis KC, the Honourable Justice Peter J Riordan, Judge Philip D Burchardt, Gerard P Butcher, the Honourable Justice John ${\sf Middleton\;AM\;KC,\;Susan\;M\;K\;Borg,\;his\;Honour\;Magistrate\;lan\;C} \quad {\sf Judge\;of\;the\;Supreme\;Court\;of\;Victoria,\;and\;as\;President\;of\;the}$ Alger, his Honour David Fanning, Coroner Darren J Bracken, his Honour Judge Philip G Misso, his Honour Judge James L Parrish, his Honour Richard H Smith, the Honourable Robert F Redlich AM KC, Rohan N Hoult, Her Excellency the Honourable Linda M Dessau AC, his Honour Magistrate John A O'Brien, Thomas K Hassard and Marc A Sargent.

The Honourable Justice Lesley Taylor (appointed to the Court of Appeal - Supreme Court of Victoria)

The Honourable Justice Catherine Button (appointed to the Federal Court of Australia - Melbourne Registry)

For Noting

His Honour Magistrate Timothy D Bourke (appointed as Deputy Chief Magistrate)

The Honourable Justice Karin Emerton (appointed as President of the Court of Appeal)

His Honour Judge Edward (Ted) Winslow Woodward as a Victorian Civil and Administrative Tribunal effective 1/7/23.

The Honourable Justice Patricia Matthews as a Judge of the Supreme Court of Victoria.

Justice Mordecai (Mordy) Bromberg as President of the Australian Law Reform Commission.

Division C (Retired)

Transfers from

His Honour Mark E Dean KC and the Honourable Clyde Croft AM S.C..

Transfers to

Patmalar Ambikapathy, Jeremy W Rapke KC, Roberta A Page, W Guy Gilbert S.C., John S Bailey, Christopher J Canavan KC, Edward J Delany, Zoltan Friedman, J Paul McCaffrey, George Slim, Jaclyn M Lontos, Michael A Tovey KC, the Honourable Justice Arthur R Emmett AO², Charles G Gidley, Daniel J Crennan R Moloney, Marc A Sargent and Peter G Sest KC. KC, Anthony J Bartley S.C., Louis J Hill, the Honourable Justice Peter J Riordan, Judge Philip D Burchardt, Gerard P Butcher, the Honourable Justice John Middleton AM KC, Peter Y Rattray KC, Michael C Garner

his Honour Magistrate Ian C Alger, his Honour David Fanning, his Honour Judge Philip G Misso, his Honour Judge James L Parrish, his Honour Judge Richard H Smith KC, Neville R Bird, Damian M Austin, the Honourable Robert F Redlich AM KC, Richard R Boaden, John J Noonan KC, Mark R Holden, Carey J Nichol, Neil Y Rattray, Thomas Gyorffy KC, Steven W Milesi, , Her Excellency the Honourable Linda M Dessau AC, his Honour Magistrate John A O'Brien, Maxwell I Grant, the Honourable Stuart R Morris KC, Graham Berkovitch, Ronald D Curtain, Thomas K Hassard, Peter

Name removed

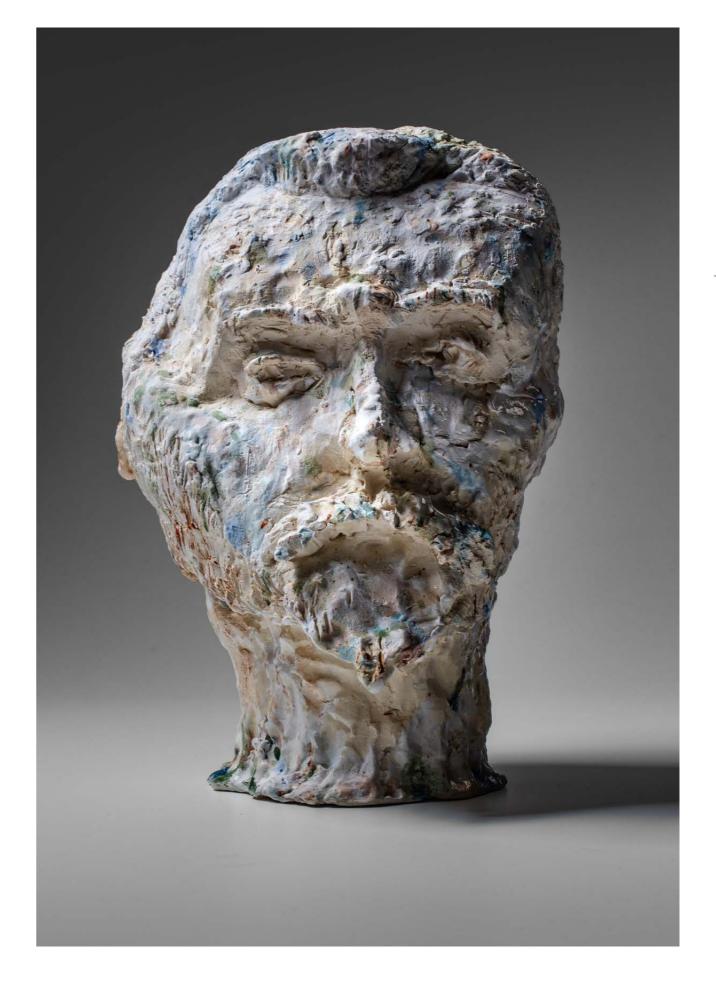
Division D (Academics)

Transfers from

Antonio Ciro and Rudi Cohrssen

Transfers to

Damien Lockie and David Goodwin



PART IX

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 E: vicbar@vicbar.com.au

W: www.vicbar.com.au

Bar Council Members

Mr Sam D Hay KC
(President)
Ms Georgina L Schoff KC
(Vice-President)
Ms Elizabeth A Bennett S.C.
(Vice-President)
Mr Mark A Robins KC
(Honorary Treasurer)
Ms Catherine A Boston
(Assistant Honorary
Treasurer)
Mr Gavin Silbert KC
Mr Peter A Chadwick KC

Mr Gavin Silbert KC
Mr Peter A Chadwick KC
Dr Suzanne B McNicol AM KC
Mr Colin Mandy S.C.
Mr Alistair Pound S.C.
Mr Darryl J Burnett
Dr Michelle Sharpe

(Honorary Secretary)
Mr Ben Gibson
(Assistant Honorary Secretary)
Ms Elle Nikou Madalin
(Assistant Honorary Secretary)

Ms Ashlee Cannon

Ms Nawaar Hassan

Mr Daniel D Nguyen

Mr Raini Zambelli

Ms Jessie E Taylor

Mr Rishi Nathwani

Ms Andrèa Skinner

Mr Owen Wolahan

Mr Timothy B Goodwin

Ms Ffyona Livingstone Clark

Barristers Chambers Limited

ACN 004 454 004

Board of Directors

The Honourable John Digby KC (Chairman)

Mr Frank Parry KC

Mr Sam Hay KC (ceased 14 November 2022)

Mr Eugene Wheelahan KC

Mr Romauld Andrew KC

Ms Georgina Schoff KC (appointed 13 December 2022)

Ms Megan Tittensor S.C. (appointed 13 December 2022)

Mr Benjamin Murphy

Mr Paul Clark (CEO and Managing Director)

Ms Catherine Walter AM

Mr Mick Brennan

Opus Workspaces Pty Ltd

ACN 624 652 357

Board of Directors

Mr Paul Clark

The Melbourne Bar Pty Ltd

ACN 004 640 108 Mr Sam D Hay KC Mr Mark A Robins KC

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 2023. 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 9 of the annual report under Bar Council.

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 2023 the Association incurred a consolidated deficit from continuing operations after tax of \$33,954,365 (2022 surplus: \$13,040,611). The Association (Parent) achieved an after tax surplus of \$639,803 (2023 surplus: \$661,256).

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

The outbreak of COVID-19 had less of an impact during the year ended 30 June 2023.

The Officers of the Association consider that the potential financial effects of COVID-19 on the Association's financial statements cannot at the present time be reasonably estimated for future financial periods.

There has been no other matter or circumstance which has arisen since the end of the year that has significantly affected, or may significantly affect the company's operations, the result of those operations or the company's state of affairs.

Future Developments

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

Environmental Regulations

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

Dividends

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

Indemnification of Officers

During the financial year, the Association paid a premium in respect of a contract insuring the Officers of the Association (as named above and on page 10 of the Annual Report) and all Executive Officers of the Association and of any related body corporate against a liability incurred as an officer or executive officer to the extent permitted by the Association's Constitution.

The contract of insurance prohibits disclosure of the nature of the liability and the amount of the premium.

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

Proceedings on Behalf of the Association

PART X

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, Samuel Hay KC and Mark Robins KC, 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 2023.

Dated this 12th day of October 2023

On behalf of the Officers

Sam Hay KC
President
12 October 2023

Mark Robins KC
Honorary Treasurer
12 October 2023



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

Opinion

We have audited the financial report of The Victorian Bar Incorporated (the "Entity") and its subsidiaries (the "Group"), which comprises the consolidated and parent statement of financial position as at 30 June 2023, the consolidated and parent statement of profit or loss and other comprehensive income, consolidated and parent statement of changes in equity and consolidated and parent 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 Entity and Group's financial position as at 30 June 2023 and of their financial performance and their 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 (including Independence Standards) (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 and Restriction on Distribution and Use

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 report is intended solely for the members and should not be distributed or used by parties other than the members. 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 financial report, 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.

nothing to report in this regard.

In connection with our audit
of the financial report, our
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

Deloitte.

Deloitte Touche Tohmatsu

ABN 74 490 121 060

Melbourne VIC 3000

Tel: +61(0) 3 9671 7000

www.deloitte.com.au

477 Collins Street

Australia

Responsibilities of the Officers 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 Group'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 and Management 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

Debutte Touche Taketen

Sandra Lawson

Chartered Accountants Melbourne, 12 October 2023

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 Officers' reporting requirements under the Victorian Bar Inc.'s Constitution and the Associations Incorporation Reform Act 2012.

The Officers of the Association declare that:

- 1. The financial statements and notes thereto, as set out on pages 64 to 82:
- a. Comply with accounting standards, the Associations Incorporation Reform Act 2012 and the reporting requirements under the Victorian Bar's Constitution; and
- b. Give a true and fair view of the financial position as at 30 June 2023 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
- 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

Sam Hay KC

President

Melbourne, 12 October 2023

Mark Robins KC

Honorary Treasurer Melbourne, 12 October 2023

Statement of profit or loss and other comprehensive income for the year ended 30 June 2023

	Nоте	Consoi	IDATED	PARENT	
		2023 \$	2022 \$	2023 \$	2022 \$
Continuing operations					
Revenue	4	49,545,509	47,439,159	6,388,946	5,854,495
(Loss) / gain on financial assets		45,937	(153,555)	45,937	(153,555)
Gain / (loss) on revaluation of investment proper	rties	(42,919,000)	12,488,904	-	
Employee benefits expense		(7,771,970)	(6,926,329)	(2,284,497)	(1,990,533)
Depreciation and amortisation expense	5	(20,722,195)	(15,936,223)	(122,406)	(103,809)
Lease expenses		(192,431)	(101,255)	(875,354)	(947,968)
Administration expenses		(5,724,156)	(6,292,512)	(2,478,020)	(2,016,082)
Write off intangible assets and goodwill		-	(153,330)	-	
Finance costs	5	(2,180,283)	(1,693,242)	-	
Building management expenses		(9,851,946)	(9,823,617)	-	
Technology expenses		(2,064,793)	(1,824,610)	-	
Utilities expense		(3,266,486)	(2,883,445)	-	
(Loss) / Profit before income tax expense		(45,101,814)	14,139,945	674,606	642,548
Income tax benefit / (expense)	6	11,147,449	(1,099,334)	(34,803)	18,708
Profit for the year		(33,954,365)	13,040,611	639,803	661,256
Other comprehensive income net of income	e tax				
Items that may be reclassified subsequently to	<u> </u>				
Fair value gain on cash flow hedging instrumen year	its during the	-	331,642	-	-
Total comprehensive (loss)/income for the year	ar	(33,954,365)	13,372,253	639,803	661,256

The accompanying notes form part of these financial statements.

Statement of financial position at 30 June 2023

		Consolidated		Pare	NT
	Nоте	2023 \$	2022 \$	2023 \$	2022 \$
Current assets					
Cash and cash equivalents	7	6,914,189	9,475,673	4,914,404	4,616,428
Trade and other receivables	8	852,350	1,587,195	29,954	19,262
Other assets	9	3,438,513	2,772,119	42,684	27,271
Current tax receivable		364,587	487,908	364,587	-
Total current assets		11,569,639	14,322,895	5,351,629	4,662,961
Non-current assets					
Investment in subsidiary	10	-	-	10,187,430	10,187,430
Other financial assets	11	6,635,018	6,326,805	6,635,018	6,326,805
Property, plant and equipment	12	16,257,517	18,084,559	96,455	103,435
Intangible assets	14	203,302	12,354	203,302	12,354
Investment property	13	247,000,000	288,700,000	-	-
Other assets	9	10,276,354	12,774,387	-	-
Deferred tax asset		-	84,699	430,681	84,699
Right-of-use asset		42,602,730	55,368,669	285,603	359,264
Total non-current assets		322,974,921	381,351,473	17,838,489	17,073,987
Total assets		334,544,560	395,674,368	23,190,118	21,736,948
Current liabilities					
Trade and other payables	15	13,107,665	12,164,067	4,934,410	4,111,445
Borrowings	16	-	37,800,000	-	-
Provisions	17	823,115	635,726	235,673	157,541
Derivative financial liability		-	-	-	-
Lease liabilities		13,037,751	12,143,213	86,460	81,352
Total current liabilities		26,968,531	62,743,006	5,256,543	4,350,338
Non-current liabilities					
Borrowings	16	29,300,000	-	-	-
Provisions	17	8,023,554	6,263,000	12,663	35,159
Trade and other payables	15	462,646	539,543	-	-
Deferred tax liabilities		12,529,288	23,881,726	-	-
Lease liabilities		53,541,451	64,573,638	211,535	281,877
Total non-current liabilities		103,856,939	95,257,907	224,198	317,036
Total liabilities		130,825,470	158,000,913	5,480,741	4,667,374
Net assets		203,719,090	237,673,455	17,709,377	17,069,574
Equity					
Reserves		-	-	-	-
Retained earnings		203,719,090	237,673,455	17,709,377	17,069,574
Total equity		203,719,090	237,673,455	17,709,377	17,069,574

PART XI

The accompanying notes form part of these financial statements.

Statement of changes in equity for the year ended 30 June 2023

	RETAINED EARNINGS \$	TOTAL	
Parent			
Balance at 1 July 2021	16,408,318	16,408,318	
Profit for the year	661,256	661,256	
Total comprehensive income for the year	661,256	661,256	
Balance at 30 June 2022	17,069,574	17,069,574	
Balance at 1 July 2022	17,069,574	17,069,574	
Profit for the year	639,803	639,803	
Total comprehensive income for the year	639,803	639,803	
Balance at 30 June 2023	17,709,377	17,709,377	

	RETAINED EARNINGS	FLOW HEDGE RESERVE	TOTAL
	\$	\$	\$
Consolidated			
Balance at 1 July 2021	224,632,844	(331,642)	224,301,202
Profit for the year	13,040,611	-	13,040,611
Other comprehensive income for the year	-	331,642	331,642
Total comprehensive income/(loss) for the year	13,040,611	331,642	13,372,253
Balance at 30 June 2022	237,673,455	-	237,673,455
Balance at 1 July 2022	237,673,455	-	237,673,455
Loss for the year	(33,954,365)	-	(33,954,365)
Other comprehensive income for the year	-	-	-
Total comprehensive income/(loss) for the year	(33,954,365)	-	(33,954,365)
Balance at 30 June 2023	203,719,090	-	203,719,090

The accompanying notes form part of these financial statements.

Statement of cash flows for the year ended 30 June 2023

	CONSOLIDATED		DATED	PARENT	r
	Note	2022	2021	2022	2021
	MOIE	\$	\$	\$	\$
Cash flows from operating activities					
Receipts from members and customers		48,734,974	47,002,684	5,412,780	5,364,285
LSB reimbursements and contributions		727,795	419,796	727,795	419,796
Interest paid		(2,173,499)	(1,692,876)	(10,060)	
Interest received		44,240	-	44,238	
Payments to suppliers and employees		(26,239,418)	(27,942,685)	(5,552,124)	(5,307,212)
Income tax received / (paid)		3,028	(509,087)	(43,899)	125,266
Net cash generated by operating activities	18(b)	21,097,120	17,277,832	578,730	602,135
Cash flows from investing activities					
Receipts for financial assets		16,912	154,677	16,911	154,677
Payments for financial assets		-	(137,412)	-	(137,412)
Payments for intangible assets		(195,435)	-	(195,435)	
Payments for investment property improvements		(1,218,913)	(411,096)	-	
Payments for property, plant and equipment		(1,451,461)	(2,312,995)	(36,996)	(36,996)
Net cash used in investing activities		(2,848,897)	(2,706,826)	(215,519)	(19,731)
Cash flows from financing activities					
Repayment of borrowings		(8,500,000)	(7,200,000)	-	
Principal element of lease payments		(12,309,707)	(11,071,911)	(65,235)	(59,430)
Net cash used in financing activities		(20,809,707)	(18,271,911)	(65,235)	(59,430)
Net (decrease) / increase in cash and cash equivalents		(2,561,484)	(3,700,905)	(297,976)	522,974
Cash and cash equivalents at the beginning of the year		9,475,673	13,176,578	4,616,428	4,093,454
Cash and cash equivalents at the end of the year	18(a)	6,914,189	9,475,673	4,914,404	4,616,428

The accompanying notes form part of these financial statements.

FINANCIAL REPORTS

THE VICTORIAN BAR ANNUAL REPORT 2023

I. 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 VIC 3000

The Association is a private, voluntary, self-funded, non-profit, professional association of Barristers who practise in Victoria. Its principal activity during the year was to provide 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 Association has adopted all 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 2022. Their adoption has had no material impact on the disclosures and/or amounts reported in these financial statements.

2.2 Standards and Interpretations in issue not yet adopted

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:

Standard/Interpretation	Expected to be initially applied in the financial year ending
AASB 2021-2 Amendments to Australian Accounting Standards – Disclosure of Accounting Policies and Definition of Accounting Estimates	1 July 2023
AASB 2022-6 Amendments to Australian Accounting Standards – Non-current Liabilities with Covenants	1 July 2024

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

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 statements, the Association is a not 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

Measurement of the lease liability

The Group leases various offices that contain a wide range of different terms and conditions. A lease liability has been recognised for the present value of the estimated cash outflows in relation to the Group's leases in accordance with AASB 16. The accounting policy for the Group's leases is disclosed in Note 3(h). The measurement of the lease liability includes the following key assumptions:

- > Determining the lease term: Many of the Group's long-term property leases contain options to extend the lease beyond the initial term. At 30 June 2023, where an option to extend is in the lease contract, the Group has concluded that it is not reasonably certain those options will be exercised.
- Discount rate: Lease payments are discounted using an interest rate of 1.65% to 4.53%, being the incremental borrowing rate available to the Group. There is judgement involved in making this determination.

Valuation of investment properties

The Group obtains independent valuations for its investment properties on at least a biennial basis or when there is a significant change in market conditions. All three properties owned by the Group were independently valued at 30 June 2023. The fair values of properties are calculated using a combination of market sales comparison and capitalisation rate. The fair value measurement of investment property has been classified as a level 3 fair value as it's derived from valuation techniques that include inputs that are not based on observable market data (unobservable inputs). The key judgements for each unobservable valuation input are:

- Market sales comparison: Utilises recent sales of comparable properties, adjusted for any differences including the nature, location and lease profile. The market rent applied at 30 June 2023 across the three properties ranged from \$375 to \$555 psm;
- > 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, together with current market evidence and sales, of comparable properties. The capitalisation rates applied at 30 June 2023 across the three properties ranged from 5.50%-6.25%.

The fair value of the properties is sensitive to these assumptions, in particular the market capitalisation rate. If the market capitalisation rate applied in the valuations was adjusted \pm 25 basis points, the fair value would be \$11,363k higher or \$12,330k lower than the amount recognised at 30 June 2023.

Given the current uncertainty in the macroeconomic environment, a higher degree of judgement is required in

assessing the inputs that determine property valuations. As there have been a number of transactions in the market throughout the current financial year, there is enough market evidence on which management and independent specialist valuers can rely to appropriately assess the fair value of the properties held. However, the fair values are a best estimate and may differ to the actual sales price if the properties were to be sold.

Provision for impairment of receivables

The Group applies the simplified approach to measuring expected credit losses, where trade receivables have been grouped based on shared credit risk characteristics and days past due. The Group's expected credit loss allowance decreased from \$3,754k at 30 June 2022 to \$3,165k as at 30 June 2023, and reflects amounts that are more than 30 days overdue for which there is no agreed payment arrangement. The Group continues to pursue collection on all debts, however collection of outstanding receivables is inherently uncertain and actual collections may differ from the amount included in the expected credit loss allowance at 30 June 2023.

Make Good Provision Make Good Provision

The Group has various "make good" obligations under its long-term property lease contracts. A provision has been recognised for the present value of the estimated expenditure required to fulfil these obligations at the end of the lease terms. The estimated costs are based on recent make good activity performed by the Group and quotes from suppliers. The range applied to each property is between \$21 and \$493 per square metre and varies based on the extent of the works required and the standard of the building. Since the works on the various properties will be performed well into the future and can be subject to negotiated outcomes with landlords, the actual cost to make good the properties could differ from the provision recognised as at 30 June 2023.

Assessment of impairment of right-of-use assets

At 30 June 2023, the Group had \$4,744k of right-of use assets in relation to office floorspace leases held by Opus Workspaces Pty Ltd. These floors, in the Melbourne CBD, are currently not used for barristers' chambers, but rather for non-barrister office rental. A trigger for impairment was deemed to exist in relation to these assets based on current occupancy levels and negative returns. The Group has conducted a process and determined that certain floors will be converted into barristers' chambers. The conversion is already underway. For other floors, where there is still uncertainty in relation to their future use and given the historical and continuing losses generated by those floors as leased office spaces, an impairment of \$4,744k has been recognised for the period, representing the total carrying value of the related right-of-use assets.

The following provide a summary of all significant accounting policies adopted in the preparation of these consolidated

THE VICTORIAN BAR ANNUAL REPORT 2023 PART XI

3. Significant accounting policies (continued)

financial statements. These policies have been consistently applied to all the years presented unless otherwise stated. The financial statements are for the Group consisting of Victorian Bar Inc. and its subsidiaries:

(a) Principles of consolidation

The consolidated financial statements incorporate the financial statements of the Association and entities controlled by the Association (its subsidiaries) made up to 30 June each year. Control is achieved when the Association:

- > has the power over the investee;
- > is exposed, or has rights, to variable returns from its involvement with the investee; and has the ability to use its power to affects its returns.

The Association reassesses whether it controls an investee if facts and circumstances indicate that there are changes to one or more of the three elements of control listed above.

Consolidation of a subsidiary begins when the Association obtains control over the subsidiary and ceases when the Association loses control of the subsidiary. Specifically, the results of subsidiaries acquired or disposed of during the year are included in profit or loss from the date the Association gains control until the date when the Association ceases to control the subsidiary.

Where necessary, adjustments are made to the financial statements of subsidiaries to bring the accounting policies used into line with the Group's accounting policies.

All intragroup assets and liabilities, equity, income, expenses and cash flows relating to transactions between the members of the Group are eliminated on consolidation.

(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 association 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 equity.

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

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

(e) Tax consolidation

The Association and its subsidiaries, Barristers' Chambers
Ltd and The Melbourne Bar Pty Ltd, together with Opus
Workspaces Pty Ltd, are part of a tax-consolidated Group under
Australian taxation law. The Association is the head entity in

3. Significant accounting policies (continued)

(e) Tax consolidation (continued)

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 tax-consolidation Group).

(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.

Depreciation RateLeasehold Improvements4-10%Plant and Equipment5-33%Fixtures and fittings5-40%

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, being 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 Officers 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 officers 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; and
- 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

THE VICTORIAN BAR ANNUAL REPORT 2023

3. Significant accounting policies (continued)

(h) Intangible assets (continued)

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.

(i) Leased assets

The Group assesses whether a contract is or contains a lease, at inception of the contract. The Group recognises a right-of-use asset and a corresponding lease liability with respect to all lease arrangements in which it is the lessee, except for short-term leases (defined as leases with a lease term of 12 months or less) and leases of low value assets (such as small items of office equipment). For these leases, the Group recognises the lease payments as an operating expense on a straight-line basis over the term of the lease unless another systematic basis is more representative of the time pattern in which economic benefits from the leased assets are consumed.

The lease liability is initially measured at the present value of the lease payments that are not paid at the commencement date, discounted by using the rate implicit in the lease. If this rate cannot be readily determined, the Group uses its incremental borrowing rate.

Lease payments included in the measurement of the lease liability comprise:

- > Fixed lease payments (including in-substance fixed payments), less any lease incentives receivable
- > Variable lease payments that depend on an index or rate, initially measured using the index or rate at the commencement date
- > The amount expected to be payable by the lessee under residual value guarantees

The lease liability is presented as a separate line in the statement of financial position.

The lease liability is subsequently measured by increasing the carrying amount to reflect interest on the lease liability (using the effective interest method) and by reducing the carrying amount to reflect the lease payments made.

The right-of-use assets comprise the initial measurement of the corresponding lease liability, lease payments made at or before the commencement day, less any lease incentives received and any initial direct costs. They are subsequently measured at cost less accumulated depreciation and impairment losses.

Right-of-use assets are depreciated over the shorter period of lease term and useful life of the underlying asset. If a lease transfers ownership of the underlying asset or the cost of the right-of-use asset reflects that the Group expects to exercise a purchase option, the related right-of-use asset is depreciated over the useful life of the underlying asset. The depreciation starts at the commencement date of the lease.

The right-of-use assets are presented as a separate line in statement of financial position.

The Group applies AASB 136 Impairment of Assets to determine whether a right-of-use asset is impaired and accounts for any identified impairment loss as described in the 'Property, plant and equipment' policy.

(j) 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, it's 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.

(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 as invoiced on a monthly basis based on the short term tenancy agreements with barristers.

Revenue from the rendering of a service is recognised upon the delivery of the service to the customer by reference to the stage of completion of the service being provided. Interest revenue is accrued on a time basis, by reference to the principal outstanding and at the effective interest rate applicable, which is the rate that exactly discounts estimated future cash receipts through the expected life of the financial asset to that asset's net carrying amount.

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

(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

All regular way purchases or sales of financial assets are recognised and derecognised on a trade date basis. Regular way purchases or sales are purchases or sales of financial

THE VICTORIAN BAR ANNUAL REPORT 2023

3. Significant accounting policies (continued)

(p) Financial instruments (continued)

assets that require delivery of assets within the time frame established by regulation or convention in the marketplace. All recognised financial assets are measured subsequently in their entirety at either amortised cost or fair value, depending on the classification of the financial asset.

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; and
- > 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).

The Association's financial assets at amortised cost includes trade receivables.

Amortised cost and effective interest method

The amortised cost of a financial asset is the amount at which the financial asset is measured at initial recognition minus the principal repayments, plus the cumulative amortisation using the effective interest method of any difference between that initial amount and the maturity amount, adjusted for any loss allowance. The gross carrying amount of a financial asset is the amortised cost of a financial asset before adjusting for any loss allowance.

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.

For financial assets other than purchased or originated credit-impaired financial assets (i.e. assets that are credit-impaired on initial recognition), the effective interest rate is the rate that exactly discounts estimated future cash receipts (including all fees and points paid or received that form an integral part of the effective interest rate, transaction costs and other premiums or discounts) excluding expected credit losses, through the expected life of the debt instrument, or, where appropriate, a shorter period, to the gross carrying amount of the debt instrument on initial recognition. For purchased or originated credit-impaired financial assets, a credit-adjusted effective interest rate is calculated by discounting the estimated future cash flows, including expected credit losses, to the amortised cost of the debt instrument on initial recognition.

Impairment of financial assets

The Association recognises a loss allowance for expected credit losses on trade 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.

The Association always recognises lifetime expected credit losses (ECL) for trade receivables. The expected credit losses on these financial assets are estimated using a provision matrix based on the association's historical credit loss experience, adjusted for factors that are specific to the debtors, general economic conditions and an assessment of both the current as well as the forecast direction of conditions at the reporting date, including time value of money where appropriate.

Lifetime ECL represents the expected credit losses that will result from all possible default events over the expected life of a financial instrument.

During 2023, a provision on expected credit losses has been recorded

Measurement and recognition of expected credit losses

The measurement of expected credit losses is a function of the probability of default, loss given default (i.e. the magnitude of the loss if there is a default) and the exposure at default. The assessment of the probability of default and loss given default is based on historical data adjusted by forward-looking information as described above. As for the exposure at default, for financial assets, this is represented by the assets' gross carrying amount at the reporting date; for financial guarantee contracts, the exposure includes the amount drawn down as at the reporting date, together with any additional amounts expected to be drawn down in the future by default date determined based on historical trend, the entity's understanding of the specific future financing needs of the debtors, and other relevant forward-looking information.

For financial assets, the expected credit loss is estimated as the difference between all contractual cash flows that are due to the association in accordance with the contract and all the cash flows that the association expects to receive, discounted at the original effective interest rate.

If the Group has measured the loss allowance for a financial instrument at an amount equal to lifetime ECL in the previous reporting period, but determines at the current reporting date that the conditions for lifetime ECL are no longer met, the Group measures the loss allowance at an amount equal to 12-month ECL at the current reporting date, except for assets for which simplified approach was used.

The Association recognises an impairment gain or loss in profit or loss for all financial instruments with a corresponding adjustment to their carrying amount through a loss allowance account.

Significant accounting policies (continued)

(p) Financial instruments (continued)

Derecognition of financial assets

The Group derecognises a financial asset only when the contractual rights to the cash flows from the asset expire, or when it transfers the financial asset and substantially all the risks and rewards of ownership of the asset to another entity. If the entity neither transfers nor retains substantially all the risks and rewards of ownership and continues to control the transferred asset, the entity recognises its retained interest in the asset and an associated liability for amounts it may have to pay. If the entity retains substantially all the risks and rewards of ownership of a transferred financial asset, the entity continues to recognise the financial asset and also recognises a collateralised borrowing for the proceeds received.

On derecognition of a financial asset measured at amortised cost, the difference between the asset's carrying amount and the sum of the consideration received and receivable is recognised in profit or loss.

Fair value hedges

The fair value change on qualifying hedging instruments is recognised in profit or loss except when the hedging instrument hedges an equity instrument designated at fair value through other comprehensive income ("FVTOCI") in which case it is recognised in other comprehensive income.

The carrying amount of a hedged item not already measured at fair value is adjusted for the fair value change attributable to the hedged risk with a corresponding entry in profit or loss. For debt instruments measured at FVTOCI, the carrying amount is not adjusted as it is already at fair value, but the hedging gain or loss is recognised in profit or loss instead of other comprehensive income. When the hedged item is an equity instrument designated at FVTOCI, the hedging gain or loss remains in other comprehensive income to match that of the hedging instrument.

Where hedging gains or losses are recognised in profit or loss, they are recognised in the same line as the hedged item.

The Group discontinues hedge accounting only when the hedging relationship (or a part thereof) ceases to meet the qualifying criteria (after rebalancing, if applicable). This includes instances when the hedging instrument expires or is sold, terminated or exercised. The discontinuation is accounted for prospectively. The fair value adjustment to the carrying amount of the hedged item arising from the hedged risk is amortised to profit or loss from that date.

Financial liabilities

Financial liabilities, including borrowings and trade and other payables, are initially measured at fair value, net of transaction costs.

All financial liabilities are measured subsequently at amortised cost using the effective interest method.

Loans and borrowings

After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost.

Derecognition

The Group derecognises financial liabilities when, and only when, the Group's obligations are discharged, cancelled or they expire. The difference between the carrying amount of the financial liability derecognised and the consideration paid and payable is recognised in profit or loss.

Offsetting of financial instruments

Financial assets and financial liabilities are offset and the net amount is reported in the consolidated statement of financial position if there is a currently enforceable legal right to offset the recognised amounts and there is an intention to settle on a net basis, to realise the assets and settle the liabilities simultaneously.

(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 acquisition-date 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

3. Significant accounting policies (continued)

(q) Business Combinations (continued)

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 9 'Financial Instruments', or AASB 137 'Provisions, Contingent Liabilities and Contingent Assets', as appropriate, with the corresponding gain or loss being recognised in profit or loss.

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 cashgenerating 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.

(s) Going Concern

Consolidated Entity

At 30 June 2023, the Group was in a current liability position of \$15,398,892 (2022: \$48,420,111), generated a loss for the year then ended of \$33,954,365 (2022: profit of \$13,040,611) and generated positive operating cash flows of \$21,097,120 (2022: \$17,277,832).

The Group's current liability position continues to reflect the Group's business model whereby long-term leases are entered into to secure properties for barristers' chambers over an extended period (with the associated lease liabilities recognised on balance sheet) however rental contracts with barristers are short-term (predominantly month-tomonth), backed by very high retention rates, a large number of very long tenancies by barristers and low vacancies. As in previous years, current liabilities included deferred revenue of \$8,077,626 (2022: \$8,488,103) being rent and subscriptions prepaid by barristers in advance of the end of the financial year. This balance will be realised in the ordinary course of business and is therefore not expected to be settled in cash.

The Group has considered various scenarios in relation to its forecast performance and cash flows for at least the next 12 months. Under all of these scenarios, the Group is forecast to have sufficient cash and access to undrawn facilities to continue to meet its debts as and when they fall due, including the aforementioned re-financing of its debt. As such, the Officers consider it appropriate for the Group's financial statements to be prepared on a going concern basis.

	CONSOLIDATED		PA	RENT
	2023	2022	2023	2022
	\$	\$	\$	\$
4. Revenue				
Revenue from operating activities				
Subscriptions	3,598,229	3,740,281	3,598,229	3,740,281
Readers course, mediation & seminar fees	1,363,947	1,112,066	1,363,947	1,112,066
Technology revenue	1,731,706	1,615,810	-	
Other revenue	625,271	1,120,586	388,841	427,666
Rental income	39,836,109	38,239,146	-	
Managed floor solutions	1,345,534	1,036,422	-	
	48,500,796	46,864,311	5,351,017	5,280,013
Revenue from non-operating activities				
Interest revenue	6,784	366	_	
Investment income	323,426	154,686	323,426	154,686
Legal Service Board and Commissioner, contributions	714,503	419,796	714,503	419,796
		F74.040	1,027,020	E74 40°
	1,044,713	574,848	1,037,929	3/4,402
Total revenue	49,545,509	47,439,159	6,388,946	574,482 5,854,495
Total revenue 5. Surplus before income tax Finance cost Interest expense				
5. Surplus before income tax	49,545,509	47,439,159	6,388,946	
5. Surplus before income tax Finance cost Interest expense	49,545,509	47,439,159	6,388,946	5,854,495
5. Surplus before income tax Finance cost Interest expense Depreciation and amortisation	49,545,509 2,180,283	47,439,159 1,693,242	6,388,946 -	5,854,499
5. Surplus before income tax Finance cost Interest expense Depreciation and amortisation Software	2,180,283 4,486	1,693,242 5,914	6,388,946 - 4,486	5,854,499 5,914 97,895
5. Surplus before income tax Finance cost Interest expense Depreciation and amortisation Software	2,180,283 4,486 20,717,709	1,693,242 5,914 15,930,309	- 4,486 117,920	5,854,499 5,914 97,895
5. Surplus before income tax Finance cost Interest expense Depreciation and amortisation Software Plant, equipment and improvements	2,180,283 4,486 20,717,709	1,693,242 5,914 15,930,309	- 4,486 117,920	5,854,499 - 5,914 97,899 103,809
5. Surplus before income tax Finance cost Interest expense Depreciation and amortisation Software Plant, equipment and improvements Auditors remuneration - Deloitte	49,545,509 2,180,283 4,486 20,717,709 20,722,195	1,693,242 5,914 15,930,309 15,936,223	- 4,486 117,920 122,406	5,854,495 - 5,914 97,895 103,809
5. Surplus before income tax Finance cost Interest expense Depreciation and amortisation Software Plant, equipment and improvements Auditors remuneration - Deloitte Auditing of the Financial Reports	49,545,509 2,180,283 4,486 20,717,709 20,722,195	1,693,242 5,914 15,930,309 15,936,223 48,350	4,486 117,920 122,406	5,854,499 5,914 97,895 103,809 48,350 30,745
5. Surplus before income tax Finance cost Interest expense Depreciation and amortisation Software Plant, equipment and improvements Auditors remuneration - Deloitte Auditing of the Financial Reports Taxation and Accounting Services	49,545,509 2,180,283 4,486 20,717,709 20,722,195 52,100 44,970	1,693,242 5,914 15,930,309 15,936,223 48,350 30,745	4,486 117,920 122,406 52,100 44,970	5,854,495 - 5,914 97,895 103,809 48,350 30,745
5. Surplus before income tax Finance cost Interest expense Depreciation and amortisation Software Plant, equipment and improvements Auditors remuneration - Deloitte Auditing of the Financial Reports Taxation and Accounting Services Other services	49,545,509 2,180,283 4,486 20,717,709 20,722,195 52,100 44,970	1,693,242 5,914 15,930,309 15,936,223 48,350 30,745	4,486 117,920 122,406 52,100 44,970	5,854,495 - 5,914 97,895 103,809 48,350 30,745
5. Surplus before income tax Finance cost Interest expense 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	49,545,509 2,180,283 4,486 20,717,709 20,722,195 52,100 44,970 9,700	1,693,242 5,914 15,930,309 15,936,223 48,350 30,745 9,050	4,486 117,920 122,406 52,100 44,970 9,700	5,854,495 5,914 97,895 103,809 48,350 30,745 9,050

200,620

170,645

106,770

88,145

	Cons	OLIDATED	Pa	RENT
	2023 \$	2022 \$	2023 \$	2022 \$
6. Income tax (expense)/benefit				
Components of income tax (expense)/benefit				
Tax expense comprises:				
Current tax (expense) / benefit	(120,290)	(727,069)	(380,785)	18,708
Deferred tax (expense)/benefit relating to timing differences	11,267,739	(372,265)	345,982	-
	11,147,449	(1,099,334)	(34,803)	18,708
7. Cash and cash equivalents				
Cash deposits with banks	2,409,519	7,297,575	409,734	2,438,330
Short-term money market deposits	4,504,670	2,178,098	4,504,670	2,178,098
	6,914,189	9,475,673	4,914,404	4,616,428
8. Trade and other receivables				
Trade receivables	4,017,505	5,341,633	29,954	19,262
Loss allowance for expected credit losses	(3,165,155)	(3,754,438)	-	-
	852,350	1,587,195	29,954	19,262
9. Other assets				
Current			1	
Prepayments	3,438,513	2,772,119	42,684	27,271
Fit-out incentive	-	-	-	-
	3,438,513	2,772,119	42,684	27,271
Non-current				
Fit out incentive	10,276,354	12,774,387	-	-
	10,276,354	12,774,387	-	-
10. Investment in subsidiary				
Investment in subsidiaries		-	10,187,430	10,187,430

The consolidated Group is made up of the parent entity, the Victorian Bar Inc., and subsidiary companies the Melbourne Bar Pty Ltd and Barristers' Chambers Limited and its subsidiary Opus Workspaces Pty Ltd.

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.

Conso	LIDATED	Par	ENT
2023	2022	2023	2022
\$	\$	\$	\$

PART XI

11. Other financial assets

	Financial assets carried at fair value through profit	or loss	6,635,018	6,326,805	6,635,018	6,326,805
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Other financial assets comprise predominantly of capital notes, which are held in a portfolio managed by JB Were.

12. Property, plant and equipment

	16,257,517	18,084,559	96,455	103,435
Assets under construction	410,280	1,852,608	-	-
Fixtures and fittings	15,750,782	16,128,516	-	-
Art works	35,518	44,719	35,518	44,719
Plant and equipment	60,937	58,716	60,937	58,716
Carrying amounts of				

PARENT

	Plant and equipment at cost	Art Works	Total
	\$	\$	\$
Balance at 1 July 2020			
Cost	1,633,397	211,275	1,844,672
Accumulated depreciation	(1,574,681)	(166,556)	(1,741,237)
	58,716	44,719	103,435
Balance at 1 July 2021			
Cost	1,653,950	211,275	1,865,225
Accumulated depreciation	(1,593,013)	(175,757)	(1,768,770)
	60,937	35,518	96,455

CONSOLIDATED

	Assets under construction	Fixtures and fittings	Plant and equipment at cost	Art Works	Total
	\$	\$	\$	\$	\$
Balance at 1 July 2020					
Cost	1,852,608	27,936,456	1,633,397	211,275	31,633,736
Accumulated depreciation	-	(11,807,940)	(1,574,681)	(166,556)	(13,549,177)
	1,852,608	16,128,516	58,716	44,719	18,084,559
Balance at 1 July 2021					
Cost	410,280	30,809,692	1,653,950	211,275	33,085,197
Accumulated depreciation	-	(15,058,910)	(1,593,013)	(175,757)	(16,827,680)
_	410,280	15,750,782	60,937	35,518	16,257,517

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 2021				
Fair value	177,600,000	70,300,000	27,900,000	275,800,000
Additions	30,000	329,000	52,000	411,000
Revaluation	4,770,000	7,871,000	(152,000)	12,489,000
Closing 30 June 2022	182,400,000	78,500,000	27,800,000	288,700,000
As at 1 July 2022				
Fair value	182,400,000	78,500,000	27,800,000	288,700,000
Additions	462,000	624,000	133,000	1,219,000
Revaluation	(26,862,000)	(11,124,000)	(4,933,000)	(42,919,000)
Closing 30 June 2023	156,000,000	68,000,000	23,000,000	247,000,000

14. Intangible assets

PARENT AND CONSOLIDATED			
	Software \$	Website \$	Total \$
Cost	324,538	-	324,538
Accumulated amortisation	(312,184)	-	(312,184)
Balance as at 30 June 2022	12,354	-	12,354
Cost	324,538	195,435	519,973
Accumulated amortisation	(316,671)	-	(316,671)
Balance as at 30 June 2023	7,867	195,435	203,302

The useful life of Software used in the calculation of amortisation is 5 years. As at 30 June 2023 the website remains under construction and has not yet commenced amortisation.

PART XI

Non-current Make good provision

Employee benefits

	Consol	IDATED	PARENT	
	2023	2022	2023	2022
	\$	\$	\$	\$
15. Trade and other payables				
Current				
Deferred revenue	8,077,626	8,488,103	1,857,995	1,772,246
Trade creditors and accruals	5,030,039	3,675,964	2,255,451	2,219,708
Amounts payable to related parties (i)	-	-	820,964	119,49
	13,107,665	12,164,067	4,934,410	4,111,44!
Non-Current				
Deferred revenue	462,646	539,543	-	
	462,646	539,543	-	
16. Borrowings				
Current				
Bank borrowings	-	37,800,000	-	
Non-Current				
Bank borrowings	29,300,000		-	
The loan is secured by a charge over property situated a property situated at 205-221 William Street, Melbourne 17. Provision				
Current				
Make good provision	-	-	-	
Employee benefits	823,115	635,726	235,673	157,54

7,922,129

101,425

8,023,554

6,149,457

113,543

6,263,000

12,663

12,663

35,159

35,159

Relates to amounts payable to subsidiaries, Barristers Chambers Limited and Opus Workspaces Pty Ltd, for tax instalments paid by those entities on behalf of the Tax consolidated Group as well as tax losses which will be remitted to those subsidiaries on utilisation in future periods.

Consol	IDATED	Pare	NT
2023	2022	2023	2022
\$	\$	\$	\$

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 statement of cash flows is reconciled to the related items in the statement of financial position as follows:

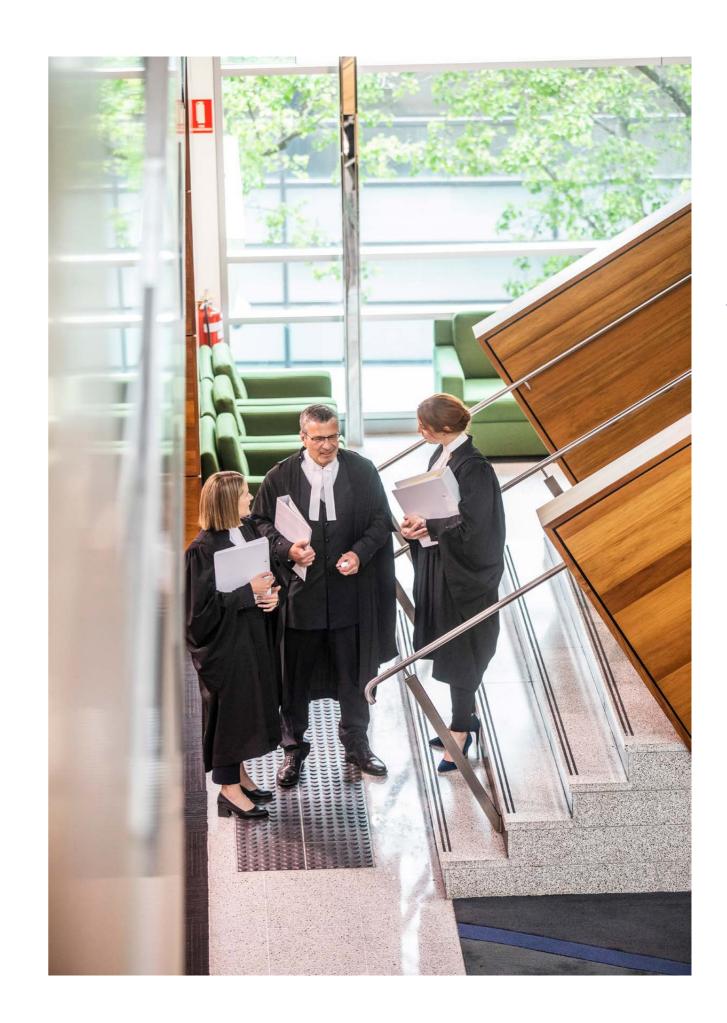
Cash and cash equivalents	6,914,189	9,475,673	4,914,404	4,616,428
(b) Reconciliation of surplus for the year to net cash flows from	n operating activiti	ies		
Surplus / (deficit) for the year after income tax (expense)/benefit	(33,954,365)	13,040,611	639,803	661,256
Depreciation and amortisation of non-current assets	20,722,195	15,936,223	122,406	103,809
Loss on revaluation of investment property	42,918,913	(12,488,904)	-	-
(Losses) / Gains on investments	(45,937)	(1,131)	(45,937)	(1,131)
Write off of goodwill	-	153,330	-	-
Income from investments	(279,188)	-	(279,188)	-
Changes in net assets and liabilities:				
(Increase)/decrease in assets:				
Trade and other receivables and other assets	734,845	138,374	(26,102)	74,339
Increase/(decrease) in liabilities:				
Trade & other payables	1,350,900	(62,134)	121,208	(366,858)
Deferred revenue	(487,374)	(1,274,014)	-	-
Provisions	1,947,942	1,328,896	55,636	24,161
Current taxes	123,321	283,583	336,886	172,160
Deferred taxes	(11,267,739)	306,664	(345,982)	(65,601)
Other assets	(666,393)	(83,666)	-	-
	21,097,120	17,277,832	578,730	602,135

19. Officers remuneration

During the year ended 30 June 2023 \$20,000 was paid as the Chairman's honorarium, which was gifted to a registered charity, Peter O'Callaghan QC Gallery Ltd (30 June 2022: nil). Otherwise, no member of the Council received any remuneration from the Association. A premium was paid for Directors' and Officers' Liability insurance.

20. Subsequent events

There have been no other matters or circumstances that have arisen since 30 June 2023 that has significantly affected the Group's operations, results or state of affairs, or may do so in future years.



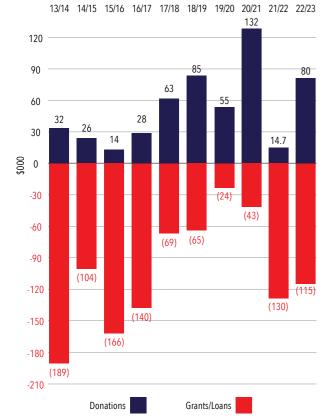


BARRISTERS' BENEVOLENT FOUNDATION OF VICTORIA

Barristers' Benevolent Foundation of Victoria Annual Report for the year ended 30 June 2023 (Unaudited)

The Directors of the company are the Bar Council President, the Honorary Treasurer and one Vice President of the Bar Council. The Barristers Benevolent Association (BBA) was effectively wound up on 31 August 2022. The new entity the Barristers Benevolent Foundation of Victoria (BBFV) operated from 1 September 2022. All the assets of the BBA have been transferred to the BBFV. The opening balance of the BBFV Capital Fund as at 1 September 2022, is the closing balance of the BBA Capital Fund as at 31 August 2022 at \$2.962M.

10 Year History of Subscriptions and Grants/Loans



During 2022-2023, the Foundation/Association made payments by way of grants and loans to members and immediate family totalling \$115,030.

Donations received for the 2022-2023 year were \$80,000. In addition, the Foundation/Association received loan repayments totalling \$10,200 during the year.

Amounts Held by Equity Trustees at Market Value as at 30 June 2023

The market value of the Association's investment portfolio as at 30 June 2023 as provided by Equity Trustees.

ASSET CLASSES	MARKET VALUE	ASSET WEIGHT	BENCHMARK WEIGHT
	(\$)	(%)	(%)
Australian Equities	1,100,872	37.6%	40.0%
International Equities	396,399	13.5%	15.0%
Australian Propoerty	114,172	3.9%	5.0%
Total Growth Assets	1,611,443	55.1%	60.0%
Australian Fixed Interest	285,988	9.8%	10.0%
Alternative Income	573,938	19.6%	20.0%
Global Infrastructure	142,411	4.9%	5.0%
Capital Cash	277,405	9.5%	5.0%
Total Defensive Assets	1,279,742	43.7%	40.0%
Income cash and accruals	34,804	1.2%	-
Total portfolio value (including income)	\$2,925,989	100.0%	100.0%

The Portfolio provided the following return since inception from 1 September 2023, when a revised investment strategy was implemented for the Barristers Benevolent Foundation.

PORTFOLIO RETURN	SINCE INCEPTION (P.A.)
Income return	2.5%
Capital return	4.6%
Total net return	7.0%
Total return benchmark	8.4%
Total return benefitialk	0.470

The 7% result was less than target performance as a result of Australian equities (marginally underperforming) and some defensive positioning in the portfolio.

Basis of Preparation of Comparative Financial Statement.

The Comparative Financial Statement for the year ended 30 June 2023 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 (if any) reflected in an adjustment to the closing fund balance.

BARRISTERS' BENEVOLENT FOUNDATION OF VICTORIA

Comparative Financial Statement for the Period I September 2022 to 30 June 2023

*	-		,	
	30-JUN-23 (UNAUDITED)	30-JUN-22 (UNAUDITED)	BBA 31-Aug-22 (unaudited)	BBA 30-Jun-22 (unaudited
	\$	\$	\$	\$
Capital Fund				
Opening balance at 1 July	\$2,962,137	-	2,846,587	2,784,157
Receipts				
Donations received during the year	67,436	-	12,560	14,731
Loan repayments received	9,800	-	400	26,200
Franking Credits and Rebates	22,388	-	-	11,539
Capital Investment Fund distribution	-	-	99,049	-
Net Income Earned During the Year	58,369	-	23,541	74,980
Total receipts	157,992	-	135,550	127,449
Payments				
Grants	(23,637)	-	(15,000)	(35,000)
Loans	(71,393)	-	(5,000)	(28,900)
Investments	(16,464)	-	-	-
Legal fees	(3,471)	-	-	(1,119)
Total payments	(114,965)	-	(20,000)	(65,019)
Net receipts/(payments)	43,027	-	115,550	62,430
Change in the value of investments	(161,506)	-	-	
Closing balance (at cost) at 30 June	2,843,658	-	2,962,137	2,846,587
Loans				
Opening Balance	220,915	-	216,315	279,760
Add new loans	71,393	-	5,000	28,900
Less loan repayments	(9,800)	-	(400)	(26,200)
Less loans converted to grant	-	-	-	(66,145)
Loans at 30 June	282,507	-	220,915	216,315
Total Assets at 30 June	3,126,165	-	3,183,052	3,062,902
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
Australian Equities	1,075,405	_	363,938	202,738
·	498,240	-	-	
International Equities Fixed Interest	858,938	-		
Property	114,108	-	-	
Cash Management Fund	296,967	-	1,123,885	1,008,335
Cash Management Lunu	270,707		1,123,003	1,000,333

Sam Hay KC and Mark Robins KC

Directors

