



ANNUAL REPORT 2015 – 2016

**To be Presented at the
Annual General Meeting
of the
Law Society of Tasmania
on
14 October 2016**

The Law Society Council

2015 – 2016

President

M J Verney

Vice-President

R J Foon

Hon Treasurer

W C Justo

Council

D J Barclay* (S), L Bartlett (N), C Garwood* (N-W), R J Foon* (N), A Grant (S), W M Griffiths* (N), C Higgins (S), E Hughes* (N), W C Justo* (S), F Lester (N), T J McKenna (S), K Mooney* (S), B Paterson, (S), R Szumer (N-W), M J Verney*(N-W), A Wells (S)

(*Executive Committee Member)

Executive Director

L O Rheinberger

Deputy Executive Director

F Saturno

Law Council of Australia Director

W M Griffiths

Committees 2015 – 2016

The President is an *ex officio* member of all Law Society Committees

Northern Regional Committee

W M Griffiths [Chairman], P J Lebski [Secretary], S P Bishop, R J Brown, J L Byrne, D P Cordell, C N Dockray, C J Foon, B Frake, J M French, C Gibson, D Grey, G L Jones, J C Kitto, W F Lester, S B McElwaine, F V Moore, R M Murray, S Pratt, C L Schuh, B Sproal, K J Stanton, A Trezise, G Tucker, P A Welch, T J Whyte

Southern Regional Committee

W C Justo [Chairman], D J Barclay, A Grant, C Higgins, T J McKenna, K Mooney, B Paterson, A Wells

North-West Regional Committee

L Topfer [Chair], M Verney, A Mihal

Mediation & Arbitration

A Mead [Chairman], J Downie, M Essex, C J Gunson SC, M Rapley, P R Theobald

Criminal Law Committee

J Hartnett [Chair], I Arendt, J Crotty, B Etter, H Locke [part-year], J McCarthy, R Mainwaring, C Rainbird, C Scott, A Shand

Litigation Committee

E Hughes [Chairman], A Beeson, C J Gunson SC, R Hudson, N Munting, R Phillips, M Rapley, M A Ryan, L Taylor, A B Walker

Property & Commercial Law Committee

A Logan [Chairman], A Bobbi, C Higgins, W C Justo, A Kostezky, A Laning, R Manning, M Kerrison, T Tierney, C Wootton

Employment & Equal Opportunities Committee

A R Mills [Chair], C Garwood, C Green, R Heyward, A Higgs, S Masters, A Morton, K Siejka, K Tongs, A Wells

Solicitors' Accounts Rules Committee

P V Manser [Chairman], R Byrne, M J Crisp, R Foon, E James, S Law, M Maddock [part-year], A N Morgan

Continuing Professional Development Committee

C Higgins [Chairperson], T Barrett, A Clues, A Mead, E White, D Zeeman [part-year], P Zeeman

Elder & Succession Law Committee

J Harrington [Chair], G Groom, L Johnston, F Lester, S McCulloch, K McLagan, Z Nicholson, B Rheinberger, C Schokman, J Walker

Pro Bono Clearing House

R Manning, [Chair], T Barrett, T Dargaville, M Essex, C Higgins, J Hutchison, C Mackie, A Mead, S Piggott, K Starkey

Family Law Committee

R Blissenden[Chair], L Connelly, F Di Giovanni, A Grant, D Lewis, T McKenna, L Mollross, M A Ryan, P Theobald, A Trezise

Young Lawyers' Southern Committee

A Higgs, A Thompson (Co-Presidents), S Kimber (Treasurer), T Kapodistrias (Secretary)

Members:

G Burke, M Croswell, N Dobson, C Griffith, S Pullinger, S Marshall, G Holgate, B Keo, J Sabapathy, L Rankin, L Lester, S Lucas, R Jackson, G Knowler, M Jones, M Bird, R Meredith, S Karpinskyj, K Heap, M Sheehan, R Fletcher, H Frost, L Kelly, H Gill, V Veldhuizen, K Williams, C Wood, B Walsh, B Garth, D Yeoh, M Sakaris, B Worth

Reps

SLS

TULS

TLPC (J Bingham)

Young Lawyers' Northern Committee

F Radin [President], S Pearce [Vice President], A Hilly [Treasurer], F Spry[Secretary], S Hayes [Marketing], J Vanarkadie [CPD Coordinator], S Claessens [Sponsorship Coordinator], C Flockhart, K Guaden, L Brett, L Tolputt

Young Lawyers' North-West Committee

A Brown [President], J Hall [Treasurer], K Abercromby, A Walsh, V Aldridge-Hurst, J Slevin, H Goss, A McKenzie, E Kilpatrick, A Wirth, T Hogan, L Flanagan, M Rose, C Cox-Haines, D Earley, A Tate, F Mamvura

Representative on the National Young Lawyers' Committee

A Thompson

The Society's Nominees on Other Bodies

Board of Legal Education

L Mason, M E O'Farrell SC,
L O Rheinberger [Secretary]

Law Council of Australia Access to Justice Committee

W F Lester

Law Council of Australia – Legal Practice Section Australian Law Management Group – Executive Committee

F Saturno

Law Council of Australia – Legal Practice Section Australian Property Law Group – National Committee

A Logan

Law Council of Australia Environment and Planning Law Group

J Feehely

Legal Aid Commission

G Barns, D Zeeman

Council of Law Reporting

M J Crisp

Law Foundation of Tasmania

M Verney [Chairman], R Foon, N R Readett, L O Rheinberger [Secretary]

Centre for Legal Studies

T G Bugg [Chairman], P A Bowen, G L Jones, L O Rheinberger [Secretary]

Solicitors' Trust

M J Crisp [part-year], P Kuzis, D Wallace [part-year]

University of Tasmania Law Faculty Teaching and Learning Committee

D F M Zeeman, J Dewar

Associate Bodies

Family Law Practitioners' Association of Tasmania

T M Eaton [Chair], C Henderson [Vice-Chair NW], M Turnbull [Vice-Chair S],
S Hunt [Secretary], K Starkey [Treasurer], S Alcock, A Brunacci, R Murray, L
Mollross, K Mussared, M Foster, J Higgins, C Jacobs, L Johnson, J Petersen, L
Peacock, P Fitzgerald

Tasmanian Women Lawyers

A Chrysler, [President], B F E Rheinberger [Vice-President] and [Treasurer], M
Nettlefold [Secretary], T Hodgman [Membership Officer], A Cutler, B Etter, S Fahey,
B Frake, I Dineen, C Higgins, S Iskandarli, A Morton, C Wootton,

President's Report

It is with pleasure that I present my second end of year report. It has been a rare privilege to lead the Society for a second year. One for which I am grateful.

I reported 12 months ago how quickly the year had passed by. That is once again the case. However in this year I have not had to start off by learning the job. It is I think a great asset both personally and to the Society to have the continuity that a second Presidential year affords. In my case it enabled me to simply carry on from where I left off 12 months ago. Whilst every President's circumstances are different, I would encourage future Presidents (and therefore Councils) to look to the President serving two years rather than just one if at all possible.

There have been some particular highlights this year. One of the main ones has been the nationally coordinated "Legal Aid Matters" campaign which has seen us join with our interstate counterparts to run a national campaign to raise awareness about the perilous nature of Legal Aid funding. That campaign continues and will soon enter its next phase as the next Federal Budget cycle has commenced.

Whilst talking about our engagement with our interstate counterparts, the Society continues to participate in the Conference of Law Societies. This involves us meeting quarterly with the other Societies. There is an undoubted benefit to us in that engagement. Hearing first hand how the other jurisdictions deal with issues, many of which mirror our own experiences, is invaluable.

As I recently reported in my *Law Letter* article, the development of the national profession remains on the agenda. However our Society remains of the view, matched by several of the other Societies, that we should only look to joining the national profession if there is a clear and demonstrable benefit to the Tasmanian profession, and consumers. Thus far such benefit does not seem to have been demonstrated.

Domestically, the Society has remained vigilant in its efforts to promote the Rule of Law and access to justice. Whilst we as a profession well understand the importance of the Rule of Law, and what that means, it remains the case that that importance is not always understood by politicians and the public. This has seen us sometimes stand up for what might be seen as publicly unpopular positions (for example opposing mandatory sentencing or extolling the value of suspended sentencing).

The Society is well positioned to maintain the arguments for the importance of Rule of Law matters as we do not have to worry about whether what we say is popular. It remains a vital part of the Society's role and one that has been undertaken with vigor at every opportunity. In this regard I can report that whilst not always in agreement, the Society continues to enjoy a strong and productive working relationship with Attorney General. The Society's views I am told are valued and listened to.

Another important role for the Society is the provision of information and educating the public about legal matters. Whilst I have frequently been called upon by the media for comment about particular issues, so too have I simply been asked for information, or clarification, to help reporters and members of the public simply understand issues from time to time.

A couple of the things I have tried to achieve in my 2 years as President is to raise the profile of the Society and to therefore increase the relevance of the Society to its members. Whilst the Society plays an important regulatory role for the profession, a role that the Society and Council

discharges with solemnity and care, the Society is also a body of its members and must always remain relevant to and serve its members.

A couple of areas where the Society has set the tone for the Profession this year, and has shown itself to be a modern and progressive body, is with regard to diversity. Our Society has been one of the first in the country to adopt a gender diversity policy and an equitable briefing policy for the Bar. These are developments of which I think we can be rightly proud. The composition of the Council is itself a fine example of how far we have come with the Council achieving almost equal gender representation for the first time. I understand that in this regard we lead the other Societies.

As I have spoken to many of the Society's members over the last 2 years, I have been frequently told of their approval of the Society's more public profile and preparedness to be more proactive rather than just reactive. That approach has been possible in large part because the Society is lucky to have an energetic Council whose members do not shy away from difficult issues and are prepared to, in their own time, work so very hard for the Society. There have been countless times when matters have arisen and Council members have either individually or in small working groups provided the formulation for the Society's positions. To the Council, I say thank you for your remarkable efforts over the last year.

The hard work achieved by the Society is also made possible by the absolutely invaluable work done by the various Committees. The Society's specialist committees are vital to informing the Council on areas where perhaps we as Council members may have little experience. On numerous occasions the product of the work of the Committees has formed the basis of submissions made by the Society. The Committees are the engine room of the Society. The profession owes them a debt of gratitude. I thank them.

My report would be incomplete if I didn't express my thanks to the Society's staff. They have all been a wonderful support to me during my time as President. We are lucky to have them and I thank them for their work for the Profession.

In particular I would like to thank our Deputy Executive Director Francesca Saturno and our Executive Director Luke Rheinberger.

They have both been a great source of information and guidance during my years as President. Chief among Francesca's roles is of course heading up our CPD programme. We have a programme that compares favorably to our counterparts, and given our resources, I suspect we "punch above our weight". This is due in no small part to Francesca's hard work.

With regard to Luke, I must say that he has been and no doubt will continue to be a stalwart of our Society. His guiding hand on all matters of the Society is absolutely invaluable. From my perspective as President, his support and advice has been important. He has the unique ability to subtly guide whilst not always appearing to do so. I have come out of conversations with him having changed my views of things and subsequently realized it was because of a comment he might have made which I had not previously thought of. Hopefully the frequency of this was less in my second year compared to my first.

Finally, I would like to thank the Society's members. You have given me the opportunity to lead the Society not once, but twice. I feel extremely privileged to have done so. Thank you.

Matthew Verney
President

Treasurer's Report

Attached are the financial Statements for the Law Society of Tasmania ("the Society") for the financial year 30th June 2016.

The Society is the Prescribed Authority under the *Legal Profession Act (Prescribed Authorities) Regulations 2008*, these regulations being made under the *Legal Professions Act 2007*.

The Financial Statements reveal a very modest surplus of \$4,072.00 following a loss of \$78,459.00 in the previous financial year. It is accepted that the Society tries to operate on a "break even" basis and accordingly such a result is satisfactory.

There was an increase in revenue from the previous year. Although there was a decrease in income derived from interest there was a corresponding increase in income derived from continuing Professional Development activities. The Committees of the Society and the Deputy Executive Director, Francesca Saturno, deserve special commendation for that result.

It has been previously reported that the Society has suffered from decreasing interest rates. As a result the Society is actively pursuing alternative investment opportunities which should reap benefits in the years to come.

As usual, the major source of income from the Society was derived from Practising Certificates, which rose by \$15,839.00 from the previous year. Expenses only suffered a minor increase from last financial year which is especially pleasing.

The only other matters worthy of mention are that the asset revaluation reserve rose by \$195,000.00 for 28 Murray Street and Staffordshire House combined. It is to be noted that the valuation methodology is based on Government Valuations, which is consistent with past practise, although some consideration should be given in future years to adopting market valuations obtained by the Society every two (2) years.

There has been a net decrease in cash held as a result of the very necessary property improvements and equipment purchases (\$156,015.00) with operating activities throughout the year, but on the whole the operating activity increases are mainly "timing issues" and I would expect to see a somewhat corresponding decrease in those costs next year.

In conclusion, I would like to express my thanks for the efforts of the Society's Accountant, Peter Rowe as well as all of the staff of the Society. They have been of invaluable assistance in allowing me to discharge my duties as Treasurer. I would also like to particularly acknowledge the guidance and support of the Executive Director and Deputy Executive Director.

Will Justo
Treasurer

Report of the Prescribed Authority 2015/2016 Presented to the Legal Profession Board of Tasmania

The Law Society of Tasmania being the prescribed authority for the purposes of the *Legal Profession Act 2007* presents this report to the Legal Profession Board on its operations for the financial year 2015/2016. The Society is the prescribed authority for the purposes of the Act. This report relates to the Society's activities as prescribed authority only. It does not deal with any of its other functions or activities.

Overview

The major areas of operation relate to the regulation of practising certificates and the regulation of trust accounts. The Society also has oversight of incorporated legal practices and the power to make rules about legal practice other than rules for practitioners practising solely as barristers.

In common with many Australian and overseas jurisdictions the legal profession is governed by a co-regulatory model. The Legal Profession Board of Tasmania is the body responsible for receiving, investigating and determining complaints against practitioners and a number of associated functions.

A co-regulatory model relies upon regulators maintaining an enhanced level of communication and co-operation. The Society acknowledges the positive relationship between it and the Board which has benefited both organisations in the carrying out of their regulatory functions.

Operation of Trust Accounts

Most, but not all law practices in Tasmania operate a trust account. Trust money is money entrusted to a law practice in the course of or in connection with the provision of legal services. The major obligation of the Society is to ensure that trust money is held by law practices in a way that protects the interests of persons for or on whose behalf that money is held. Every law practice that holds money in its general trust account must undergo a trust account examination by an authorised examiner. The examiner's report is provided to the Society. Reports identify any breaches of the relevant Act or Regulations, any unsatisfactory practices and make general recommendations regarding the operation of the trust account, including appropriate risk mitigation strategies.

The Society expends not inconsiderable resources in undertaking its statutory duties as the regulator of trust accounts. A trust account administrator is employed two days per week under the supervision of the Executive Director.

Her role is to manage the administration of trust accounting reporting requirements including checking and recording quarterly returns with regards to the designated deposit account, the review and analysis of all external examination reports and reviewing other documents lodged with the Society such as the notifications of irregularities, and the opening or closing of trust accounts. In addition, the Society's authorised trust account examiner is retained to provide advice as and when needed to law practices or prospective law practices. Such advice may include advice of a technical nature or providing information as to the appropriate practice management/trust accounting system for a particular firm.

Trust account examinations relate to a calendar year. The following information therefore relates to the 2015 calendar year;

- Number of firms with trust accounts – 116
- Number of transactions – 93,066
- Total amount of trust receipts – in excess of \$6.8 billion
- Total amount held on trust at 31 December 2015 - \$100 million
- Total amount held on investment at 31 December 2015 - \$70.5 million

Appointment of Investigator

One investigator was appointed to a sole practitioner practice on 17 October 2015 pursuant to section 260 of the Act. That appointment followed concerns raised by the Board relating to the law practice's compliance with obligations relating to the receipt of trust monies. The investigation led to undertakings been given by the law practice to the Society relating to its terms of retainer and financial reporting to clients.

Appointment of Manager

Acting pursuant to a delegation from the Board the Society appointed a manager to the law practice of Glade-Wright & Mahindroo on 18 August 2015. That appointment continues. However it is likely that the practice will be wound up in the very near future.

Practising Certificates

With limited exceptions a practising certificate is a requirement to engage in legal practice. It is an offence to engage in legal practice in Tasmania unless the person holds a current local practising certificate or a current interstate practising certificate.

As the prescribed authority the Society's major obligations are as follows:

- The grant and renewal of practising certificates
- Imposing of practising certificate conditions that are reasonable and relevant
- Amendment, suspension and cancellation of practising certificates

The following types and numbers of practising certificates were issued under the *Act* during the period 1 July 2015 to 30 June 2016:

- Principal –202
- Employee – 309
- Barrister – 60
- Corporate – 39
- Locum –4
- Community legal centre – 43
- Volunteer - 1

Section 41 of the Act states that an Australian lawyer engaged under the State Service Act, by a state, territory or commonwealth instrumentality, a local council or in a state or territory statutory office is taken to hold for the purposes of the Act and that employment, a practising certificate as a legal practitioner. The above figures therefore do not include practitioners who fall within section 41.

Each type of practising certificate has a number of practising certificate conditions attached to it as a matter of course. In addition to those core conditions other conditions may be and are imposed depending on the practitioner's circumstances.

Examples include:

- The imposition of pupillage conditions for new barristers
- The obligation to appoint a mentor, to meet with that mentor and for that mentor to report to the Society in the case of practitioners operating as a sole practitioner for the first time.
- The imposition of additional continuing professional development obligation.

On the 10th of June 2016 the Society resolved to suspend the practising certificate of a Hobart based barrister. It gave notice also of its intention to cancel the practising certificate. The certificate in question expired on 30 June 2016 and the practitioner has not sought to renew it.

July 2016

Committee Reports

Following please find reports received from the Society's Committees.

Continuing Professional Development

The Continuing Professional Development (CPD) Committee has seven members and generally meets every second month. The primary focus of the Committee in this year has been overseeing the CPD Program. Continuing professional development requirements are mandatory for lawyers holding practising certificates in accordance with Practice Guideline No.4 (compliance with which is required by way of condition attached to practising certificates) and practitioners must keep records of their CPD activities. The Law Society conducts a randomly selected annual audit of 5% of practitioners to assess compliance. The statistics available to the CPD Committee indicate that there were some very minor instances of non-compliance in the 2014/2015 year (around 3% of the profession). The Committee reported in the Law Society weekly update that the outcome of the audit was generally good and encouraged practitioners to familiarise themselves with the limitations imposed around how CPD points can be obtained.

There are maximum caps on how many CPD points can be obtained via activities such as listening to recordings. To assist practitioners, the Law Society has available on its website a copy of Practice Guideline No.4, a printable manual CPD recording form and online tracking feature to manage CPD records in the member log in area. The CPD Committee encourages practitioners to review the Continuing Professional Development rules and to contact the Law Society if they have any queries about the definition of CPD activities that may be included towards their CPD requirements.

The CPD Committee has been mindful of managing a CPD program for the profession that offers topics that are of appropriate intellectual content and appealing to lawyers of different levels of experience. The Committee also relies on the good work of other Law Society committees in relation to practice area specific CPD activities. The Committee has also focussed on ensuring that there have been sufficient CPD activities in the South, North and North West in relation ethics and practice management.

In March 2016, the CPD Committee arranged a two part wellbeing afternoon for the legal profession regarding managing difficult clients and managing yourself which was held in the South with videolink to the North and North West. The session was presented by retired judge, the Honourable Shane Marshall who spoke about some of the challenges that can face practitioners in terms of anxiety and depression including speaking in relation to his personal experiences in the hope of inspiring practitioners to join the cause of removing the stigma associated with depression and supporting colleagues who may suffer from depression. Dr Sandra Hacker AO spoke about personality disorders and psychiatric illnesses including recognising the markers of these issues and strategies on how to manage yourself and the client in challenging situations. The session was very interesting and extremely well attended. Also, as part of the Property and Commercial Law Conference held in March 2016, attendees were fortunate to hear from Petris Lapis (who holds commerce and law degrees including being trained as a masters results coach) who presented a session on the 'mindful lawyer', exploring practical steps to overcome threats to workplace productivity and practising mindfulness techniques for lawyers. The feedback from both of these presentations was very positive and Committee intends to look for opportunities to present other wellbeing sessions.

Practitioners were also offered the opportunity to participate in a survey in relation to their opinion regarding CPD activities provided by the Law Society. The survey sought to capture feedback including around practice areas, years of post-admission experience, opinion on the quality and range of CPD activities, time of day, forum (e.g. half day conference, lunchtime seminars) and cost and delivery of programmes. The survey results were reviewed by the Committee and noted to be positive overall in term of practitioner satisfaction and programme delivery.

The CPD Committee has ensured that its members are kept informed of upcoming events including through the weekly Wednesday updates and on its website. The Committee encourages members to contact the Law Society with their suggestions for topics and speakers and particularly encouraging members to offer their time to be involved at CPD events whether as a speaker, chair or a member of a panel discussion. The CPD Committee welcomes feedback from its members regarding the content and quality of CPD activities including via the Law Society's issue of survey sheets to capture feedback immediately following a CPD event.

The CPD Committee is keen to hear from practitioners with their thoughts on CPD events and activities that they would benefit from. The CPD Committee is grateful to staff of the Law Society for their assistance, particularly to Francesca Saturno for her very considerable work and assistance in preparation of papers for meetings, arranging speakers and organising CPD events.

E&EO Committee

Equitable Briefing Policy

The Committee recommended that the target clause in the Policy be amended and this was accepted by the Law Council. The amendment is:

By 1 July 2018 to offer women barristers a 10% increase in briefs based on briefs to women barristers for the financial year ending June 2016 and that there be a 10% increase in the value of brief fees paid to women barristers for the same period.

The Law Society of Tasmania has adopted the policy with an amendment to the targets reflecting the lower number of women at the Bar in Tasmania. The Committee is currently working with Council in the implementation of the Policy.

Inclusion and Diversity Initiatives

The Committee is ensuring that there is at least one article in each of the Law Society's quarterly journals promoting inclusion and diversity in the profession. The most recent article was regarding the Equitable Briefing Policy for female barristers.

The Committee is also examining resources to the profession concerning flexible work practices, and parental leave policies for publication and distribution to the profession.

The Committee is also organising with the Law Society, a "Meet and Greet" function for solicitors to meet women barristers and this should occur later this year.

RACISM: IT STOPS WITH ME Campaign

The Committee has recently proposed to the Law Council that it signs up to this campaign and then publicises the campaign through its publications encouraging firms and individuals to do likewise.

Pride in Diversity

The Committee has researched this initiative, which focuses on inclusion and diversity and is in the final stages of putting a proposal to the Law Society to join and take up training for the profession.

Legislative Amendments

The Committee prepared submissions, which were adopted by the Law Council, expressing concerns regarding the proposed amendments to the *Anti-Discrimination Act 1998* and the *Anti-Discrimination Amendment Bill 2016*.

Model Conduct Rules

The Committee has lobbied for the Law Society to adopt the Model Conduct Rules and in particular the rules relating to sexual harassment, discrimination and bullying

CPD

The Committee organised a half day employment law conference 16 September 2016 for the profession including sessions on substantive employment law, but also on bullying and workplace behaviours.

Family Law Committee

Introduction:

The Family Law Committee (FL) is the newest committee of the Law Society having met for the first time on 14th December 2015. The Committee meets monthly (except for January) and to date has had nine meetings.

Relationships:

The FL was faced with a unique situation in that another organisation, the Family Law Practitioners Association of Tasmania (FLPA) had been in existence for many years providing a service to Family Law Practitioners and representing the interests of Family Law Practitioners in Tasmania. With the proposed establishment of the FL there was some angst at FLPA that this was the first step in the Society taking over its functions noting that all members of the FL are card carrying members of FLPA.

The first task therefore was to establish a working relationship with FLPA. Discussions between the Chairman of FL and the President of FLPA on 20th January 2016 established the grounds rules of that relationship noting:

- The agreement to work collaboratively
- The secondary role that FL would play in CPD
- Noting “a change in who speaks on behalf of the profession in regard to family law matters that being the function of the Law Society as advised by the Committee ...”

It was also important to establish a relationship with the judiciary. Meetings were held with Justice Benjamin and Judge Roberts.

The FL now has a representative on the Courts’ Case Management Committee (Chairman) and the Rules Committee of the Family Court of Australia (Frances Di Giovanni).

In addition to ensure a productive and direct relationship with the Family Law Section of the Law Council of Australia it was resolved that the FLS representative, Kate Mooney, attend Committee meetings, and she has done so.

During the National Family Law Conference (18-21 October) the Chairman will be attending a Committee Working Lunch with the Executive of FLS.

CPD:

Cognisant of the obligations of the Committee under the Charter but also recognising the role of FLPA and the understanding reached with that organisation the Committee resolved to have a limited CPD program of three to four sessions each CPD year focusing on areas of greater complexity or areas not usually addressed in CPD sessions initiated by FLPA. For the current CPD year those sessions were:

- Arbitration (Frances Di Giovanni, Phillip Theobold & Judge Baker) (session held on 16th June 2016)
- Spousal Maintenance (visiting speaker Martin Bartfelt QC) (session held 12th August 2016)
- Child Support (Kath Devine) (sessions to be held 4th November 2016)

Briefing Notes:

The following briefing notes have been prepared by member(s) of the Committee:

- Family Law Amendment (Arbitration and other Measures) Rules 2015 (David Lewis) in particular in relation to the issue that has been raised with the AG that transactions undertaken pursuant to an award are not stamp duty exempt. This issue is being pursued by the Society including a request for administrative exemptions pending a change in the legislation.
- Domestic Violence Orders (National Recognition) Bill 2016
- Registration to Work with Vulnerable People Act 2013: Whilst there was some debate whether in fact the amendment to the Act meant necessarily that ICL's needed to be registered the position taken by the Committee was that it was an appropriate representation to the public of the importance of this generally and as to the attitude of Family Law Practitioners in particular for ICLs to register

Submissions:

- To the Commissioner of Children on "Family and Domestic Violence – Its Impact Upon Children and Young People in Tasmania" (Mary Anne Ryan)
- Review of the Magistrates Court (David Lewis) with a particular focus on Child Protection matters and the use of temporary Magistrates.

Ongoing:

- Development of a Legal Aid Issues paper, to assist the Society in making representations to LACT, dealing with:
 - A response to the Commission's "Improving Grants Process"
 - Other issues including funding of ICLs; the decreasing value of the Commission's FDR process; the reasons for that and proposed changes/solutions; use by in-house Commission lawyers of the Duty Lawyer especially on Duty List days; delegation of files by in-house practitioners; issues surrounding the accuracy of the Commission's records insofar as they relate to Centrelink's records of assets. Input was sought from FLPA.
- Developing a position in relation to difficulties that have arisen with subpoenas which in both the Family Court of Australia and Federal Circuit Court are now dealt with

administratively, and where in cases involving family violence there have been instances where the current address of victims and/or witnesses has not been redacted. This is particularly problematic where the offender is self-represented. Input was sought from FLPA. Notice of Advice to Profession was inserted in Law Society Update. This provoked comment from Tasmanian Bar Association (C Gunson SC) querying the advice which was addressed in correspondence from the Chairman. Mary Anne Ryan is liaising with Tas Police in relation to this issue.

- Specialist Accreditation V undertaking Masters Degree.
- Development of closer links with UTAS including the issue that the subject of Family Law is not a core subject and the possibility of Law Society presentations to Law Students to encourage the study of Family Law.

Replacement of Judge Roberts:

The FL came to this issue late and played little more than a monitoring role noting the effective lobbying for a replacement by FLPA and our President.

FLPA accepted our suggestion for drinks to be held for Judge Roberts at the conclusion of the one-day FLPA conference in May noting that farewell dinners were only scheduled to occur in the North and Northwest.

Other Matters:

- Endorsing Society's position on Divorce Consultants

Litigation Committee

The Litigation Committee is comprised of the following members:-

Evan Hughes, Chris Gunson SC, Robert Phillips, Andrew Walker, Robert HudsonNathan Munting, Mary Anne Ryan, Mark Rapley, Luke Taylor, Adam Beeson

The Committee is proud to report that in this Council year, it staged a very successful litigation convention on the 21st and 22nd November at Tarraleah. The convention was well attended and included presentations by the Honourable Justice Zammit of the Supreme Court of Victoria in respect to the Victorian Bushfire Litigation and a session presented by Dr Ian Freckelton QC on the cross-examination of experts and expert reports. The convention dinner included an entertaining speech by the Honourable Chief Justice Alan Blow OAM in response to the toast to the judiciary presented by now Magistrate, Duncan Fairley.

The Committee continues to work actively towards law reform including the following:-

- i. Raising concerns in delays in the delivery of judgments in the Supreme Court including the preparation of data with respect to the same;
- ii. Seeking model litigant rules with respect to government agencies;
- iii. Reform of the interest applicable to outstanding legal fees under the Legal Profession Act;
- iv. Review of the Appeal Costs Fund Act and its regulations and the funds available under the scheme;
- v. Review of legislation including the workers compensation legislative review and review of the Building and Construction Industry Security of Payments Act;
- vi. The operation of the Legal Aid Commission's civil disbursement fund and recommendations for improvement of the scheme;
- vii. Difficulties faced by Counsel for health practitioners in the Coroners Court;
- viii. The availability of published decisions for both MACT and the Anti-Discrimination Tribunal;

- ix. Recommendation for an expansion of the power of a magistrate to close a court where in the interests of justice;
- x. Detailed submissions to the Society on the Law Officers (Miscellaneous Amendments) Bill 2015 which made fundamental changes to the position of the DPP.

The Committee is proud of its achievements to date and looks forward to the Society's members attending a litigation conference later in the year which is shaping up to be an exciting and challenging event. I take the opportunity to thank each of the members of the Committee for their active involvement and investment of time in issues that benefit the profession generally.

Pro Bono Clearing House

Committee Membership and Committee Meeting

The Pro Bono Legal Assistance Committee has ten (10) members and meets every second month. The Chair of the Committee throughout the reporting year was Robert Manning.

Applications for Pro Bono Legal Assistance

Financial constraints mean that access to justice is not available to all members of our community. The role of the Committee is to facilitate access to justice in circumstances where financial considerations would otherwise deny such access by matching people and organisations that are in genuine need of legal assistance with legal practitioners who are able and prepared to assist. In particular, the purpose of the Committee is to arrange suitable assistance where no other form of assistance is available.

Legal practitioners have, of course, always provided pro bono legal assistance. The function of the Committee is to provide a formalised structure to facilitate the provision of pro bono legal assistance, and in doing so, to enable due recognition to be given to the profession, and to firms and practitioners for doing so.

In the calendar year 2015, twenty three (23) applications for pro bono legal assistance were received and considered by the Committee. To date, sixteen (16) applications have been assessed and come before the Committee in the calendar year 2016.

The Committee needs to be mindful at all times of the capacity of the scheme to provide assistance, being entirely dependent upon volunteer practitioners to give freely of their time and expertise. The Committee is therefore always interested and grateful to receive expressions of interest from firms and practitioners prepared to provide pro bono legal assistance to those approved through the Committee's scheme.

The Committee continues to enjoy the benefit of the placement of David Wilson by the Australian Government Solicitor's Office one day a week at the Society to assist with the operation of the scheme, and in particular, with the assessment of applications. David's contribution results in the Committee being able to consider and determine applications for assistance at its meetings relying on David's summary of all the relevant information. Without David's assistance, the Committee would need to revert to a previously established procedure of referring new applications to volunteer lawyers for assessment.

Doctor Tina Riveros is a Queensland legal practitioner who from time to time assists the operation of the Scheme by conducting assessments of family law related matters. The Committee is extremely grateful for the good work of David Wilson and Doctor Tina Riveros.

Engagement with the Profession

Arrangements have been made to obtain feedback from firms which have undertaken pro bono work in the past twelve months. The feedback obtained will inform future operation of the scheme and steps to be taken to encourage increased participation in the scheme.

Supreme Court Referral Service

Expressions of interest have been received from senior practitioners to participate in a referral service directly from the Supreme Court. Steps have been taken to implement such a scheme.

The need for pro bono legal assistance will always be there, and the Committee will continue not only to furnish that need, but to constantly consider improved ways of doing so.

Northern Young Lawyers

2016 has been another fantastic year for the Northern Young Lawyers Committee. We have had a change to our executive and have welcomed some new faces to the committee. The conclusion of 2015 saw the retirement of our President Luke Brett who has guided the committee through the preceding two years. I thank Luke for his contribution over this period.

Additionally, other retirees included long standing members, Robert Hegarty, James Oxley, Sarah House, Courtney Pryor and Ben Ashman. I sincerely thank each of them for their contribution during their time on the committee.

Our current Committee comprises of:-

President: Felicity Radin

Vice President: Sarah Pearce

Treasurer: Adrian Hilly

Secretary: Frances Spry

CPD Coordinator: Jarrod VanArkadie

Sponsorship: Sam Claessens

Marketing: Cassandra Hayes

General Members: Elizabeth Tolputt, Claire Flockhart, Luke Brett & Katarina Guaden.

The committee continues to focus on promoting the interests of junior members of our profession by organising and facilitating an exciting and informative CPD program while continuing to host some well attended social events.

CPD Program

The NYLC ran a very successful program in 2015 which has continued throughout 2016. We have secured some very experienced members of our profession and Judiciary who have presented on a variety of topics. I take this opportunity to thank Ross Hart, Shaun McElwaine, Magistrate Sharon Cure, Magistrate Simon Brown and Kate Alcorso.

Our final CPD will be held on 24 November with John Ransom presenting on 'Mental Health Defences'.

Social Events

The Committee hosted Barefoot Bowls and a BBQ for young lawyers in March. Unfortunately the weather did not allow us to get out on the green however a great spread and drinks were enjoyed by all who attended.

Our Trivia Night in April was again attended by over 100 people. After a tie-breaker round, it was the team representing the Tasmanian Aboriginal Community Legal Service that were able to beat our defending champions, Douglas & Collins.

Our annual winter cocktail party was to be held on 22 July at the beautiful Penny Royal Wine Bar & Restaurant. We had over 50 people in attendance for what has been recognised by many as the “best” cocktail party yet.

Our ‘Meet and Greet’ was held on 23 September and was very well attended by the profession. I take this opportunity to thank Christine Arnott for accepting the important role of formally introducing the new members of our practitioners for which there were nine.

To cap off another great year of social functions we will be holding our annual long lunch on 11 November with event details to be circulated soon.

Justice Brett

Justice Michael Brett was appointed as a Judge of the Supreme Court of Tasmania in June this year. As a result, the Northern Young Lawyers Committee hosted celebratory drinks in his honour. There was a fantastic turn out which is a credit to Justice Brett and the impact he has had on the Northern profession. He has supported Young lawyers through advice and mentoring and has been a frequent volunteer speaker in our CPD programs.

Financial Report

The Committee continues to obtain income from our CPD program. We also rely on sponsorship of our events from firms. The Committee would like to thank Douglas & Collins, Rae & Partners and Legal Solutions for their support this year.

The Law Society has continued to provide administrative support to the Committee by issuing invitations, taking RSVPs, receiving money on our behalf and payment of accounts on our behalf. We thank the Law society for their ongoing support.

Elections

Elections will be held shortly with regard to the Executive body for 2017.

North-West Young Lawyers Committee

2016 has seen an influx of new members join the north-west Young Lawyers Committee. Previous years have mainly comprised members from the Devonport area, but the current group includes members from across the north-west.

Professional Development

The Committee is continuing to host CPD seminars, and is working in conjunction with the other committees with regards to scheduling. Due to some difficulties in with speaker availability, the Committee has only hosted one seminar for the 2016/17 CPD year, but is aiming to host some more in the upcoming months.

Social events

The Committee has continued to host an annual day trip for the trainees of the Legal Practice Course. The Committee organises the event with assistance from the Law Society and the Tasmanian Legal Practice Course. The trip involves the trainees travelling to Devonport to meet with local practitioners and see what the north-west has to offer for those about to enter practise.

The trip was initially scheduled for mid-June, however due to the extremely poor weather it was rescheduled for 15 July 2016. The trip began with an information session at the Devonport Magistrates Court, with magistrates and several local practitioners addressing the trainees about practice on the north-west coast and the opportunities available in the area. In the evening there was a drinks and dinner function for the trainees to meet and discuss

The Committee also held its annual legal profession dinner on 16 September 2016. The attendees were primarily members of the committee and several other practitioners. Due to attendee numbers being lower than expected, a change of venue was required.

The Committee is also looking to host its end of year trivia night, most likely in late November.

**The Private Legal Profession in Tasmania
as at 26 September 2016**

Solicitors	South	North	North West	Total
Sole Principals	54	18	16	88
Partners/ 2	9	3	8	20
Directors 3	1	3	0	4
4	3	1	0	4
5	1	0	0	1
6	1	0	0	1
9	2	0	0	2
12	1	0	0	1
Total firms	70	25	24	121
Principal practitioner	128	37	32	197
Employed practitioner	199	39	31	269
Community legal practitioners	26	10	3	39
Volunteer Community Legal Centre	0	1	0	1
Corporate practitioners	26	2	1	29
Locum practitioners	2	0	0	2
*Total practitioners	375	84	65	537

*Practitioners include Senior Counsel - one principal

Barristers				
Queen's and Senior Counsel	12	1	-	13
Junior Counsel	38	5	3	46
Total barristers	50	6	3	59

Total Practitioners	596
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Associate members	105
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Firms				
Sole principals	47	15	14	76
Partnerships	13	4	5	22
Incorporated legal practices	16	6	6	28
*Total firms	76	25	25	126

*Included are firms without a principal who is based in Tasmania.

The Law Society of Tasmania

Statement of Profit or Loss and Other Comprehensive Income
for the Year Ended 30 June 2016

	Notes	2016 \$	2015 \$
Revenue	10	1,196,206	1,076,024
Expenses from Ordinary Activities	11	(1,192,134)	(1,154,483)
Surplus / (Deficit) for the Year		<u>4,072</u>	<u>(78,459)</u>
Other Comprehensive Income			
Items that will not be Reclassified to Profit or Loss:			
Loss on Revaluation of Land and Buildings		(37,065)	-
Total Other Comprehensive Income		<u>(37,065)</u>	<u>-</u>
Total Comprehensive Income		<u>(32,993)</u>	<u>(78,459)</u>

The Law Society of Tasmania
Statement of Financial Position as at 30 June 2016

	Notes	2016 \$	2015 \$
Current Assets			
Cash assets	2	3,840,765	4,126,986
Receivables	3	214,312	133,492
Prepaid Expenses		12,829	27,532
Total Current Assets		<u>4,067,906</u>	<u>4,288,010</u>
Non-Current Assets			
Property, Plant and Equipment	5	<u>2,099,674</u>	<u>2,027,974</u>
Website	5	<u>13,975</u>	<u>20,918</u>
Total Non-Current Assets		<u>2,113,649</u>	<u>2,048,892</u>
Total Assets		<u>6,181,555</u>	<u>6,336,902</u>
Current Liabilities			
Payables	6	<u>27,108</u>	<u>150,290</u>
Current Tax Liabilities		<u>137,428</u>	<u>136,463</u>
Provisions	7	<u>601,016</u>	<u>527,799</u>
Other	8	<u>1,703,403</u>	<u>1,772,317</u>
Total Current Liabilities		<u>2,468,955</u>	<u>2,586,869</u>
Total Liabilities		<u>2,468,955</u>	<u>2,586,869</u>
Net Assets		<u>3,712,600</u>	<u>3,750,033</u>
Members' Funds			
Capital Profits Reserve		<u>43,843</u>	<u>43,843</u>
PII Reserve		<u>297,719</u>	<u>228,804</u>
Asset Revaluation Reserve		<u>408,122</u>	<u>445,187</u>
Accumulated Society Funds		<u>2,962,916</u>	<u>3,032,199</u>
Total Members' Funds		<u>3,712,600</u>	<u>3,750,033</u>

The Law Society of Tasmania			
Statement of Cash Flows for the Year Ended 30 June 2016			
	Notes	2016	2015
		\$	\$
Cash Flow from Operating Activities			
Receipts		1,098,334	932,037
Payments to Suppliers and Employees		(1,266,955)	(1,542,178)
Interest Received		43,778	95,378
Interest and Other Costs of Finance		(5,363)	(5,310)
Net Cash Provided by (used in) Operating Activities	9	<u>(130,206)</u>	<u>(520,073)</u>
Cash Flow from Investing Activities			
Payment for Property, Plant and Equipment		(156,015)	(147,582)
Net Cash Provided by (used in) Investing activities		<u>(156,015)</u>	<u>(147,582)</u>
Net Increase/(Decrease) in Cash Held			
		(286,221)	(667,655)
Cash at the Beginning of the Year		4,126,986	4,794,641
Cash at the End of the Year	9	<u>3,840,765</u>	<u>4,126,986</u>

The Law Society of Tasmania
Statement of Changes in Equity for the Year Ended 30 June 2016

	Accumulated Society Funds	PII Reserve	Asset Revaluation Reserve	Capital Profits Reserve	Total
	\$	\$	\$		\$
Balance at 30 June 2014	3,154,456	185,006	445,187	43,843	3,828,492
<hr/>					
Comprehensive Income					
Surplus / (Deficit) for the Year	(78,459)	-	-	-	(78,459)
Transfer to PII Reserve	(43,798)	43,798	-	-	-
<hr/>					
Total Comprehensive Income for the Year Attributable to Members of the Society	(122,257)	43,798	-	-	(78,459)
<hr/>					
Balance at 30 June 2015	3,032,199	228,804	445,187	43,843	3,750,033
<hr/>					
Comprehensive Income					
Surplus / (Deficit) for the Year	4,072	-	-	-	4,072
Transfer to PII Reserve	(73,355)	73,355	-	-	-
Transfer from PII Reserve	-	(4,440)	-	-	(4,440)
Other Comprehensive Income for the Year	-	-	(37,065)	-	(37,065)
<hr/>					
Total Comprehensive Income for the Year Attributable to Members of the Society	(69,283)	68,915	(37,065)	-	(37,433)
<hr/>					
Balance at 30 June 2016	2,962,916	297,719	408,122	43,843	3,712,600
<hr/>					

The Law Society of Tasmania

Notes to the Financial Statements for the Year Ended 30 June 2016

Note 1: Statement of Significant Accounting Policies

(a) Basis of Preparation

This financial report is a special purpose financial report prepared specifically for distribution to members in accordance with The Law Society By-Laws 1994 made under the *Legal Professional Act 1993*. The Council has determined that the Society is not a reporting entity.

The financial report has been prepared in accordance with the requirements of the following Australian Accounting Standards:

AASB 1031: Materiality

AASB 110: Events after the Balance Sheet Date

The Financial Report has been prepared on an accruals basis from the records of the Society. It is based on historical costs and does not take into account changing money values, or except where specifically stated, current values of non-current assets.

(b) Property, Furniture and Equipment

Property

Properties are included at valuation less provision for depreciation (excluding land content). The fair value of land and buildings have been determined by reference to independent valuations as at 30/06/2016. The property at 28 Murray Street Hobart was deemed to have a market value of \$1,380,000 by Independent property valuers Saunders & Pitt, while 'Staffordshire House' at 54A - 56 Charles Street Launceston was deemed to have a market value of \$640,000 by Opteon Property Group. These revaluations take no account of potential capital gains tax.

Furniture and Equipment

Furniture and equipment and improvements are included at cost. Assets are depreciated over their estimated useful lives commencing from the time the asset is ready for use.

Depreciation

The depreciable amount of all fixed assets, including buildings, is depreciated on a straight line basis over the asset's useful life to the society commencing from the time the asset is ready for use.

(c) Comparative Figures

When required by accounting standards, comparative figures have been adjusted to conform to changes in presentation for the current financial year.

The Law Society of Tasmania

Notes to the Financial Statements for the Year Ended 30 June 2016

Note 1: Statement of Significant Accounting Policies (Cont.)

(d) Income Tax

The provision for income tax is not necessary as the Society is exempt from income tax.

(e) Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST except:

- Where the GST incurred on a purchase of goods and services is not recoverable from the taxation authority, in which case the GST is recognised as part of the cost of acquisition of the asset or as part of the expense item as applicable; and
- Receivables and payables are stated with the amount of GST included

The Net amount of GST recoverable from, or payable to, the taxation authority is included as part of receivables or payables in the Balance Sheet.

(f) Employee Benefits

Provision is made for the society's liability for employee benefits arising from services rendered by employees to balance date.

(g) Rural Employee Scheme

Funds were received from the Solicitors Guarantee Fund for the purpose of setting up a Regional Lawyer Supplementation Scheme.

The Law Society of Tasmania

Notes to the Financial Statements for the Year Ended 30 June 2016

Note 2: Cash	2016	2015
	\$	\$
Bank Accounts:		
Westpac Cheque Account	601,238	111,255
Westpac Maxi Direct Account	1,890,301	2,128,470
Westpac Library Fund	249,400	206,150
Westpac Integrated Law Library Grant	87,641	87,673
Westpac Integrated Law Library Grant No. 2	186	-
Westpac Rural Employee Scheme	6,976	62,763
Westpac Renovations	-	230,375
Short Term Deposits – Westpac	1,000,000	1,000,000
Short-Term Deposits – ANZ	-	300,000
Other Cash Items:		
Cash on Hand	5,023	300
	3,840,765	4,126,986
Note 3: Receivables		
Sundry Debtors	214,312	133,492
	214,312	133,492
Note 4: Other Debtors		
Prepaid Expenses	12,829	27,532
	12,829	27,532

The Law Society of Tasmania

Notes to the Financial Statements for the Year Ended 30 June 2016

Note 5: Property Plant and Equipment	2016	2015
	\$	\$
Plant and equipment:		
At Cost	619,678	606,636
(Less) Accumulated Depreciation	(558,447)	(543,566)
	<u>61,231</u>	<u>63,070</u>
Land and Buildings – At fair value:		
28 Murray Street, Hobart (Land)	660,000	600,000
28 Murray Street Hobart (Building)	720,000	615,000
28 Murray Street, Hobart (Improvements)	-	36,940
28 Murray Street, Hobart (Courtyard Renovation)	-	103,629
56A Charles Street, Launceston (Land)	340,000	300,000
56A Charles Street, Launceston (Building)	300,000	310,000
(Less) Accumulated Building Write-down	-	(24,462)
	<u>2,020,000</u>	<u>1,941,107</u>
Motor vehicles:		
At Cost	39,464	39,464
(Less) Accumulated Depreciation	(21,021)	(15,667)
	<u>18,443</u>	<u>23,797</u>
Total Property Plant and Equipment	<u>2,099,674</u>	<u>2,027,974</u>
Website:		
At Cost	51,725	51,725
(Less) Accumulated Depreciation	(37,750)	(30,807)
Total Website	<u>13,975</u>	<u>20,918</u>

The Law Society of Tasmania

Notes to the Financial Statements for the Year Ended 30 June 2016

Note 6: Payables	2016	2015
	\$	\$
Unsecured:		
Trade Creditors	27,108	150,290
	<u>27,108</u>	<u>150,290</u>
Note 7: Provisions		
Current		
Employee Entitlements – Annual and Long Service Leave	75,809	65,541
Provision for Library Services	525,207	462,258
	<u>601,016</u>	<u>527,799</u>
Note 8: Other Liabilities		
Current		
Practicing Certificates In Advance	302,785	302,296
PII Premium In Advance	1,264,205	1,252,671
Rural Employee Scheme	-	55,389
Law Library Grant	87,641	86,518
Sundry Other Liabilities	48,772	75,443
	<u>1,703,403</u>	<u>1,772,317</u>

The Law Society of Tasmania
Notes to the Financial Statements for the Year Ended 30 June 2016

Note 9: Cash Flow Information

(a) Reconciliation of Cash

For the purposes of the statement of cash flows, cash includes cash on hand and in banks and investments in money market instruments, net of outstanding bank overdrafts.

	2016	2015
	\$	\$
Westpac Cheque Account	601,238	111,255
Westpac Maxi Direct Account	1,890,301	2,128,470
Westpac Library Fund	249,400	206,150
Westpac Integrated Law Library Grant	87,641	87,673
Westpac Integrated Law Library Grant No. 2	186	-
Westpac Rural Employee Scheme	6,976	62,763
Westpac Renovations	-	230,375
Short Term Deposits - Westpac	1,000,000	1,000,000
Short Term Deposits - ANZ	-	300,000
Cash on Hand	5,023	300
	<u>3,840,765</u>	<u>4,126,986</u>

The Law Society of Tasmania
Notes to the Financial Statements for the Year Ended 30 June 2016

Note 9: Cash Flow Information (Cont.)

(b) Reconciliation of Cash Flow from Operations with Net Profit

Operating Profit	4,072
Depreciation	54,193
D&O Insurance	(4,440)
(Increase)/Decrease in Receivables	(80,820)
(Increase)/Decrease in Other Current Assets	14,703
Increase/(Decrease) in Trade Creditors	(123,182)
Increase/(Decrease) in Other Tax Liabilities	965
Increase/(Decrease) in Other Current Liabilities	(68,914)
Increase/(decrease) in Provisions	73,217
Net Cash Provided by Operating Activities	<u>(130,206)</u>

The Law Society of Tasmania
Notes to the Financial Statements for the Year Ended 30 June 2016

Note 10: Income and Expenditure Statement for the Year Ended 30 June 2016

	2016	2015
	\$	\$
Revenue		
Administration Fees	135,658	120,975
Advertising	10,820	13,121
Certificate of Fitness	2,000	2,700
Continuing Professional Development	165,735	133,210
Disciplinary Action – Costs Recovered	54,823	18,233
Events and Functions	57,873	18,906
Hire of Council Room	530	1,854
Interest received	65,481	95,378
PII Mutual Fund Surplus	74,789	73,355
Membership Benefits	-	29
Practising Certificate Fees	507,179	491,340
Rent	57,500	49,000
Sales	2,665	2,139
Sponsorship	48,500	43,000
Subscriptions	12,568	12,456
Sundry Income	85	328
Total Revenue	<u>1,196,206</u>	<u>1,076,024</u>

The Law Society of Tasmania
Notes to the Financial Statements for the Year Ended 30 June 2016

Note 10: Income and Expenditure Statement for the Year Ended 30 June 2016 (Cont.)

	2016	2015
	\$	\$
Expenses		
Accountancy Fees	17,553	15,742
Audit Fees	6,600	6,500
Advertising	263	521
Bank Fees and Charges	5,363	5,310
Computer Supplies and Services	15,740	17,905
Consultants	22,305	11,870
Continuing Professional Development	69,065	65,675
Depreciation and Write-downs	54,193	60,753
Donations and Grants	10,398	11,306
Events	75,849	52,228
Honorarium	103,933	106,049
Insurance	16,094	15,598
Law Letter	18,612	18,678
Light and Power	18,753	14,946
Meetings	54,963	65,637
Member Counselling and Legal Service	3,606	4,038
Membership Benefits	2,292	4,765
Photography	400	400
Printing and Stationery	20,797	17,969
Professional Fees – Disciplinary Action	56,515	28,680
Property Valuations	2,200	500
Rates and Taxes	34,013	30,034
Repairs and Cleaning	26,975	41,387
Salaries and Remuneration	476,021	470,394
Security and Fire Alarms	14,846	13,264

The Law Society of Tasmania

Notes to the Financial Statements for the Year Ended 30 June 2016

Note 10: Income and Expenditure Statement for the Year Ended 30 June 2016 (Cont.)

	2016	2015
	\$	\$
Staff Training	2,737	-
Subscriptions	1,680	2,079
Sundry Expenses	3,757	5,384
Superannuation	40,585	40,332
Telephone, Video Conferencing & Web Expenses	16,026	26,539
Total Expenses	<u>1,192,134</u>	<u>1,154,483</u>

Independent auditor's report to the members of the Law Society of Tasmania

We have audited the accompanying special purpose financial report of the Law Society of Tasmania, which comprises the statement of financial position as at 30 June 2016 and the statement of profit or loss and other comprehensive income, statement of changes in equity and statement of cash flows for the year ended on that date, a summary of significant accounting policies, other explanatory notes and the statement by Honorary Treasurer.

The Law Society of Tasmania's Responsibility for the Financial Report

The Law Society of Tasmania is responsible for the preparation of the financial report and has determined that the basis of preparation described in Note 1 to the financial report is appropriate to meet the financial reporting requirements of the *Law Society of Tasmania By-Laws* is appropriate to meet the needs of the members. The Society is also responsible for such controls as they determine are necessary to enable the preparation of the financial report that is free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on the financial report based on our audit. We conducted our audit in accordance with Australian Auditing Standards. Those standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance about whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on our judgment, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, we consider internal controls relevant to the entity's preparation and fair presentation of the financial report in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal controls. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the Law Society of Tasmania, as well as evaluating the overall presentation of the financial report.

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

The Law Society of Tasmania

Independence

In conducting our audit we have complied with the independence requirements of the Australian professional accounting bodies.

Opinion

In our opinion the financial report presents fairly, in all material respects, the financial position of the Law Society of Tasmania as of 30 June 2016 and its financial performance and its cash flows for the year then ended in accordance with the accounting policies described in Note 1 to the financial statements.

A handwritten signature in black ink, appearing to read 'DM', with a long horizontal line extending to the right.

DANNY MCCARTHY

Partner

Wise Lord & Ferguson

The Law Society of Tasmania

Statement by Honorary Treasurer
For the Year Ended 30 June 2016

The Society is not a reporting entity and this purpose report is prepared in accordance with the accounting policies outlined in Note 1 to the financial statements.

In my opinion the Statement of Profit or Loss and Other Comprehensive Income, Statement of Financial Position, Statement of Cash Flows, Statement of Changes in Equity and the Notes to the Financial Statements;

1. Present fairly the financial position of the Law Society of Tasmania as at 30 June 2016 and its performance for the year on that date; and
2. At the date of this statement, there are reasonable grounds to believe that the Society will be able to pay its debts as and when they fall due.



Honorary Treasurer

Dated: 7 September 2016