



NEW SOUTH WALES
BAR ASSOCIATION

ANNUAL REPORT

2023-24



Acknowledgement of country

The NSW Bar Association's office is on the traditional lands of the Gadigal People of the Eora Nation. As many of our staff continue to work remotely, we acknowledge each of the First Nations Peoples on whose lands we work and pay deep respects to their Elders, past, present and future.

FRONT COVER:

Andrew Smith, barrister and proud Wiradjuri man, delivers the Acknowledgement of Country at the Supreme Court bicentenary ceremonial sitting, 17 May 2024

Credit: Murray Harris Photography

REGISTERED OFFICE

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ANNUAL GENERAL MEETING

The AGM is on Thursday,
14 November 2024 at 5pm in the
Bar Association Common Room

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The year in review



NSW Bar Association President, Dr Ruth Higgins SC, at the Supreme Court bicentenary ceremonial sitting, 17 May 2024

Credit: Murray Harris Photography

President's report

The bicentenary of the Supreme Court

The year 2024 is a bicentennial year for both the Supreme Court of New South Wales and for barristers in New South Wales. The court's bicentenary was celebrated by a formal ceremonial sitting at Banco Court at which I was honoured to speak, as well as the opening of the court's new portrait gallery, a majestic mosaic of the court's history which takes as its focus portraits of the first five female judges appointed to the Supreme Court.

Constant Guardian, Changing Times: The Supreme Court of New South Wales 1824–2024, edited by the Hon Keith Mason AC KC and Larissa Reid, was also launched; it is a superb and entertaining record of the court to date, which exemplifies the way in which complex and enduring social institutions, like courts, reproduce and reinvigorate themselves through transparent histories and narrative retellings.

ChatGPT guidelines and cybersecurity

In response to the unique ethical and practical challenges posed by the rapid evolution of AI language models such as ChatGPT, the Bar Council approved guidelines entitled *Issues Arising From the Use of AI Language Models (including ChatGPT) in Legal Practice* in July 2023. The guidelines are intended to assist barristers in understanding how their professional and ethical duties under the *Barristers Rules* may conflict or interact with such proposed use, and to highlight limitations and difficulties that may not be immediately apparent from the models themselves.

A Cyber Resilience Working Group was created to look over cybersecurity risks and initiatives. The working group – which comprises representatives from the Practice Development Committee, the Media and Information Law and Technology Committee, and the Professional Conduct Committee – was formed to progress the work and understanding about how the ever-evolving technological landscape can affect barristers' practice.

In June 2024, the Association published a set of cybersecurity guidelines for barristers. The initiative recognises that cyberattacks are one of the most pressing risks we confront in the 21st century. The guidelines identify preventative steps that barristers should take to protect against cybersecurity threats. In the event of a cyber attack, a failure to implement at least core security measures could result in significant financial, reputational or other harm to a barrister or their clients. Such failure may, in certain circumstances, involve a breach of the *Barristers Rules* and may constitute unsatisfactory professional conduct or professional misconduct.

The Association acknowledges the importance of keeping abreast of both legal and technological developments in this area and will endeavour to review and update these guidelines regularly.



Mental health and wellbeing

The Association is increasingly focused on the wellbeing of our members. By prioritising wellbeing, we can create a healthier, more supportive and more sustainable work culture at the Bar. At its final meeting in 2023, the Bar Council approved the rollout of a Mental Health First Aid Course to all chambers in New South Wales, which is subsidised by the Association. As of publication of this report, four courses have been undertaken by more than 80 participants from 48 chambers. The feedback received from participants has been overwhelmingly positive.

The Association has also implemented measures to reduce bullying levels at the Bar and the Bench, as part of an ongoing plan to reduce sexual harassment, workplace discrimination and bullying. Protocols are in place with the Supreme Court of New South Wales and with the heads of federal jurisdictions to raise concerns about members of the judiciary. Members may also raise concerns about judicial conduct with the President of the New South Wales Bar Association, the President of the Australian Bar Association, or a Judicial Conduct Liaison Officer nominated by the Bar Council Executive.

Diversity at the Bar

The Association's membership is diverse, but I am committed to continuing the work that is needed to ensure the Bar more accurately reflects the composition of the society in which we live and practise. Central to that initiative is the First Nations Committee and the Indigenous Barristers' Trust – the Mum Shirl Fund, which aims to increase the number of First Nations barristers practising at the New South Wales Bar.

The First Nations Pathways to the Bar event, which took place in June 2024, seeks to promote participation by First Nations people in the profession. At the event, I joined the chair of the First Nations Committee, Tony McAvoy SC, in welcoming members of the Bench and Bar, as well as representatives of law firms, universities, government and community legal centres. The turnout was encouraging, as were the registration figures of the June 2024 Bar Exam in which the Association recorded its largest ever registration with 147 candidates sitting, 70 of whom were women.

Over the past year, the Bar Council also resolved to amend the Senior Counsel Protocol, with effect for the 2024 selection process, to include an additional essential criterion that senior counsel will have demonstrated commitment to the advancement of the Bar as an inclusive workplace and profession.

Policy work

Throughout the year, the policy committees assisted the Association in making over 100 submissions to state and federal law reform and policy consultations, as well as to the Law Council of Australia, of which the NSW Bar Association is an integral constituent body.

Examples of the Association's policy and law reform work in 2024 include:

- advocacy highlighting the Association's concerns regarding the Bail and Crimes Amendment Bill 2024 (NSW), in particular its impact on incarceration rates of First Nations children and young people;
- input to the Law Council of Australia's submission to the Department of Climate Change, Energy, the Environment and Water on the proposed Nature Positive laws, which would reform the *Environment Protection and Biodiversity Conservation Act 1999* (Cth);
- appearing before the New South Wales Portfolio Committee No. 1 – Premier and Finance's inquiry into artificial intelligence in New South Wales;
- submissions to the New South Wales Law Reform Commission regarding its review of serious road crime offences and to SafeWork NSW regarding a proposed new offence of industrial manslaughter;
- a submission to the City of Sydney in response to consultation on a draft A City for Walking strategy and action plan regarding the accessibility of courts and tribunals for people with disabilities;
- appearing before the New South Wales Portfolio Committee No. 5 – Justice and Communities regarding its inquiry into the Jury Amendment Bill 2023 (NSW).

Collegiality

The Bar is a professional space, but it is also a space of friendship and growth. This reporting year we have seen an increase in the number of members participating in the Association's many clubs and attending Bar Association events, including the Bench and Bar Dinner, the Tutors and Readers Dinner, Bench and Bar Lunch, and Readers in the Garden Lunch.

I would like to end by thanking our immediate past president, Gabrielle Bashir SC. Gaby has given decades of service to the Bar Association and served for years upon the profession's national governing bodies.

Thank you also to the outgoing, incoming and remaining members of the Bar Council for their dedication and support. It is no small task to guide and administer the largest independent Bar in Australia. I speak on behalf of all members in expressing my deep appreciation and gratitude for your time and effort.

Executive Director's report

'Cybersecurity' was the catchword for 2023-24, and will remain so in 2024-25. This is for both the Bar more broadly and the Association itself.

Cybersecurity experts are now advising that 'it's not if, but when' you get compromised. The President has catalogued in her report some of the initiatives we have been undertaking to support the Bar, including the establishment of the Cyber Resilience Working Group and the release in June 2024 of the *Cybersecurity Guidance for NSW Barristers*, which provides practical steps along with an analysis of the relevant Bar rules. This is a must-read for every barrister at the New South Wales Bar and was one of the first lectures given in the September 2024 Bar Practice Course.

Over the reporting year the Bar Association has continued its focus on updating our organisation's digital capabilities and cybersecurity. In December 2023, the Association took steps to test the resilience and efficiency of our IT systems. We engaged specialist consultancy firm Frame Group to conduct a thorough audit of our IT infrastructure, networking and applications, with a strong focus on enhancing efficiency and security.

This audit also included a comprehensive Essential Eight (E8) cybersecurity maturity assessment which provided a strategic roadmap with recommendations to be implemented over the following 12 to 18 months.

In April 2024 we welcomed a new Chief Information Officer, Joel Mendez, who has been tasked with executing these recommendations and leading the modernisation of our digital landscape, with a clear focus on strengthening security and minimising risks.

I am pleased to report that our efforts are already showing significant progress. In the first three months we made substantial improvements to the Association's cybersecurity maturity, laying the groundwork for a vastly improved IT experience for both staff and members.

Keeping the 'not if, but when' adage in mind, this work will continue apace in 2024-25. It is very challenging for an organisation of our size and resources to minimise this threat. Notwithstanding the significant increase in IT investment by the Bar Council in 2023-24 and 2024-25, we will need to remain vigilant and continue to work hard on this issue.

The reporting year also saw the unexpected passing of the Association's long-time software developer Matt Vickers, who was responsible for building almost all of the digital platforms used by the Association in the last 20 years. His unexpected passing was a significant shock for the staff of the Association and we miss him greatly. An obituary written with contributions from current and former staff ran in the autumn 2024 edition of *Bar News* and is available online at bn.nswbar.asn.au.



Cyber insurance for barristers

The Bar Association has been consulting with chambers and cyber insurance brokers to explore insurance options appropriate to the needs of our members. Cyber insurance policies cover barristers who experience cyber attacks such as hacks and security breaches, and provide practical and financial support in dealing with these events. The Association is aiming to finalise recommendations in the coming year. In the meantime, all barristers should consider making their own enquiries and assessing their cybersecurity insurance needs.

Risk and compliance

The Association has also overhauled its risk and compliance framework in the reporting year. We engaged an external risk consultant to review the Association's enterprise risk management (ERM) framework using the ISO31000 standard. As a result of that review, the Association's ERM framework was updated and expanded and, on 8 February 2024, the Bar Council adopted a new risk management policy, risk appetite statement, risk register and obligations register, and established its Risk and Compliance Committee. The committee meets quarterly and comprises four members of the Bar Council as well as an external risk consultant.

Mental health and wellbeing

Mental health and wellbeing of the Bar has remained a key focus for our organisation, and it is a personal priority for both me and the President. The Mental Health First Aid initiative has been successfully rolled out over the reporting year, with almost all chambers having at least one barrister or clerk completing the training. This training is designed to help identify the early warning signs and help barristers access professional mental health support, including BarCare. Consultation on the rollout of this program was also an excellent opportunity to discuss with clerks the state of mental wellbeing at the Bar – including for clerks – and the need for continued and heightened efforts in this area. Vicarious trauma is also high on the agenda of the Wellbeing Committee and the Association is partnering with the Law Society of New South Wales and other legal regulators across Australia to share knowledge and examine solutions. In this regard I remind all members about BarCare's free confidential counselling service for barristers and their families, and note that two of the six panel psychologists have extensive experience in vicarious trauma.

In other major membership activities, our Professional Standards and Membership staff have prepared and lodged the application to renew the Bar Association's Professional Standards Scheme, which limits the liability of members who are practising New South Wales barristers and hold an approved professional indemnity policy to \$1.5 million. This scheme both enhances consumer protections and limits the liability of our practising members and we expect our next scheme to commence on 1 July 2025 for a further five years.

Bar library

The Bar librarians had another busy year providing first-class services and have undertaken extensive work to keep the hard copy collection focused on rare materials not available online. I encourage the Bar to familiarise themselves with the collection by visiting the Bar library and considering the world-class legal research service our librarians provide.

LARS

The Bar's contribution to access to justice through its Duty Barrister Scheme and Legal Assistance Referral Service has gone from strength to strength over the reporting year. This year marks 30 years of the Duty Barrister Scheme, and Keith Francis provided an excellent speech at the annual thank-you function for barristers on our pro bono lists and our LARS staff. As outlined later in this report the Bar is making a significant contribution, and we have put in place several initiatives to both increase capacity and boost the number of instructing solicitors able to assist barristers who take on LARS referrals.

LARS received 520 applications for assistance, an increase from 338 applications received in the previous financial year. This year our volunteer panel of barristers contributed 3,137 hours of pro bono assistance through LARS amounting to \$2,028,456 value of pro bono hours.

Policy and law reform

As the President has outlined in her report, we made a significant impact again in our policy and law reform work. One of the many highlights was the Association's successful advocacy in the New South Wales Legislative Council against the amendment of the eight-hour jury deliberation rule in the Jury Amendment Bill 2023 (NSW). This was one of almost 100 submissions made throughout the year, which is a testament to the volunteer barristers on our committees and the staff of this team.

I would like to take this opportunity to especially thank our outgoing Director of Policy and Law Reform, Harriet Ketley, for her considerable tireless efforts during her two years at the Association.

Education

The Education Committee and the Professional Standards and Support team have had another busy year. The reporting year saw a return to pre-COVID levels on the Bar Practice Course and a record number of candidates sitting the June 2024 Bar exams. The regional conference series was also well attended this year and remains a highlight of the year with some excellent contributions from the Bar and the Bench. The Bar Council again ran a full audit on the CPD records of all barristers in 2024, with compliance at high levels.

Professional conduct

The reporting year saw a significant increase in the number of complaints referred to the Bar council for investigation. Over the reporting year the Bar Council received 102 and finalised 88 complaints, a significant increase from 76 in the previous year. This includes 16 complaints that had been ongoing for several years, reflecting the Professional Conduct department's continuing focus on resolving the oldest, and often most complex, complaints. The staff and members on our Professional Conduct Committees have done an excellent job to decrease the time taken to finalise matters and increase the overall number being finalised. They deserve our thanks and congratulations.

Conclusion

In closing I reiterate the President's thank you to all members for their tireless voluntary contribution to the work of the Association. It is a privilege to work with so many of the best and brightest legal minds in the country and I know this is valued by the Association staff. In this, the 200th year of barristers in New South Wales, the Bar remains a strong, independent institution and the Association plays a vital role in its ongoing health.

My greatest thanks is, of course, reserved for the very dedicated and talented staff of the Association, who I have the pleasure of working with every day. For a staff of less than 40 our organisation produces an incredible array of regulatory and membership services to a very high standard. This is evidenced by the near universal membership of the Bar Association of practising New South Wales barristers (over 99 per cent). We have an exciting agenda planned for 2024–25 and I look forward to implementing it with the staff, committees and Bar Council.

Profile

Credit: Tom Fewchuk Photography



Tutors and Readers Dinner, 10 November 2023

Statistics

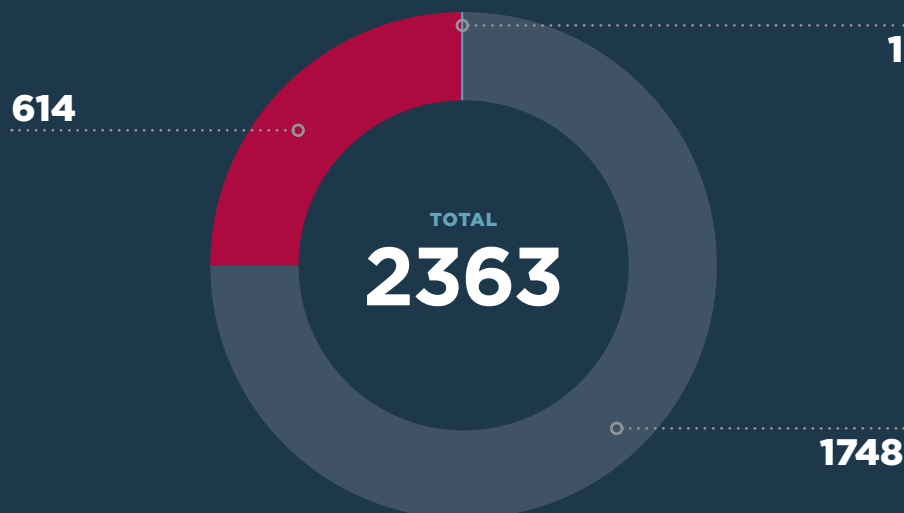
Membership

As at 30 June 2024
there were **3199 members**



Members who hold a NSW practising certificate (PC)

including members based interstate & overseas and 13 life members who have a current NSW PC



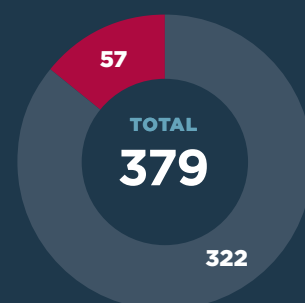
Male Female Undefined

Non-practising Members

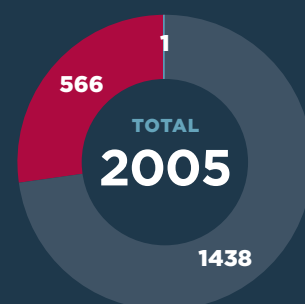
including honorary clerks, life members, judges and non-practising barristers



Number of Senior Counsel (KC or SC)



Number of Junior Barristers



Practitioners

As at 30 June 2024
there were **2384 barristers**
with a NSW PC



Practitioners holding NSW practising certificates

including practitioners based interstate & overseas



Office bearers

As at 30 June 2024



DR RUTH HIGGINS SC
President



DOMINIC TOOMEY SC
Senior Vice President



MICHAEL IZZO SC
Junior Vice President



NICHOLAS BROADBENT
Secretary



CATHERINE GLEESON SC
Treasurer

Bar Council

Gregory Sirtes SC
Kate Eastman AM SC
Tony McAvoy SC
Vanessa Whittaker SC
James Emmett SC
David Patch
Michelle Castle
Nicolas Kirby

Hilbert Chiu
Amy Munro
Callan O'Neill
Rose Khalilizadeh
Georgina Westgarth
Claire Roberts
Megan Caristo
Emma Bartley



Credit: Tom Fewchuk Photography

NSW Bar Association staff members

Bar Association staff

OFFICE OF THE EXECUTIVE DIRECTOR

Executive Director	Andreas Heger
Chief Operating Officer	Elizabeth Wing

LIBRARY

Managing Librarian	Ben Laing
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POLICY AND LAW REFORM

Director	Harriet Ketley
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PROFESSIONAL STANDARDS AND SUPPORT

Director	Bali Kaur
-----------------	-----------

PROFESSIONAL CONDUCT

Director	Stephanie Mancell
-----------------	-------------------

PROFESSIONAL STANDARDS AND MEMBERSHIP

Manager	Donna Boyce
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Committees

As at 30 June 2024

ACCESSIBILITY PANEL

Sean Docker SC (Chair)	Justin O'Connor	Alexander Edwards
Robert Dubler SC (Deputy Chair)	Kellie Edwards	Vikram Misra
Tina Jowett SC	Angela Petrie	Matthew Cobb-Clark
Valerie Heath	Brenda Tronson	<i>Laura Toren</i>
Sean Flood	Ben Fogarty	<i>(Bar Association Staff Member)</i>

ALTERNATIVE DISPUTE RESOLUTION

John Fernon SC (Chair)	Hugh Stowe	Wilson Chan
Richard Cheney SC	Michael Dawson	Andrew Bailey
Anthony Lo Surdo SC	David Liebhold	Sarah Constable
Matthew White SC	Laina Chan	Matthias Thompson
Adam Casselden SC	Craig Carter	<i>Laura Toren</i>
Neil Jackson	Christopher Palmer	<i>(Bar Association Staff Member)</i>
Philip Bambagiotti	Vanessa Thomas	

BAR NEWS

Catherine Gleeson SC (Chair)	Kavita Balendra	Claire O'Neill
Farid Assaf SC	Daniel Klineberg	Stephen Ryan
Dominic Villa SC	David Parish	Nicholas Bentley
Anthony Cheshire SC	Victoria Brigden	Naomi Wootton
Simon Philips	Talitha Fishburn	Justin Pen
Penny Thew	Elizabeth Nicholson	<i>Rebecca Seraglio</i>
Reg Graycar	Kevin Tang	<i>(Bar Association Staff Member)</i>
Sean O'Brien	Ann Bonnor	

CLIMATE CHANGE COMMITTEE

Richard Lancaster SC (Chair)	Mark Seymour SC	Jerome Entwisle
Sebastian Hartford Davis (Deputy Chair)	Robert White	Richard Reynolds
Noel Hutley SC	Janet McKelvey	Anna Elizabeth
Tim Game SC	Alexandra Rose	Michele Kearns (Clerk)
Jonathon Redwood SC	Zaina Shahnawaz	<i>Laura Toren</i>
James Hutton SC	Harrison Grace	<i>(Bar Association Staff Member)</i>
	Kate Lindeman	

COMMON LAW

David Hooke SC (Chair)	Tony Bowen	Nicole Compton
Bede Kelleher SC (Deputy Chair)	Ben Bradley	James Masur
Richard Cheney SC	Ross Stanton	Sarah Warren
Jeremy Morris SC	Hilbert Chiu	James Thompson
Maria Gerace SC	Eraine Grotte	<i>Lara Parmenter</i>
Shaun McCarthy	Jnana Gumbert	<i>(Bar Association Staff Member)</i>

COSTS & FEES

Gillian Mahony SC (Chair)	Katherine Oldfield	Vincci Chan
Michelle Castle (Deputy Chair)	William Calokerinos	Mahmud Hawila
Hamish Stitt	Hilbert Chiu	Matthew McGirr
John Baird	David Robertson	<i>Laura Toren</i>
David Stewart	Kirrilee Young	<i>(Bar Association Staff Member)</i>
Beth Oliak	Matt Karam	
Bora Kaplan	David Smith	

CRIMINAL LAW

Stephen Odgers SC (Co-Chair)	Lester Fernandez	Jillian Caldwell
Helen Roberts SC (Co-Chair)	Emmanuel Kerkyasharian	Dev Bhutani
John Stratton SC	Sarah Talbert	Rebecca McMahon
Richard Wilson SC	Sophie Anderson	Tom Spohr
Guy Newton SC	Christopher Parkin	Nicholas Cowdery AO KC
Brett Hatfield SC	Damian Beaufile	<i>(Academic member, UNSW)</i>
David Scully SC	Mark Davies	<i>Edward Clapin</i>
Nathan Steel	Eleanor Jones	<i>(Bar Association Staff Member)</i>

DIVERSITY AND EQUALITY

Sera Mirzabegian SC (Co-Chair)	Karen Petch	Winnie Liu
Ragni Mathur SC (Co-Chair)	Tanya Harris-Roxas	Elly Phelan
Sean Flood	Frank Tao	Dr Katherine Fallah
Juliet Curtin	Faheem Anwar	Jackson Wherrett
Brendan Lim	John Sfinas	Adam Faro
Nipa Dewan	Eugene Chan	Winsome Hall
Uche Okereke-Fisher	Mahmud Hawila	<i>Alanna Condon</i>
Talia Epstein	Aleksandra Ilic	<i>(Bar Association Staff Member)</i>

EDUCATION

Patrick Griffin SC (Chair)	Philip Hogan	Georgina Westgarth
Zelie Heger (Deputy Chair)	Lester Fernandez	Jillian Caldwell
Ed Muston SC	Hayley Bennett	Sarah Constable
Michael O'Meara SC	Ralphed Notley	Professor Alex Steele
Frank Veltro SC	Shauna Ross	<i>Bali Kaur</i>
Perry Herzfeld SC	Callan O'Neill	<i>(Bar Association Staff Member)</i>
Sean Docker SC	Tamasin Jonker	
Gillian Mahony SC	Christina Trahanas	

FAMILY, CARE AND ADOPTION

Robert Lethbridge SC (Co-Chair)	Michael Weightman	Carolina Soto
Martha Barnett SC (Co-Chair)	Gary Hill	Denise Kaiti
Peter Cummings SC	Tracey Stevens	Peace Decle
Melissa Gillies SC	John Longworth	Leah Reid
Mark Anderson	Rachel Dart	Tereza Seric
Neil Jackson	Claire Cantrall	<i>Laura Toren</i>
Christopher Lawrence	Arjun Chhabra	<i>(Bar Association Staff Member)</i>
Angela Petrie	Scott Richardson	

FIRST NATIONS

Tony McAvoy SC (Chair)	Ross Hanrahan	Rebecca McMahon
Damian Beauflis (Deputy Chair)	Nicholas Newton	Michele Kearns (Clerk)
Chris Ronalds AO SC	Natasha Case	<i>Lara Parmenter</i>
Janet Manuell SC	Mitchell Davis	<i>(Bar Association Staff Member)</i>
Simeon Beckett SC	Andrew Metcalfe	

HUMAN RIGHTS

Trent Glover (Chair)	Fiona McNeil	Erin O'Connor Jardine
Craig Lenehan SC	Celia Winnett	Kate Bones
Kate Barrett	Madeleine Bridgett	Associate Professor Jacqueline Mowbray (Academic Member)
Brenda Tronson	Adam Butt	<i>Alanna Condon</i>
Bora Kaplan	Oliver Jones	<i>(Bar Association Staff Member)</i>
Dr Jason Donnelly	Kathleen Heath	
Carmel Lee	Kate Beattie	
Corrie Goodhand	Dr Katherine Fallah	

INDUSTRIAL, EMPLOYMENT, HEALTH AND SAFETY

Bruce Hodgkinson AM SC (Chair)	Adam Searle	Larissa Andelman
Shane Prince SC	Paul Moorhouse	Oshie Fagir
Simon Meehan SC	Penny Thew	Bilal Rauf
Jamie Darams SC	Bruce Miles	Glenn Fredericks
Patricia Lowson	Craig Lambert	Maurice Baroni
Anthony Britt	Michael Seck	<i>Edward Clapin</i>
Andrew Gotting	Anna Perigo	<i>(Bar Association Staff Member)</i>

MEDIA AND INFORMATION LAW AND TECHNOLOGY

Matthew Richardson SC (Co-Chair)	Barry Dean	Daniel Meyerowitz-Katz
Ben Kremer SC (Co-Chair)	Pouyan Afshar	Jordan Widjaja
Angela Bowne SC	Raphael Perla	Maggie Kearney
Michael Green SC	Robert Armitage	Michelle Meares
Richard Potter SC	Anton Hughes	Carolyn McKay (Academic member)
Tamir Maltz	Monique Cowden	<i>Lara Parmenter</i>
Beth Oliak	Wen Wu	<i>(Bar Association Staff Member)</i>

INQUESTS AND INQUIRIES

Donna Ward SC (Co-Chair)	Trent Glover	Hugh Dillon
Scott Robertson SC (Co-Chair)	Alan Shearer	Jake Harris
David Kell SC	Joanna Davidson	Emma Sullivan
Kirsten Edwards SC	Tracey Stevens	Sarah Love
Adam Searle	Juliet Curtin	Kate Hamilton
Teni Berberian	Christine Melis	<i>Alanna Condon</i>
Patrick Rooney	Ian Fraser	<i>(Bar Association Staff Member)</i>
Robert Ranken	Louise Coleman	

INTERNATIONAL

Greg Loughton SC (Co-Chair)	Pouyan Afshar	Katie Sutton
Mark Dempsey SC (Co-Chair)	Elisa Holmes	Boxun Yin
Charles Colquhoun SC	Danielle Forrester	Trish Hoff (Clerk)
Johnathan Kay Hoyle SC	Jesse Kennedy	<i>Donna Boyce</i>
Daniel Meltz	Karen Petch	<i>(Bar Association Staff Member)</i>
Chester Brown	Christina Trahanas	
Sean Baron Levi	Anna Garsia	

LEGAL AID

Sharyn Hall SC (Chair)	Robert Armitage	Rajiv Baldeo
James Trevallion (Deputy Chair)	Justine Hopper	David Mulligan
Jane Paingakulam	Peter Godkin	Kate Bones
Scott Fraser	Corrie Goodhand	Imogen Hogan
William Calokerinos	Talia Epstein	Michelle Meares
Cara Feiner	Kayt Hogan	<i>Lara Parmenter</i>
Duncan Berents	Thomas Liu	<i>(Bar Association Staff Member)</i>

NEW BARRISTERS

Elly Phelan (Co-Chair)	Jacob Tate	Maggie Kearney
Claire Roberts (Co-Chair)	Brienna Anderson	Joel Brook
Alison Hammond	Chauntelle Ingenito	John Fennel
Eugene Chan	Winnie Liu	Jack Isackson
Ella Dalrymple	Samuel Murray	Jeh Coutinho (Clerk)
Aleksandra Ilic	Fabian Di Lizia	<i>Bali Kaur</i>
David Townsend	Melissa McGrath	<i>(Bar Association Staff Member)</i>
Chelsea Brain	Michael Morgan	

PRACTICE DEVELOPMENT

David Thomas SC (Chair)	Ingrid King	Catherine Bembrick
Michelle Painter SC	Courtney Ensor	Chris Tam
Tom Brennan SC	Richard Raffell	Edwina Keynes
Mark Seymour SC	Kevin Tang	Emma Hoolahan (Clerk)
Andrew Bulley	Anton Hughes	Angela Noakes (Clerk)
Greg O'Mahoney	Andrew Bailey	<i>Donna Boyce</i>
Robert Carey	Geoff Farland	<i>(Bar Association Staff Member)</i>

SUCCESSION AND PROTECTIVE LAW

Ian Davidson SC (Chair)	David Liebhold	Craig Birtles
Hayley Bennett (Deputy Chair)	Sarah Hill	Kim Boettcher
Lindsay Ellison SC	Francois Salama	Tamsin Waterhouse
Simon Chapple SC	Kirralee Young	<i>Harriet Ketley</i>
Stephen Janes	Irina Hoskinson	<i>(Bar Association Staff Member)</i>

WELLBEING

Vanessa Whittaker SC (Chair)	Greg Antipas	Michael Pruscino
Kevin Connor SC	Radhika Withana	Brienna Anderson
Michelle Painter SC	Talitha Fishburn	Fabian Di Lizia
David Sibtain SC	Sophie Anderson	Jeh Coutinho (Clerk)
Michael Ainsworth	Geoff Farland	<i>Rebecca Seraglio</i>
Phoebe Arcus	Sarah Warren	<i>(Bar Association Staff Member)</i>
Zaid Khan	Parisa Hart	
Hugh Somerville	Emily Graham	

PROFESSIONAL CONDUCT COMMITTEES

PCC#1

Edward Muston SC (Co-Chair)
 Kate Morgan SC (Co-Chair)
 Greg Sirtes SC
 David Hooke SC
 Rob Hollo SC
 Madeleine Avenell SC
 Bill Neild SC
 Charles Colquhoun SC
 Justine Beaumont SC

Catherine Gleeson SC
 Victoria Brigden
 Joanne Little
 Simon Fitzpatrick
 Sharna Clemmett
 Radhika Withana
 Brin Anniwell
 Naomi Oreb
 Felicity Graham

Emma Bathurst
 Bharan Narula
 Timothy Boyle
 Thomas Liu
 Georgina Westgarth
 Carl Young
 Julian Brezniak

PCC#2

Michael Izzo SC (Chair)
 Janet Manuell SC
 Robert Sheldon SC
 Peter Braham SC
 Katherine Eastman SC
 Nick Kidd SC
 David Thomas SC
 Donna Ward SC
 James Arnott SC

Justin Young
 Melanie Cairns
 Nicholas Broadbent
 Faraz Maghami
 Rob Ranken
 Sarah Talbert
 Amy Munro
 Caspar Conde
 Tamara Phillips

Zoe Hillman
 Emma Beechey
 Jocelyn Jaffray
 Louise Coleman
 Daniel Habashy
 Rose Khalilizadeh
 Zoe Alderton
 Jake Harris

PCC#3

James Emmett SC (Chair)
 David Williams SC
 Ian Neil SC
 Anthony McInerney SC
 Mr David McLure SC
 Nicholas Owens SC
 Vanessa Whittaker SC
 James Emmett SC
 Peter Newton SC

Andrew Fox SC
 Ragni Mathur SC
 Peggy Dwyer SC
 David Patch
 Nathan Steel
 Nicholas Kirby
 Conor Bannan
 Cara Feiner
 Callan O'Neill

Stephanie Patterson
 John Longworth
 Angus McAuley
 Claire Palmer
 Daniel Fuller
 Claire Roberts
 Megan Caristo

PCC#4

Dominic Toomey SC (Chair)
 Ian Pike SC
 Jeremy Morris SC
 Anthony Cheshire SC
 Dominic Villa SC
 Patrick Flynn SC
 David Rayment SC
 Patrick Knowles SC
 James Hutton SC
 Ben Kremer SC

Robert Yezerski SC
 Colin Hodgson
 Luke Brasch
 Andrew Naylor
 Sam Duggan
 Scott Maybury
 Nick Kabilafkas
 Thomas Jones
 Lisa Doust
 Awais Ahmad

Christopher Othen
 Greg Antipas
 Ingrid King
 James Mack
 Sonia Tame
 Emily Graham
 Kate Lindeman
 Emma Bartley

Reports



Credit: Tom Fewchuk Photography

First Nations Committee Chair, Tony McAvoy SC,
at First Nations Pathways to the Bar, 14 June 2024

Preserve the integrity, independence, ethics, service and the excellence of the Bar

Criminal Law Committee

During 2023–24, the Criminal Law Committee informed submissions covering a wide range of criminal law reform issues at the state and federal level.

Policy development and law reform

Members of the committee, among others, were able to effectively persuade the New South Wales Parliament to oppose amendments that would have halved the length of the juror deliberation time required before a majority verdict was able to be returned in criminal proceedings. Committee members John Stratton SC and Richard Wilson SC, appeared before Portfolio Committee No. 5 – Justice and Communities to advance the Association's position. The New South Wales Parliament subsequently voted to amend the Jury Amendment Bill 2023 to remove the reforms, referencing the Association's opposition.

Other New South Wales legislative reforms introduced in 2023–24 further limited the granting of bail and increased police powers. The committee advocated for improvements where appropriate and defended the fundamental principles that underpin the criminal justice system. In particular, it emphasised the impact of such reforms on young people and First Nations people. The expertise of the committee informed the Association's positions and public advocacy in relation to numerous bills, including the:

- Bail and Crimes Amendment Bill 2024;
- Bail and Other Legislation Amendment (Domestic Violence) Bill 2024; and
- Law Enforcement (Powers and Responsibilities) and Other Legislation Amendment (Knife Crime) Bill 2024.

The committee also contributed to the Association's submission to the Parliamentary Inquiry into Community Safety in Regional and Rural Communities, which reiterated the Association's support for raising the age of criminal responsibility from 10 to 14 years of age.

The need for drug law reform, including the decriminalisation of personal use and possession of currently prohibited drugs, was addressed by the committee in a submission to the Parliamentary Inquiry into the Impact of the Regulatory Framework for Cannabis in New South Wales.

Throughout the year, the committee informed numerous confidential submissions and other submissions related to various reviews and reforms, including for example:

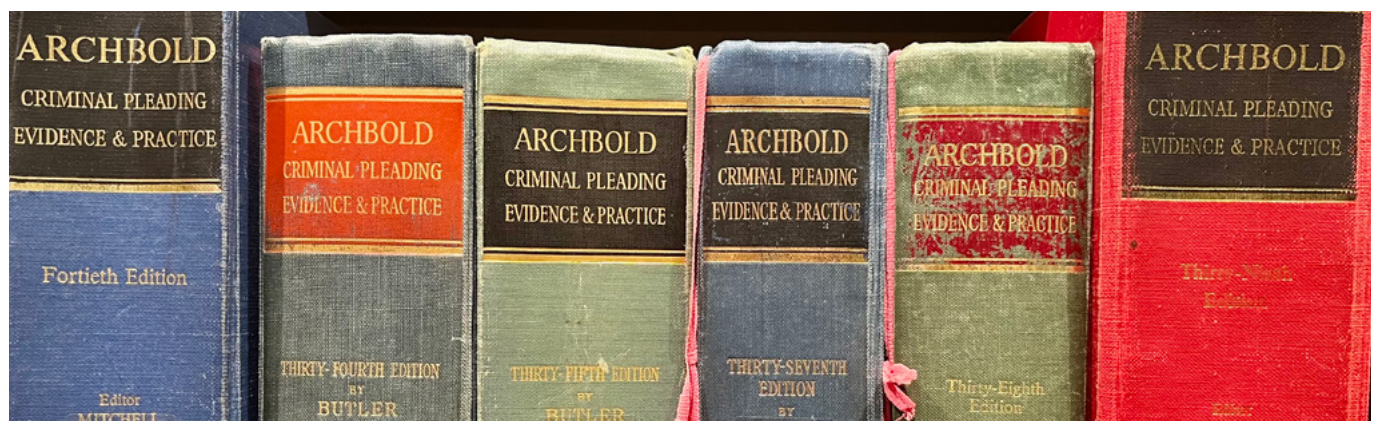
- the Sentencing Council's review of firearms, knives and other weapons offences;
- the Law Reform Commission's reviews of serious road crime offences and serious racial and religious vilification;
- the Department of Communities and Justice's review of Part 4, Division 4 (sacrilege and housebreaking) of the *Crimes Act 1900* (NSW); and
- SafeWork NSW's consultation on industrial manslaughter.

At the federal level, the committee provided input to the Law Council of Australia to inform its submissions to, for example, the Australian Law Reform Commission's Inquiry into Justice Responses to Sexual Violence.

Continuing professional development

The committee continued to support members of the Bar by delivering the following CPD events:

- a seminar on 10 October 2023 chaired by Stephen Odgers SC regarding 'Current issues in forensic evidence';
- a seminar on 24 October 2023 by Dr Molly Schafer and Professor Kristy Martire on best practices for psychological assessments to be relied upon in court;
- a seminar on 1 November 2023 by Jae Gerhard from Independent Forensic Services regarding 'Advanced issues in relation to DNA evidence'; and
- a seminar on 24 April 2024 by Dr Robert Cavanagh on the 'Royal prerogative of mercy and an alternative model: Pardons and criminal law review commissions'.



First Nations Committee

In 2023–24, the First Nations Committee led a range of initiatives to support First Nations lawyers and law students joining and remaining in the profession, while continuing to advocate on law reform issues of concern to First Nations peoples.

The committee worked with the Indigenous Barristers' Trust – The Mum Shirl Fund to administer the First Nations Mentoring Program. The program is designed to provide First Nations lawyers and law students with support, networks, experience and practical legal knowledge through mentoring by barristers and judges. The committee also oversaw the Association's First Nations Clerkship Program 2023, which enabled three First Nations law students to complete placements with barristers and judges at the Federal Court, Land and Environment Court, Supreme Court and District Court. The program offers students a glimpse into the daily operations of the justice system and the opportunity to forge valuable networks within the profession. In December 2023 the committee arranged for First Nations students in the UNSW pre-law program to visit chambers and courts, offering valuable insight into working as a barrister.

The First Nations Pathways to the Bar event on 14 June 2024 was both an inspiring and practical forum for First Nations law students and lawyers to meet judges and barristers, and to learn about programs and initiatives of the committee. Introduced by committee Chair Tony McAvoy SC, keynote speaker and proud Kamilaroi woman, ACT Supreme Court Justice Louise Taylor spoke of her own pathway to the Bench. This compelling speech was followed by a panel discussion about the significance of mentoring First Nations students and lawyers.

Representatives of the committee also worked with colleagues from the Education Committee on a working group for strengthening supports for First Nations Bar Exam candidates. This important initiative will continue into 2024–25.

Submissions

In 2023–24, the committee contributed to the Law Council of Australia's submission to the Productivity Commission's review of the National Agreement on Closing the Gap and led the preparation of a comprehensive cross-committee submission to the New South Wales Upper House Inquiry into Community Safety in Regional and Rural Communities.

Educating and engaging the profession

The committee partnered again with the Ngara Yura Committee of the Judicial Commission of New South Wales and the Indigenous Issues Committee of the Law Society of New South Wales on the First Nations Speaker Series, with fascinating presentations by Tammi Gissell, Muruwarri and Wiradjuri performer, performance theorist and researcher; Blak Douglas, contemporary artist and 2022 Archibald Prize winner; and Victor Steffensen, co-founder of the Firesticks Alliance Indigenous Corporation.

In September 2023, the committee also partnered with the Bugmy Bar Book Project and the Law Society of New South Wales to host a CPD on the topic of 'Recognising and Presenting Evidence of Strengths in Legal Proceedings'.

Committee members Simeon Beckett SC and Natasha Case also presented with interstate colleagues Timothy Goodwin and Avelina Tarrago at the National Indigenous Legal Conference 2023 on measures to increase the number of First Nations lawyers at the Bar.

From left: Natasha Case, Merinda Dutton, Damien Beaufils and the Hon Justice Louise Taylor of the ACT Supreme Court at First Nations Pathways to the Bar, 14 June 2024



Credit: Tom Fewchuk Photography

Inquests and Inquiries Committee

Policy and law reform

A core priority for the committee remains advocating for reform of the New South Wales coronial system, particularly following the publication of the report of the Statutory Review of the *Coroners Act 2009* (NSW) in February 2024. Following the publication of the report, the Association issued a media release calling on the New South Wales government to take this opportunity to modernise and enhance the coronial jurisdiction, including through the allocation of resources for a standalone Coroners Court.

The committee also assisted the Association in responding to the New South Wales Department of Communities and Justice's consultation on whether public interest exceptions, including for law enforcement and anti-corruption bodies, should be inserted into ss 11, 12 and 14 of the *Surveillance Devices Act 2007* (NSW).

The committee continued to convene regular discussion forums with the Coroners Court and the New South Wales Crown Solicitor's Office to discuss operational and practice matters.

Continuing professional development

The committee hosted the following CPD seminars:

- 'Issues for advocates in the coronial jurisdiction'. In an interview format, her Honour Magistrate Teresa O'Sullivan, New South Wales State Coroner, along with Adjunct Professor Hugh Dillon, former Deputy

State Coroner, explored a wide range of topics including how advocacy in the 'therapeutic' coronial jurisdiction differs from other types of advocacy, and what coroners expect from advocates.

- 'Key questions for barristers when appearing at coronial inquests and inquiries'. A panel discussion with his Honour Magistrate Robert Stone, Deputy State Coroner, and Catherine Wilkinson of Sparke Helmore Lawyers, was held at the 2024 Newcastle conference. The discussion had a particular focus on acting for sufficient interest parties, including the potential for recommendations to be made and the need to advise on invoking the privilege in respect of self-incrimination.
- 'ICAC and LECC – Current issues and expectations of counsel'. During this seminar, the Hon John Hatzistergos AM, Chief Commissioner of the ICAC, and the Hon Peter Johnson SC, Chief Commissioner of the LECC, explored current issues, expectations of counsel and recent changes relevant to barristers appearing before the respective commissions.
- 'Commissioner of the National Anti-Corruption Commission addresses the New South Wales Bar'. This seminar presented an opportunity for the Association's members to gain an understanding of the nature and scope of the commission's work following its commencement of operations on 1 July 2023, as well as the role of counsel in relation to the commission's work.

Accessibility Panel

The Accessibility Panel continued to consider, address and respond to matters involving disability, access and inclusion at the Bar.

Court Accessibility User Group

A highlight of the panel's year was its work, in partnership with the Law Society of New South Wales, to establish and participate in the Court Accessibility User Group. The purpose of the User Group is to establish a forum to provide regular feedback to courts and tribunals to improve accessibility for all court users with disability. The User Group includes representatives of the Federal Court and Commonwealth courts administration, the New South Wales Supreme Court, the New South Wales District Court, New South Wales Civil and Administrative Tribunal, the Department of Communities and Justice (including for the Local Court) and the New South Wales Sheriff. In May 2024, the panel identified key accessibility issues for courts and tribunals and developed a proposed Practice Note on Accessibility, for consideration by the User Group.

Educating and engaging the profession

The panel continued its role of making recommendations to the Bar Exam Working Party on applications by candidates with disability for reasonable adjustments in the Bar Exam.

The panel also convened two CPDs on:

- 'Obtaining evidence from vulnerable witnesses'. This CPD was chaired by panel member Matthew Cobb-Clark and consisted of a panel including

Judge Shead SC of the District Court; her Honour Miiko Kumar, Deputy Senior Crown Prosecutor (as she then was); and Hillary Kincaid, former principal solicitor at the Inner-City Legal Centre.

- 'NDIS reforms' was chaired by Matthew Cobb-Clark and involved an insightful discussion between Skye Kakoschke-Moore, CEO of Children and Young People with Disability Australia; Elise Almond, lawyer with the Villamanta Disability Rights Legal Service; and Laurie Leigh, CEO of National Disability Services.

Policy development and submissions

The panel contributed to the Association's preliminary submission to the New South Wales Law Reform Commission's review of the *Anti-Discrimination Act 1977* (NSW), as well as the cross-committee submission to the Inquiry into Artificial Intelligence (AI) in New South Wales conducted by the New South Wales Legislative Council's Portfolio Committee No.1 – Premier and Finance. The panel's input was reflected in the inquiry's recommendation that the Department of Communities and Justice examine the ways in which access to courts and the justice system in New South Wales could be expanded through the appropriate use of artificial intelligence. In April 2024, the panel also provided feedback on the City of Sydney's draft Walking Strategy and Action Plan advocating for measures to improve accessibility to courts and tribunals in the City of Sydney for people with disabilities.

Diversity and Equality Committee

In 2023–24 the committee formed project groups to address the following areas: data on the diversity of the New South Wales Bar, equitable briefing, speaking roles for women barristers and junior counsel, LGBTQIA+ inclusivity at the Bar, accessibility of the Bar for people of diverse socio-economic backgrounds, education about diversity and inclusivity, and addressing inappropriate workplace behaviour and measures to eliminate bullying, harassment and discrimination.

Some highlights of 2023–24 include:

Speaking roles for junior counsel

The committee wrote to senior counsel appointed in 2023 to congratulate them on their appointment and to encourage them to assist their juniors to take on appropriate speaking roles in the cases they are conducting.

The committee also organised a CPD seminar on this subject with Justice Anthony McGrath and Kate Morgan SC as guest speakers. The seminar addressed the importance of developing and promoting the advocacy skills of diverse members of the junior Bar, how opportunities to take on speaking roles as a junior barrister assist in development as an advocate, how unconscious bias can impact upon junior barristers being given oral advocacy opportunities and strategies to address this.

A crèche course in parenting at the Bar

In November 2023, the committee hosted a panel discussion where panellists shared their top five tips on working flexibly, the parenting hacks that work for them, what success looks like, and how to succeed as both a parent and a barrister. The panellists represented a diversity of experience, both professionally and personally, and sought to rebut notions of the 'traditional family' being the norm.

Addressing unacceptable behaviour at the Bar

The committee, jointly with the Association's Industrial, Employment, Health and Safety Committee, presented a CPD seminar that addressed recent legislative amendments to the *Sex Discrimination Act 1984* (Cth), including the positive duty to take reasonable and proportionate measures to eliminate, as far as possible, workplace sexual harassment, sex discrimination and sex-based harassment.

Sybil Morrison lecture

In 2023, the lecture celebrated the Hon Acting Justice Carolyn Simpson's exceptional judicial career and her trailblazing contributions to the legal profession and law reform. Monica Aguinaldo and Imogen Hogan, recipients of the 2022 Katrina Dawson Award, jointly presented the lecture. The lecture was chaired by Her Excellency the Hon Margaret Beazley AC KC.

Open day for women and gender diverse law students

The committee, with the Women Barristers Forum, was pleased to invite penultimate and final year law students from six New South Wales universities to attend the first in person open day since the COVID-19 pandemic. The open day commenced with a panel discussion with the Hon Justice Julie Ward, the Hon Justice Dina Yehia and Ragni Mathur SC. Barristers then took small groups of students to courts and chambers to provide further insights into the day-to-day life of a barrister and pathways to joining the New South Wales Bar.



Pride in Law, 20 March 2024

Credit: Michael Zanetti

Human Rights Committee

Policy and law reform

Throughout 2023–24, the committee assisted the Bar Association to respond to a wide range of policy and law reform consultations that have human rights implications.

Significantly, the committee in collaboration with a number of other committees, assisted the Association to make a preliminary submission to the New South Wales Law Reform Commission's review of the *Anti-Discrimination Act 1977* (NSW). The committee expects that responding to further consultation material released by the commission will be a significant focus in 2024–25.

A selection of other law reform matters that the committee assisted the Association to respond to are:

- NSW Legislative Assembly Committee on Law and Safety Inquiry into Community Safety in Regional and Rural Communities
- consultation led by the NSW Department of Communities and Justice in relation to whether public interested exceptions should be inserted into ss 11, 12 and 14 of the *Surveillance Devices Act 2007* (NSW)
- NSW Law Reform Commission review of the effectiveness of s 93Z of the *Crimes Act 1900* (NSW) in addressing serious racial and religious vilification
- NSW Joint Statutory Modern Slavery Committee review of the *Modern Slavery Act 2018* (NSW)
- NSW Department of Communities and Justice review of New South Wales legal protections for victim-survivors of forced marriage
- NSW Legislative Council's Portfolio 1 Committee – Premier and Finance's Inquiry into Artificial Intelligence in NSW

The committee also assisted the Association to provide submissions to the Law Council of Australia in relation to federal policy and law reform matters, including draft new Federal Law Rules and Practice Directions.

The Commonwealth Parliamentary Joint Committee on Human Rights report in relation to its Inquiry into Australia's Human Rights Framework was tabled in May 2024. Significantly, the report recommended that the federal government introduce legislation to establish a federal human rights act. The Association has long advocated for human rights legislation at both the state and federal level and the committee continues to assist the Association in this advocacy.

Continuing professional development

The committee organised the following CPD seminars to assist the Bar with their ongoing professional development and to raise awareness of human rights issues:

- 'What's the use of a human rights act? Experience from New Zealand and the ACT'. This seminar explored the challenges and opportunities in litigating human rights cases in New Zealand and the ACT and addressed the difference that a human rights act could make in court proceedings and opinion work familiar to New South Wales barristers.
- 'Investigating and prosecuting international crimes'. This seminar provided a practical perspective on the inner workings of international criminal courts, and the realities and challenges for practitioners working within them.
- 'Safeguarding human rights in international extradition'. This seminar provided an overview of Australia's international extradition processes and safeguards for extradites, including through extradition objections and treaty obligations.
- 'Current issues in public interest litigation'. This seminar addressed topical legal and strategic issues arising in public interest litigation, including standing to bring claims, forum for litigation, representative proceedings, and appearing on a pro bono basis.

NSW Bar Association Executive Director, Andreas Heger, at First Nations Pathways to the Bar, 14 June 2024



Credit: Tom Fewchuk Photography

Support barristers in the conduct of their profession

Legal Aid Committee

Throughout the year the Legal Aid Committee continued its longstanding advocacy for fair and adequate remuneration for members engaged in legal aid matters. A key component of this work was preparation of a significant contribution on behalf of the Association to the Law Council of Australia's submission to the Independent Review of the National Legal Assistance Partnership 2020-25 (NLAP). The NLAP is an agreement between the Australian government and states and territories for the provision of Australian government legal assistance funding. The final report of the Independent Review of the NLAP was released on 28 May 2024.

The report made sweeping recommendations to inform the future funding arrangements when the current NLAP expires on 30 June 2025 and provided clear guidance for how access to justice in Australia can be dramatically improved, including through an injection of \$337 million in state/territory funding to increase the rates paid to private practitioners undertaking legal aid work to ensure that they are set at the same level as provided in the relevant court scales. The committee will continue to provide expert guidance and support for the Law Council's Access to Justice for All campaign in support of the NLAP review throughout 2024-25.

Reactive and proactive policy and law reform advocacy

Throughout the year the committee liaised constructively with Legal Aid NSW on matters concerning Legal Aid NSW policies and procedures,

including its development of streamlined processes for recruitment to its Back Up Duty Scheme for criminal lawyers and the recently established Legal Aid Review Panel. As a result of advocacy by the committee, Legal Aid NSW introduced new grants codes to cover counsel fees for super callovers in the District Court. In May 2024 the committee also welcomed a new Legal Aid Fee Scale for Commonwealth criminal law matters which saw counsel fees increase by 30 per cent, commensurate with state matters.

The committee also finalised a comprehensive report on ideal fee scales for civil, criminal and family law matters and the consequences of underfunding of legally aided matters which will inform ongoing advocacy on behalf of the Association for adequate legal aid fee rates.

Continuing professional development

The committee contributed to the professional development of the Bar Association's members through informative and engaging CPDs. In March 2024, committee Chair Sharyn Hall SC chaired a CPD on 'Special Leave Applications on a grant of Legal Aid' presented by Tim Game SC, Stephen Odgers SC and Georgia Huxley. In June 2024, William Calokerinos and Rajiv Baldeo delivered a paper at Legal Aid NSW's annual Criminal Law Conference on 'Cost applications for legal aid clients in a post-Rodden world'.

Alternative Dispute Resolution Committee

In 2023-24, the Alternative Dispute Resolution (ADR) Committee promoted the interests of members practising in ADR generally, and in mediation in particular.

A key priority for the committee in 2023-24 was responding to the replacement of the National Mediator Accreditation System (NMAS) with the Australian Mediator and Dispute Resolution Accreditation Standards (AMDRAS) from 1 July 2024. The committee provided feedback on the draft AMDRAS standards to the Mediator Standards Board (MSB) via the Law Council of Australia. Motivated in part by significant changes that would be introduced by the AMDRAS, the committee sought and obtained approval from the Bar Council to withdraw as a member of the MSB from the commencement of the AMDRAS, and to introduce a Mediator Accreditation Recognition Scheme in lieu. Work on implementing the recognition scheme will continue into 2024-25.

Notwithstanding the Association's withdrawal as a member of the MSB, the committee continued to administer the Association's functions as a Recognised Mediator Accreditation Body under the NMAS up to June 2024, and endorsed accredited members by providing mediator lists to the Supreme and District Courts.

With regard to arbitration, the committee also submitted a list of nominees to the Local Court's 2024-25 arbitrator list.

The committee contributed to the Association's CPD program with a seminar titled 'The Craft of Advocacy in Mediation', which was organised and chaired by committee member Hugh Stowe. The CPD featured a panel discussion between Peter Jacobson SC, Max Kimber SC and Robert Angyal SC exploring advocacy techniques and strategies for promoting settlement and securing optimal outcomes for clients.



Bar Council member Hilbert Chiu at the Tutors and Readers Dinner, 10 November 2023

Credit: Tom Fewchuk Photography

Education Committee

The Education Committee provides advice, guidance and support to the Bar Council, the Executive Director, Professional Standards and Support, and other departments of the NSW Bar Association. The work of the committee is dedicated to enhancing the quality of legal education and training within the Bar. The committee concentrates on the Bar Examinations, the Bar Practice Course, the tutor-reader program, the mentoring program, and the continuing professional development of counsel.

Through these activities the committee supports the objectives set out in the NSW Bar Association's Strategic Plan. In 2023-24 this has included the continuing education of barristers, a full and thorough review of the Bar Practice Course and its materials, the promoting of equality and diversity at the Bar, a new program regarding law schools' visits to promote the Bar as a career, and supporting readers and junior counsel.

The committee has assisted in the development of guidelines and policies relating to the assessment of applications from barristers seeking exemption from the educational and reading requirements pertaining to obtaining a practising certificate in New South Wales. The content and format of the Bar Examinations continues to be under constant review. The committee continues to assist in the development of the popular Regional Conference Series.

This year the committee has been under the expert guidance of Patrick Griffin SC as chair; he was formerly the deputy chair. Zelig Heger commenced the role of deputy chair. Ralphed Notley is the new director of the Bar Practice Course.



Sean Docker SC and Education Committee Chair, Patrick Griffin SC, at the Tutors and Readers Dinner, 10 November 2023

Credit: Tom Fewchuk Photography

Industrial, Employment, Health and Safety Committee

During 2023-24, the Industrial, Employment, Health and Safety Committee informed submissions on key reforms such as the re-establishment of the Industrial Court of New South Wales and the introduction of the offence of industrial manslaughter. Members of the committee also attended meetings with government representatives to discuss the reforms as part of the New South Wales government's consultation processes.

The Industrial Court of New South Wales was re-established through the *Industrial Relations Amendment Act 2023* (NSW). Members of the committee informed comments on the reform and will continue to provide advice to the Industrial Court regarding its practices and procedures. The Association's former treasurer, the Hon Justice Ingmar Taylor, was appointed as President of the Industrial Relations Commission and as a judge of the Industrial Court.

Members of the committee also informed the Association's submission on the introduction of an offence of industrial manslaughter in New South Wales. Although the Association opposed the introduction of the offence, committee members provided constructive advice concerning its implementation throughout the New South Wales government's consultation process.

The committee also contributed to submissions made to the Law Council of Australia on federal issues, such as the new draft general federal law rules and practice directions for the Federal Circuit and Family Court of Australia (Division 2).

The committee, in collaboration with the Diversity and Equality Committee, presented to the readers course regarding discrimination and organised a CPD regarding legislative changes directly affecting barristers and barristers' chambers on 19 July 2023.

Support barristers in the conduct of their practices

Practice Development Committee

The Practice Development Committee undertook many projects throughout the 2023-24 year. This committee facilitates the exchange of information between barristers, clerks and practice managers relating to all aspects of practice development, promotes the work of barristers to solicitors, in-house counsel and clients, and assists with other practice development matters as are referred to it by Bar Council or the Executive.

On 28 November 2023, the Practice Development Committee held the Association of Corporate Counsel Networking and CPD event. This event commenced with a CPD focusing on cyber risks and concluded with a networking function, which allowed members of the Bar to network with members of the Association of Corporate Counsel (ACC).

The Practice Development Committee also arranged many CPDs in 2023-24. The CPDs included 'Developing a Specialist Practice' with Justice Elizabeth Raper of the

Federal Court, 'Reading for the Future' by Justice Stern with contributions from the Irish Bar and NIDA, 'Liability for and Management of IT and Cyber Risk,' and the 'Judicial Information Research System or JIRS'.

Some members of the Practice Development Committee also joined with some members from the Media and Information Law and Technology Committee to form the Cyber Resilience Working Group. The group was allocated the task of drafting cybersecurity guidelines for the Bar. These guidelines were prepared after a review of approaches to the issue by other Australian and international Bars and law societies, and after a review of current Commonwealth cybersecurity guidance. *Cybersecurity Guidance for NSW Barristers* was subsequently issued to the New South Wales Bar on 28 June 2024. Given the significance of cybersecurity issues, it is hoped that this achievement will be valuable for the Association and the Bar as a whole.

Wellbeing Committee

Within the 2023-24 reporting year, the Wellbeing Committee has focused primarily on addressing vicarious trauma as well as the rollout of the Mental Health First Aid Course.

Vicarious trauma (also known as secondary post traumatic stress) is the trauma you get from hearing or reading about someone else's trauma. The Wellbeing Committee highlighted the importance of educating barristers about vicarious trauma and arranged for webinars on the topic presented by Robyn Bradey and Dr Fiona Oates. The webinars were run in 2023 and 2024, and focused on skills to detect and address vicarious trauma.

The Mental Health First Aid Course was piloted in 2022 and has been rolled out to the Bar in 2024, with the Association subsidising participation in the course. The course highlights how members may be able to assist colleagues or other members of their chambers who may be experiencing signs of mental health issues, before a mental health crisis occurs. The first course took place in April and May with 26 attendees, a mixture of clerks and barristers. It is anticipated that in 2024-25 there will be a minimum of 80 members from 48 chambers who will have completed the Mental Health First Aid Course. The feedback received from attendees has been overwhelmingly positive, with some noting that the course content is useful not only in a professional capacity but personally too.

The Readers in the Garden event saw readers from the 2023 Bar Practice Courses join silks and members of the Bench for a lunch in the beautiful gardens of the Chief Justice. The event allows for the fostering of a collegiate atmosphere within the Bar and provides valuable networking opportunities for readers.

The Experienced Barristers Program took place in February 2024 and acknowledged members who had been practising since 1973. Colleagues and families were invited to the event which celebrated the dedication and service of these members over the past 50 years.

The Bench and Bar Lunch was also held in 2023 and provided a networking opportunity for all members with the aim being to foster and improve collegiality at the Bar.

The Wellbeing Committee also rolled out a series of webinars over the reporting year, including 'Beat Booze and Burnout Before it Beats You' conducted by Isabella Ferguson in September 2023.

The Wellbeing Committee also runs various initiatives such as yoga classes, the Bar knitting club, Bar bushwalking, the Bar walking group and Bar FC. These initiatives encourage members to socialise with their peers and help to foster a better work-life balance at the Bar.



Bar FC

Media and Information Law and Technology Committee

The Media and Information Law and Technology Committee (MILT Committee) had a highly productive year in 2023–24. The committee has closely monitored developments in the defamation, privacy law, media freedom, data law, artificial intelligence and information technology spheres. It has also maintained active participation in policy development, law reform and stakeholder engagement.

Throughout 2023–24, the committee made considered contributions to a number of consultations. The committee notably led the Association's comprehensive cross-committee submission to the Inquiry into Artificial Intelligence (AI) in New South Wales, conducted by the New South Wales Legislative Council's Portfolio Committee No.1 – Premier and Finance. The submission was prepared with input from the Criminal Law Committee, Human Rights Committee, Common Law Committee and the Accessibility Panel.

In March 2024, Co-Chair Ben Kremer SC gave evidence to the inquiry alongside representatives of the New South Wales Law Society. The Association's submission had a clear influence on the Portfolio Committee's report and recommendations to the New South Wales government, including one of its key recommendations for the conduct of a regulatory gap analysis to assess the relevance and application of existing law to AI, to identify where changes to existing legislation may be required and where new laws are needed.

Policy initiatives

The MILT Committee progressed several significant policy projects throughout the 2023–24 year as part of its remit to identify, investigate and monitor new technological developments and to ensure that members are properly equipped to incorporate the latest technology into their practice in a manner that complies with their ethical and professional obligations. Members of the MILT Committee, together with representatives of the Practice Development Committee and the Professional Conduct Committees, participated in the Cyber Resilience Working Group which was established in March 2024 to develop and maintain up-to-date guidance for barristers regarding cybersecurity awareness and prevention. In June 2024 the Bar Council published *Cybersecurity Guidance for NSW Barristers*, offering valuable guidance to members on the preventative steps they should adopt to safeguard their legal practice against the ever present threat of cybersecurity. In 2023 the committee partnered with the Sydney University Law Society through its former academic member, Dr Carolyn McKay, to jointly host the third intervarsity Law Students' Video Essay Competition on the topic of 'Legal Futurism'.

Educating and engaging the profession

The MILT Committee collaborated with the Bar News Committee to put together the technology edition of *Bar News*, published in Autumn 2024, which featured a varied collection of articles on hot topics in technology and media law. Over the coming year the committee will continue work on a comprehensive CPD program on cybersecurity for barristers.

BarCare

Confidential
Assistance

BarCare is an integral part of the Bar community that provides assistance to barristers, their family members, clerks and Bar Association staff who are experiencing difficulties in their professional or personal lives. The service is strictly confidential and BarCare does not give any personal information to the Bar Association without the express permission of the barrister involved.

BarCare is available to meet and talk with barristers and assist them to seek help from the panel of specialists with the cost of up to six sessions paid for. Barristers from outside the metropolitan area are encouraged to contact Jenny Houen who will locate a suitable treating practitioner in their area.

2023–24 has been a busy year for BarCare with 107 people (93 barristers and 14 family members, clerks and Bar Association staff) accessing the service. The majority of these contacts continue to be self-referred but

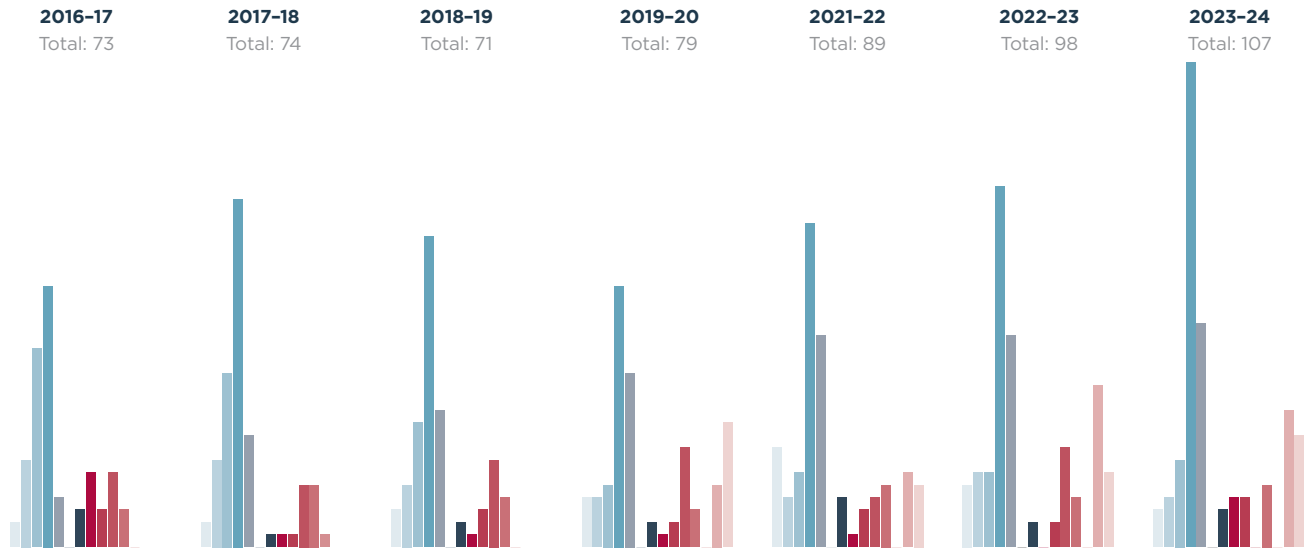
referrals are also made by Bar Association staff, clerks, colleagues and family members. Primary presenting problems cover a range of areas, including stress and anxiety, relationship difficulties, depression, alcohol use, vicarious trauma, bullying and sexual harassment.

In her role as Sexual Harassment Officer, the Director of BarCare has responded to a number of inquiries and requests for advice. The Association has made available an online tool, Spot (talktospot.com/nswbar), which allows those who have witnessed or experienced discrimination, workplace bullying or sexual harassment at the New South Wales Bar to make a confidential record of what happened and, if they wish, to report the behaviour to the Sexual Harassment Officer anonymously or in an identified fashion. In 2023–24 there were 8 reports made via the Spot tool, 11 private reports created and 245 page views of Spot.

BARCARE (cont'd)

Primary Presenting Problem

● Bereavement ● Psychological ● Depression ● Stress/Anxiety ● Relationship difficulties ● Gambling ● Career advice
 ● Physical health ● Alcohol ● Financial ● Advice and NFA ● Rejected offer of assistance ● Bullying/Harassment ● Vicarious trauma



Source of Referral

	2016-17	2017-18	2018-19	2019-20	2021-22	2022-23	2023-24
Colleague via Bar	1	2	1	2	3	0	0
Bar staff	8	7	13	8	6	4	6
Self	44	48	43	53	62	80	83
Colleague	11	8	8	4	6	10	7
Family	2	1	1	5	2	3	2
Clerk	2	3	3	4	7	1	5
Advice for colleague	5	5	2	3	3	0	4
Total	73	74	71	79	89	98	107

Gender

	2016-17	2017-18	2018-19	2019-20	2021-22	2022-23	2023-24
Male	41	44	44	41	37	52	51
Female	32	30	27	28	52	46	56

Age

	2016-17	2017-18	2018-19 Male	2018-19 Female	2019-20 Male	2019-20 Female	2021-22 Male	2021-22 Female	2022-23 Male	2022-23 Female	2023-24 Male	2023-24 Female
<34	8	10	10	3	5	10	2	9	7	3	3	5
35-44	7	11	11	10	9	16	13	13	8	17	18	19
45-55	17	12	12	10	9	6	10	13	14	16	19	13
56-65	20	15	8	2	8	8	9	4	13	1	8	3
>65	18	2	3	0	8	0	3	0	8	1	5	0
Unknown	0	9	2	0	0	0	0	13	0	0	3	11

Years at Bar

	2016-17	2017-18	2018-19 Male	2018-19 Female	2019-20 Male	2019-20 Female	2021-22 Male	2021-22 Female	2022-23 Male	2022-23 Female	2023-24 Male	2023-24 Female
<5	23	24	14	10	9	12	10	20	13	18	9	12
6-15	19	22	13	8	11	9	12	10	12	12	30	22
16-25	14	7	8	4	7	1	9	8	9	7	7	4
26-35	11	7	5	2	8	0	4	1	7	2	3	1
>35	4	4	1	0	2	0	2	0	7	1	5	0
Unknown	2	5	0	0	0	0	0	0	0	0	0	0
N/A	5	15						13	1	9	3	11

Reinforce the Bar Association as a representative organisation, a co-regulator, as a leader in the legal and broader communities and an employer

Professional Conduct

Complaints

In the course of 2023–24 the Bar Council investigated 177 complaints – 102 complaints made during the year and 75 complaints made in previous years but still ongoing.

During 2023–24, the Bar Council determined 88 matters as follows:

- 55 were closed under the *Legal Profession Uniform Law* (NSW), for being misconceived, lacking in substance or otherwise not capable of amounting to unsatisfactory professional conduct or professional misconduct; a further 6 complaints were closed due to being made out of time, and the Bar Council declined to extend the time within which to bring the complaint;
- 16 resulted in the barrister being cautioned or reprimanded;
- 1 was referred to the New South Wales Civil and Administrative Tribunal;
- 7 complaints were withdrawn; and
- 3 were referred to the Office of the Legal Services Commissioner (due to conflict of interest or jurisdictional issues).

In 2023–24 there were no reviews by the Legal Services Commissioner of Bar Council decisions made under the *Legal Profession Uniform Law* (NSW).

An analysis of the 102 complaints received in 2023–24 shows that 37 were made by the barrister's client or former client, 38 were made by the opposing party or opposing solicitor or barrister, and 5 were made by the Bar Council itself. The balance were made by witnesses, a government or statutory body, or other persons unrelated to the original matter.

Most complaints (51) were to do with ethical matters. A further 17 arose from issues about competence and diligence. Other significant issues were costs (16), personal conduct (8) and communication (8).

The 102 complaints received in 2023–24 represent a 43 per cent increase in the number of complaints referred by the Office of the Legal Services Commissioner to the Bar Council for investigation (up from 71 referrals in 2022–23). There are two reasons for the increase in the number of referrals. First, advice received from the Office of the Legal Services Commissioner is that there was an increased number of complaints made against both solicitors and barristers in 2023–24. Secondly, the Office of Legal Services Commissioner referred an increased proportion of the complaints it received against barristers to the Bar Council for investigation.

Notwithstanding the increase in complaint numbers, the department continues to work on strategies for increasing efficiency in complaint handling with the goal of decreasing the time taken to finalise the investigation of complaints.

The Professional Conduct staff engage in regular liaison with staff at the Office of the Legal Services Commissioner and the Law Society regarding complaint trends and approaches being taken in matters raising similar issues to promote consistency in the application of the *Legal Profession Uniform Law* among the New South Wales legal regulators.

The ongoing analysis of trends in the complexion of complaints is also shared with the Professional Standards department to assist in the development of education and training on the issues that arise most frequently in complaint matters. For example, in the CPD conference series held in March 2024, a seminar was held in each of the regional conferences to remind barristers of the rules pertaining to direct access matters. Claims data obtained from the professional indemnity insurers is also compared to complaint data to inform the Bar Association's regulatory approach and education.

Show cause events

Under the *Legal Profession Uniform Law* (NSW) barristers must notify the Bar Council of automatic show cause events, that is, certain bankruptcy matters, a conviction for a serious offence (as defined in the legislation) or a tax offence. Following notification of a show cause event, the Bar Council is required to determine whether the barrister is a fit and proper person to hold a practising certificate. The investigation of show cause events is carried out by the Professional Conduct committees and a report is furnished to the Bar Council.

In 2023–24 one show cause event was notified to the Bar Council.

Professional Conduct Committees

The Professional Conduct Committees comprise barrister members and community members. Community representation on the committees is vital to the healthy functioning of the complaint handling process. The Bar Council would like to thank the community members who served on these committees for their significant and ongoing contribution.

The Bar Council also wishes to express its sincere appreciation to the many barristers who served on the committees this year. Their service demonstrates the commitment of the profession to maintaining professional standards and public confidence.

Ethical guidance and information

The Bar Association Ethical Guidance Scheme enables members to seek ethical guidance from the senior counsel serving on the Professional Conduct Committees. Thirty one senior counsel were available to assist members in 2023–24. Most calls are initially directed to (and 'triaged' by) the Association's Professional Conduct department staff.

In 2023–24 the department received over 300 calls seeking either ethical guidance or information.

Bar Library

The Bar library provides a first-class library service to practising members of the profession and to members and staff of the Association.

Its major goals are to:

- assist members in the effective use of library resources
- provide information resources in the most appropriate medium
- maintain a relevant, up-to-date and well-balanced collection to provide an effective resource to enhance barristers' skills

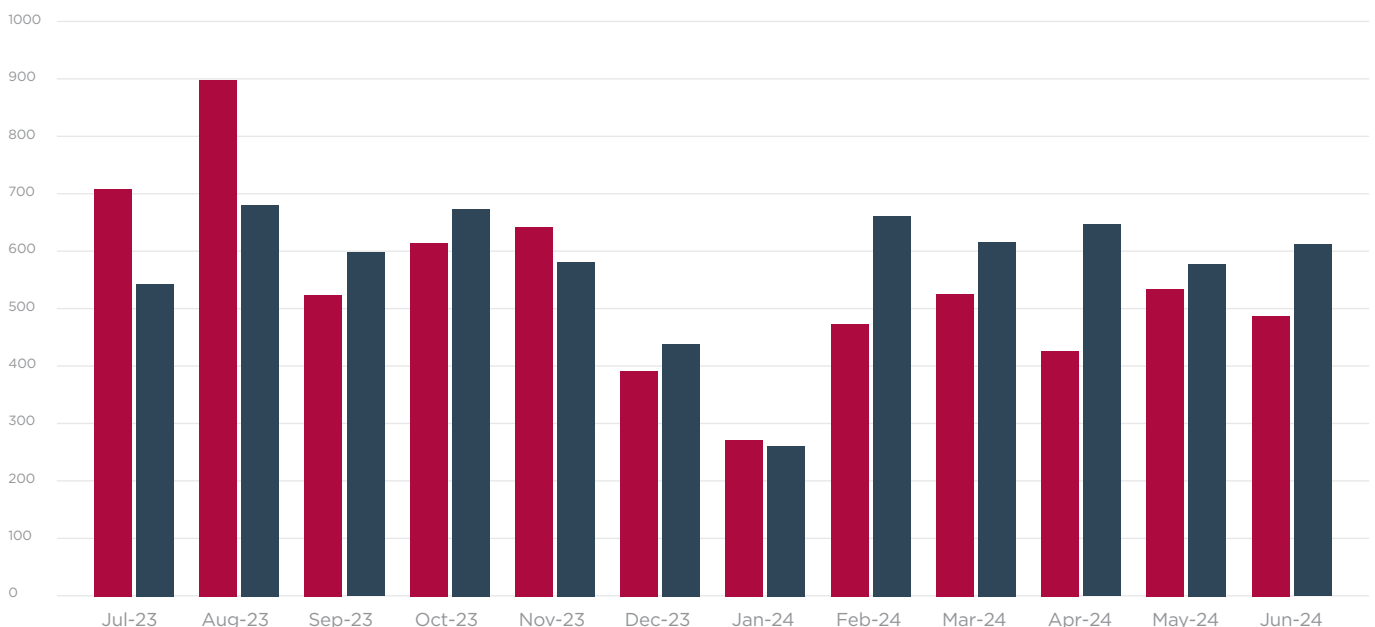
These goals are achieved by providing the following services:

- identifying, selecting, acquiring, processing and making available resource material within the parameters of the collection development policy, to constitute a relevant, up-to-date and well-balanced collection
- legal reference and research services for members, exam candidates and Bar Association staff
- library orientation and legal research training
- provision of online library resources that enable members to find, follow and access the materials relevant to their practice

The 2023-24 financial year saw the Bar library continue to consolidate and build upon past successes, planning for future developments while continuing to provide exceptional service for the Bar, receiving and responding to consistently high volumes of research and reference requests and demand for loans.

NSW Bar library requests and loans by month 2023-24

● Request ● Loans



A significant ongoing challenge for the Bar library is the management of the physical collection and the space available to house our valuable hard copy collection. During the past year several initiatives, including relocation of materials duplicated online and significant culling of materials no longer deemed essential, have allowed the continued expansion of our valuable monograph collection.

Efforts have also continued to examine and negotiate deals with our online vendors to ensure that a wide range of essential legal databases are available to members, while ensuring that these services are being obtained in the most cost-effective manner possible in accordance with the Association's strategic plan.

The Bar library was also able to add some significant accomplishments beyond our business-as-usual services, achieving recognition for assisting with the New South Wales Supreme Court's bicentennial publication, hosting a work placement for a junior from chambers with ambitions to work in the library/information field and reclassifying stack materials to be more accessible when searching by subject.

The Bar library has and will continue to reach out to offer members and chambers staff personalised training opportunities, and will strive to provide the requisite combination of physical and electronic materials and high level reference and research services to best serve the needs of the membership into the future.

Legal Assistance

The Legal Assistance department coordinates pro bono and reduced cost legal services, reflecting the strongly held view of the Bar that access to justice should not be diminished because a litigant has little or no money. More than 650 barristers are on the pro bono panels to receive referrals through the Legal Assistance Referral Scheme (LARS), to assist the Office of the Director of Public Prosecutions (ODPP) in situations where one or more trial witnesses require independent advice and to volunteer as a duty barrister.

Legal Assistance Referral Scheme (LARS)

In the 2023–24 financial year LARS revised its guidelines to discontinue accepting applications directly from members of the public. This has allowed LARS to focus on collaborating with other legal assistance providers and bridge the gap for unmet legal need where legal assistance cannot be sought elsewhere. These services are better placed within the communities that they serve to triage and refer appropriate matters to LARS. They identify meritorious matters that are appropriate for referral, however, fall outside current Legal Aid or community legal centre eligibility policies, or that require the assistance of a barrister because the legal issue is complex and beyond the capacity of that service to deliver.

LARS continues to accept and assist with referrals received from courts and tribunals made under the Uniform Civil Procedure Rules (UCPR). LARS also continues to facilitate urgent requests from the ODPP for a barrister to give discrete advice to witnesses or a self-represented accused to ensure a trial can properly proceed.

In the financial year ending 30 June 2024, LARS received 520 applications for assistance, an increase from 338 applications received in the previous financial year. Over the year our volunteer panel of barristers contributed 3,137 hours of pro bono assistance through LARS amounting to \$2,028,456 value of pro bono hours. The ODPP referred 89 witnesses for advice through LARS and 24 were successfully referred for advice.

Duty Barrister Scheme

The Duty Barrister Scheme continues to provide an invaluable service to unrepresented individuals who do not qualify for legal aid and who have a matter before the court on the day. The scheme also continues to be a meaningful opportunity for new and senior barristers to build on their practice in civil and criminal matters.

Recent feedback received from the Chief Magistrate's office emphasised the significance of the scheme in assisting the court to administer access to justice. Based on the limited data available to us, our duty barristers assisted 76 unrepresented litigants in 2023–24, which amounted to 2,280 hours of pro bono assistance.

The Legal Assistance department continues to uphold one of the finest traditions of the NSW Bar Association.

Professional Standards and Membership

This team supports the work of the Bar News Committee, International Committee, Practice Development Committee and Wellbeing Committee. It also administers a variety of member services and publications. In 2024, this team also supported the recently developed Cyber Resilience Working Group and was responsible for issuing cybersecurity guidelines for the Bar in June 2024.

Professional Standards Scheme (PSS)

The PSS covers all barristers who are members of the NSW Bar Association who have professional indemnity insurance. The PSS scheme runs for a period of five years and is due to be renewed in 2025. This team has been working on the renewal application which needs to be lodged with the Professional Standards Councils at least 12 months in advance.

Cyber insurance

Cybersecurity is an issue that affects all areas of the legal profession. This team has been working closely with cyber insurance providers in order to assess what policies can be offered to barristers. Given the diverse range of barristers across New South Wales and the very different ways in which barristers practice, the team has been working hard to develop cyber insurance options that will appropriately protect all barristers if a cybersecurity breach occurs. Having cyber insurance in place will benefit barristers, their clients as well as the public as a whole.

Mental health first aid course

The team also implemented and coordinated the Mental Health First Aid Course which commenced in early 2024 and continues to be rolled out. The course aims to educate clerks, members and Bar Association staff about how to appropriately support colleagues who may be in need of assistance. The feedback received from the large number of participants has been exceptionally positive and more courses will be run going forward to ensure that as many clerks and barristers who want to participate in the course can do so in whatever course structure suits them best, whether in person, online or hybrid.

Other member services

Other member services include the Members Advantage program, which provides members with specialised benefits, services and resources. This program aims to enhance both professional and personal wellbeing by providing members with exclusive offers that continually change. In 2023, Member Advantage program was extended to Bar Association staff members. The team also assisted the Childcare Working Group by creating a curated list of emergency childcare providers to assist barristers who are juggling family commitments.

Financial reports



The Bar library



Financial report for the New South Wales Bar Association

ABN 18 526 414 014

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These financial statements cover the New South Wales Bar Association as an individual entity (the Association). The consolidated financial statements are presented in Australian dollars, which is the New South Wales Bar Association's functional and presentation currency. The New South Wales Bar Association is an unlisted public company limited by guarantee.

The financial statements were authorised for issue by the directors on 5 September 2024. The directors have the power to amend and reissue the financial statements.

DIRECTORS' REPORT

FOR THE YEAR ENDED 30 JUNE 2024

The Directors present their report together with the consolidated financial statements of The New South Wales Bar Association ("the Association") for the year ended 30 June 2024 and the auditors' report thereon.

Directors

The following persons were directors of the Association i.e. members of the Bar Council, during the financial year or since the end of the financial year 1 July 2023 to 30 June 2024.

Name	From	To
Gabrielle Bashir SC	01/07/2023	02/11/2023
Ruth Higgins SC	01/07/2023	
Dominic Toomey SC	01/07/2023	
Michael Izzo SC	01/07/2023	
Catherine Gleeson SC	01/07/2023	
Nicholas Broadbent	01/07/2023	
Greg Sirtes SC	02/11/2023	
Kate Eastman AM SC	01/07/2023	
Anthony McAvoy SC	01/07/2023	
Ingmar Taylor SC	01/07/2023	19/04/2024
James Emmett SC	19/04/2024	
Vanessa Whittaker SC	01/07/2023	
Yaseen Shariff SC	01/07/2023	1/09/2023
Patrick Knowles SC	01/09/2023	02/11/2023
David Patch	01/07/2023	
Michelle Castle	02/11/2023	
Nicolas Kirby	01/07/2023	
Hilbert Chiu	02/11/2023	
Callan O'Neill	01/07/2023	
Amy Munro	01/07/2023	
Rose Khalilzadeh	01/07/2023	
Georgina Westgarth	01/07/2023	
Claire Roberts	01/07/2023	
Megan Caristo	02/11/2023	
Emma Bartley	02/11/2023	
James Mack	01/07/2023	02/11/2023
Claire Palmer	01/07/2023	02/11/2023
Carl Young	01/07/2023	02/11/2023

DIRECTORS' REPORT

FOR THE YEAR ENDED 30 JUNE 2024

Information on directors

The directors' qualifications, experience and special responsibilities during the financial year 1 July 2023 to 30 June 2024 are as follows. All directors are, or were at the relevant time, practising barristers.

Name:	Gabrielle Bashir SC (<i>ceased as a director on 2 November 2023</i>)
Title:	Former President
Qualifications:	LLB, BA
Experience and expertise:	Gabrielle was called to the Bar in 2000 and was appointed Senior Counsel in 2014. She practices in a wide range of areas including criminal law, appellate, commissions of inquiry and inquests, corporate crime and administrative law.
Special Responsibilities:	Member of the Bar Council Executive – President (July 2023 - November 2023). Member of the Finance, Investment and Audit Committee (July 2023 - November 2023)
Name:	Ruth Higgins SC
Title:	President
Qualifications:	LLB (Hons I), DipLPrac (Glasgow), DPhil (Oxford)
Experience and expertise:	Ruth was called to the Bar in 2006 and was appointed Senior Counsel in 2017. She practices in a wide range of areas including competition law, class actions, energy, media, corporate criminal and corporations' matters.
Special Responsibilities:	Member of the Bar Council Executive – President (since November 2023) Senior Vice-President (July 2023 - November 2023).
Name:	Dominic Toomey SC
Title:	Senior Vice-President
Qualifications:	DipL, GradDipL
Experience and expertise:	Dominic was called to the Bar in 1999 and was appointed Senior Counsel in 2015. He practices in a wide range of areas including tort law, administrative law and inquests and commissions of inquiry.
Special Responsibilities:	Member of the Bar Council Executive – Senior Vice-President (since November 2023). Member of the Risk & Compliance Committee – Chair.

DIRECTORS' REPORT

FOR THE YEAR ENDED 30 JUNE 2024

Name:	Michael Izzo SC
Title:	Junior Vice-President
Qualifications:	BA, LLB (Syd) BCL, MPhil (Oxford)
Experience and expertise:	Michael was called to the Bar in 2005 and was appointed Senior Counsel in 2018. He practices in a wide range of areas including commercial and public law.
Special Responsibilities:	Member of the Bar Council Executive – Junior Vice-President (since November 2023). Member of the Bar Council Executive – Treasurer (July 2023 - November 2023). Member of the Finance, Investment and Audit Committee – Chair (July 2023 to November 2023). Member of the Risk & Compliance Committee.
Name:	Catherine Gleeson SC
Title:	Treasurer
Qualifications:	BA, LLB (Hons) (Sydney) BCL (Oxford)
Experience and expertise:	Catherine was called to the Bar in 2009 and was appointed Senior Counsel in 2023. She practices in a wide range of areas including commercial law, common law, crime, inquests and inquiries, public and administrative law.
Special responsibilities:	Member of the Bar Council Executive – Treasurer (since April 2024). Member of the Finance, Investment and Audit Committee (since November 2023) Chair (since April 2024). Member of the Risk & Compliance Committee.
Name:	Nicholas Broadbent
Title:	Secretary
Qualifications:	LLM (Harvard), B Ec LLB (Hons I) (Macq.)
Experience and expertise:	Nicholas Broadbent was called to the Bar in 2009. He was appointed a Public Defender in 2020 and is based in Dubbo.
Special Responsibilities:	Member of the Bar Council Executive – Secretary. Member of the Finance, Investment and Audit Committee.
Name:	Greg Sirtes SC
Title:	Bar Councillor
Qualifications:	BEc, LLB, (Sydney), LLM, University of London
Experience and expertise:	Greg was called to the Bar in 1992 and was appointed Senior Counsel in 2008. He practices in a wide range of areas including property law, construction and contract disputes, commercial/equity, insurance, professional negligence and estate litigation.
Special Responsibilities:	None.
Name:	Kate Eastman AM SC
Title:	Bar Councillor
Qualifications:	BA LLB (UNSW), LLM Dist (UCL), LLM (UTS), LLD (Hon) (UTS)
Experience and expertise:	Kate was called to the Bar in 1998 and was appointed Senior Counsel in 2012. She practices in a wide range of areas including commercial law, public and administrative law, constitutional law, appellate law, industrial law and international law.
Special Responsibilities:	None.

DIRECTORS' REPORT

FOR THE YEAR ENDED 30 JUNE 2024

Name: **Anthony McAvoy SC**
Title: Bar Councillor
Qualifications: LLB (QUT)
Experience and expertise: Anthony was called to the Bar in 2000 and was appointed Senior Counsel in 2015. He practices in a wide range of areas including commissions of inquiry, native title, environmental law, administrative law, human rights and discrimination law, coronial inquests and criminal law.
Special Responsibilities: None.

Name: **Ingmar Taylor SC** (*ceased as a director on 19 April 2024*)
Title: Bar Councillor
Qualifications: LLM (Sydney) BA, LLB (Adelaide)
Experience and expertise: Ingmar was called to the Bar in 1997 and was appointed Senior Counsel in 2012. He practices in a wide range of areas including commercial law, public and administrative law, constitutional law and industrial law.
Special Responsibilities: Member of the Executive – Treasurer (from November 2023-April 2024).
 Member of the Finance, Investment and Audit Committee (July 2023 - April 2024).
 Member of the Risk & Compliance Committee (February 2024 – 19 April 2024).

Name: **James Emmett SC** (*from 19 April 2024*)
Title: Bar Councillor
Qualifications: LLB (UNSW) MA (Cantab)
Experience and expertise: James was called to the Bar in 2006 and was appointed Senior Counsel in 2020. He practices in a wide range of areas including public and administrative law, commercial litigation, professional negligence and maritime law.
Special responsibilities: Member of the Risk & Compliance Committee (from April 2024)

Name: **Vanessa Whittaker SC**
Title: Bar Councillor
Qualifications: BA (UQ), LLB (Sydney) BCL (Oxford)
Experience and expertise: Vanessa was called to the Bar in 2005 and appointed Senior Counsel in 2018. She practices in a wide range of areas including commercial law, equity, insolvency and bankruptcy, insurance law, and professional liability.
Special responsibilities: Member of the Finance, Investment and Audit Committee (from November 2023)

Name: **Yaseen Shariff SC** (*ceased as a director on 1 September 2023*)
Title: Bar Councillor
Qualifications: LLB, BEc (Sydney)
Experience and expertise: Yaseen was called to the Bar in 2007 and appointed Senior Counsel in 2020. He practices in a wide range of areas including employment, industrial and discrimination, commercial, corporate and coronial and inquiries.
Special responsibilities: None.

DIRECTORS' REPORT**FOR THE YEAR ENDED 30 JUNE 2024**

Name:	Patrick Knowles SC (1 September 2023 - 2 November 2023)
Title:	Bar Councillor
Qualifications:	LLB (UNSW), LLM (Hons I) (Cambridge)
Experience and expertise:	Patrick was called to the Bar in 2009. He practices in a wide range of areas including administrative, public and constitutional, commercial and common law.
Special responsibilities:	None.
Name:	David Patch
Title:	Bar Councillor
Qualifications:	LLB (UNSW), BA (Sydney)
Experience and expertise:	David was called to the Bar in 1991. He practices as a Crown Prosecutor.
Special responsibilities:	None.
Name:	Michelle Castle
Title:	Bar Councillor
Qualifications:	LLB (Hons) (Syd)
Experience and expertise:	Michelle was called to the Bar in 2007. She practices in Appellate, building & construction, commercial, corporate, equity and insolvency.
Special responsibilities:	None.
Name:	Nicolas Kirby
Title:	Bar Councillor
Qualifications:	DipL
Experience and expertise:	Nicolas was called to the Bar in 2009. He practices in a wide range of areas including commercial law, equity, competition and consumer law, insolvency, corporations, insurance, wills and probate.
Special Responsibilities:	None.
Name:	Hilbert Chiu
Title:	Bar Councillor
Qualifications:	BA (Hons), LLB (Hons), MPhil
Experience and expertise:	Hilbert was called to the Bar in 2011. He practices in a wide range of areas including insurance law, building and construction, commercial, commissions of inquiry and common law.
Special Responsibilities:	None
Name:	Callan O'Neill
Title:	Bar Councillor
Qualifications:	LLM (UNSW), LLB (Hons) (UTS), BA (UTS)
Experience and expertise:	Callan was called to the Bar in 2012. He practices in a wide range of areas including common law, personal injury, commercial law, and industrial law.
Special Responsibilities:	None.

DIRECTORS' REPORT

FOR THE YEAR ENDED 30 JUNE 2024

Name:	Amy Munro
Title:	Bar Councillor
Qualifications:	LLM, LLB (Hons) BA
Experience and expertise:	Amy was called to the Bar in 2012. She practices in a wide range of areas including commercial law, Commissions of Inquiry, equity, insurance, professional liability, trade practices and competition law.
Special Responsibilities:	Member of the Finance, Investment and Audit Committee (from April 2024)
Name:	Rose Khalilzadeh
Title:	Bar Councillor
Qualifications:	LLB (Hons) BA
Experience and expertise:	Rose was called to the Bar in 2017. She practices in a wide range of areas including criminal law, children's criminal law, criminal appeals and Commissions of Inquiry and Inquests.
Special Responsibilities:	None.
Name:	Georgina Westgarth
Title:	Bar Councillor
Qualifications:	LLB (Hons I), BA (ANU)
Experience and expertise:	Georgina was called to the Bar in 2018. She practices in a wide range of areas including commercial and criminal law.
Special Responsibilities:	None.
Name:	Claire Roberts
Title:	Bar Councillor
Qualifications:	BA (Media), LLB (Hons) (Melbourne), LLM (Kent Scholar) (Columbia)
Experience and expertise:	Claire was called to the Bar in 2019. She practices in a wide range of areas including commercial law, public and administrative law, inquests and inquiries and media law
Special Responsibilities:	None.
Name:	Megan Caristo
Title:	Bar Councillor
Qualifications:	BA (Hons I), LLB (Hons I) (Sydney) LLM (James Kent Scholar) (Columbia)
Experience and expertise:	Megan was called to the Bar in 2020. She practices in a wide range of areas including commercial, competition, regulatory and public law.
Special Responsibilities:	None.
Name:	Emma Bartley
Title:	Bar Councillor
Qualifications:	LLB (Hons I); BSS (Distinction)
Experience and expertise:	Emma was called to the Bar in 2020. She practices in a wide range of areas including professional negligence, medical negligence, commercial, insurance, care and protection, adoptions, intentional torts, crime and appellate.
Special Responsibilities:	None.

DIRECTORS' REPORT

FOR THE YEAR ENDED 30 JUNE 2024

Name: **James Mack** (*ceased as a director on 2 November 2023*)
Title: Bar Councillor
Qualifications: LLB (Hons)
Experience and expertise: James was called to the Bar in 2014. He practices in a wide range of areas including commercial law, equity, defamation, class actions, building and construction and regulatory.
Special Responsibilities: None.

Name: **Claire Palmer** (*ceased as a director on 2 November 2023*)
Title: Bar Councillor
Qualifications: DPhil (Oxford) BCom (Hons I) LLB (Hons I)
Experience and expertise: Claire was called to the Bar in 2017. She practices in a wide range of areas including administrative law, constitutional law, commercial law, human rights law and coronial jurisdiction.
Special Responsibilities: None.

Name: **Carl Young** (*ceased as a director on 2 November 2023*)
Title: Bar Councillor
Qualifications: LLM (UOW), BA LLB (UON)
Experience and expertise: Carl was called to the Bar in 2018. He practices as a Crown Prosecutor.
Special Responsibilities: None.

Company Secretary

Nicholas Broadbent has held the role of Company Secretary since November 2021 (see above for qualifications and experience).

Short and Long Term Objectives and Strategies

The Association's long-term objectives as set out in our Constitution include to:

- promote the administration of justice;
- promote, maintain and improve the interests and standards of NSW barristers;
- make recommendations with respect to legislation, law reform, Rules of Court and the business and procedure of Courts;
- seek to ensure that the benefits of the administration of justice are reasonably and equally available to all members of the community;
- arrange and promote continuing legal education;
- promote fair and honourable practice amongst barristers.

DIRECTORS' REPORT

FOR THE YEAR ENDED 30 JUNE 2024

The Association's short term objectives are to continue to deliver the aims of its *NSW Bar Association 2021-25 Strategic Plan*, including to:

- Promote the rule of law and advocate for fair and equal justice for all
- Ensure that the Bar attracts the best candidates to maintain high standards
- Improve and support diversity at the Bar to represent and support the society it serves
- Commit to respectful conduct toward all those with whom we deal including the elimination of sexual harassment, discrimination and workplace bullying
- Maintain ethics, integrity and excellence
- Maintain a leadership role in the community and the legal profession
- Maintain the integrity of the Bar through the Bar Association's co-regulatory role
- Retain the best talent at the Bar
- Deliver excellent professional development and education for barristers at all career stages
- Support the appropriate use of technology
- Assist barristers with the economic challenges of being a sole practitioner
- Support the health and wellbeing of members
- Develop strategies to enable the Bar Association to identify and respond to both significant predicted and unforeseen issues, to protect the reputation of the Bar, barristers' practices and our people
- Provide outstanding services to members
- Optimise representation and participation
- Carry out responsibilities under the Uniform Law including monitoring and review of the regulatory environment and support for members
- Continue to increase access to the Bar Association's pro bono and support services

The Association's strategies for achieving those objectives are set out in the *NSW Bar Association 2021-25 Strategic Plan* available at <https://nswbar.asn.au/uploads/pdf-documents/SP2021.pdf>

Principal Activities and how these achieve our objectives

The principal activities of the Association during the course of the financial year were to conduct the affairs of The New South Wales Bar Association including:

- the publication of Cyber Security Guidelines for the NSW Bar.
- operating the Bar Library, which supports our objectives relating to supporting barristers' practice and the maintenance of the highest standards of excellence among local practicing barristers
- organising the Bar Exams, Bar Practice Course and a program of Continuing Professional Development, which supports our objectives relating to the maintenance of the highest standards of excellence among local practicing barristers, continuing professional development and our regulatory functions under the Legal Profession Uniform Law.
- running various programs for the benefit and wellbeing of our members such as: Mental Health First Aid training, Member Advantage, Fee Recovery Assistance, Ethical Guidance, Bar-Care, social events, and various publications including Bar News, which relates to our objectives of supporting the health and wellbeing of members and assisting barristers with the economic challenges of being a sole practitioner, among others;
- implementing programs to address harassment, bullying and discrimination, which supports our objectives of retaining the best talent at the Bar, committing to respectful conduct toward all those with whom we deal including the elimination of sexual harassment, discrimination and workplace bullying and promoting, maintaining and improving the interests and standards of NSW barristers;
- administering the Bar Association's Professional Standards Scheme, which promotes, maintains and improves the interests and standards of NSW barristers;
- making submissions and providing advice to government and government agencies on specific legal policy and practice issues as they arise;

DIRECTORS' REPORT

FOR THE YEAR ENDED 30 JUNE 2024

- working with media organisations and other bodies in order to disseminate to the public the Bar Association's position on key issues which supports our objective of promoting the administration of justice;
- co-ordinating the provision of pro bono or reduced cost legal services to underprivileged sections of the public through the Bar Association's Legal Assistance Referral Scheme and Duty Barristers Schemes, which supports our objective of seeking to ensure that the benefits of the administration of justice are reasonably and equally available to all members of the community; and
- fulfilling the Bar Association's statutory duties in relation to the regulation of the legal profession through the work of its Professional Conduct Committees and the Bar Council.

There were no significant changes in the nature of these activities during the financial year. The reporting year saw increased activity in ongoing measures to address the mental health and wellbeing of its members including by introducing Mental health First Aid Courses across chambers in NSW.

In late 2023, the NSWBA engaged a risk consultant to review the Risk Framework of the Association and make recommendations. As a result of that review, the Association's Enterprise Risk Management Framework was updated and expanded. This included on 8 February 2024, the Bar Council establishing its Risk & Compliance Committee.

These principal activities assisted in achieving the Association's objectives, both short and long term during the reporting year, and these will continue in the coming financial year.

Measuring Performance

The Bar Council meets at least monthly to consider and make decisions on the Association's activities and initiatives and reviews reports of its committees' activities. The Finance, Investment and Audit Committee reviews financial, audit and investment performance and meets quarterly. The Risk and Compliance Committee oversees risk management and compliance by the Association and meets quarterly. The Executive Committee meets at least monthly to review and consider the activities of the Association. The Bar Council also meets monthly to undertake the Bar Council's regulatory functions under the Legal Profession Uniform Law. Proposals to the Bar Council are assessed against the Association's 2021-2025 Strategic Plan and its constitutional objects and include assessment of risks and financial implications.

Review and Results of Operations

The Association continued to engage in its principal activities during the financial year. The comprehensive profit of the Association for the year ended 30 June 2024 was \$1,212,725 (2023: income of \$1,401,638).

Association Particulars

The New South Wales Bar Association, is a public company limited by guarantee, incorporated and domiciled in Australia. The address of the registered office and principal place of business is:

174 Phillip Street
Sydney NSW 2000

DIRECTORS' REPORT

FOR THE YEAR ENDED 30 JUNE 2024

Meetings of Directors

From 1 July 2023 to 30 June 2024 there were 19 Meetings held

Name	Meetings Attended	Meetings Held*
Ruth Higgins SC	18	19
Dominic Toomey SC	19	19
Michael Izzo SC	19	19
Catherine Gleeson SC	15	19
Nicholas Broadbent	19	19
Greg Sirtes SC	11	12
Kate Eastman AM SC	14	19
Anthony McAvoy SC	11	19
Ingmar Taylor SC	13	15
James Emmett SC	4	4
Vanessa Whittaker SC	14	19
Yaseen Shariff SC	2	3
David Patch	17	19
Michelle Castle	9	12
Nicolas Kirby	17	19
Hilbert Chiu	10	12
Callan O'Neill	16	19
Amy Munro	17	19
Rose Khalilzadeh	15	19
Georgina Westgarth	18	19
Claire Roberts	18	19
Megan Caristo	10	12
Emma Bartley	10	12
Gabrielle Bashir SC	7	7
Patrick Knowles SC	4	4
James Mack	6	7
Claire Palmer	7	7
Carl Young	6	7

*Held represents the number of meetings held during the time the director held office as a director.

FOR THE YEAR ENDED 30 JUNE 2024**Meetings of the Finance, Investment and Audit Committee**

From 1 July 2023 to 30 June 2024 there were 4 meetings.

Name	Meetings Attended	Meetings Entitled to Attend
Michael Izzo SC, Chair	4	4
Gabrielle Bashir SC	0	1
Ingmar Taylor SC, Chair	3	3
Catherine Gleeson SC, Chair	4	4
Nicholas Broadbent	3	4
V Whittaker SC	3	3
A Munro	1	1

Meetings of the Risk and Compliance Committee

From 1 July 2023 to 30 June 2024 there was 1 meeting.

Name	Meetings Attended	Meetings Entitled to Attend
Dominic Toomey SC, Chair	1	1
Michael Izzo SC	1	1
Ingmar Taylor SC (<i>ceased as a director on 19 April 2024</i>)	1	1
Catherine Gleeson SC,	1	1
James Emmett SC (<i>appointed 19 April 2024</i>)	-	-

Members' Guarantee

If the Association is wound up, the Constitution states that each member is required to contribute an amount not exceeding \$4 per member to meet all outstanding obligations of the Association and any such amounts as may be required. The Association had 3199 members at balance date, and the total that members are liable to contribute is \$12,796.

DIRECTORS' REPORT (CONTINUED)
FOR THE YEAR ENDED 30 JUNE 2024

Auditor's Independence Declaration

A copy of the Auditor's Independence Declaration as required under section 307C of the Corporations Act 2001 given to the Directors by the lead auditor for the audit undertaken by RSM Australia is included on page 15.

The report is made in accordance with resolution of directors made pursuant to section 298(2) of the *Corporations Act 2001*.



R. Higgins SC
President

Sydney, NSW
5th September 2024



C. Gleeson SC
Treasurer



RSM Australia Partners

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NSW 2000
Australia
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F +61 (02) 8226 4501
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AUDITOR'S INDEPENDENCE DECLARATION

As lead auditor for the audit of the financial report of New South Wales Bar Association for the year ended 30 June 2024, I declare that, to the best of my knowledge and belief, there have been no contraventions of:

- (i) the auditor independence requirements of the *Corporations Act 2001* in relation to the audit; and
- (ii) any applicable code of professional conduct in relation to the audit.

RSM AUSTRALIA PARTNERS

C J Hume
Partner

Sydney, NSW
Dated: 5 September 2024

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**STATEMENT OF PROFIT OR LOSS AND OTHER COMPREHENSIVE INCOME
FOR THE YEAR ENDED 30 JUNE 2024**

	Notes	2024 \$	2023 \$
Revenue	2	11,781,189	10,934,374
Employee benefits expense		(5,053,287)	(4,275,125)
Legal and professional fees		(1,937,416)	(1,612,049)
Subscriptions		(1,109,664)	(1,079,576)
Communications and information technology expense		(561,324)	(504,143)
Depreciation expense	3	(228,107)	(244,750)
Occupancy expense	3	(213,096)	(178,104)
Advertising and marketing expense		(240,671)	(215,292)
Financial expense	3	(364,947)	(407,668)
Seminar and function expense		(270,188)	(408,706)
Right-of-Use depreciation	3	(473,654)	(473,654)
Other expenses from ordinary activities		(441,492)	(478,763)
Surplus before investment revaluation to market		887,343	1,056,544
Fair value adjustment on financial assets through surplus or (deficit)		325,382	345,094
Profit before income tax expense		1,212,725	1,401,638
Income tax benefit	4(a)	-	-
Net surplus / (loss)		1,212,725	1,401,638
Other comprehensive income for the year, net of tax		-	-
Total comprehensive income / (loss)		1,212,725	1,401,638

The above statement of profit or loss and other comprehensive income should be read in conjunction with the accompanying notes.

STATEMENT OF FINANCIAL POSITION
AS AT 30 JUNE 2024

	Notes	2024 \$	2023 \$
ASSETS			
CURRENT ASSETS			
Cash and cash equivalents	5	1,588,511	4,367,264
Receivables	6	167,254	96,013
Other financial assets	7	12,337,472	9,260,194
Other assets	8	276,774	350,619
TOTAL CURRENT ASSETS		14,370,011	14,074,090
NON-CURRENT ASSETS			
Other financial assets	7	7,500,907	6,577,799
Deferred Tax Asset	9	279,290	132,188
Right-of-use assets	10	1,177,940	1,651,594
Property, plant and equipment	11	299,362	447,870
Intangible Assets	12	88,021	33,190
TOTAL NON-CURRENT ASSETS		9,345,520	8,842,641
TOTAL ASSETS		23,715,531	22,916,731
LIABILITIES			
CURRENT LIABILITIES			
Trade and other payables	13	1,075,786	1,187,491
Employee benefits	14	486,529	404,036
Lease liabilities	15	720,223	651,616
Contract liabilities	16	7,284,455	7,179,930
TOTAL CURRENT LIABILITIES		9,566,993	9,423,073
NON-CURRENT LIABILITIES			
Employee benefits	17	94,659	81,880
Deferred Tax Liabilities	18	279,290	132,188
Lease liabilities	15	1,267,941	1,988,164
Provisions	19	419,015	416,518
TOTAL NON-CURRENT LIABILITIES		2,060,905	2,618,750
TOTAL LIABILITIES		11,627,898	12,041,823
NET ASSETS		12,087,633	10,874,908
ACCUMULATED FUNDS			
Accumulated surpluses		12,087,633	10,874,908
TOTAL ACCUMULATED FUNDS		12,087,633	10,874,908

The above statement of financial position should be read in conjunction with the accompanying notes.

STATEMENT OF CHANGES IN EQUITY
FOR THE YEAR ENDED 30 JUNE 2024

	Accumulated Surpluses \$	Total Accumulated Funds \$
Balance at 30 June 2022	9,473,270	9,473,270
Profit after income tax expense for the year	1,401,638	1,401,638
Other comprehensive income for the year, net of tax	-	-
Total comprehensive income for the year	1,401,638	1,401,638
Balance at 30 June 2023	10,874,908	10,874,908
Profit after income tax expense for the year	1,212,725	1,212,725
Other comprehensive income for the year, net of tax	-	-
Total comprehensive income for the year	1,212,725	1,212,725
Balance at 30 June 2024	12,087,633	12,087,633

The above statement of changes in equity should be read in conjunction with the accompanying notes.

STATEMENT OF CASH FLOWS FOR THE YEAR ENDED 30 JUNE 2024

	Note	2024 \$	2023 \$
Operating activities			
Receipts from operating activities		11,924,433	11,164,632
Payments to suppliers and employees		(10,870,827)	(9,518,837)
Dividends received		310,063	332,168
Interest received		380,719	168,992
Income tax paid		-	-
Net cash from operating activities		<u>1,744,388</u>	<u>2,146,955</u>
Investing activities			
Proceeds from sale of plant and equipment		-	-
Payments for plant and equipment		(63,717)	(33,031)
Proceeds from financial assets		483,505	91,756
Payments for financial assets		(1,081,231)	(450,802)
Purchase of other financial assets		(3,077,278)	(5,230,616)
Net cash provided by/used in investing activities		<u>(3,738,721)</u>	<u>(5,622,693)</u>
Financing activities			
Interest payments on lease liabilities		(135,301)	(177,117)
Principal payments on lease liabilities		(649,119)	(585,485)
Net cash outflow from financing activities		<u>(784,420)</u>	<u>(762,602)</u>
Net decrease in cash and cash equivalents		(2,778,753)	(4,238,340)
Cash and cash equivalents at the beginning of the financial year		<u>4,367,264</u>	<u>8,605,604</u>
Cash and cash equivalents at the end of the financial year	5	<u>1,588,511</u>	<u>4,367,264</u>

The above statement of cash flows should be read in conjunction with the accompanying notes.

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2024

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The principal accounting policies adopted in the preparation of these financial statements are set out below. These policies have been consistently applied to all the years presented, unless otherwise stated.

(a) Basis of Preparation

These general purpose financial statements have been prepared in accordance with Australian Accounting Standards – Simplified Disclosures as issued by the Australian Accounting Standards Board, and the *Corporations Act 2001*. The New South Wales Bar Association is a Not-for-profit entity for the purpose of preparing the financial statements.

Historical cost convention

These financial statements have been prepared under the historical cost convention.

Critical accounting estimates and judgements

The preparation of the financial statements requires the use of certain critical accounting estimates. It also requires management to exercise its judgement in the process of applying the Association's accounting policies. The areas involving a higher degree of judgement or complexity, or areas where assumptions and estimates are significant to the financial statements, are disclosed in note 1 (u).

(b) Revenue Recognition

Revenue is measured at the fair value of the consideration received or receivable. Revenue is recognised for the major activities as follows:

- (i) *Subscriptions and Practising Certificate Fees*
Subscriptions and Practising Certificate Fees comprise annual fees for membership and practising certificates. Subscriptions and Practising Certificate Fees are recognised on a pro rata basis through the course of the year to which the fees relate.
- (ii) *Administration Charge*
Administration charges comprise revenue earned from the provision of administrative services. They are recognised when the fee in respect of services is receivable.
- (iii) *Dividends Received*
Revenue from dividends is recognised when the right to receive the payment is established.
- (iv) *Interest Income*
Interest income is recognised on a time proportion basis using the effective interest method.
- (v) *Grants*
Grants comprise monies received during the year in respect of the professional conduct department and legal assistance department. Income is recognised when the grant is receivable.
- (vi) *Other Income*
Income from other sources is recognised when the fee in respect of other products or services provided is receivable.

NOTES TO THE FINANCIAL STATEMENTS FOR THE FINANCIAL YEAR ENDED 30 JUNE 2024

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

(c) Income Tax

Under the mutuality provisions of the Income Tax Assessment Act, income and expenses wholly applicable to members of the Association are not brought to account in calculating income for tax purposes.

(d) Leases

The Association assesses at contract inception whether a contract is, or contains, a lease. That is, if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration.

The Association applies a single recognition and measurement approach for all leases, except for short-term leases and leases of low-value assets. The Association recognises lease liabilities to make lease payments and right-of-use assets representing the right to use the underlying assets.

i) Right-of-use assets

The Association recognises right-of-use assets at the commencement date of the lease (i.e., the date the underlying asset is available for use). Right-of-use assets are measured at cost, less any accumulated depreciation and impairment losses, and adjusted for any remeasurement of lease liabilities. The cost of right-of-use assets includes the amount of lease liabilities recognised, initial direct costs incurred, and lease payments made at or before the commencement date less any lease incentives received. Right-of-use assets are depreciated on a straight-line basis over the shorter of the lease term and the estimated useful lives of the assets, as follows:

- Office buildings: over the remaining life of the lease – maximum 15 years

If ownership of the leased asset transfers to the Association at the end of the lease term or the cost reflects the exercise of a purchase option, depreciation is calculated using the estimated useful life of the asset.

The right-of-use assets are also subject to impairment. Refer to the accounting policies in section (e) Impairment of non-financial assets.

ii) Lease liabilities

At the commencement date of the lease, the Association recognises lease liabilities measured at the present value of lease payments to be made over the lease term. The lease payments include fixed payments (including in-substance fixed payments), variable lease payments that depend on an index or a rate and payments of penalties for terminating the lease, if the lease term reflects the Association exercising the option to terminate. Variable lease payments that do not depend on an index or a rate are recognised as expenses (unless they are incurred to produce inventories) in the period in which the event or condition that triggers the payment occurs.

In calculating the present value of lease payments, the Association uses its incremental borrowing rate at the lease commencement date because the interest rate implicit in the lease is not readily determinable. After the commencement date, the amount of lease liabilities is increased to reflect the accretion of interest and reduced for the lease payments made. In addition, the carrying amount of lease liabilities is remeasured if there is a modification, a change in the lease term, a change in the lease payments (e.g., changes to future payments resulting from a change in an index or rate used to determine such lease payments) or a change in the assessment of an option to purchase the underlying asset.

NOTES TO THE FINANCIAL STATEMENTS FOR THE FINANCIAL YEAR ENDED 30 JUNE 2024

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

(e) Impairment of Non-financial Assets

Non-financial assets are reviewed for impairment whenever events or changes in circumstances indicated that the carrying amount may not be recoverable. An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable amount.

Recoverable amount is the higher of an asset's fair value less costs of disposal and value-in-use. The value-in-use is the present value of the estimated future cash flows relating to the asset using a pre-tax discount rate specific to the asset or cash-generating unit to which the asset belongs. Assets that do not have independent cash flows are grouped together to form a cash-generating unit.

(f) Cash and Cash Equivalents

For purposes of presentation in the statement of cash flows, cash and cash equivalents includes cash on hand, deposits held at call with financial institutions and other short-term, highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.

(g) Trade and other receivables

Trade receivables are initially recognised at fair value and subsequently measured at amortised cost using the effective interest method, less any allowance for expected credit losses.

The entity has applied the simplified approach to measuring expected credit losses, which uses a lifetime expected loss allowance. To measure the expected credit losses, trade receivables have been grouped based on days overdue.

Other receivables are recognised at amortised cost, less any allowance for expected credit losses.

(h) Inventories

Inventories are stated at the lower of cost and net realisable value on a 'first in first out' basis. Costs of purchased inventory are determined after deducting rebates and discounts received or receivable.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

NOTES TO THE FINANCIAL STATEMENTS FOR THE FINANCIAL YEAR ENDED 30 JUNE 2024

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

(i) Financial Instruments

(i) Investments and other financial assets

Investments and other financial assets, other than investments in associates, are initially measured at fair value. Transaction costs are included as part of the initial measurement, except for financial assets at fair value through profit or loss. Such assets are subsequently measured at either amortised cost or fair value depending on their classification. Classification is determined based on both the business model within which such assets are held and the contractual cash flow characteristics of the financial asset unless, an accounting mismatch is being avoided.

Financial assets are derecognised when the rights to receive cash flows have expired or have been transferred and the company has transferred substantially all the risks and rewards of ownership. When there is no reasonable expectation of recovering part or all of a financial asset, its carrying value is written off.

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

Financial assets not measured at amortised cost or at fair value through other comprehensive income are classified as financial assets at fair value through profit or loss. Typically, such financial assets will be either: (i) held for trading, where they are acquired for the purpose of selling in the short-term with an intention of making a profit, or a derivative; or (ii) designated as such upon initial recognition where permitted. Fair value movements are recognised in profit or loss.

(j) Current and Non-current Classification

Assets and liabilities are presented in the statement of financial position based on current and non-current classification.

An asset is classified as current when: it is either expected to be realised or intended to be sold or consumed in the Association's normal operating cycle; it is held primarily for the purpose of trading; it is expected to be realised within 12 months after the reporting period; or the asset is cash or cash equivalent unless restricted from being exchanged or used to settle a liability for at least 12 months after the reporting period. All other assets are classified as non-current.

A liability is classified as current when: it is either expected to be settled in the Association's normal operating cycle; it is held primarily for the purpose of trading; it is due to be settled within 12 months after the reporting period; or there is no unconditional right to defer the settlement of the liability for at least 12 months after the reporting period. All other liabilities are classified as non-current.

NOTES TO THE FINANCIAL STATEMENTS FOR THE FINANCIAL YEAR ENDED 30 JUNE 2024

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

(k) Contract Liabilities

Contract liabilities represent the Association's obligation to transfer goods or services to a customer and are recognised when a customer pays consideration, or when the Association recognises a receivable to reflect its unconditional right to consideration (whichever is earlier) before the Association has transferred the goods or services to the customer.

(l) Finance costs

Finance costs attributable to qualifying assets are capitalised as part of the asset. All other finance costs are expensed in the period in which they are incurred.

(m) Property, Plant and Equipment

All property, plant and equipment is recognised at historical cost less depreciation. Historical cost includes expenditure that is directly attributable to the acquisition of the items.

Depreciation is calculated using the straight line method to allocate the cost, net of their residual values, over the estimated useful lives, as follows:

- Refurbishments over the remaining life of the lease - maximum	15 years
- Furniture, Computers, Computer Software, Office Machines and Equipment	3 to 10 years
- Kitchen Equipment	5 years

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

An item of property, plant and equipment is derecognised upon disposal or when there is no future economic benefit to the incorporated Association. Gains and losses between the carrying amount and the disposal proceeds are taken to profit or loss.

(n) Intangible Assets

Intangible assets acquired separately are initially recognised at cost. Finite life intangible assets are subsequently measured at cost less amortisation and any impairment. The gains or losses recognised in profit or loss arising from the derecognition of intangible assets are measured as the difference between net disposal proceeds and the carrying amount of the intangible asset. Significant costs associated with database are deferred and amortised on a straight-line basis over the period of their expected benefit, being their finite life of 3 years.

(o) Trade and Other Payables

These amounts represent liabilities for goods and services provided to the Association prior to the end of financial year which are unpaid. The amounts are unsecured and are usually paid within 30 days of recognition.

(p) Provisions

Provisions are recognised when the Association has a present (legal or constructive) obligation as a result of a past event, it is probable the Association 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 the reporting date, taking into account the risks and uncertainties surrounding the obligation. If the time value of money is material, provisions are discounted using a current pre-tax rate specific to the liability. The increase in the provision resulting from the passage of time is recognised as a finance cost.

NOTES TO THE FINANCIAL STATEMENTS FOR THE FINANCIAL YEAR ENDED 30 JUNE 2024

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

(q) Employee Benefits

(i) Short-term employee benefits

Liabilities for wages and salaries, including non-monetary benefits, annual leave and long service leave expected to be settled wholly within 12 months of the reporting date are measured at the amounts expected to be paid when the liabilities are settled.

(ii) Other long-term employee benefits

The liability for annual leave and long service leave not expected to be settled within 12 months of the reporting date are measured at the present value of expected future payments to be made in respect of services provided by employees up to the reporting date using the projected unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the reporting date on national government bonds with terms to maturity and currency that match, as closely as possible, the estimated future cash outflows.

(r) Goods and Services Tax ("GST")

Revenues, expenses and assets are recognised net of the amount of associated GST, unless the GST incurred is not recoverable from the Australian Taxation Office ("ATO"). In this case it is recognised as part of the cost of acquisition of the asset or as part of an item of the expense.

Receivables and payables are stated inclusive of the amount of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included in receivables or payables in the statement of financial position.

Cash flows are presented on a gross basis. The GST components of cash flows arising from investing and financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

(s) New or amended Accounting Standards and Interpretations adopted

New and amended standards adopted by the Association

The Association has adopted all of the new or amended Accounting Standards and Interpretations issued by the Australian Accounting Standards Board ('AASB') that are mandatory for the current reporting period.

Any new or amended Accounting Standards or Interpretations that are not yet mandatory have not been early adopted.

(t) Fair Value Measurement

When an asset or liability, financial or non-financial, is measured at fair value for recognition or disclosure purposes, the fair value is based on the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date; and assumes that the transaction will take place either: in the principal market; or in the absence of a principal market, in the most advantageous market.

NOTES TO THE FINANCIAL STATEMENTS FOR THE FINANCIAL YEAR ENDED 30 JUNE 2024

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

(s) Fair Value Measurement (continued)

Fair value is measured using the assumptions that market participants would use when pricing the asset or liability, assuming they act in their economic best interests. For non-financial assets, the fair value measurement is based on its highest and best use. Valuation techniques that are appropriate in the circumstances and for which sufficient data are available to measure fair value, are used, maximising the use of relevant observable inputs and minimising the use of unobservable inputs.

(t) Comparatives

Where necessary, comparative information has been re-classified to achieve consistency in disclosure with current financial amounts and other disclosures.

(u) Critical Accounting Estimates and Judgements

The directors make estimates and judgements during the preparation of these financial statements regarding assumptions about current and future events affecting transactions and balances.

These estimates and judgements are based on the best information available at the time of preparing the financial statements, however as additional information is known then the actual results may differ from the estimates.

The significant estimates and judgements made have been described below:

Estimation of useful lives of assets

The Association determines the estimated useful lives and related depreciation and amortization charges for its property, plant and equipment and finite life intangible assets. The useful lives could change significantly as a result of technical innovations or some other event. The depreciation and amortisation charge will increase where the useful lives are less than previously estimated lives, or technically obsolete or non-strategic assets that have been abandoned or sold will be written off or written down.

Determining the lease term of contracts with renewal and termination options

The Association determines the lease term as the non-cancellable term of the lease, together with any periods covered by an option to extend the lease if it is reasonably certain to be exercised, or any periods covered by an option to terminate the lease, if it is reasonably certain not to be exercised.

The Association has a number of lease contracts that include extension and termination options. The Association applies judgement in evaluating whether it is reasonably certain whether or not to exercise the option to renew or terminate the lease. That is, it considers all relevant factors that create an economic incentive for it to exercise either the renewal or termination. After the commencement date, the Association reassesses the lease term if there is a significant event or change in circumstances that is within its control and affects its ability to exercise or not to exercise the option to renew or to terminate (e.g., construction of significant leasehold improvements or significant customisation to the leased asset).

NOTES TO THE FINANCIAL STATEMENTS FOR THE FINANCIAL YEAR ENDED 30 JUNE 2024

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Incremental borrowing rate

Where the interest rate implicit in a lease cannot be readily determined, an incremental borrowing rate is estimated to discount future lease payments to measure the present value of the lease liability at the lease commencement date. Such a rate is based on what the Association estimates it would have to pay a third party to borrow the funds necessary to obtain an asset of a similar value to the right-of-use asset, with similar terms, security and economic environment.

Lease make good provision

A provision has been made for the present value of anticipated costs for future restoration of leased premises. The provision includes future cost estimates associated with closure of the premises. The calculation of this provision requires assumptions such as application of closure dates and cost estimates. The provision recognised for each site is periodically reviewed and updated based on the facts and circumstances available at the time. Changes to the estimated future costs for sites are recognised in the statement of financial position by adjusting the asset and the provision. Reductions in the provision that exceed the carrying amount of the asset will be recognised in profit or loss.

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE FINANCIAL YEAR ENDED 30 JUNE 2024**

2. REVENUE	\$	2023
Operating revenue		
Subscriptions and practising certificate fees	7,361,808	7,249,951
Bar Practice Course & Bar Examinations	645,615	538,767
	<u>8,007,423</u>	<u>7,788,718</u>
Other revenue		
Interest and dividends	782,461	568,489
Seminars	57,273	57,945
External funding	2,685,207	2,184,883
Other	248,825	334,339
	<u>11,781,189</u>	<u>10,934,374</u>
Revenue from continuing operations		
	<u>11,781,189</u>	<u>10,934,374</u>
<i>The disaggregation of revenue from contracts with customers is as follows:</i>		
Timing of revenue recognition		
Services transferred at a point in time	4,419,381	3,684,423
Services transferred over time	7,361,808	7,249,951
	<u>11,781,189</u>	<u>10,934,374</u>

NOTES TO THE FINANCIAL STATEMENTS FOR THE FINANCIAL YEAR ENDED 30 JUNE 2024

	\$	\$
3. EXPENSES		
Depreciation expense		
Depreciation on property, plant and equipment	212,225	230,290
Depreciation Expense on right-of-use assets	473,654	473,654
Amortisation on intangible assets	15,882	14,460
Financial expense		
Interest expense on lease liabilities	135,301	177,117
Bank charges	110,257	109,194
Insurance expense	119,389	121,357
	364,947	407,668
Occupancy		
Occupancy costs	213,096	178,104
	213,096	178,104

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE FINANCIAL YEAR ENDED 30 JUNE 2024**

	2024	2023
	\$	\$
4. INCOME TAX EXPENSE		
(a) Reconciliation of income tax expense to prima facie tax payable		
Net surplus/ (deficit) from continuing operations	1,212,725	1,401,638
Tax at the Australian tax rate of 25% (2023: 25%)	303,181	350,409
Decrease in income tax expense due to:		
- Net mutual income	(351,740)	(413,122)
Permanent differences	60,301	18,102
Income tax (expense)/ benefit during the year	(11,742)	44,611
Tax losses from excess franking credits	11,742	-
Derecognition of deferred tax assets	-	44,611
Income tax expenses / (benefit)	-	-
(b) Deferred tax assets not recognised comprised of temporary differences attributable to:		
Tax Gains/(Losses)	-	(44,611)

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE FINANCIAL YEAR ENDED 30 JUNE 2024**

	2024	2023
	\$	\$
5. CASH AND CASH EQUIVALENTS		
Cash at bank	565,551	466,364
Term deposits	1,022,060	3,900,000
Petty cash	900	900
	<u>1,588,511</u>	<u>4,367,264</u>

	2024	2023
	\$	\$
6. RECEIVABLES		
Other Receivables	516	20,954
Interest Receivable	166,738	75,059
Total Receivables	<u>167,254</u>	<u>96,013</u>

	2024	2023
	\$	\$
7. OTHER FINANCIAL ASSETS		
Current		
Financial Assets:		
Term deposit (i)	<u>12,337,472</u>	<u>9,260,194</u>

- (i) The Association has classified its Term deposits as other current financial assets in the current year where the investment term of these deposits are longer than 3 months.

Non-current		
At cost		
Investments in associates	<u>14</u>	<u>14</u>

Financial assets at fair value through profit or loss

Shares in Australian listed companies	5,704,799	4,893,352
Fixed interest securities – listed	<u>1,796,094</u>	<u>1,684,433</u>
	<u>7,500,893</u>	<u>6,577,785</u>
Total other financial assets – non current	<u>7,500,907</u>	<u>6,577,799</u>

NOTES TO THE FINANCIAL STATEMENTS FOR THE FINANCIAL YEAR ENDED 30 JUNE 2024

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

	2024	2023
	\$	\$
Opening fair value	6,577,785	5,873,645
Additions	1,081,231	450,802
Disposals	(483,505)	(91,756)
Revaluation increments/(decrements)	325,382	345,094
Closing fair value	<u>7,500,893</u>	<u>6,577,785</u>

Fair value measurement

Fair value hierarchy (Note disclosures)

The following tables detail the Company's assets and liabilities, measured or disclosed at fair value, using a three level hierarchy, based on the lowest level of input that is significant to the entire fair value measurement, being:

Level 1: Quoted prices (unadjusted) in active markets for identical assets or liabilities that the entity can access at the measurement date

Level 2: Inputs other than quoted prices included within Level 1 that are observable for the asset or liability, either directly or indirectly

Level 3: Unobservable inputs for the asset or liability

	Level 1	Level 2	Level 3	Total
	\$	\$	\$	\$
30 June 2024				
Assets				
Financial assets fair value through profit or loss				
Fixed interest securities	1,796,094	-	-	1,796,094
Shares in Australian listed companies	5,704,799	-	-	5,704,799
	<u>7,500,893</u>	-	-	<u>7,500,893</u>
30 June 2023				
Assets				
Financial assets fair value through profit or loss				
Fixed interest securities	1,684,433	-	-	1,684,433
Shares in Australian listed companies	4,893,352	-	-	4,893,352
	<u>6,577,785</u>	-	-	<u>6,577,785</u>

Assets and liabilities held for sale are measured at fair value on a non-recurring basis.

There were no transfers between levels during the financial year.

The carrying amounts of trade and other receivables and trade and other payables are assumed to approximate their fair values due to their short-term nature.

The fair value of financial liabilities is estimated by discounting the remaining contractual maturities at the current market interest rate that is available for similar financial liabilities.

NOTES TO THE FINANCIAL STATEMENTS FOR THE FINANCIAL YEAR ENDED 30 JUNE 2024

(a) Investments in associates

The Association holds two \$2 shares in The Barrister's Sickness and Accident Fund Pty Ltd. The sole purpose of this association is to act as trustee for the Barrister's Sickness and Accident Fund.

The Association holds one \$10 share in the Pro Bono Disbursement Fund Pty Ltd. The purpose of that Association is to hold and pay funds to reimburse legal practitioners for their disbursements incurred in the conduct of pro bono matters.

(b) Investment in Counsel's Chambers Limited

The Association also holds 7 deferred ordinary shares ("the shares") in Counsel's Chambers Limited ("CCL"). The shares were acquired circa 1962 and have a cost of \$14, which has not been recorded in the Association's records for many years. The shares entitle the Association to: one vote per share at general meetings of CCL; the receipt of dividends as declared; and any surplus assets in the event of a winding up of CCL. The Association does not have any record of dividends having been paid by CCL. In addition, it does not have the ability to significantly influence the voting at general meetings of CCL. As there is no active market in the shares and other valuation techniques do not permit the calculation of a reasonable fair value estimate, the Association is precluded from measuring or recognising such values in its financial statements.

8. OTHER ASSETS

	2024 \$	2023 \$
Prepayments	275,939	349,784
Inventories	835	835
Total Other Assets	276,774	350,619

9. DEFERRED TAX ASSET

	2024 \$	2023 \$
Deferred Tax Asset	279,290	132,188

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE FINANCIAL YEAR ENDED 30 JUNE 2024**

10. RIGHT-OF-USE ASSETS

	Leased Premises \$	Total \$
At 30 June 2024		
Cost	6,423,708	6,423,708
Accumulated depreciation and impairment	(5,245,768)	(5,245,768)
Net carrying amount	<u>1,177,940</u>	<u>1,177,940</u>
At 30 June 2023		
Cost	6,423,708	6,423,708
Accumulated depreciation and impairment	(4,772,114)	(4,772,114)
Net carrying amount	1,651,594	1,651,594
At 1 July 2023, net carrying amount	1,651,594	1,651,594
Depreciation / amortisation charge for the year	(473,654)	(473,654)
At 30 June 2024, net carrying amount	<u>1,177,940</u>	<u>1,177,940</u>

The Association leases premises under a non-cancellable lease with 2 to 15 years, in some cases, options to extend. On renewal, the terms of the leases are renegotiated.

NOTES TO THE FINANCIAL STATEMENTS
FOR THE FINANCIAL YEAR ENDED 30 JUNE 2024

11. PROPERTY, PLANT AND EQUIPMENT

	Refurbishments \$	Furniture, computers, office machines and equipment \$	Kitchen equipment \$	Total \$
At 30 June 2023				
Cost	3,258,836	1,603,406	3,511	4,865,753
Accumulated depreciation and impairment	(2,923,548)	(1,490,824)	(3,511)	(4,417,883)
Net carrying amount	335,288	112,582	-	447,870
At 30 June 2024				
Cost	3,258,836	1,653,092	3,511	4,915,439
Accumulated depreciation and impairment	(3,076,074)	(1,536,492)	(3,511)	(4,616,077)
Net carrying amount	182,762	116,600	-	299,362

Movements:

Year ended 30 June 2024

At 1 July 2023, net carrying amount	335,288	112,582	-	447,870
Additions	-	63,717	-	63,717
Disposals	-	-	-	-
Depreciation/ amortisation charge for the year	(152,526)	(59,699)	-	(212,225)
At 30 June 2024, net carrying amount	182,762	116,600	-	299,362

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE FINANCIAL YEAR ENDED 30 JUNE 2024**

	2024	2023
	\$	\$
12. INTANGIBLES		
Database & website		
At cost	423,027	352,315
Accumulated amortisation	(335,006)	(319,125)
Net Carrying Amount	88,021	33,190
Movements:		
Year ended 30 June 2024		
At 1 July 2023, net carrying amount	33,190	-
Additions	70,713	47,650
Disposals	-	-
Depreciation/ amortisation charge for the year	(15,882)	(14,460)
At 30 June 2024, net carrying amount	88,021	33,190

NOTES TO THE FINANCIAL STATEMENTS FOR THE FINANCIAL YEAR ENDED 30 JUNE 2024

	2024 \$	2023 \$
13. TRADE AND OTHER PAYABLES		
Trade and other payables	<u>1,075,786</u>	<u>1,187,491</u>
14. CURRENT LIABILITIES		
Employee Benefits	<u>486,529</u>	<u>404,036</u>
15. LEASE LIABILITIES		
Current		
Lease liabilities	720,223	651,616
Non-current		
Lease liabilities	1,267,941	1,988,164
Total	<u>1,988,164</u>	<u>2,639,780</u>
<i>Future Lease Payments</i>		
Future lease payments are due as follows		
Within one year	823,309	795,805
One to five years	1,338,285	2,587,094
More than five years	-	-
Total	<u>2,161,594</u>	<u>3,382,899</u>
16. CONTRACT LIABILITIES		
Current		
Subscriptions, practising certificate fees & other revenue received in advance	<u>7,284,455</u>	<u>7,179,930</u>

NOTES TO THE FINANCIAL STATEMENTS FOR THE FINANCIAL YEAR ENDED 30 JUNE 2023

	2024 \$	2023 \$
17. NON-CURRENT LIABILITIES		
Employee Benefits	94,659	81,880
18. DEFERRED TAX LIABILITY		
Deferred Tax Liability	279,290	132,188
19. NON-CURRENT LIABILITIES -PROVISIONS		
Lease make good	419,015	416,518

Lease make good

The provision represents the present value of the estimated costs to make good the premises leased by the consolidated entity at the end of the respective lease terms

Movements in provisions

Movements in each class of provision during the current financial year, other than employee benefits, are set out below:

	2024 \$
Lease Make Good 2024	
Carrying amount at start of year	416,518
Additional provisions recognised	2,497
Carrying amount at end of year	<u>419,015</u>

20. RELATED PARTY DISCLOSURES

(a) Key management personnel

Key management personnel compensation for the year ended 30 June 2024 and 30 June 2023 is set out below. The key management personnel are the directors of the Association and those executives with authority and responsibility for planning, directing and controlling the activities of the Association.

No compensation was paid or payable to the directors of the Association during the financial year.

The compensation paid or payable to key management personnel during the financial year comprised:

	2024 \$	2023 \$
Employee benefits	<u>1,895,859</u>	<u>1,448,689</u>

NOTES TO THE FINANCIAL STATEMENTS FOR THE FINANCIAL YEAR ENDED 30 JUNE 2024

(b) Other transactions

Transactions between related parties are on normal commercial terms and conditions no more favourable than those available to other parties unless otherwise stated.

The Association paid rent (including associated air-conditioning, electricity and cleaning charges) totalling \$973,529 (2023: \$963,064) for office space to Counsel's Chambers Limited, a company of which some directors of the Association are also members. The bulk of this payment was at two-thirds of the normal market rate.

(c) Loans to/from related parties

There were no loans to or from related parties at the current and previous reporting date.

(d) Receivable from and payable to related parties

The following balances are outstanding at the reporting date in relation to transactions with related parties:

	2024 \$	2023 \$
Current Receivables		
Barristers Benevolent Association	-	11,163
The Indigenous Barristers' Trust The Mum Shirl Fund	-	-
	<hr/> -	<hr/> 11,163
Current Payables		
Barristers Benevolent Association	52,223	43,517
The Indigenous Barristers' Trust The Mum Shirl Fund	56,862	49,399
	<hr/> 109,085	<hr/> 92,916

(e) Related party transactions

Parent Entity

The New South Wales Bar Association is the parent entity.

Subsidiaries

Bar Brief Pty Ltd is the subsidiary.

(f) Interest in subsidiaries

Name	Principal place of business / Country of incorporation	2024 %	2023 %
Bar Brief Pty Ltd	Australia	100.00%	100.00%

NOTES TO THE FINANCIAL STATEMENTS FOR THE FINANCIAL YEAR ENDED 30 JUNE 2024

21. REMUNERATION OF AUDITORS

During the financial year the following fees were paid or payable for services provided by Accounting Firm RSM Australia Partners, the auditor of the company, it's network and unrelated firms:

	2024 \$	2023 \$
Audit Services – RSM Australia Partners		
Audit of the Financial Statements	35,700	33,900
Other Services – RSM Australia Partners		
Advisory Services	-	8,000
Preparation of Tax Return	7,700	9,800
	43,400	51,700

22. REIMBURSEMENT BY THE PUBLIC PURPOSE FUND

Section 34 (3)(a) of the Legal Profession Uniform Law Application Act 2014 requires certification by the auditor of the costs incurred by the Bar Council in relation to its regulatory function. Expenditure on regulatory activities in 2023 -2024 amounted to \$2,381,399 (2023: \$2,005,253)

23. EVENTS OCCURRING AFTER THE REPORTING DATE

No matter or circumstance has occurred subsequent to year end that has significantly affected, or may significantly affect, the operations of the Association, the results of those operations or the state of affairs of the Association.

24. CONTINGENT LIABILITIES

The Association had no contingent liabilities as at 30 June 2024 and 30 June 2023.

CONSOLIDATED ENTITY DISCLOSURE STATEMENT FOR THE YEAR ENDED 30 JUNE 2024

Entity Name	Entity Type	Place formed / Country of Incorporation	Ownership Interest %	Tax Residency
Bar Brief Pty Ltd	Body Corporate	Australia	100%	Australia

DIRECTORS' DECLARATIONS

In the directors' opinion:

- (a) the attached consolidated financial statements and notes comply with the Corporations Act 2001, the Accounting Standards, the Corporations Regulations 2001 and other mandatory professional reporting requirements;
- (b) the attached consolidated financial statements and notes give a true and fair view of the consolidated entity's financial position as at 30 June 2024 and of its performance for the financial year ended on that date;
- (c) there are reasonable grounds to believe that the Association will be able to pay its debts as and when they become due and payable.
- (d) The information disclosed in the attached consolidated entity disclosure statement is true and correct

This declaration is made in accordance with a resolution of the directors.



R. Higgins SC
President



C. Gleeson SC
Treasurer

Sydney, NSW
5th September 2024

**RSM Australia Partners**

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INDEPENDENT AUDITOR'S REPORT

To the Members of the New South Wales Bar Association

Opinion

We have audited the financial report of the New South Wales Bar Association (the Company) and its subsidiaries (the Group), which comprises the statement of financial position as at 30 June 2024, the statement of profit or loss and other comprehensive income, the statement of changes in equity and the statement of cash flows for the year then ended, and notes to the financial statements, including material accounting policy information, and the consolidated entity disclosure statement and the directors' declaration.

In our opinion, the accompanying financial report of the Group is in accordance with the Corporations Act 2001, including:

- (i) giving a true and fair view of the Group's financial position as at 30 June 2024 and of its financial performance for the year then ended; and
- (ii) complying with Australian Accounting Standards – *Simplified Disclosures* under AASB 1060 *General Purpose Financial Statements – Simplified Disclosures for For-Profit and Not-for-Profit Tier 2 Entities* and the Corporations Regulations 2001.

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 auditor independence requirements of the Corporations Act 2001 and the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants* (the Code) that are relevant to our audit of the financial report in Australia. We have also fulfilled our other ethical responsibilities in accordance with the Code.

We confirm that the independence declaration required by the Corporations Act 2001, which has been given to the directors of the Company, would be in the same terms if given to the directors as at the time of this auditor's report.

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

THE POWER OF BEING UNDERSTOOD

ASSURANCE | TAX | CONSULTING

RSM Australia Partners is a member of the RSM network and trades as RSM. RSM is the trading name used by the members of the RSM network. Each member of the RSM network is an independent accounting and consulting firm which practices in its own right. The RSM network is not itself a separate legal entity in any jurisdiction.
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Liability limited by a scheme approved under Professional Standards Legislation



Other Information

The directors are responsible for the other information. The other information comprises the information included in the Group's annual report for the year ended 30 June 2024, but does not include the financial report and the auditor's report thereon.

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

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 nothing to report in this regard.

Responsibilities of the Directors for the Financial Report

The directors of the Company are responsible for the preparation of:

- a. the financial report (other than the consolidated entity disclosure statement) that gives a true and fair view in accordance with Australian Accounting Standards – *Simplified Disclosures* under AASB 1060 *General Purpose Financial Statements – Simplified Disclosures for For-Profit and Not-for-Profit Tier 2 Entities* and the Corporations Act 2001; and
- b. the consolidated entity disclosure statement that is true and correct in accordance with the *Corporations Act 2001*, and

for such internal control as the directors determine is necessary to enable the preparation of:

- i. the financial report (other than the consolidated entity disclosure statement) that gives a true and fair view and is free from material misstatement, whether due to fraud or error; and
- ii. the consolidated entity disclosure statement that is true and correct and is free of misstatement, whether due to fraud or error.

In preparing the financial report, the directors are responsible for assessing the ability of the Group to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the directors 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.



A further description of our responsibilities for the audit of the financial report is located at the Auditing and Assurance Standards Board website at: http://www.auasb.gov.au/auditors_responsibilities/ar4.pdf. This description forms part of our auditor's report.

C J Hume
Partner

RSM Australia Partners

Sydney, NSW

Dated: 6 September 2024



Financial Report for Barristers' Benevolent Association of NSW

ABN 18 466 736 745

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The financial statements cover Barristers' Benevolent Association of NSW as an individual entity. Its registered office and principal place of business is 174 Philip St, Sydney NSW 2000.

The principal activities of the association is the receipt of donations for investment in order to provide assistance to eligible persons.

The financial statements were authorised for issue by the Committee of Management on 5 September 2024. The Committee of Management has the power to amend and re-issue the financial statements.

STATEMENT OF PROFIT OR LOSS AND OTHER COMPREHENSIVE INCOME
FOR THE YEAR ENDED 30 JUNE 2024

	Notes	2024 \$	2023 \$
Revenue	2	359,649	345,694
Interest income		28,125	17,508
Other Income		81,842	
Audit and accounting		(9,000)	(5,200)
Legal Fees		(44,926)	
Bar care costs		(52,576)	(45,086)
Employee benefits expense		(58,237)	(98,494)
Gifts		(140,000)	(135,000)
Impairment of loans - write back		-	-
Profit on sale of investments		21,313	9,439
Other operating expenses		(11,366)	(11,464)
Surplus before fair value gains		174,824	77,397
Net gains/(losses) on non-current assets held at fair value through surplus or deficit		342,101	281,552
Surplus/(deficit) before income tax		516,925	358,949
Income tax expense	1 (c)	-	-
Net surplus/(deficit)		516,925	358,949
Other comprehensive income		-	-
Total comprehensive income/(deficit)		516,925	358,949

The above statement of surplus and other comprehensive income should be read in conjunction with the accompanying notes.

STATEMENT OF FINANCIAL POSITION

AS AT 30 JUNE 2024

	Notes	2024 \$	2023 \$
CURRENT ASSETS			
Cash and cash equivalents	3	189,298	609,458
Financial assets	4	520,225	70,195
Trade and other receivables	5	89,119	68,712
TOTAL CURRENT ASSETS		<u>798,642</u>	<u>748,365</u>
NON-CURRENT ASSETS			
Other financial assets	6	5,975,120	5,516,315
TOTAL NON-CURRENT ASSETS		<u>5,975,120</u>	<u>5,516,315</u>
TOTAL ASSETS		<u>6,773,762</u>	<u>6,264,680</u>
CURRENT LIABILITIES			
Trade and other payables	7	54,426	19,758
Employee benefits	8	-	42,511
TOTAL CURRENT LIABILITIES		<u>54,426</u>	<u>62,269</u>
TOTAL LIABILITIES		<u>54,426</u>	<u>62,269</u>
NET ASSETS		<u>6,719,336</u>	<u>6,202,411</u>
ACCUMULATED FUNDS			
Accumulated surpluses		6,719,336	6,202,411
TOTAL ACCUMULATED FUNDS		<u>6,719,336</u>	<u>6,202,411</u>

The above statement of financial position should be read in conjunction with the accompanying notes.

STATEMENT OF CHANGES IN EQUITY
FOR THE YEAR ENDED 30 JUNE 2024

	Accumulated Surpluses \$	Total Accumulated Funds \$
At 30 June 2022	5,843,462	5,843,462
Total comprehensive income	358,949	358,949
At 30 June 2023	6,202,411	6,202,411
Total comprehensive income	516,925	516,925
At 30 June 2024	6,719,336	6,719,336

The above statement of changes in accumulated funds should be read in conjunction with the accompanying notes.

STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED 30 JUNE 2024

	2024	2023
	\$	\$
OPERATING ACTIVITIES		
Receipts from members, sponsorship, and general activities	111,935	116,457
Payments to suppliers	(323,948)	(284,317)
Other Income	81,842	-
Interest and dividends received	255,432	246,347
Net cash inflow from operating activities	<u>125,261</u>	<u>78,487</u>
INVESTING ACTIVITIES		
Proceeds from other financial assets	591,560	300,690
(Payments)/ Proceeds from financial assets	(450,030)	224,102
Payments for other financial assets	(686,951)	(580,608)
Net cash inflow/ (outflow) from investing activities	<u>(545,421)</u>	<u>(55,816)</u>
Net (decrease)/increase in cash and cash equivalents	(420,160)	22,671
Cash and cash equivalents at the beginning of the year	609,458	586,787
Cash and cash equivalents at the end of the year	<u><u>189,298</u></u>	<u><u>609,458</u></u>

3

The above statement of cash flows should be read in conjunction with the accompanying notes.

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2024

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The principal accounting policies adopted in the preparation of the financial statements are set out below. These policies have been constantly applied to all the years presented, unless otherwise stated.

(a) Basis of Preparation

These general purpose financial statements have been prepared in accordance with Australian Accounting Standards – Simplified Disclosure Requirements and interpretations as issued by the Australian Accounting Standards Board, and the Australian Charities and Not-for-profits Commission Act 2012. Barristers Benevolent Association of NSW is a not-for-profit entity for the purpose of preparing the financial statements.

Historical cost convention

These financial statements have been prepared under the historical cost convention except for other financial assets which are measured at fair value.

Critical accounting estimates and judgements

The preparation of financial statements requires the use of certain critical accounting estimates. It also requires management to exercise its judgement in the process of applying the Association's accounting policies. There are no estimates and judgements that have a significant risk of causing material adjustments to the carrying amounts of assets and liabilities within the next financial year.

(b) Revenue Recognition

Revenue is measured at the fair value of the consideration received or receivable. Revenue is recognised as follows:

(i) *Contributions*

Revenue from contributions is recognised when the contribution is received.

(ii) *Dividend and Distribution income*

Distributions and dividends are recognised as revenue when the right to receive payment is established.

(iii) *Interest income*

Interest income is recognised as it accrues.

(iv) *Other Income*

Income from other sources is recognised when the income is receivable.

(v) *Changes in fair value of investments*

Net gains or losses on investments designated at fair value through surplus or deficit are calculated as the difference between the fair value at year end and the fair value at the previous valuation point. This includes both realised and unrealised gains and losses but does not include interest or dividends.

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2024****1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONT'D)****(c) Income Tax**

As the Barristers' Benevolent Association of NSW is a charitable institution in terms of subsection 50-5 of the Income Tax Assessment Act 1997, as amended, it is exempt from paying income tax.

(d) Current and Non-current Classification

Assets and liabilities are presented in the statement of financial position based on current and non-current classification.

An asset is classified as current when it is either expected to be realised or intended to be sold or consumed in the Association's normal operating cycle; it is held primarily for the purpose of trading; it is expected to be realised within 12 months after the reporting period; or the asset is cash or cash equivalent unless restricted from being exchanged or used to settle a liability for at least 12 months after the reporting period. All other assets are classified as non-current.

A liability is classified as current when: it is either expected to be settled in the Association's normal operating cycle; it is held primarily for the purpose of trading; it is due to be settled within 12 months after the reporting period; or there is no unconditional right to defer the settlement of the liability for at least 12 months after the reporting period. All other liabilities are classified as non-current.

(e) Cash and Cash Equivalents

Cash and cash equivalents includes cash on hand, deposits held at call with financial institutions, other short-term, highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.

(f) Trades and Other Receivables

Trade receivables are initially recognized at fair value and subsequently measured at amortised cost using the effective interest method, less any allowance for expected credit losses.

The Association has applied the simplified approach to measuring expected credit losses, which uses a lifetime expected loss allowance. To measure the expected credit losses, trade receivables have been grouped based on days overdue.

Other receivables are recognised at amortised cost, less any allowance for expected credit losses.

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2024

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONT'D)

(g) Financial Instruments

(i) Investments and other financial assets

Investments and other financial assets, other than investments in associates, are initially measured at fair value. Transaction costs are included as part of the initial measurement, except for financial assets at fair value through profit or loss. Such assets are subsequently measured at either amortised cost or fair value depending on their classification. Classification is determined based on both the business model within which such assets are held and the contractual cash flow characteristics of the financial asset unless, an accounting mismatch is being avoided.

Financial assets are derecognised when the rights to receive cash flows have expired or have been transferred and the company has transferred substantially all the risks and rewards of ownership. When there is no reasonable expectation of recovering part or all of a financial asset, it's carrying value is written off.

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

Financial assets not measured at amortised cost or at fair value through other comprehensive income are classified as financial assets at fair value through profit or loss. Typically, such financial assets will be either: (i) held for trading, where they are acquired for the purpose of selling in the short-term with an intention of making a profit, or a derivative; or (ii) designated as such upon initial recognition where permitted. Fair value movements are recognised in profit or loss. For trade receivables, the Association applies the simplified approach permitted by AASB 9, which requires expected lifetime losses to be recognised from initial recognition of the receivables.

(h) Trade and Other Payables

These amounts represent liabilities for goods and services provided to the Association prior to the end of financial year which are unpaid. The amounts are unsecured and are usually paid within 30 days of recognition.

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2024

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONT'D)

(i) Employee Benefits

(i) Short-term employee benefits

Liabilities for wages and salaries, including non-monetary benefits, annual leave and long service leave expected to be settled wholly within 12 months of the reporting date are measured at the amounts expected to be paid when the liabilities are settled.

(ii) Other long-term employee benefits

The liability for annual leave and long service leave not expected to be settled within 12 months of the reporting date are measured at the present value of expected future payments to be made in respect of services provided by employees up to the reporting date using the projected unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the reporting date on national government bonds with terms to maturity that match, as closely as possible, the estimated future cash outflows.

(j) Goods and Services Tax ("GST")

Revenue, expenses, and assets are recognised net of the amount of associated GST, unless the GST incurred is not recoverable from the Australian Taxation Office ("ATO"). In this case it is recognised as part of the cost of acquisition of the asset or as part of an item of expense.

Receivables and payables are stated inclusive of the amount of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included in receivables or payables in the statement of financial position.

Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

(k) Changes in accounting policies, disclosures, standards and interpretations

The Association has adopted all of the new or amended Accounting Standards and Interpretations issued by the Australian Accounting Standards Board ('AASB') that are mandatory for the current reporting period.

Any new or amended Accounting Standards or Interpretations that are not yet mandatory have not been early adopted.

(l) Fair value measurement

When, an asset or liability, financial or non-financial, is measured at fair value for recognition or disclosure purposes, the fair value is based on the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date; and assumes that the transaction will take place either: in the principal market; or in the absence of a principal market, in the most advantageous market.

Fair value is measured using the assumptions that market participants would use when pricing the asset or liability, assuming they act in their economic best interests. For non-financial assets, the fair value measurement is based on its highest and best use. Valuation techniques that are appropriate in the circumstances and for which sufficient data are available to measure fair value,

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2024

	2024 \$	2023 \$
2. REVENUE		
Contributions	120,362	114,757
Distribution and dividend income	239,287	230,937
Membership	-	-
	359,649	345,694
<i>Disaggregation of revenue</i>		
The disaggregation of revenue from contracts with customers is as follows:		
<i>Geographical regions</i>		
Australia	359,649	345,694
3. CASH AND CASH EQUIVALENTS		
Cash at bank	189,298	51,245
Term deposits	-	558,213
Total	189,298	609,458
4. FINANCIAL ASSETS		
Term deposits		
Current	520,225	70,195
5. TRADE AND OTHER RECEIVABLES		
Current		
NSW Bar Association	52,223	43,517
Accrued interest	14,890	2,910
Interest free loans	22,000	22,000
Tax receivable	6	285
Total	89,119	68,712

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2024

6. OTHER FINANCIAL ASSETS	2024 \$	2023 \$
Non-Current		
Designated at fair value through surplus or deficit		
- Fixed interest securities	1,635,731	1,449,130
- Shares in Australian listed companies	<u>4,339,389</u>	<u>4,067,185</u>
	<u>5,975,120</u>	<u>5,516,315</u>

Financial assets at fair value through profit or loss

	2024 \$	2023 \$
Opening fair value	5,516,315	4,945,406
Additions	686,951	580,608
Disposals	(570,247)	(291,251)
Revaluation increments/(decrements)	<u>342,101</u>	<u>281,552</u>
Closing fair value	<u>5,975,120</u>	<u>5,516,315</u>

Fair value measurement

Fair value hierarchy

The following tables detail the Company's assets and liabilities, measured or disclosed at fair value, using a three level hierarchy, based on the lowest level of input that is significant to the entire fair value measurement, being:

Level 1: Quoted prices (unadjusted) in active markets for identical assets or liabilities that the entity can access at the measurement date

Level 2: Inputs other than quoted prices included within Level 1 that are observable for the asset or liability, either directly or indirectly

Level 3: Unobservable inputs for the asset or liability

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2024

	Level 1	Level 2	Level 3	Total
	\$	\$	\$	\$
30 June 2024				
Assets				
Financial assets fair value through profit or loss				
Fixed interest securities	1,635,731	-	-	1,635,731
Shares in Australian listed companies	4,339,389	-	-	4,339,389
	<u>5,975,120</u>	<u>-</u>	<u>-</u>	<u>5,975,120</u>

30 June 2023

Assets

Financial assets fair value through profit or loss				
Fixed interest securities	1,449,130	-	-	1,449,130
Shares in Australian listed companies	4,067,185	-	-	4,067,185
	<u>5,516,315</u>	<u>-</u>	<u>-</u>	<u>5,516,315</u>

Assets and liabilities held for sale are measured at fair value on a non-recurring basis.

There were no transfers between levels during the financial year.

The carrying amounts of trade and other receivables and trade and other payables are assumed to approximate their fair values due to their short-term nature.

The fair value of financial liabilities is estimated by discounting the remaining contractual maturities at the current market interest rate that is available for similar financial liabilities.

7. TRADE AND OTHER PAYABLES

	2024	2023
	\$	\$
Trade payables	9,500	8,600
Other payables	44,926	11,158
	<u>54,426</u>	<u>19,758</u>

8. CURRENT LIABILITIES- EMPLOYEE BENEFITS

	2024	2023
	\$	\$
Employee Benefits	-	42,511
	<u>-</u>	<u>42,511</u>

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2024

9. RELATED PARTY DISCLOSURES

(a) Committee of Management

The names of persons who were members of the Committee of Management of the Association at any time during the financial year are as follows:

G Bashir SC	R Higgins SC	D Toomey SC	M Izzo SC
C Gleeson SC	N Broadbent	G Sirtes SC	K Eastman AM SC
A McAvoy SC	I Taylor SC	J Emmett SC	V Whittaker SC
Y Shariff SC	D Patch	M Castle	N Kirby
H Chiu	C O'Neill	A Munro	R Khalilzadeh
G Westgarth	J Mack	M Caristo	E Bartley
C Palmer	C Young	C Roberts	P Knowles SC

The members of the Committee of Management are also directors of the New South Wales Bar Association.

(b) Key Management

The key management personnel are the members of the Committee of Management of the Association.

No compensation was paid, or is payable, to the members of the Committee of Management of the Association.

(c) Other Transactions

The Association conducts its business from the premises of NSW Bar Association at no cost to the Association.

(d) Receivables from and Payables to related parties

	2024 \$	2023 \$
Current Receivables		
The New South Wales Bar Association	52,223	43,517
	52,223	43,517
Current Payables		
The New South Wales Bar Association	-	11,158
		11,158

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2024****10. REMUNERATION OF AUDITORS**

During the financial year the following fees were paid or payable for services provided by Accounting Firm RSM Australia Partners, the auditor of the Trust:

	2024	2023
	\$	\$
Audit Services – RSM Australia Partners		
Audit of the Financial Statements	9,500	8,600

11. CONTINGENT LIABILITIES

The Association had no contingent liabilities as at 30 June 2024 and 30 June 2023.

12. COMMITMENTS

The Association had no commitments as at 30 June 2024 and 30 June 2023.

13. EVENTS OCCURRING AFTER THE REPORTING DATE

No matter or circumstance has occurred subsequent to year end that has significantly affected, or may significantly affect, the operations of the Association, the results of those operations or the state of affairs of the Association.

BARRISTERS' BENEVOLENT ASSOCIATION OF NSW
ABN 18 466 736 745

COMMITTEE OF MANAGEMENT DECLARATION

In the opinion of the Committee of Management of Barristers' Benevolent Association of NSW.

- (a) the financial statements and notes as set out on pages 1 to 13 satisfy the requirements of the *Australian Charities and Not-for-profits Commission Act 2012*, including:
 - (i) complying with Accounting Standards – Simplified Disclosure Requirements and the *Australian Charities and Not-for-profits Commission Regulations 2022*, and
 - (ii) giving a true and fair view of the Association's financial position as at 30 June 2024 and its performance, as represented by the results of its operations, changes in accumulated funds and cash flows, for the year ended on that date; and
- (b) there are reasonable grounds to believe that the Association will be able to pay all of its debts as and when they become due and payable.

Signed in accordance with subsection 60.15(2) of the Australian Charities and Not-for-profits Commission Regulations 2022.



R. Higgins SC



C. Gleeson SC

Sydney, NSW
5th September 2024

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INDEPENDENT AUDITOR'S REPORT

To the Members of Barristers' Benevolent Association of NSW

Opinion

We have audited the financial report of Barristers' Benevolent Association of NSW, which comprises the statement of financial position as at 30 June 2024, the statement of comprehensive income, the statement of changes in equity and the statement of cash flows for the year then ended, and notes to the financial statements, including a material accounting policy information, and the declaration by committee of management.

In our opinion, the financial report of Barristers' Benevolent Association of NSW has been prepared in accordance with Division 60 of the *Australian Charities and Not-for-profits Commission Act 2012*, including:

- (a) giving a true and fair view of the registered entity's financial position as at 30 June 2024 and of its financial performance and cash flows for the year ended on that date; and
- (b) complying with Australian Accounting Standards – Simplified Disclosures under AASB 1060 General Purpose Financial Statements – Simplified Disclosures for For-Profit and Not-for-Profit Tier 2 Entities and Division 60 of the Australian Charities and Not-for-profits Commission Regulation 2022..

Basis for Opinion

We conducted our audit in accordance with Australian Auditing Standards – Simplified Disclosure Requirements. 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 Barristers' Benevolent Association of NSW in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants* (the Code) that are relevant to our audit of the financial report in Australia. We have also fulfilled our other ethical responsibilities in accordance with the Code.

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

Other Information

The committee of management are responsible for the other information. The other information comprises the information included in Barristers' Benevolent Association of NSW 's annual report for the year ended 30 June 2024 but does not include the financial report and the auditor's report thereon.

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

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 nothing to report in this regard.

Responsibilities of committee of management for the Financial Report

The committee of management of the registered entity are responsible for the preparation of the financial report that gives a true and fair view in accordance with Australian Accounting Standards – Simplified Disclosure Requirements and the *Australian Charities and Not-for-profits Commission Act 2012* (ACNC Act) and for such internal control as the committee of management determine is necessary to enable the preparation of the financial report that gives a true and fair view and is free from material misstatement, whether due to fraud or error.

In preparing the financial report, committee of management are responsible for assessing Barristers' Benevolent Association of NSW '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 management either intends to liquidate Barristers' Benevolent Association of NSW or to cease operations, or has 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.

A further description of our responsibilities for the audit of the financial report is located at the Auditing and Assurance Standards Board website at: http://www.auasb.gov.au/auditors_responsibilities/ar4.pdf. This description forms part of our auditor's report.

RSM Australia Partners

C J Hume
Partner

Sydney, NSW
Dated: 6 September 2024

Contributors to the Barristers' Benevolent Fund

Mr J Abernethy	Bennett SC	Mr Benjamin Cameron	The Hon M G Craig KC
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Mr L N Hamilton			

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Her Honour Judge E Olsson SC	Mr D Ronzani	Mr G J Stanton	Ms C A Webster SC
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Ms Olla A Otrebski	Dr F T Roughley SC	Mr H W M Stitt	Mr Adrian Williams
Ms M Painter SC	Ms Leah J Rowan	Mr P G W Stitz	Mr Andrew A Wilson
Mr Christopher Palmer	Mr P A Rowe	Mr J Stoljar SC	Mr Dennis Wilson
Mr David Parish	Mr T M Rowles	Mr Hugh Stowe	Mr E W Wilson SC
Mr R A Parsons	Mr R Royle	Mr Raoul Stransky	Mr M J Windsor SC
Ms S Patterson	Mr S Rugendyke	Mr Peter Paul Strasser	Mr Matthew Wong
Mr C J Peadon	Mr Geoffrey Rundle	Mr P Strasser	Mr Andrew Wong
Ms A Perigo	Ms E J Rusiti	His Honor Judge Alexander Street	Mr Christopher Wood SC
The Hon Justice M Perry	Mr Peter Russell	Mr Peter Strickland	Ms D A Woods
Dr G Pesce	Mr J J Ryan	Mr G J Sundstrom	Ms G Wright SC
Peter Dunning	Mr T J Ryan	Ms Rebecca Suters	Mr M L Wright SC
Mr D Petrushnko	Mr M V Sahade	The Hon R N Talbot	Mr Paul Ye
Mr Richard Phan	Mr J R Sainty	Ms Sonia Tame	Ms Sophie York
Ms Meredith Phelps	Ms K Sant	Mr J O Tancred	Mrs K J Young
Mr J Phillips SC	Mr F Santisi	Mr C Tanner	
Ms S Phillips		Mr Frank Tao	
Mr Andrew Pickles SC		Mr R J Taylor	

The Indigenous Barristers' Trust – The Mum Shirl Fund

ABN 53 124 431 831

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The financial statements cover the Indigenous Barristers' Trust – The Mum Shirl Fund as an individual entity. Its registered office and principal place of business is at 174 Philip Street, Sydney NSW 2000.

The principal activity of the trust is the receipt of donations for distribution as grants.

The financial statements were authorised for issue by the Trustees on 5 September 2024. The Trustees have the power to amend and re-issue the financial statements.

STATEMENT OF PROFIT OR LOSS AND OTHER COMPREHENSIVE INCOME
FOR THE YEAR ENDED 30 JUNE 2024

	Notes	2024 \$	2023 \$
Revenue	2	161,674	178,284
Interest received		38,175	15,612
Audit and accounting		(7,100)	(6,800)
Payroll		-	(43,426)
Bank charges		-	-
Conference expenses		-	-
Gifts		(14,896)	(19,500)
Other Expenses		-	(10,228)
Surplus before income tax expense		177,853	113,942
Income tax expense	1(c)	-	-
Net surplus		177,853	113,942
Other comprehensive income		-	-
Total comprehensive income		177,853	113,942

The above statement of profit or loss and other comprehensive income should be read in conjunction with the accompanying notes.

STATEMENT OF FINANCIAL POSITION

AS AT 30 JUNE 2024

	Notes	2024 \$	2023 \$
CURRENT ASSETS			
Cash and cash equivalents	3	139,997	421,448
Financial Assets	4	943,732	507,010
Other receivables	5	80,611	57,329
TOTAL CURRENT ASSETS		<u>1,164,340</u>	<u>985,787</u>
TOTAL ASSETS		<u>1,164,340</u>	<u>985,787</u>
CURRENT LIABILITIES			
Trade and other payables	6	8,000	7,301
TOTAL CURRENT LIABILITIES		<u>8,000</u>	<u>7,301</u>
TOTAL LIABILITIES		<u>8,000</u>	<u>7,301</u>
NET ASSETS		<u><u>1,156,340</u></u>	<u><u>978,486</u></u>
ACCUMULATED FUNDS			
Accumulated surpluses		<u><u>1,156,340</u></u>	<u><u>978,486</u></u>

The above statement of financial position should be read in conjunction with the accompanying notes.

STATEMENT OF CHANGES IN EQUITY
FOR THE YEAR ENDED 30 JUNE 2024

	2024	2023
	\$	\$
As at 1 July - opening	978,487	864,544
Total comprehensive income	177,853	113,942
As at 30 June - closing	1,156,340	978,486

The above statement of changes in equity should be read in conjunction with the accompanying notes.

STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED 30 JUNE 2024

	2024	2023
	\$	\$
OPERATING ACTIVITIES		
Receipts from sponsorship and general activities	154,021	177,411
Interest received	(21,296)	8,808
Payments to suppliers and grantees	22,546	(83,576)
	<hr/>	<hr/>
Net cash inflow from operating activities	155,271	102,643
	<hr/>	<hr/>
INVESTING ACTIVITIES		
Repayment for term deposits	(436,722)	(431,826)
	<hr/>	<hr/>
Net cash outflow from investing activities	(436,722)	(431,826)
	<hr/>	<hr/>
Net decrease in cash and cash equivalents	(281,451)	(329,183)
Cash and cash equivalents at the beginning of the year	421,448	750,631
	<hr/>	<hr/>
Cash and cash equivalents at the end of the year	139,997	421,448
	<hr/>	<hr/>

3

The above statement of cash flows should be read in conjunction with the accompanying notes.

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2024

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The principal accounting policies adopted in the preparation of the financial statements are set out below. These policies have been consistently applied to all the years presented, unless otherwise stated.

(a) Basis of Preparation

These general-purpose financial statements have been prepared in accordance with Australian Accounting Standards – Simplified Disclosure requirements and interpretations as issued by the Australian Accounting Standards Board and the Australian Charities and Not-for-profits Commission Act 2012. The Indigenous Barristers' Trust The Mum Shirl Fund is a not-for-profit entity for the purpose of preparing the financial statements.

Historical cost conversion

These financial statements have been prepared under the historical cost convention.

Critical accounting estimates and judgements

The preparation of financial statements requires the use of certain critical accounting estimates. It also requires management to exercise its judgement in the process of applying the Trust's accounting policies. There are no estimates and judgements that have a significant risk of causing material adjustments to the carrying amounts of assets and liabilities within the next financial year.

(b) Revenue Recognition

Revenue is measured at the fair value of the consideration received or receivable. Revenue is recognised as follows:

(i) Contributions

Revenue from contributions is recognised when the contribution is received.

(ii) Interest income

Interest income is recognised as it accrues.

(iii) Other Income

Income from other sources is recognised when the income is receivable.

(c) Income Tax

The Trust is exempt from income tax.

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2024

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONT'D)

(d) Current and Non- current Classification

Assets and liabilities are presented in the statement of financial position based on current and non-current classification.

An asset is classified as current when: it is either expected to be realised or intended to be sold or consumed in the Trust's normal operating cycle; it is held primarily for the purpose of trading; it is expected to be realised within 12 months after the reporting period; or the asset is cash or cash equivalent unless restricted from being exchanged or used to settle a liability for at least 12 months after the reporting period. All other assets are classified as non-current.

A liability is classified as current when: it is either expected to be settled in the Trust's normal operating cycle; it is held primarily for the purpose of trading; it is due to be settled within 12 months after the reporting period; or there is no unconditional right to defer the settlement of the liability for at least 12 months after the reporting period. All other liabilities are classified as non-current.

(e) Cash and Cash Equivalents

Cash and cash equivalents include cash on hand, deposits held at call with financial institutions, other short-term, highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value

(f) Financial Assets

(i) Classification

The Trust classifies its financial assets in as:

- those to be measured at amortised cost.

The Trust reclassifies debt investments when and only when its business model for managing those assets changes.

(ii) Recognition and derecognition

Regular way purchases and sales of financial assets are recognised on trade-date, the date on which the Trust commits to purchase or sell the asset. Financial assets are derecognised when the rights to receive cash flows from the financial assets have expired or have been transferred and the Trust has transferred substantially all the risks and rewards of ownership.

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2024****1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONT'D)****(f) Financial Instruments (continued)****(iii) Measurement**

At initial recognition, the Trust measures a financial asset plus transaction costs that are directly attributable to the acquisition of the financial asset.

(iv) Impairment

For trade receivables, the Trust applies the simplified approach permitted by AASB 9, which requires expected lifetime losses to be recognised from initial recognition of the receivables.

(g) Other Receivables

Other receivables are recognised initially at fair value and subsequently measured at amortised cost using the effective interest method, less provision for expected credit losses. Other receivables are usually settled within 30 days from the date of recognition.

(h) Trade and Other Payables

These amounts represent liabilities for goods and services provided to the Trust prior to the end of financial year which are unpaid. The amounts are unsecured and are usually paid within 30 days of recognition.

(i) Goods and Services Tax ("GST")

Revenue, expenses and assets are recognised net of the amount of associated GST, unless the GST incurred is not recoverable from the Australian Taxation Office ("ATO"). In this case it is recognised as part of the cost of acquisition of the asset or as part of an item of expense.

Receivables and payables are stated inclusive of the amount of GST receivable or payable. The net amount of GST recoverable from or payable to the ATO is included in receivables or payables in the statement of financial position.

Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from or payable to the taxation authority are presented as operating cash flows.

(j) Changes in Accounting Policies, Disclosures, Standards and Interpretations

The Trust has adopted all the new or amended Accounting Standards and Interpretations issued by the Australian Accounting Standards Board ('AASB') that are mandatory for the current reporting period.

Any new or amended Accounting Standards or Interpretations that are not yet mandatory have not been early adopted.

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2024

	2024 \$	2023 \$
2. REVENUE		
Contributions received	161,674	178,284
Revenue from continuing operations	161,674	178,284
<i>Disaggregation of revenue</i>		
The disaggregation of revenue from contracts with customers is as follows:		
<i>Geographical regions</i>		
Australia	161,674	178,284
3. CASH AND OTHER EQUIVALENTS		
Cash at bank	139,997	307,271
Term deposits	-	114,177
	139,997	421,448
4. FINANCIAL ASSETS		
Current		
Term deposits	943,732	507,010
5. OTHER RECEIVABLES		
Current		
NSW Bar Association	56,862	49,399
GST receivable	640	450
Accrued interest	23,109	7,480
	80,611	57,329

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2024

6. TRADE AND OTHER PAYABLES

Current

NSW Bar Association
Provisions

-	-
8,000	7,301
8,000	7,301

7. RELATED PARTY DISCLOSURES

(a) Trustees

The names of persons who were Trustees of the Trust at any time during the financial year are as follows:

Chris Ronalds SC	Gabrielle Bashir SC
Justice Michael Slattery AM QC	Tony McAvoy SC
	Ruth Higgins SC

(b) Key management

The key management personnel are the Trustees of the Trust.

No compensation was paid or payable to Trustees of the Trust during the financial year or the previous year.

(c) Receivables from and Payables to related parties

The following transactions are outstanding at the reporting date in relation to transactions with related parties:

	2024 \$	2023 \$
Current Receivables		
The New South Wales Bar Association	56,862	49,399
	56,862	49,399

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2024****8. REMUNERATION OF AUDITORS**

During the financial year the following fees were paid or payable for services provided by Accounting Firm RSM Australia Partners, the auditor of the Trust:

	2024	2023
	\$	\$
Audit Services –RSM Australia Partners		
Audit of the Financial Statements	8,000	7,300

9. CONTINGENT LIABILITIES

The Trust had no contingent liabilities as at 30 June 2024 and 30 June 2023.

10. COMMITMENTS

The Trust had no commitments as at 30 June 2024 and 30 June 2023.

11. EVENTS OCCURRING AFTER THE REPORTING DATE

No matter or circumstance has occurred subsequent to year end that has significantly affected, or may significantly affect, the operations of the association, the results of those operations or the state of affairs of the Trust.

TRUSTEES' DECLARATION

In the opinion of the Trustees of Indigenous Barristers' Trust The Mum Shirl Fund ("the Trust"),

- (a) the financial statements and notes as set out on pages 1 to 10:
 - (i) have been drawn up in accordance with Accounting Standards - Simplified Disclosure Requirements and other mandatory professional reporting requirements in Australia; and
 - (ii) presents fairly the Trust's financial position as at 30 June 2024 and its performance, as represented by the results of its operations, changes in accumulated funds and cash flows, for the year ended on that date.
- (b) there are reasonable grounds to believe that the Trust will be able to pay its debts as and when they become due and payable.

Signed in accordance with a resolution of the trustees:



C Ronalds AO SC
Trustee

Sydney, NSW
5th September 2024

**RSM Australia Partners**

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Sydney
NSW 2000
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F +61 (02) 8226 4501
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INDEPENDENT AUDITOR'S REPORT

To the Members of The Indigenous Barristers' Trust The Mum Shirl Fund

Opinion

We have audited the financial report of The Indigenous Barristers' Trust The Mum Shirl Fund, which comprises the statement of financial position as at 30 June 2024, the statement of surplus and other comprehensive income, the statement of changes in accumulated funds and the statement of cash flows for the year then ended, and notes to the financial statements, including material accounting policy information, and the declaration by trustees.

In our opinion, the financial report of The Indigenous Barristers' Trust The Mum Shirl Fund has been prepared in accordance with Division 60 of the *Australian Charities and Not-for-profits Commission Act 2012*, including:

- (a) giving a true and fair view of the registered entity's financial position as at 30 June 2024 and of its financial performance and cash flows for the year ended on that date; and
- (b) complying with Australian Accounting Standards – Simplified Disclosures under AASB 1060 General Purpose Financial Statements – Simplified Disclosures for For-Profit and Not-for-Profit Tier 2 Entities and Division 60 of the Australian Charities and Not-for-profits Commission Regulation 2022

Basis for Opinion

We conducted our audit in accordance with Australian Auditing Standards – Simplified Disclosure Requirements. 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 The Indigenous Barristers' Trust The Mum Shirl Fund in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants* (the Code) that are relevant to our audit of the financial report in Australia. We have also fulfilled our other ethical responsibilities in accordance with the Code.

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

Other Information

The trustees are responsible for the other information. The other information comprises the information included in The Indigenous Barristers' Trust The Mum Shirl Fund's annual report for the year ended 30 June 2024 but does not include the financial report and the auditor's report thereon.

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

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 nothing to report in this regard.

Responsibilities of Trustees for the Financial Report

The trustees of the registered entity are responsible for the preparation of the financial report that gives a true and fair view in accordance with Australian Accounting Standards – Simplified Disclosure Requirements and the *Australian Charities and Not-for-profits Commission Act 2012* (ACNC Act) and for such internal control as the committee of management determine is necessary to enable the preparation of the financial report that gives a true and fair view and is free from material misstatement, whether due to fraud or error.

In preparing the financial report, committee of management are responsible for assessing The Indigenous Barristers' Trust The Mum Shirl Fund'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 management either intends to liquidate The Indigenous Barristers' Trust The Mum Shirl Fund or to cease operations, or has 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.

A further description of our responsibilities for the audit of the financial report is located at the Auditing and Assurance Standards Board website at: http://www.auasb.gov.au/auditors_responsibilities/ar4.pdf. This description forms part of our auditor's report.

RSM Australia Partners

C J Hume
Partner

Sydney, NSW

Dated: 6 September 2024





NEW SOUTH WALES
BAR ASSOCIATION