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VISION AND MISSION

MISSION

LEADERSHIP OF THE PROFESSION

SERVICE TO MEMBERS

A JUST LEGAL SYSTEM

A community served by ethical, competent and independent legal practitioners

A community with reasonable and affordable access to justice

A profession effectively represented at government and community levels

Ongoing reform of the law and the legal system

Activities and services determined by the needs and welfare of members

A competitive national profession

A community served by ethical, competent and independent legal practitioners

A community with reasonable and affordable access to justice

A profession effectively represented at government and community levels

Ongoing reform of the law and the legal system

Activities and services determined by the needs and welfare of members

A competitive national profession
Supporting viability of practice for solicitors, particularly regional and rural practitioners, has been a prime focus for the Law Society throughout 2017-18. My agenda as President has been both far-reaching and wide-ranging. It has included the reinvigoration of The Solicitors’ Benevolent Association and an ongoing campaign to increase the remuneration of private practitioners undertaking legal aid work. I have also sought to sharpen the Law Society’s representational efforts by actively pursuing more solicitor appointments to the higher courts and a more accountable and transparent appointment process both to the courts and tribunals. The foremost concerns of the profession have been voiced on a range of issues including long-term measures to reduce the prison population and the need for better resourcing of the courts.

The justice system

The record high prison population in NSW remains among the most pressing concerns of the legal profession. My focus as President has been on boosting advocacy for viable long-term measures to reduce recidivism. As the prison population continues to rise, there is greater public attention on the need for a more cost-effective approach to justice, including through the increased use of community-based sentencing options and alternatives to incarceration. It is clear that our campaigning this year has resonated. Governments are increasingly recognising the critical role rehabilitation plays in reintegrating offenders back into society. Notably, this has included the expansion of the Youth Koori Court to the Surry Hills Children’s Court and the establishment 10 High Intensity Program Units at seven correctional centres across the state for female inmates on short sentences. Among the Law Society’s ongoing priorities will be pressing for the expansion of the NSW Drug Court given its proven success at lowering the rate of recidivism than prison.

“The record high prison population in NSW remains among the most pressing concerns of the legal profession. My focus as President has been on boosting advocacy for viable long-term measures to reduce recidivism.” – Doug Humphreys OAM

Resourcing for our courts

Members of the legal profession remain concerned about the ongoing problem of delays and backlogs in the justice system. This not only has an impact on victims and the accused, but also on the viability of practice for solicitors and law practices. The Law Society has acknowledged that measures introduced this year, including the delegation of some matters to the Local Courts, have aimed to reduce the heavy workload of the District Court.
We also recognise the benefits of significant extra funding for policing. However, without a substantial increase in resources for the courts, the downstream effects of delays and backlogs will continue to exacerbate. Correspondingly, my focus this year has been on boosting our campaign for increased funding for the courts as well as for a substantial increase in funding for the Office of the Director of Public Prosecutions (NSW) and Legal Aid NSW.

Campaigning for improvements to the NSW coronial system has been another key priority. The public has a right to expect the effective delivery of justice. For this reason, I have supported calls for the establishment of a specialist independent Coroners Court in NSW. The Law Society will remain committed to pursuing progress.

In other areas, I have actively sought to advance the Law Society’s advocacy for practicable solutions to assist greater efficiency in the administration of justice. The Law Society will continue to monitor the trial of rolling court lists in the District Court, which has been shown to reduce delays, increase the number early guilty pleas and shorten the length of trials. We have supported measures such as the pilot Indigenous list at the Sydney Registry of the Federal Circuit Court and the establishment of specific Indigenous Sentencing Court, the Walama Court, as a more meaningful way to assist in reducing the shameful disproportion in the rates of Indigenous people in incarceration. The Law Society will continue to advance calls for specialised courts such as the Drug Court, to better assist offenders to address underlying causes of criminal behaviour through rehabilitation.

**Court and tribunal appointments**

Among the key focuses of my Presidency this year has been pursuing greater representation of solicitors in the higher courts. I have engaged with governments to seek more solicitor appointments as well as improvements to the nomination and selection process in line with international best practice. My efforts have centred on the premise that increasing solicitor appointments is essential to maintain public confidence in the justice system and to ensure the bench is representative of the legal and broader community. The Law Society supports merit-based appointment processes. Options that I have advocated for include improving the appointments process by expanding the role of the NSW Judicial Commission along the lines of the United Kingdom appointments system. The Law Society’s efforts will continue until we achieve a greater commitment from governments, the judiciary and the legal profession towards greater diversity on the bench, including solicitors.

I have also advocated for a more rigorous system of appointments for tribunals, particularly at the Commonwealth level, which in the recent past, has been very opaque. The appointment process for tribunals requires, at minimum, greater openness and transparency. The Law Society will continue to press for a model with greater inbuilt accountability measures and a more formalised consultation process.

**Regional and rural law societies**

The impact of weaknesses in the justice system is being increasingly felt by legal practices in regional and rural areas. Inadequate resourcing of the trial courts, the family law system and legal assistance services means thousands of people across NSW have limited access to justice. My work as President of the Law Society has been in unison with the efforts of the Regional Law Societies in seeking greater justice facilities in regional and rural areas. Positive outcomes were achieved in Broken Hill, one of many bush areas where the future of courts and loss of sitting hours has been threatened in recent years. We have campaigned for the retention of a permanent magistrate in Broken Hill.

We have also worked hard in other regions including Macarthur. Our calls will continue for a new multi-jurisdiction justice precinct to replace outdated, overflowing and unsafe court facilities that are crippling access to justice for a rapidly growing population in the Macarthur region and across the state.

Broader state-wide campaigns I have engaged in this year have succeeded in raising awareness about important issues such as succession planning for sole practitioners. This has been in an effort to reduce the number of incidents in which the Law Society has been required to intervene. Of particular importance has been increasing our support for practices that are vulnerable to disruption, including sole directors, sole principals and sole practitioners in regional and rural practices.
“My work as President of the Law Society has been in unison with the efforts of the Regional Law Societies in seeking greater justice facilities in regional and rural areas. Positive outcomes were achieved in Broken Hill, one of many bush areas where the future of courts and loss of sitting hours has been threatened in recent years.” – Doug Humphreys OAM

Legal assistance services
The support of the Law Society and other likeminded organisations succeeded this year in securing substantial ongoing funding for the legal assistance sector. However, there remains particular concerns about a lack of resources for Legal Aid NSW. I have campaigned strongly for an increase in fees paid to duty solicitors. The current rate of pay for private practitioners undertaking legal aid work has remained at $150 an hour since 2007. Without action, there is an ongoing risk that solicitors will decline to undertake local court criminal duty work, leaving a critical gap in the legal assistance system. The Law Society will continue to advocate for the pay rate to be increased to $192.60, the minimum required to meet inflation since 2007.

Mental health
Providing access to information to support the mental health and wellbeing of practitioners remains an ongoing priority of the Law Society. In this vein, I successfully campaigned this year for the Council of The Law Society of NSW to commit to a funding boost for The Solicitors’ Benevolent Association. This has been in light of my awareness that there have been more calls and applications to the Benevolent Association in recent years from solicitors facing a variety of adversities. The Law Society’s dedication of extra funds reflects our determination that looking after members of our own profession is the compassionate and professional thing to do.

President’s charity
There are many complex and heartbreaking mental illnesses that touch our lives and those of the people around us. Among them are eating disorders. Recent studies including by the University of Western Australia have shown that disordered eating patterns are common in the legal profession because of factors such as work pressures and high stress levels. Without charities such as The Butterfly Foundation, the President’s Charity for 2018, many individuals and their families would be left without support. We have raised around $20,000 for this important cause. I thank our membership and the broader community for their generous contributions throughout the year.

Conclusion
There have been many successes this year, however there remain challenges ahead. The Law Society’s priorities will continue to be defined through ongoing engagement and collaboration with all segments of the legal community.

I thank our outstanding Chief Executive Officer Michael Tidball, the 21 members of the Council of the Law Society and our 27 standing committees for their tireless efforts in driving the Law Society’s strategy and agenda this year. I also thank our dedicated staff for effectively translating the vision of the senior leadership team into action.

Doug Humphreys OAM
President, The Law Society of NSW
PROFILE OF THE PROFESSION
AS AT 30 JUNE 2018

Gender
- Female: 51.29% (17,035)
- Male: 48.71% (16,179)

Category of solicitors
- Private: 70.56% (23,438)
- Corporate: 18.61% (6,181)
- Government: 10.65% (3,538)
- Volunteer: 0.18% (61)

Location of solicitors
- City: 48.16% (15,996)
- Suburban: 33.75% (11,209)
- Rural: 12.41% (4,123)
- Interstate: 0.74% (246)
- Overseas: 4.94% (1,640)

Age of solicitors
- Less than 35 years: 34.27% (11,382)
- 35–44 years: 26.88% (8,927)
- 45–54 years: 17.86% (5,932)
- 55–65 years: 13.47% (4,474)
- 65 years +: 7.52% (2,499)

Experience of solicitors
- Less than 5 years: 25.28% (8,397)
- 5–9 years: 18.46% (6,139)
- 10–14 years: 16.46% (5,457)
- 15–19 years: 12.87% (4,274)
- 20–24 years: 7.72% (2,563)
- 25 years +: 19.19% (6,374)
## COMPLAINTS AGAINST SOLICITORS

### 2017–2018

#### Complaints opened

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of Complaints</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017/2018</td>
<td>481</td>
</tr>
<tr>
<td>2016/2017</td>
<td>600</td>
</tr>
<tr>
<td>2015/2016</td>
<td>449</td>
</tr>
<tr>
<td>2014/2015</td>
<td>408</td>
</tr>
<tr>
<td>2013/2014</td>
<td>480</td>
</tr>
<tr>
<td>2012/2013</td>
<td>546</td>
</tr>
<tr>
<td>2011/2012</td>
<td>550</td>
</tr>
<tr>
<td>2010/2011</td>
<td>545</td>
</tr>
</tbody>
</table>

#### Areas of law with the most complaints

<table>
<thead>
<tr>
<th>Area of Law</th>
<th>Number of Complaints</th>
</tr>
</thead>
<tbody>
<tr>
<td>Family Law</td>
<td>42</td>
</tr>
<tr>
<td>Wills and Estates</td>
<td>30</td>
</tr>
<tr>
<td>Criminal Law</td>
<td>27</td>
</tr>
<tr>
<td>Commercial Law</td>
<td>26</td>
</tr>
<tr>
<td>Conveyancing/Real Property</td>
<td>18</td>
</tr>
</tbody>
</table>

#### Complaints opened, by solicitor type

<table>
<thead>
<tr>
<th>Solicitor Type</th>
<th>Number of Complaints</th>
</tr>
</thead>
<tbody>
<tr>
<td>Principal of a law practice</td>
<td>318</td>
</tr>
<tr>
<td>Employee of a law practice</td>
<td>70</td>
</tr>
<tr>
<td>Complaints against Firms</td>
<td>25</td>
</tr>
<tr>
<td>Government Legal Practitioner</td>
<td>6</td>
</tr>
<tr>
<td>Corporate Legal Practitioner</td>
<td>2</td>
</tr>
</tbody>
</table>

#### Major complaint categories

<table>
<thead>
<tr>
<th>Category</th>
<th>Number of Complaints</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal Conduct</td>
<td>202</td>
</tr>
<tr>
<td>Other</td>
<td>69</td>
</tr>
<tr>
<td>Communication/Services</td>
<td>65</td>
</tr>
<tr>
<td>Non-Compliance</td>
<td>63</td>
</tr>
<tr>
<td>Cost/Payment Issues</td>
<td>49</td>
</tr>
<tr>
<td>Trust Account Matters</td>
<td>33</td>
</tr>
</tbody>
</table>

#### Complaints opened, by type of complainant

<table>
<thead>
<tr>
<th>Type of Complainant</th>
<th>Number of Complaints</th>
</tr>
</thead>
<tbody>
<tr>
<td>Client/Former Client</td>
<td>134</td>
</tr>
<tr>
<td>Law Society</td>
<td>90</td>
</tr>
<tr>
<td>Third Party</td>
<td>80</td>
</tr>
<tr>
<td>Third Party (Other Side)</td>
<td>77</td>
</tr>
<tr>
<td>Solicitor</td>
<td>56</td>
</tr>
<tr>
<td>Barrister</td>
<td>16</td>
</tr>
<tr>
<td>Solicitor for Client</td>
<td>13</td>
</tr>
<tr>
<td>Other*</td>
<td>9</td>
</tr>
<tr>
<td>Executor</td>
<td>3</td>
</tr>
<tr>
<td>Legal Services Commissioner</td>
<td>3</td>
</tr>
</tbody>
</table>

*Other includes Judge, Court Registrar, Government Department and Beneficiary
CHIEF EXECUTIVE OFFICER’S REPORT

The many achievements of the Law Society of NSW throughout 2017-18 have reaffirmed our continued standing as one of the largest direct and most resilient membership legal professional associations in the world. As the representative voice of the legal profession, the Law Society remains a robust and potent force for law reform and the improvement of the practice and delivery of justice and legal services in NSW. We undertake our co-regulatory functions with the highest professionalism, ensuring the strictest oversight of standards within the profession so the trust of the public and government is maintained.

The significant scope of this year’s co-regulatory activities has been matched by a prolific policy output, while the expansion and innovation of our services ensures we continue to meet the distinct and evolving needs of all segments of the practising profession. Our delivery of new and exciting events has brought a realm of insight and expertise to the profession, enabling it to confront changes in the practice environment with confidence. All in all, it has been another year of best practice for the Law Society in its service to the legal profession.

Membership

The Law Society’s capacity to anticipate the needs and preferences of the legal profession means our programs and services remain up-to-date, relevant and practical. Ensuring practitioners have adequate support in areas of compliance and ethics along with a diverse range of supplementary educational offerings is a key driver of the consolidation and strengthening of our membership each year.

Throughout the past year, our membership remained at a high level, as the profession continued to grow.

The number of solicitors working in corporate and government settings in NSW continues to grow. Practitioners are increasingly seeing value in our segment-focused offerings. The immense popularity of our tailored conferences and networking events, which target issues pertinent to corporate and government contexts, is propelling the continued expansion of our segment programs.

“The number of solicitors working in corporate and government settings in NSW continues to grow. Practitioners are increasingly seeing value in our segment-focused offerings.” – Michael Tidball
CHIEF EXECUTIVE OFFICER’S REPORT

Financial performance

From a financial perspective, the 2017-18 year has been another successful period for the Law Society, with a reported surplus of $1.8 million. This result includes $1.5 million of interest and investment revenue, with the performance of the Society’s investment portfolio improving over that seen in recent years. The reported net asset position as at 30 June 2018 has increased to $86.0 million, which was primarily driven by a revaluation of the Society’s building at 170 Phillip Street. The Society’s current strategic plan recognises the need to grow our net financial position so we are able to appropriately support members while also representing the legal profession over the long term. The Society’s financial performance of the Society during the past decade, including this year, has ensured that these objectives remain achievable well into the future.

When the operations of both Lawcover Insurance and the Solicitors Mutual Indemnity Fund are included, the Law Society Group recorded a consolidated net surplus of $13.5 million, with net assets totalling $295.8 million at year end. The capital position of Lawcover Insurance remains strong, and the company remains well placed to ensure the ongoing stability of professional indemnity premiums moving forward.

Additional information pertaining to both the Law Society and consolidated group financial reports can be found in the Treasurer’s report and accompanying concise financial statements.

Legal policy and representation

A key function of the Law Society is effecting and promoting positive change in the legal and justice systems. Informed directly by the profession through the volunteer contributions of our 18 expert policy committees, the Law Society makes around 250 submissions a year. The 2017-18 reporting year brought with it a frenetic policy agenda alongside sweeping reforms, including to the criminal justice system, that have had a significant effect on the role and work of solicitors. We have engaged with the NSW Government and other key stakeholders on all aspects of these reforms, from changes to encourage more early appropriate guilty pleas, sentencing and parole, to the High-Risk Offenders Scheme and driver’s licence disqualification penalties.

Other major areas of change important to the legal profession and the public have included the continuing rise of e-conveyancing. The Law Society’s role has been pivotal, both in ensuring that newly established online property exchange systems operate efficiently and justly, and that the transition to the new environment has been as smooth as possible. We continue to engage with stakeholders to promote the improvement of new systems, as well as ensure adequate protection from liability for solicitors and their clients in what is a critical area of the economy.

The new Compulsory Third Party Scheme in NSW, which took effect in December 2017, was also the subject of an enormous amount of work by the Law Society and the Injury Compensation Committee to ensure access to compensation for injured motorists, and their right to representation, is preserved. Our work on monitoring the implementation of the new scheme is ongoing.

Ensuring careful and measured consideration of reform at a national level is also a substantial part of the Law Society’s representational work. Our contributions to the national policy platform through our submissions to the Law Council of Australia have been vital in ensuring the profession is heard on major issues, such as significant planned changes to family law. In consultation with the courts, we have put considerable work into expanding our own services to assist in improving outcomes in family law, including by expanding the Family Law Settlement Service.

Other key policy representations during the reporting period have included submissions on terrorism, Indigenous legal issues, child protection, civil procedure, elder abuse, environment and planning, and privacy and data law.

Community justice

Safeguarding access to justice, particularly for the most disadvantaged people in our community, is a core aspect of the Law Society’s work. The NSW Government’s announcement this year of a $44 million “future fund”, the interest of which will provide ongoing funding for Community Legal Centres, is the result of years of ongoing engagement with the Law Society and other key stakeholders. The fund has been partly established by repurposing excess reserves that were originally allocated out of the Solicitors Mutual Indemnity Fund to meet the indemnity liabilities of NSW solicitors arising from the collapse of insurer HIH in 2001. Interest from half of the reserves will now be redirected to CLCs via a dedicated account in the Public Purpose Fund. The other half of the funds will be returned to the reserves of the legal profession’s insurer, Lawcover. This is a significant outcome that means tens of thousands of vulnerable people, including those in regional, rural and remote areas of NSW, Aboriginal and Torres Strait Islander people, children and youth, aged people, and people with disabilities, will be afforded vital legal services.
Professional standards

The Law Society continues to play a leading role in strengthening the regulatory environment for the legal profession through ongoing engagement with governments, national authorities and co-regulators. We deliver our responsibilities as a co-regulator in line with best practice, ensuring standards of fairness and impartiality are rigorous.

We have been pleased to deliver further improvements to the Law Society’s Professional Standards Scheme this year. The Scheme is designed to promote professional standards and enables members to limit civil liability. It has been a long-standing and compelling membership offering that has, in the past, primarily attracted smaller firm structures. A revitalised offering will make the Scheme more applicable to larger practices, and for the first-time, also to incorporated legal practices. The Scheme has been renewed for up to five years. It will include mutuality and will extend the benefits of limitation caps to NSW Law Society members in relation to litigation that may occur in Victoria, Queensland, South Australia, Western Australia and Tasmania.

Continuing Professional Development

The Law Society supplements its oversight function with a diverse range of resources and services to support practitioners in areas of compliance and ethical responsibilities. We are committed to delivering these solutions in modern and innovative ways. The launch of the Law Society’s world-first legal learning management system, LawInform, in September heralds a new era in CPD and reinforces our position as an industry leader in the provision of legal education. The platform has been enormously successful with thousands of users logging in each month. LawInform will continue to evolve over time with enhancements and new content. However, this is not to the neglect of our traditional face-to-face CPD offerings for which there remains strong demand.

Personal and professional support

The Law Society is continually expanding its range of business resources and services to assist solicitors and law practices to increase their efficiency productivity. Demand for our new Practice Management Course, which provides practitioners with up-to-date techniques and frameworks as well as ready-to-use templates, has increased considerably.

Information about mental health and wellbeing services, led by esteemed former NSW Mental Health Commissioner John Feneley. Our aim has been to ensure we are responding effectively to members’ needs and that our programs are evolving in line with advancements in best industry practice.

Future of Law and Innovation of the Profession

The Law Society is helping the legal profession to meet the challenges posed by technological and structural change with several new initiatives. Under a new directive, our expert FLIP Committee has refocused its efforts on implementing the recommendations of the 2017 FLIP Report. As part of this, the Law Society announced the dedication in March of $1.25 million for The FLIP Stream, a milestone partnership with the University of NSW, which will fund research and innovation projects for five years. In our first year, Artificial Intelligence is the chosen key topic.

The inaugural FLIP Conference and Innovation Awards Dinner held in cooperation with the Law Council of Australia in September provided insights from some of the most eminent international and Australian thinkers in legal innovation. This was accompanied by the introduction of an annual hackathon. The Law Society has also undertaken a raft of other FLIP related events including our Behind the Buzz words series, which explored a wide scope of themes, from cybercrime and metadata to artificial intelligence and blockchain. Other events have focused on the particular needs of inhouse counsel as well as mindfulness and wellbeing, and innovation to aid access to justice.

The final centrepiece of FLIP project for this year has been the establishment of the new FLIP online portal to facilitate information across all sectors of the profession about developments in legal technology and work practices.
Young Lawyers

Young Lawyers continues its legacy of vigorous representation for its members through active involvement in public policy debate and the contribution of submissions this year across a variety of areas including human rights, property, constitutional law and animal welfare.

A reinvigorated team has expanded the reach of Young Lawyers with a focus on satisfying demand for digital platforms, services and events that link young lawyers to potential opportunities. In this vein, the Law Society’s Professional Development Department has worked with the Local Court of NSW to introduce a Pilot Internship Program with three participating universities and 28 magistrates throughout the state. The reach of the annual Sydney Law Careers Fair continues to expand while LegalVitae has established itself as the go-to employment platform for young lawyers in NSW with more than 100 participating employers. Meanwhile, there has been increasing demand for programs such as the Graduate Mentoring Program and the NSW Young Lawyers Mentoring program, which attracted 230 and 210 participants respectively.

There has also been a range of diverse and useful publications released this year in conjunction with the Professional Standards Department including Top Tips for which provides supervision guidelines for new lawyers. Our teams, in partnership with Urbis, are in the process of completing a Graduate Tracking Survey in Australia with results expected to be released next year.

Engaging with members and the community

Communicating with our members and the broader public is an important part of what the Law Society does. Reinforcing our policy stance through a robust media presence as well as engaging with the legal profession on important issues through our award-winning Law Society Journal. The introduction of the Law Society’s new website this year provides members and the public alike a more dynamic and interactive platform. The successful launch of the Boiling Frog website in November has similarly increased the engagement of young Australians with the rule of law.

The Law Society is also continually pursuing partnerships to expand our range of benefits relevant to members’ lifestyle and personal needs through our Member Connexions and Practice Connexions programs. Among our newest partnerships are Qantas, Caltex, Global X, Dragon Dictation and Allcom Network.

Pro bono

There has been an increased demand for pro bono services with more vulnerable and disadvantaged people turning to the Law Society for help. The Law Society’s Pro Bono Scheme received 610 applications in 2017, up 6 per cent from the previous year. Around 440 of these matters were referred to the 360 law firms which participate voluntarily in the scheme. Most applications related to family law parenting matters, followed by criminal law, wills and estates, and debt and credit matters. There is also ongoing heavy demand for the Law Society’s Solicitor Referral Service with provided a total of 19,237 referrals to members of the public seeking access to legal services in 2017.

Conclusion

The practising environment of today presents many challenges for the legal profession. The Law Society understands these challenges and is responding with the roll-out of diverse and value-added services to support its membership. Our vast output of policy and regulatory work this year has been the result of the combined effort and commitment of many dedicated volunteer councillors, committee members and staff. The Law Society has a stable and highly effective team, and it is a privilege to work with them each day.

The rigorous ongoing governance oversight provided by the Law Society Council ensures the organisation remains robust in today’s testing environment while our strategic priorities provide a clear and determined path to navigate the challenges and opportunities that lie ahead. Similarly, the input of our committees ensures the Law Society’s work is always directly informed and guided by the profession itself.

The presidency of The Law Society of NSW demands both the ability to provide strong leadership and representation. The value, dynamism and vigour that Doug Humphreys and Pauline Wright have brought to the organisation as serving Presidents has left it more resilient and energized to confront the increasingly complex and challenging environment of the future. I thank them both for their enormous diligence and contribution.

Michael Tidball
Chief Executive Officer
I am pleased to provide my sixth Lawcover annual report for the 2018 Law Society Annual Report. The year ending 30 June 2018 has been another excellent one for Lawcover. We have achieved strong financial results, experienced continued stability of the claims portfolio and maintained strong participation across the broad range of our Risk Management Education Program activities. We have continued to refine our business operating model to deliver efficient and effective professional indemnity services to insured law practices.

The Lawcover team continues to focus on delivering absolute value given that professional indemnity insurance (PII) is a necessity rather than a choice for law practices. Our value proposition remains focused on six key areas:

- **Informing** through various media channels
- **Supporting** through practice support services, claims management and advice
- **Protecting** through financial strength backing a broad PII policy
- **Engaging** through risk management and claims prevention programs and workshops
- **Connecting** through online facilities to make our interactions quicker and more efficient
- **Participating** to champion the interests of the legal profession within the insurance environment

Our commitment to outstanding customer service remains a core focus of our activities. Last year I reported that Lawcover had achieved a Net Promoter Score© of +32, together with 81% of respondents rating the overall value provided by Lawcover as Good or Excellent.

During the twelve months to 30 June 2018, we have conducted further customer satisfaction surveys including claims service (100% satisfaction with Lawcover services and 97% overall satisfaction), Risk Management Education Program (96% to 100% satisfaction) and our online renewal platform (93% satisfaction). We will not rest on our laurels in the face of these strong results, but will continue to find ways to increase our value offerings.

It is worth repeating, as I do each year, that Lawcover’s role extends beyond that of a simple transaction-based professional indemnity insurance company. By our corporate structure as a subsidiary of the Law Society of NSW we are a part of the legal profession and we have both the desire and the obligation to serve and meet the needs of the profession. This extends to the objective that Lawcover operates within a framework which is in the best interests of the legal profession and consumers of legal services.

This framework ensures that Lawcover seeks appropriate outcomes in the management of claims arising from allegations of negligence – by rigorous defence of unmeritorious claims but also quick and fair compensation for legitimate claims.

**Financial performance**

The reporting year to 30 June 2018 has delivered strong financial performance, driven by better than anticipated claims outcomes from prior years together with internal operating efficiencies, our extensive risk management and claims prevention activities and a competent and risk aware legal profession.

We are continuing to see an alignment between developing claims experience from prior years and our forecasts and this, together with our strong capital position, will aid in providing certainty and stability in the cost of insurance into the future.

Lawcover’s Board and Executive continues to focus on deliberate capital management strategies to ensure efficient use of capital. We do this by:

- Actively managing the company’s capital position within regulatory tolerances and to the company’s risk appetite
- Ensuring premium revenue is set at levels which reflect the capital requirements of the company, minimising risk of under or over collection of premiums
- Revising the company’s investment strategy to ensure an appropriately balanced portfolio within the company’s risk appetite
- Maintaining strong levels of aggregate stop loss reinsurance protection

Our focus is to maintain prudential capital management and risk management in order to provide certainty, stability, availability and affordability of insurance.

At 30 June 2018, Lawcover’s net asset position is $127.07 million, up from $117.44 million at 30 June 2017.
**Premiums and cost of insurance**

Keeping premiums affordable and sustainable is one of our business goals. The target premium pool charged to insured law practices in 2018 has been maintained at the same level for the fourth consecutive year. This is in spite of continued growth in the number of law practices and solicitors insured each year.

For the vast majority of insured law practices, premiums on a like-for-like basis have decreased markedly since 2013.

**Notifications (claims and circumstances)**

As the number of solicitors insured by Lawcover continues to grow at approximately 4% per annum, we have seen a corresponding increase in circumstance notifications reported. The ultimate number of claim and circumstance notifications to Lawcover over the last five years has slowly increased, with a total of 716 notifications in the year to 30 June 2018 compared with 658 in the year to 30 June 2017.

However, over the same period the number of claims has remained stable at 266 compared with 265.

On an ultimate basis, the frequency of claims per 1,000 solicitors has fallen from 24 to just under 18 over the last five years.

**Percentage of notifications – area of practice**

The following table presents the percentages of notifications by area of practice for the year ended 30 June 2018 with comparisons to prior years.

We continue to monitor emerging trends in claims and circumstances and, where appropriate, target areas of concern through risk analysis and targeted claims prevention strategies.

**Solicitors’ Mutual Indemnity Fund**

Lawcover Pty Ltd manages the Solicitors’ Mutual Indemnity Fund (SMIF) on behalf of The Law Society of New South Wales. There are no current claims liabilities against the SMIF and it ended the year with funds of $88.57 million.

**Summary**

In closing this report, I wish to once again acknowledge the strong commitment of Lawcover’s Board and staff for their dedication and professionalism in working with and on behalf of the legal profession.

It is also important to acknowledge the ongoing support of the legal profession in respect of Lawcover and our objectives. With that support, we remain a strong organisation, operating from a secure financial position and maintaining a commitment to purpose.

**Number of claims and circumstances notified**

<table>
<thead>
<tr>
<th></th>
<th>2018</th>
<th>2017</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Circumstances</td>
<td>450</td>
<td>393</td>
<td>381</td>
</tr>
<tr>
<td>Claims</td>
<td>266</td>
<td>265</td>
<td>210</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>716</strong></td>
<td><strong>658</strong></td>
<td><strong>591</strong></td>
</tr>
</tbody>
</table>

**Percentage of notifications - area of practice**

<table>
<thead>
<tr>
<th>Area of Practice</th>
<th>2018</th>
<th>2017</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Commercial</td>
<td>9</td>
<td>11</td>
<td>9</td>
</tr>
<tr>
<td>Sale &amp; Purchase of Business</td>
<td>2</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>Conveyancing</td>
<td>27</td>
<td>25</td>
<td>21</td>
</tr>
<tr>
<td>Leases</td>
<td>3</td>
<td>5</td>
<td>3</td>
</tr>
<tr>
<td>Mortgages &amp; Commercial Borrowing</td>
<td>4</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>Tort &amp; Workers</td>
<td>4</td>
<td>5</td>
<td>4</td>
</tr>
<tr>
<td>Compensation</td>
<td>4</td>
<td>3</td>
<td>6</td>
</tr>
<tr>
<td>Out of Time Personal Injury</td>
<td>1</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Out of Time - Other</td>
<td>19</td>
<td>22</td>
<td>19</td>
</tr>
<tr>
<td>Matrimonial</td>
<td>7</td>
<td>7</td>
<td>10</td>
</tr>
<tr>
<td>Probate and Wills</td>
<td>9</td>
<td>9</td>
<td>10</td>
</tr>
<tr>
<td>Others *</td>
<td>11</td>
<td>6</td>
<td>9</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>100%</strong></td>
<td><strong>100%</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

* includes criminal, immigration, defamation and revenue

**Michael Halliday**

Chief Executive Officer, Lawcover
NSW Young Lawyers represents solicitors and barristers under the age of 36 or in their first five years of practice. The organisation also caters to law students at all levels.

NSW Young Lawyers’ eligible membership exceeds 15,000 lawyers and law students across the state. The organisation connects young lawyers and provides a platform for their views to be expressed together with an arena for sharing knowledge and support. At the heart of the operation is a team of dedicated volunteers including NSW Young Lawyers Office Bearers and the Executive Council, led this year by President David Turner.

15 committees, numerous subcommittees and working groups volunteer to produce outstanding submissions, publications, networking events and educational experiences for young lawyers across the state and beyond.

The network of volunteers is supported by the Law Society of NSW and a team of full-time staff including Victoria Graves, Manager of NSW Young Lawyers and Graduate Services, Amanda Lauder, Senior Events and Committee Coordinator, Samantha Newman, Committee Coordinator and Sinead Brennan, Graduate Services Coordinator.

Each year the NSW Young Lawyers membership selects a Patron and Charity. The 2018 Patron is the Honourable Justice Fabian Gleeson of the Supreme Court of New South Wales, and the 2018 Charity is the Arts Law Centre of Australia.

Services for the profession

Mentoring program

The NSW Young Lawyers Mentoring Program connects young lawyers with experienced practitioners. The program commenced in 2008 and continues to thrive each year with 98 pairs connected in 2017.

“The Young Lawyers Mentoring Program connects young lawyers with experienced practitioners. The program commenced in 2008 and continues to thrive each year with 98 pairs connected in 2017.” — David Turner

The Graduate Mentoring program pairs final year law students and first year graduates with young lawyers. 103 pairs were connected in 2017 with the aim of providing support and guidance to graduates transitioning from university to the workplace.

Day in the Life series

NSW Young Lawyers has continued to develop the Day in the Life series, first created by the NSW Young Lawyers Criminal Law Committee and later, expanded to include both criminal and civil jurisdictions. The series aims at exposing students to the reality of practice and sees a student and practitioner paired for a day in court.

Confidence in the Courtroom

Confidence in the Courtroom is an award-winning program designed to introduce and educate young lawyers in the art of advocacy. Judicial officers guide and advise young lawyers through their appearance and subsequently provide feedback and support. Programs are established in the Family Court, Local Court and the criminal jurisdiction.

One-day programs

NSW Young Lawyers organise one-day Continuing Professional Development programs across all practice areas. The programs include engaging expert speakers, case studies and scenarios designed to educate as well as entertain.

Professional skills series

NSW Young Lawyers Family Law Committee continues to partner with his Honour Judge Harman and the Federal Circuit Court at Parramatta to host workshops for junior lawyers on topics such as ‘Working with culturally and linguistically diverse clients’, ‘Preparing cases and clients for hearings’ and ‘The Rules of Evidence’. The NSW Young Lawyers Professional Skills series is an award-winning initiative.
NSW YOUNG LAWYERS PRESIDENT’S REPORT

“Legal Vitae is an online platform designed specifically for students and graduates, devised to make the search for clerkship and graduate positions easier for students. Since its launch, Legal Vitae has attracted 165 employer registrations, 3,038 student registrations and 9,524 job applications.” – David Turner

Submissions

NSW Young Lawyers produces a large number of high-quality submissions focusing on a diverse range of law reform and legal policy issues every year.

In 2017/18, the committees penned 17 submissions across 10 practice areas.

Publications

NSW Young Lawyers publishes numerous guides across various practice areas annually. This year saw the release of the Practitioners Guide to Social Media and, in conjunction with our platinum sponsor Unisearch, The Practitioners Guide to Briefing an Expert. Both publications, together with many others, are available in both hard and soft copy through the Law Society library.

Services for students

Students are encouraged to join NSW Young Lawyers with the aim of providing them with support and education at all stages of their legal development and career.

The Special Committee of Law Student Societies (SCLSS), which is composed of representatives from each of the university law student societies and associations in NSW, continues to thrive. The aim of this committee is for NSW Young Lawyers to engage with students across the state, providing them with resources and support, together with creating a platform for sharing knowledge.

Graduate Services Department

The Graduate Services Department was formed in 2015 after a 2014 report recommending that the Graduate Services team be restructured to better service students. The Graduate Services team aims to ensure all students and graduates are provided with the right resources and advice through every step of their legal education and transition to lawyer. The Graduate Services Department is heavily involved with the careers departments in each university in the State as well as the law faculties and deans. The team conducts regular on-campus meetings for the purpose of ensuring student needs are being met.

Law Graduate Survey

The Law Society engaged research with consultancy firm Urbis to design a tracking mechanism and produce a survey aimed at following the employment experience of law graduates.

The Benchmark Survey was released at the beginning of 2018 with each of the state’s universities receiving individual reports relevant to their students. The Law Society hosted a meeting of the deans of NSW law schools, with the aim of providing a high-level explanation of the empirical data.

The Law Society, in conjunction with the deans of law schools and Urbis, is now in the process of devising the follow up survey. This will be sent to the law graduates segment in 2019.

Legal Vitae

Legal Vitae is an online platform designed specifically for students and graduates, devised to make the search for clerkship and graduate positions easier for students.

Since its launch, Legal Vitae has attracted 165 employer registrations, 3,038 student registrations and 9,524 job applications.

Sydney Law Careers Fair

The Sydney Law Careers Fair was held in March 2017. Aimed at penultimate and final year students, the fair provided a forum for students across the state to learn about opportunities available to them from 32 leading law firms. The Law Society will be hosting this event again in March 2019.
Services to the Community

Young Justice

More than 100 students from Years 5 and 6 attended the Young Justice Program in 2017. The sessions aimed to educate students and introduce them to the world of social justice. This year, the sold-out sessions will focus on Years 10 and 11 students and aims to provide students contemplating a career in law with an introduction to court processes, sentencing and the various practice areas.

Networking and skills development events

Golden Gavel competition

The annual Golden Gavel, sponsored by Sparke Helmore and Unisearch, was held at the Westin Sydney on 17 May 2018. The public speaking comedy breakfast remains one of the flagship events for the legal profession. 715 guests were in attendance together with 10 competitors. The winner of the competition, Tom Sorrenson from the NSW Department of Industry, will now go on to represent NSW in the National Golden Gavel Competition to be held in Adelaide on 19 October 2018.

Mid-Year and Annual Assembly

The assemblies give committee chairs, vice chairs, general delegates, student representatives, regional delegates and executive councillors an opportunity to engage, learn and plan in relation to the future of NSW Young Lawyers. The 2018 mid-year assembly was held at the Crowne Plaza Hawkesbury Valley over three days. The agenda of the assembly included an address by the 2018 NSW Young Lawyers patron, Hon. Justice Fabian Gleeson, as well as addresses from the President of the Law Society of New South Wales, Doug Humphreys and CEO, Michael Tidball.

State of the Profession Address

The State of the Profession Address is an opportunity for members to hear from the Patron of NSW Young Lawyers on an issue important in the practice of law. An annual fixture in the NSW Young Lawyers calendar, the 2017 Patron, the Honourable Justice Margaret Beazley AO spoke on the topic of “Law in the Age of the Algorithm”.

The valuable session encourages young lawyers and students to reflect on the current state of the profession and contemplate the future from the perspective of one of Australia’s leading legal minds.

Young Professionals Charity Ball

NSW Young Lawyers host an annual charity ball with all proceeds going to the chosen charity. This event is a must for all young professionals looking to network and get to know solicitors from other practice groups.

McCallum Medal Competition

The McCallum Medal is an annual public speaking event in honour of the Emeritus Professor Ron McCallum AO and is a competition for young lawyers and students in employment law and industrial relations.

David Turner
President, NSW Young Lawyers
CORPORATE GOVERNANCE STATEMENT

The objective of The Law Society of New South Wales’ governance framework is an efficient Council that is forward-thinking and outcome-driven in leading the profession, representing its members and addressing the public interest. This framework:

• defines the Society’s mission and the Council’s role
• defines Councillor and office bearer roles, responsibilities and accountabilities
• provides procedural guidelines in relation to Council committees, reporting obligations of representatives on outside bodies and control of the Council’s agenda

The Council

The Council carries out its responsibilities in accordance with the following mandate included in the Society’s Memorandum and Articles of Association:

• the Council shall consist of 21 elected or appointed Councillors together with ex officio members (any serving senior office bearer whose elected term has expired)
• the Chair of the Council shall be the President of the Law Society
• the Council may meet as it thinks fit (Council meets monthly, with special meetings convened as required)

Councillors in office at the date of this Annual Report and his or her attendance at monthly meetings in the 2017/2018 financial year are as follows:

- Douglas John Humphreys (President)
  (11 of 12)
- Elizabeth Maria Espinosa (Senior Vice President)
  (12 of 12)
- Richard John Harvey (Junior Vice President)
  (11 of 12)
- Juliana Rose Warner (Treasurer)
  (10 of 12)
- Pauline Jennifer Wright (Immediate Past President)
  (10 of 12)
- Cassandra Denise Banks (10 of 12)
- Andries Gerrit Boog (12 of 12)
- Danny Wayne Bricknell (8 of 8)
- Darryl Ian Browne (11 of 12)
- Adriana Care (7 of 8)
- Amber Rachel Cerny (8 of 8)
- Richard John Flitcroft (11 of 12)
- Jane Marianne Glowrey (11 of 12)
- Zora Kekeff (11 of 12)
- Coralie Suzanne Kenny (11 of 12)
- Hugh Ignatius Macken (12 of 12)
- Emily Bree Ryan (9 of 12)
- Antonella Claudia Sanderson (7 of 8)
- Terence Leland Stern (11 of 12)
- Joanne Patricia van der Plaat (12 of 12)
- Mark Stephen Warton (11 of 12)
- Jennifer Louise Lai Wah Wong (8 of 8)

Councillors who retired or resigned during the 2017/2018 year and meetings attended were:

- Annmarie Clare Lumsden (4 of 4)
- Blanka Moss (4 of 4)
- Pamela Gaibrielle Suttor (3 of 4)
- Jodie Maree Thurgood (4 of 4)
- Gary Stephen Ulman (5 of 6)

The primary responsibilities of the Council are to:

• set vision, objectives, policies and strategic directions
• ensure compliance with statutory requirements
• assess and manage risk
• monitor organisational performance
Audit and Finance Committee

The Council’s Audit and Finance Committee is convened annually and comprises the Treasurer (Chair) and five other Councillors appointed by the President. Current members of this Committee are: Councillors J. Warner (Chair), A. Boog, D. Bricknell, E. Espinosa, J. van der Plaat, M. Warton. Meetings are held quarterly but more frequently if considered necessary. A special meeting is always convened, generally in late August, to discuss the annual financial statements.

The Audit and Finance Committee reviews the activities of the Law Society Group of Companies in key financial areas and ensures that appropriate internal control systems, audit processes and risk management strategies are in place. From a financial management and investments perspective its primary responsibilities are to advise the Council on the budget and strategic plan; develop investment policies and guidelines; consider remuneration review pool allocation for staff salary increases; and to approve capital expenditure up to $100,000.

The Committee also consults routinely with the Law Society’s external auditors, the Chief Executive Officer and the Chief Operating Officer. The Audit and Finance Committee process promotes accountability and provides Council with additional assurances regarding the quality and reliability of information used by the Council.

Risk management

The Council is responsible for corporate governance within the Law Society Group of Companies. The Council monitors the operational and financial aspects of the Group’s activities and, through the Audit and Finance Committee, considers the recommendations and advice of external auditors and other external advisers on the operational and financial risks that face the Group.

The Council ensures that the recommendations made by the external auditors and other external advisers are investigated and, where considered necessary, appropriate action is taken to ensure that the companies in the Group have internal controls to manage the key risks identified. Both directly and through its Audit and Finance Committee, the Council investigates ways of enhancing existing risk management strategies.

Code of conduct

As elected representatives of the solicitors of New South Wales, members of the Council acknowledge their responsibility to:

• put the interests of the Society’s members ahead of personal or sectional interests
• act with integrity
• respect the confidentiality of Council business
• adhere diligently to the Society’s mission and Council’s role
• avoid conflicts of interest
• comply with the requirements of the protocols, policies and standards as prescribed in the Manual for Councillors
• respect the values inherent in the Council’s statement of ethics for solicitors
• meet statutory requirements
LAW SOCIETY COUNCILLORS
AS AT 30 JUNE 2018

Doug Humphreys OAM
President; Chair of Future, Government Solicitors and Licensing Committees; Deputy Chair of Disclosure Committee

Elizabeth Espinosa
Senior Vice President; Deputy Chair of Inhouse Corporate Lawyers Committee Member of Audit & Finance, Future and Professional Conduct Committees

Richard Harvey
Junior Vice President; Chair of Property Law Committee; Member of Diversity & Inclusion Committee

Juliana Warner
Treasurer; Chair of Audit & Finance and Litigation Law & Practice Committees; CoChair of Diversity & Inclusion Committee

Pauline Wright
Immediate Past President; Chair of Environmental Planning & Development and Public Law Committees; Deputy Chair of Criminal Law Committee; Member of and Indigenous Issues Committees

Cassandra Banks
Chair of Children’s Legal Issues Committee; Deputy Chair of Family Law Committee; Member of Rural Issues Committee
Andrew Boog  
Chair of Revenue NSW /Law Society Liaison Committee; CoChair of Rural Issues Committee; Member of Audit & Finance and Fidelity Fund Management Committees

Danny Bricknell  
Member of Audit & Finance, Diversity & Inclusion and Professional Conduct Committees

Darryl Browne  
Chair of Elder Law, Capacity & Succession Committee; Member of the Future Committee

Adriana Care  
Deputy Chair of Human Rights Committee; Member of Professional Conduct Committee

Amber Cerny  
Chair of Business Law Committee; CoChair of Legal Technology Committee; Member of Professional Conduct Committee

Richard Flitcroft  
Deputy Chair of Fidelity Fund Management Committee; Member of Privacy and Data Law, Professional Conduct and Public Law Committees
LAW SOCIETY COUNCILLORS

Jane Glowrey
Chair of Fidelity Fund Management Committee and Professional Conduct Committee; Deputy Chair of Property Law Committee; Member of Ethics Committee

Hugh Macken
Chair of Costs and Ethics Committees; Deputy Chair of Injury Compensation Committee; Member of Employment Law Committee

Emily Ryan
CoChair of Diversity and Inclusion Committee; Deputy Chair of Environmental Planning & Development Committee

Antonella Sanderson
Deputy Chair of Children’s Legal Issues Committee; Member of Family Law and Professional Conduct Committees

Zora Kekeff
Chair of Disclosure, Alternative Dispute Resolution and Family Law Committee

Coralie Kenny
Chair of Inhouse Corporate Lawyers Committee; Deputy Chair of Ethics, Licensing and Business Law Committees
Terry Stern  
Chair of Injury Compensation Committee; Deputy Chair of Costs Committee; Member of Litigation Law & Practice Committee

Joanne Van Der Plaat  
CoChair of Employment Law Committee; Deputy Chair of Professional Conduct Committee; Member of Audit & Finance and Rural Issues Committees

Mark Warton  
Member of Audit & Finance, Injury Compensation and Professional Conduct Committees

Jennifer Wong  
Deputy Chair of Government Solicitors Committee; Member of Diversity & Inclusion, Family Law and Professional Conduct Committees
STRATEGIC PLAN 2016–2019

REGULATION
High professional standards and integrity

• Provide regulatory leadership and oversight of the legal profession
• Ensure the fair and impartial provision of regulatory functions
• Be a timely, professional and knowledgeable resource to the profession in compliance
• Deliver visionary and practical leadership in shaping the regulatory framework
• Protect and uphold community and government confidence in regulation
• Uphold the highest professional and ethical standards to ensure community and government confidence
• Adopt a progressive stance to ensure best practice delivery

ADVOCACY
Dynamic leadership in reform and the rule of law

• Promote and protect the rule of law
• Preserve the integrity of the legal system
• Initiate and lead law reform and legal policy
• Engage and empower the legal profession in the development of the law
• Engage and inform the community on the law and legal issues
• Champion pro bono work
• Advocate for a well-resourced and accessible justice system
• Sponsor and initiate legal policy in Australian and international arenas
MEMBERSHIP
Service excellence and professional unity

- Reaffirm the rule of law as a foundation for membership
- Understand and prioritise the diverse needs of the profession
- Develop and enhance legal communities across private, corporate, government and regional practice
- Adapt and evolve our services to changing member needs
- Recognise and respond to the profession’s wellbeing requirements
- Lead ongoing legal education and professional development
- Facilitate access to lifestyle and practice products and services to assist members
- Provide reliable and dependable practice support

SUSTAINABILITY
Responsible leadership and governance

- Anticipate and adapt to future and developing trends confronting the legal profession
- Ensure growth of our net financial position to underpin support to members and represent the legal profession into the future
- Provide responsible management of resources to maximise the achievement of strategic objectives
- Maintain strategic alignment with related and relevant entities such as Lawcover, the Law Council of Australia, and LAWASIA
- Adapt and develop our services to embrace environmental, technological and social changes and trends
TREASURER’S REPORT

On behalf of the Council, I am pleased to present the Society’s annual financial reports for the year ended 30 June 2018. The Law Society of New South Wales group has again reported a strong financial result, with the Society itself and its insurance subsidiaries all achieving operating surpluses for the period.

The consolidated group, which includes Lawcover Insurance and the Solicitors’ Mutual Indemnity Fund, achieved a surplus after tax of $13.5 million, with total net assets increasing to $295.8 million at year end.

A breakdown by entity of the group’s surplus after tax is shown below:

<table>
<thead>
<tr>
<th></th>
<th>2018 $’000</th>
<th>2017 $’000</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Law Society of New South Wales</td>
<td>1,804</td>
<td>1,243</td>
</tr>
<tr>
<td>Lawcover Insurance Pty Limited</td>
<td>9,628</td>
<td>1,878</td>
</tr>
<tr>
<td>Lawcover Pty Limited</td>
<td>119</td>
<td>-</td>
</tr>
<tr>
<td>Solicitors’ Mutual Indemnity Fund</td>
<td>1,966</td>
<td>1,823</td>
</tr>
<tr>
<td>Consolidated surplus after tax</td>
<td>13,517</td>
<td>4,944</td>
</tr>
</tbody>
</table>

A breakdown by entity of the group’s net assets is shown below:

<table>
<thead>
<tr>
<th></th>
<th>2018 $’000</th>
<th>2017 $’000</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Law Society of New South Wales</td>
<td>86,037</td>
<td>68,183</td>
</tr>
<tr>
<td>Lawcover Insurance Pty Limited</td>
<td>127,069</td>
<td>117,441</td>
</tr>
<tr>
<td>Lawcover Pty Limited</td>
<td>119</td>
<td>-</td>
</tr>
<tr>
<td>Solicitors’ Mutual Indemnity Fund</td>
<td>88,570</td>
<td>86,604</td>
</tr>
<tr>
<td>Net assets before eliminations</td>
<td>301,795</td>
<td>272,228</td>
</tr>
<tr>
<td>Group elimination of Society’s investment in Lawcover Insurance</td>
<td>(6,000)</td>
<td>(6,000)</td>
</tr>
<tr>
<td>Net assets after eliminations</td>
<td>295,795</td>
<td>266,228</td>
</tr>
</tbody>
</table>

The Law Society of New South Wales parent entity reported a net surplus of $1.8 million, which included $1.5 million of interest and investment income. The Society has continued to maintain a moderately conservative profile with respect to its investments, within which our externally managed funds produced a combined return of 5.4% for the year. Net assets have increased to $86.0 million, with this being primarily driven by a revaluation of the Society’s building at 170 Phillip Street as at 30 June 2018.

With respect to Lawcover Insurance another strong underwriting result, accompanied by enhanced investment returns, saw the company further improve its financial position during the year. The financial strength of Lawcover Insurance ensures the ongoing provision of both stable and secure professional indemnity cover, and this represents a significant benefit for both the profession itself and the consumers of legal services in New South Wales.

Additional information relating to the performance of the group can be found in the financial commentary section of the concise report. For members interested in a more detailed breakdown of the Law Society’s financial position, please refer to the full financial report which is available on request or on our website.

“The Law Society of New South Wales group has again reported a strong financial result, with the Society itself and its insurance subsidiaries all achieving operating surpluses for the period.” – Juliana Warner
The Law Society of New South Wales ACN 000 000 699

The concise financial report is an extract from the full financial report for the year ended 30 June 2018. The financial statements and specific disclosures included in the concise financial report have been derived from the full financial report.

The concise financial report cannot be expected to provide as full an understanding of the financial performance, financial position and financing and investing activities of The Law Society of New South Wales and its subsidiaries as the full financial report.

The full financial report and the auditor’s report will be sent to members on request, free of charge. Alternatively, members can access both the full financial report and the concise report via the internet on The Law Society of New South Wales’ website: www.lawsociety.com.au
The Council present their report on the consolidated entity (hereafter referred to as the group) consisting of The Law Society of New South Wales (the company) and the entities it controlled at the end of, or during, the year ended 30 June 2018.

Councillors

The members of the Council in office during or since the end of the financial year were:

- Cassandra Denise Banks
- Andries Gerrit Boog
- Danny Wayne Bricknell
- Darryl Ian Browne
- Adriana Care
- Amber Rachel Cerny
- Elizabeth Maria Espinosa
- Richard John Flitcroft
- Jane Marianne Glowrey
- Richard John Harvey
- Douglas John Humphreys
- Zora Kekeff
- Coralie Suzanne Kenny
- Annmarie Clare Lumsden
- Hugh Ignatius Macken
- Blanka Moss
- Emily Bree Ryan
- Antonella Claudia Sanderson
- Terence Leland Stern
- Pamela Gaibrielle Suttor
- Jodie Maree Thurgood
- Gary Stephen Ulman
- Joanne Patricia van der Plaat
- Juliana Rose Warner
- Mark Stephen Warton
- Pauline Jennifer Wright
- Jennifer Louise Lai Wah Wong

All members of the Council are practising solicitors of the Supreme Court of New South Wales.

During the year, the following Councillors were elected, re-elected or appointed to Council: Mr A Boog (re-elected 26.10.17); Mr D Bricknell (elected 26.10.17); Ms A Care (elected 26.10.17); Ms A Cerny (elected 26.10.17); Mr R Flitcroft (re-elected 26.10.17); Ms E Ryan (re-elected 26.10.17); Ms A Sanderson (elected 26.10.17); Mr T Stern (re-elected 26.10.17); Ms J Wong (elected 26.10.17).

During the year, the following Councillors retired or resigned from Council: Ms A Lumsden (retired 26.10.17); Ms B Moss (retired 26.10.17); Ms P Suttor (retired 26.10.17); Ms J Thurgood (retired 26.10.17); Mr G Ulman (retired 31.12.17).

The company secretaries of The Law Society of New South Wales are Mr C Cawley and Mr K Tickle. Ms L Hall, who was a company secretary for the duration of the financial year, resigned on 26.07.18.

Council meetings

A table setting out the number of Council meetings held during the financial year and the number of meetings attended by each Councillor is included in the corporate governance statement which is in the published annual report.

Principal activities

The Law Society of New South Wales is the professional association for solicitors in NSW, and fulfils both a regulatory and representative function on behalf of the profession. The Law Society is also the parent company of the Lawcover group of companies, which provide professional indemnity insurance to legal firms. During the course of the year there was no significant change in the nature of these activities.

Review of operations

The result of group operations for the year was a surplus of $13.5 million (2017: $4.9 million). The company’s constitution prohibits the distribution of dividends to its members.
Changes in state of affairs

During the financial year there was no significant change in the state of affairs of the group other than that referred to in the financial statements or notes thereto.

Subsequent events

There has not arisen in the interval between the end of the financial year and the date of this report any item, event or transaction of a material or unusual nature likely, in the opinion of the Councillors, to affect significantly the operations of the group, the results of those operations or the state of affairs of the group in future financial years.

Future developments

There are no likely developments in the operations of the group which would significantly affect the results of future operations.

Indemnification of officers and auditors

During the financial year, the company paid a premium in respect of a contract insuring the Councillors of the company (as named above) and all executive officers of the company against a liability incurred as such a Councillor or executive officer to the extent permitted by the Corporations Act 2001.

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

Auditor’s independence declaration

A copy of the auditor’s independence declaration as required under section 307C of the Corporations Act 2001 is set out on page 30.

Rounding of amounts

The company is of a kind referred to in ASIC Corporations (Rounding in Financial/Directors’ Reports) Instrument 2016/191, issued by the Australian Securities and Investments Commission, related to the “rounding off” of amounts in the financial statements. Amounts in the financial statements have been rounded off in accordance with that instrument to the nearest thousand dollars, or in certain cases, to the nearest dollar.

This report is made in accordance with a resolution of the Council.

On behalf of the Council

D Humphreys
Councillor

J Warner
Councillor

Sydney, 20 September 2018
AUDITOR’S INDEPENDENCE DECLARATION

As lead auditor for the audit of The Law Society of New South Wales for the year ended 30 June 2018, I declare that, to the best of my knowledge and belief, there have been:

(a) no contraventions of the auditor independence requirements of the Corporations Act 2001 in relation to the audit; and

(b) no contraventions of any applicable code of professional conduct in relation to the audit.

This declaration is in respect of The Law Society of New South Wales and the entities it controlled during the period.

R Balding
Partner
PricewaterhouseCoopers
20 September 2018
| Note | Revenue | Investment revenue | Other income | Employee benefits expense | Depreciation and amortisation expense | Law Council capitation fees | Outwards reinsurance premium expense | Claims expense | Consulting and professional fees expense | Other expenses | Profit before income tax | Income tax expense | Profit for the year | Profit is attributable to: |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | 3 | 101,333 | 10,263 | 8,902 | (27,456) | (2,402) | (3,117) | (7,828) | (41,972) | (12,694) | 17,550 | (4,033) | | Members of The Law Society of New South Wales |
|  |  | 90,143 | 7,359 | 9,004 | (25,822) | (3,639) | (3,086) | (7,936) | (40,839) | (11,910) | 5,787 | (843) | 13,517 | 4,944 |

The above consolidated income statement should be read in conjunction with the accompanying notes.
# CONSOLIDATED STATEMENT OF COMPREHENSIVE INCOME
## FOR THE YEAR ENDED 30 JUNE 2018

<table>
<thead>
<tr>
<th></th>
<th>Consolidated</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2018</td>
</tr>
<tr>
<td>Profit for the year</td>
<td>13,517</td>
</tr>
</tbody>
</table>

**Other comprehensive income**

<table>
<thead>
<tr>
<th></th>
<th>2018</th>
<th>2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gain on revaluation of land and buildings *</td>
<td>16,050</td>
<td>-</td>
</tr>
<tr>
<td><strong>Other comprehensive income for the year net of tax</strong></td>
<td>16,050</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total comprehensive income for the year</strong></td>
<td>29,567</td>
<td>4,944</td>
</tr>
</tbody>
</table>

Total comprehensive income for the year is attributable to:

<table>
<thead>
<tr>
<th></th>
<th>2018</th>
<th>2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Members of The Law Society of New South Wales</td>
<td>29,567</td>
<td>4,944</td>
</tr>
</tbody>
</table>

* This item will not be classified to profit or loss unless sold.

The above consolidated statement of comprehensive income should be read in conjunction with the accompanying notes.
## CONSOLIDATED BALANCE SHEET
FOR THE YEAR ENDED 30 JUNE 2018

<table>
<thead>
<tr>
<th></th>
<th>Consolidated</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2018</td>
<td>2017</td>
</tr>
<tr>
<td></td>
<td>$'000</td>
<td>$'000</td>
</tr>
<tr>
<td><strong>Current assets</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cash and cash equivalents</td>
<td>29,091</td>
<td>37,745</td>
</tr>
<tr>
<td>Trade and other receivables</td>
<td>8,648</td>
<td>13,260</td>
</tr>
<tr>
<td>Investments</td>
<td>213,786</td>
<td>200,187</td>
</tr>
<tr>
<td>Current tax assets</td>
<td>2,451</td>
<td>4,471</td>
</tr>
<tr>
<td>Other assets</td>
<td>2,371</td>
<td>1,867</td>
</tr>
<tr>
<td><strong>Total current assets</strong></td>
<td>256,347</td>
<td>257,530</td>
</tr>
<tr>
<td><strong>Non-current assets</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Receivables</td>
<td>8,682</td>
<td>14,687</td>
</tr>
<tr>
<td>Investments</td>
<td>222,625</td>
<td>202,847</td>
</tr>
<tr>
<td>Property, plant and equipment</td>
<td>53,878</td>
<td>38,580</td>
</tr>
<tr>
<td>Deferred tax assets</td>
<td>2,230</td>
<td>5,548</td>
</tr>
<tr>
<td>Intangible assets</td>
<td>2,161</td>
<td>2,395</td>
</tr>
<tr>
<td><strong>Total non-current assets</strong></td>
<td>289,576</td>
<td>264,057</td>
</tr>
<tr>
<td><strong>Total assets</strong></td>
<td>545,923</td>
<td>521,587</td>
</tr>
<tr>
<td><strong>Current liabilities</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trade and other payables</td>
<td>7,915</td>
<td>6,870</td>
</tr>
<tr>
<td>Provisions</td>
<td>58,996</td>
<td>68,663</td>
</tr>
<tr>
<td>Other liabilities</td>
<td>94,128</td>
<td>92,286</td>
</tr>
<tr>
<td><strong>Total current liabilities</strong></td>
<td>161,039</td>
<td>167,819</td>
</tr>
<tr>
<td><strong>Non-current liabilities</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Deferred tax liabilities</td>
<td>28</td>
<td>39</td>
</tr>
<tr>
<td>Provisions</td>
<td>89,061</td>
<td>87,501</td>
</tr>
<tr>
<td><strong>Total non-current liabilities</strong></td>
<td>89,089</td>
<td>87,540</td>
</tr>
<tr>
<td><strong>Total liabilities</strong></td>
<td>250,128</td>
<td>255,359</td>
</tr>
<tr>
<td><strong>Net assets</strong></td>
<td>295,795</td>
<td>266,228</td>
</tr>
<tr>
<td><strong>Equity</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reserves</td>
<td>44,564</td>
<td>28,514</td>
</tr>
<tr>
<td>Retained earnings</td>
<td>251,231</td>
<td>237,714</td>
</tr>
<tr>
<td><strong>Total equity</strong></td>
<td>295,795</td>
<td>266,228</td>
</tr>
</tbody>
</table>

The above consolidated balance sheet should be read in conjunction with the accompanying notes.
**CONSOLIDATED STATEMENT OF CHANGES IN EQUITY**
**FOR THE YEAR ENDED 30 JUNE 2018**

<table>
<thead>
<tr>
<th></th>
<th>Consolidated Reserves</th>
<th>Retained earnings</th>
<th>Total equity</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$'000</td>
<td>$'000</td>
<td>$'000</td>
</tr>
<tr>
<td><strong>Balance at 1 July 2016</strong></td>
<td>28,514</td>
<td>232,770</td>
<td>261,284</td>
</tr>
<tr>
<td>Profit after income tax</td>
<td>-</td>
<td>4,944</td>
<td>4,944</td>
</tr>
<tr>
<td>Other comprehensive income</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total comprehensive income</strong></td>
<td>-</td>
<td>4,944</td>
<td>4,944</td>
</tr>
<tr>
<td><strong>Balance at 30 June 2017</strong></td>
<td>28,514</td>
<td>237,714</td>
<td>266,228</td>
</tr>
<tr>
<td>Profit after income tax</td>
<td>-</td>
<td>13,517</td>
<td>13,517</td>
</tr>
<tr>
<td>Other comprehensive income</td>
<td>16,050</td>
<td>-</td>
<td>16,050</td>
</tr>
<tr>
<td><strong>Total comprehensive income</strong></td>
<td>16,050</td>
<td>13,517</td>
<td>29,567</td>
</tr>
<tr>
<td><strong>Balance at 30 June 2018</strong></td>
<td>44,564</td>
<td>251,231</td>
<td>295,795</td>
</tr>
</tbody>
</table>

The above consolidated statement of changes in equity should be read in conjunction with the accompanying notes.
## CONSOLIDATED STATEMENT OF CASH FLOWS

FOR THE YEAR ENDED 30 JUNE 2018

<table>
<thead>
<tr>
<th>Cash flows from operating activities</th>
<th>2018</th>
<th>2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Receipts from customers</td>
<td>41,206</td>
<td>39,972</td>
</tr>
<tr>
<td>Payments to suppliers and employees</td>
<td>(49,685)</td>
<td>(50,505)</td>
</tr>
<tr>
<td>Premiums received</td>
<td>75,507</td>
<td>77,024</td>
</tr>
<tr>
<td>Premium rebate to policyholders</td>
<td>(10,851)</td>
<td>(14,781)</td>
</tr>
<tr>
<td>Outwards reinsurance premiums paid</td>
<td>(8,754)</td>
<td>(7,941)</td>
</tr>
<tr>
<td>Claims paid</td>
<td>(39,651)</td>
<td>(45,470)</td>
</tr>
<tr>
<td>Reinsurance and other recoveries received</td>
<td>6,763</td>
<td>14,270</td>
</tr>
<tr>
<td>Income taxes refunded (paid)</td>
<td>1,294</td>
<td>(8,216)</td>
</tr>
<tr>
<td>Net cash inflow from operating activities</td>
<td>15,829</td>
<td>4,353</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Cash flows from investing activities</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Payments for purchase of investments</td>
<td>(184,237)</td>
<td>(140,214)</td>
</tr>
<tr>
<td>Proceeds on sale of investments</td>
<td>158,748</td>
<td>140,387</td>
</tr>
<tr>
<td>Interest received</td>
<td>2,421</td>
<td>1,828</td>
</tr>
<tr>
<td>Payments for property, plant and equipment</td>
<td>(299)</td>
<td>(456)</td>
</tr>
<tr>
<td>Proceeds from sale of property, plant and equipment</td>
<td>-</td>
<td>74</td>
</tr>
<tr>
<td>Payments for intangible assets</td>
<td>(1,116)</td>
<td>(223)</td>
</tr>
<tr>
<td>Net cash (outflow) inflow from investing activities</td>
<td>(24,483)</td>
<td>1,396</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Net (decrease) increase in cash and cash equivalents</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(8,654)</td>
<td>5,749</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Cash and cash equivalents at the beginning of the year</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>37,745</td>
<td>31,996</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Cash and cash equivalents at the end of the year</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>29,091</td>
<td>37,745</td>
</tr>
</tbody>
</table>

The above consolidated statement of cash flows should be read in conjunction with the accompanying notes.
FINANCIAL COMMENTARY
FOR THE YEAR ENDED 30 JUNE 2018

Income statement

The Law Society of New South Wales group reported a surplus of $13.5 million for the year (2017: $4.9 million). Total revenue (including investment and other income) increased by 13.1% to $120.5 million, while operating expenses increased 2.2% to $102.9 million.

The movement in revenue was underpinned by the following factors:

• Premium revenue has increased by 16.6%, following a decision by the board of Lawcover Insurance to provide for a rebate to policyholders during the 2017 financial period – this significantly reduced reported premium for that year. While the rebate was paid to eligible practitioners in the current financial period, a similar provision has not been established at 30 June 2018.
• The number of solicitors holding a practising certificate increased by 3.6% during the reporting period which, when accompanied by a voluntary membership take-up generally in line with 2017 levels, combined to increase membership and practising certificate revenues.
• Legal training revenue has increased by 20.1% following the successful introduction of the Law Society’s practice management course accompanied by an expanded continuing professional development program.

Several factors have contributed to the increase in overall expenses, with the major movements stemming from the following:

• Depreciation and amortisation decreased by 34.0%, following a change in the amortisation methodology applied to the Society’s core information and regulatory systems in 2017 – this resulted in an additional $0.9 million of amortisation expense being recognised in the 2017 financial year. As the majority of this investment has now been expensed, reported amortisation will continue to decrease in future periods.
• Claims expenses increased by 2.8%, which has been primarily driven by a higher allowance being made for large claims in 2018. In addition to this, prior year claims reserve releases decreasing in the current period, accompanied by a minor increase in the discount rate used to determine the overall outstanding claims liability provision, have also contributed to the reported increase in claims expenses for the 2018 year.

Balance sheet

The group’s financial position remains strong, with the total of cash and investment portfolios held by the Society, Lawcover Insurance and the Solicitors’ Mutual Indemnity Fund increasing by 5.6% during the financial year. In addition to this, an independent valuation saw the reported fair value of the Society’s building at 170 Phillip Street increase to $53 million as at 30 June 2018. Overall, net assets of the consolidated entity increased by 11.1% from those reported 12 months earlier.

Lawcover Insurance further improved its capital position, with a capital adequacy multiple of 3.25 times APRA’s prudential capital requirement at 30 June 2018 (unaudited).

Cash flow statement

As at 30 June 2018, the group held cash of $29.1 million. The recoveries received by the Solicitors’ Mutual Indemnity Fund in recent years, accompanied by favourable claims experience and investment performance with respect to Lawcover Insurance have combined to significantly enhance the group’s liquidity levels and overall balance sheet strength in recent years.

The Council continues to closely monitor the investment strategies that both the Law Society and its subsidiaries undertake to ensure that appropriate returns are adequately balanced against any risks assumed.
1. Reporting entity
The Law Society of New South Wales is a company limited by guarantee, incorporated and domiciled in Australia. Its registered office and principal place of business is:

The Law Society of New South Wales
170 Phillip Street
Sydney NSW 2000

This concise financial report relates to the consolidated entity consisting of The Law Society of New South Wales and the entities it controlled at the end of, or during, the year ended 30 June 2018. The accounting policies adopted have been consistently applied to all years presented. The financial statements are presented in the Australian currency.

2. Changes in accounting policy

(i) New and amended standards adopted by the group
The group has applied the following standards and amendments for the first time for their annual reporting period commencing on 1 July 2017:

• AASB 2016-1 Amendments to Australian Accounting Standards – Recognition of Deferred Tax Assets for Unrealised Losses
• AASB 2016-2 Amendments to Australian Accounting Standards – Disclosure Initiative: Amendments to AASB 107 (Statement of Cash Flows)
• AASB 2016-4 Amendments to Australian Accounting Standards – Recoverable Amount of Non-Cash-Generating Specialised Assets of Not-for-Profit Entities

The adoption of these standards did not have any impact on the current period or any prior period and are not likely to affect future periods.

(ii) New standards and interpretations not yet adopted
The group has not elected to apply any pronouncements before their operative date in the annual reporting period beginning 1 July 2017, including:

• AASB 15 Revenue from Contracts with Customers (effective for annual reporting periods on or after 1 January 2018)
• AASB 16 Leases (effective for annual reporting periods on or after 1 January 2019) IFRS
• AASB 9 Financial Instruments (effective for annual periods beginning on or after 1 January 2018)
• AASB 2016-6 Applying AASB 9 Financial Instruments with AASB 4 Insurance Contracts (effective for annual reporting periods beginning on or after 1 January 2021)
• AASB 17 Insurance Contracts (effective for annual periods beginning on or after 1 January 2021)

An assessment has been performed for the following:

• AASB 15 Revenue from Contracts with Customers, will replace AASB 118 Revenue – no material impact is expected on the transactions and balances recognised in the group’s financial statements.
• AASB 16 Leases – no material impact is expected on the transactions and balances recognised in the group’s financial statements.
• AASB 9 Financial Instruments, will replace AASB 139 Financial Instruments: Recognition and Measurement – no material impact is expected on the transactions and balances recognised in the financial statements of the company, Lawcover Pty Ltd or the Solicitors’ Mutual Indemnity Fund. For insurance companies the effective date of AASB 9 has been deferred in line with the implementation date for AASB 17, hence for Lawcover Insurance Pty Ltd the implementation date for AASB 9 has been deferred until 2021 and as such a detailed assessment of the financial impact of the proposed amendments to the accounting standards has not yet been performed but will be undertaken prior to implementation.
• AASB 17 Insurance Contracts – the group is yet to undertake a detailed assessment of the impact of AASB 17, however based on a preliminary assessment of the Standard no material impact is expected on the transactions and balances recognised in the group’s financial statements.
3. Revenue

An analysis of the group’s revenue for the year is as follows:

<table>
<thead>
<tr>
<th></th>
<th>Consolidated</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2018</td>
</tr>
<tr>
<td></td>
<td>$'000</td>
</tr>
<tr>
<td>Membership and practising certificate fees</td>
<td>23,055</td>
</tr>
<tr>
<td>Premium revenue *</td>
<td>74,787</td>
</tr>
<tr>
<td>Reinsurance and other recoveries</td>
<td>(4,685)</td>
</tr>
<tr>
<td>Legal training revenue</td>
<td>1,499</td>
</tr>
<tr>
<td>Member services revenue</td>
<td>2,244</td>
</tr>
<tr>
<td>Other revenue</td>
<td>4,433</td>
</tr>
<tr>
<td></td>
<td><strong>101,333</strong></td>
</tr>
</tbody>
</table>

* Premium revenue is the net total of gross premiums received less policyholder rebates of $Nil (2017: $10.9 million).

4. Trade and other receivables

**Current**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Trade receivables</td>
<td>8</td>
</tr>
<tr>
<td>Reinsurance and other recoveries receivable</td>
<td>7,707</td>
</tr>
<tr>
<td>Other receivables</td>
<td>933</td>
</tr>
<tr>
<td></td>
<td><strong>8,648</strong></td>
</tr>
</tbody>
</table>

**Non-current**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Reinsurance and other recoveries receivable</td>
<td>8,682</td>
</tr>
<tr>
<td></td>
<td><strong>8,682</strong></td>
</tr>
</tbody>
</table>

5. Investments

**Current**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Deposits</td>
<td>94,142</td>
</tr>
<tr>
<td>Negotiable certificates of deposit</td>
<td>31,220</td>
</tr>
<tr>
<td>Corporate &amp; government securities</td>
<td>31,084</td>
</tr>
<tr>
<td>Managed funds</td>
<td>57,340</td>
</tr>
<tr>
<td></td>
<td><strong>213,786</strong></td>
</tr>
</tbody>
</table>

**Non-current**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Corporate &amp; government securities</td>
<td><strong>222,625</strong></td>
</tr>
<tr>
<td></td>
<td><strong>222,625</strong></td>
</tr>
</tbody>
</table>
### 6. Provisions

<table>
<thead>
<tr>
<th></th>
<th>Consolidated</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2018</td>
</tr>
<tr>
<td>$'000</td>
<td>$'000</td>
</tr>
<tr>
<td><strong>Current</strong></td>
<td></td>
</tr>
<tr>
<td>Outstanding claims liabilities</td>
<td>55,138</td>
</tr>
<tr>
<td>Policyholder rebate</td>
<td>-</td>
</tr>
<tr>
<td>Lease incentive liability</td>
<td>273</td>
</tr>
<tr>
<td>Employee benefits provision</td>
<td>3,585</td>
</tr>
<tr>
<td></td>
<td>58,996</td>
</tr>
<tr>
<td><strong>Non-current</strong></td>
<td></td>
</tr>
<tr>
<td>Outstanding claims liabilities</td>
<td>88,096</td>
</tr>
<tr>
<td>Lease incentive liability</td>
<td>71</td>
</tr>
<tr>
<td>Employee benefits provision</td>
<td>894</td>
</tr>
<tr>
<td></td>
<td>89,061</td>
</tr>
</tbody>
</table>

### 7. Other liabilities

**Current**

**Deferred revenue**

<table>
<thead>
<tr>
<th></th>
<th>2018</th>
<th>2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Membership and practising certificate fees</td>
<td>22,447</td>
<td>21,377</td>
</tr>
<tr>
<td>Premiums received in advance</td>
<td>70,400</td>
<td>69,651</td>
</tr>
<tr>
<td>Claims handling revenue</td>
<td>-</td>
<td>121</td>
</tr>
<tr>
<td>Other</td>
<td>1,281</td>
<td>1,137</td>
</tr>
<tr>
<td></td>
<td>94,128</td>
<td>92,286</td>
</tr>
</tbody>
</table>
8. Subsidiaries

<table>
<thead>
<tr>
<th>Name of entity</th>
<th>Country of incorporation</th>
<th>% Equity interest</th>
<th>Investment $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lawcover Pty Ltd (i)</td>
<td>Australia</td>
<td>100</td>
<td>2</td>
</tr>
<tr>
<td>Lawcover Insurance Pty Ltd (ii)</td>
<td>Australia</td>
<td>100</td>
<td>6,000,000</td>
</tr>
<tr>
<td>Solicitors’ Mutual Indemnity Fund (iii)</td>
<td>Australia</td>
<td>100</td>
<td>-</td>
</tr>
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(i) **Lawcover Pty Ltd.** Incorporated in New South Wales on 19 June 1987. Contributed equity of 2 ordinary shares fully paid.

(ii) **Lawcover Insurance Pty Ltd.** Incorporated in New South Wales on 17 January 2001 and commenced operations in April 2004. Contributed equity of 6,000,000 ordinary shares fully paid. The company was established to underwrite compulsory professional indemnity insurance for solicitors.

(iii) **Solicitors’ Mutual Indemnity Fund.** The Solicitors’ Mutual Indemnity Fund is maintained under Division 3 of Part 8 of the *Legal Profession Uniform Law Application Act 2014*. The Law Society of New South Wales has no investment in the Fund and all assets of the Fund can only be used for the purposes of Division 3 of Part 8 of the *Legal Profession Uniform Law Application Act 2014*.

9. Members guarantee

The Law Society of New South Wales is a company limited by guarantee. In the event that The Law Society of New South Wales is wound up, the liability of members towards meeting any outstanding obligations of the consolidated entity is limited to $2 per member.

10. Events occurring after the reporting date

There has not arisen in the interval between the end of the financial year and the date of this report any item, event or transaction of a material or unusual nature likely, in the opinion of the Councillors, to affect significantly the operations of the group, the results of those operations or the state of affairs of the group in future financial years.
The Councillors declare that in their opinion, the concise financial report of the consolidated entity for the year ended 30 June 2018 as set out on pages 31 to 40 complies with Accounting Standard AASB 1039 Concise Financial Reports.

The concise financial report is an extract from the full financial report for the year ended 30 June 2018. The financial statements and specific disclosures included in the concise financial report have been derived from the full financial report.

The concise financial report cannot be expected to provide as full an understanding of the financial performance, financial position and financing and investing activities of the consolidated entity as the full financial report, which is available on request.

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

On behalf of the Council

D Humphreys
Councillor

Sydney, 20 September 2018

J Warner
Councillor
INDEPENDENT AUDITOR’S REPORT ON THE CONCISE FINANCIAL REPORT
TO THE MEMBERS OF THE LAW SOCIETY OF NEW SOUTH WALES

Our opinion

In our opinion, the accompanying concise financial report, including the discussion and analysis, of The Law Society of New South Wales (the Company) and its controlled entities (the Group) for the year ended 30 June 2018 complies with Australian Accounting Standard AASB 1039 Concise Financial Reports.

What we have audited

The Group concise financial report derived from the financial report of the Company for the year ended 30 June 2018 comprises:

• the consolidated balance sheet as at 30 June 2018
• the consolidated income statement for the year then ended
• the consolidated statement of comprehensive income for the year then ended
• the consolidated statement of changes in equity for the year then ended
• the consolidated statement of cash flows for the year then ended
• the related notes
• the discussion and analysis.

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 concise financial report section of our report.

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

Independence

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 concise financial report in Australia. We have also fulfilled our other ethical responsibilities in accordance with the Code.

Concise financial report

The concise financial report does not contain all the disclosures required by the Australian Accounting Standards in the preparation of the financial report. Reading the concise financial report and the auditor’s report thereon, therefore, is not a substitute for reading the financial report and the auditor’s report thereon.
INDEPENDENT AUDITOR’S REPORT ON THE CONCISE FINANCIAL REPORT
TO THE MEMBERS OF THE LAW SOCIETY OF NEW SOUTH WALES

The financial report and our report thereon
We expressed an unmodified audit opinion on the financial report in our report dated 20 September 2018.

Responsibilities of the Councillors for the concise financial report
The Councillors are responsible for the preparation of the concise financial report in accordance with Accounting Standard AASB 1039 Concise Financial Reports, and the Corporations Act 2001, and for such internal control as the Councillors determine is necessary to enable the preparation of the concise financial report.

Auditor’s responsibilities for the audit of the concise financial report
Our responsibility is to express an opinion on whether the concise financial report, complies in all material respects, with AASB 1039 Concise Financial Reports and whether the discussion and analysis complied with AAS 1039 Concise Financial Reports based on our procedures which were conducted in accordance with Auditing Standard ASA 810 Engagements to Report on Summary Financial Statements.

PricewaterhouseCoopers

R Balding
Partner
Sydney
20 September 2018

PricewaterhouseCoopers, ABN 52 780 433 757
One International Towers Sydney, Watermans Quay, Barangaroo, GPO BOX 2650, SYDNEY NSW 2001

Level 11, 1PSQ, 169 Macquarie Street, Parramatta NSW 2150, PO Box 1155 Parramatta NSW 2124

Liability limited by a scheme approved under Professional Standards Legislation.
ALTERNATIVE DISPUTE RESOLUTION

2017 membership:

2018 membership:

Functions
The role of this Committee is to represent the Law Society and its members on policy and practice issues arising in relation to alternative dispute resolution.

The Committee’s priorities include:
• Developing and commenting on law reform and legal policy proposals (including preparing submissions, and liaising with government and other stakeholders in this process)
• Educating the legal profession about changes to the law and the application of ADR, and providing guidance on practice and other issues
• Exchanging information about issues arising in legal practice (such as recent case law) that may indicate a legal policy issue or concern

2018 membership:

Committee priority issues for 2018
The Committee identified the following priority issues for 2018:
• To investigate Online Dispute Resolution, including considering current models in Australia and worldwide with the view of increasing ADR in this field
• To facilitate two Continued Professional Development (CPD) events at the Law Society
• To educate and promote solicitor mediators and arbitrators through (but not limited to) the promotion of the Family Law Settlement Service (FLSS)
• To encourage the use of ADR clauses and to liaise with other Practice Committees and professional bodies, such as chartered accountants, to encourage mediation and arbitration including appropriate clauses in written agreements

Activities
The Committee carried out the following activities during the year under review:
• Promotion of the FLSS and other ADR programs
• Represented at the NSW Law Reform Commission – Dispute Resolution Roundtable on 18 July 2017
• The Policy Lawyer presented at the Family Law Court Expo at Sydney on 12 October 2017
• Represented at the Mediators Standards Board by a Committee member and undertook ongoing discussions regarding the National Mediator Accreditation System process on 27 October 2017
• Prepared material for and attended the Commercial Mediation Panel discussion CPD on 28 March 2018
• Represented the Law Society in consultations with the NSW Civil and Administrative Tribunal regarding mediation in the Revenue List

The Committee contributed to the following joint submissions during the year under review:
• Australian Law Reform Commission Family Law Review
• Proposed changes to practice and procedures in the Revenue List
2017 membership:

2018 membership:

Functions
The role of this Committee is to represent the Law Society and its members on policy and practice issues arising in relation to business law. Without limiting the Committee’s area of review, subcommittees have been convened for the following specific areas, which fall within the Committee’s consideration:
• Competition and Consumer Law
• Contract Law
• Corporations
• Financial Services
• Insolvency
• Intellectual Property
• Taxation

The Committee’s priorities include:
• Developing and commenting on law reform and legal policy proposals (including preparing submissions, and liaising with government and other stakeholders in this process)
• Educating the legal profession about changes to the law, and providing guidance on practice and other issues
• Exchanging information about issues arising in legal practice (such as recent case law) that may indicate a legal policy issue or concern

Committee priority issues for 2018
The Committee identified the following priority issues for 2018:
• Regulation of the financial sector, in particular monitoring the Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry
• Regulation of the not-for-profit sector
• Monitoring continuing competition and consumer law reform

Activities
The Committee carried out the following activities during the year under review:
• Provided advice and input into the one day business law conference held jointly with the Law Council’s SME Business Law Committee and other CPD activities
• Participated in legal profession roundtable discussions with the Australian Taxation Office (ATO)
• Participated in consultative forums with the Tax Practitioners Board
• Participated in a series of stakeholder consultation meetings with the Department of Finance, Services and Innovation in relation to the Australian Consumer law
• Participated in a stakeholder meeting with Treasury representatives to discuss payroll tax administration
• Participated in a number of meetings with Treasury representatives to discuss the GST at settlement measure
• Participated in a roundtable discussion with the NSW Law Reform Commission in relation to a review of the law relating to the liability of the beneficiaries of trusts
• Participated in a stakeholder consultation meeting on the NSW Fair Trading Small Claims Dispute Resolution measure
• Participated in a stakeholder consultation meeting on the NSW Greiner Inquiry on the regulation of retirement villages
• Arranged nominations for the Commonwealth Takeovers Panel
• Participated in a stakeholder consultation meeting with representatives from the Department of Innovation and Better Regulation in relation to gift card reform
• Participated in an industry roundtable with Treasury representatives on the Banking Accountability Executives Regime
• Participated in a meeting between Law Society representatives and Commonwealth Treasury to discuss retirement village regulation
The Committee made submissions on the following issues during the year under review:

- Bankruptcy Amendment (Enterprise Incentives) Bill 2017
- Fair Trading Legislation Amendment (Small Claims and Conciliation) Bill 2018
- Gift card expiry dates
- Introduction of Australian Securities and Investments Commission’s (“ASIC”) Fees-for-Service under the Industry Funding Model
- National Innovation and Science Agenda – Exclusions from stay of enforcement of ipso facto clauses
- Reforms to address illegal phoenixing
- Review of Copyright Online Infringement Amendment
- Review of laws relating to beneficiaries of trusts (several submissions)
- Review of the ‘Good governance principles and guidance for not-for-profit organisations’

The Committee also contributed to the following joint submissions during the year under review:

- ASIC’s access to telecommunications intercept material
- Draft Findings of the Retirement Villages Inquiry
- GST at Settlement measure – draft forms
- Home building eligibility guidelines
- Improving the integrity of GST on property transactions
- Inquiry into removing unnecessary regulatory burdens on NSW businesses
- Inquiry into the Quality of Care in Residential Aged Care facilities in Australia
- Proposed NSW Fair Trading Consumer Guarantee Directions Power
- Treasury Laws Amendment (Whistleblowers) Bill 2017
**Children’s Legal Issues**

**2017 membership:**

**2018 membership:**

**Functions**
The role of this Committee is to represent the Law Society and its members on policy and practice issues arising in relation to children and child rights, both in the civil (including care and protection matters) and criminal contexts.

The Committee’s priorities include:

- Developing and commenting on law reform and legal policy proposals (including preparing submissions, and liaising with government and other stakeholders in this process)
- Educating the legal profession about changes to the law, and providing guidance on practice and other issues
- Exchanging information about issues arising in legal practice (such as recent case law) that may indicate a legal policy issue or concern

**Committee priority issues for 2018**
The Committee identified the following priority issues for 2018:

- Consideration of the findings of the Inspector of Custodial Services’ report into how the use of force against detainees and how the use of separation, segregation and confinement of detainees is managed in juvenile justice centres in NSW
- Consideration of the findings of the Office of the Children’s Guardian’s report from the statutory review of the *Child Protection (Working with Children) Act 2012* (NSW)
- Consideration of the outcomes of the Department of Family and Community Services ‘Shaping a Better Child Protection System’ consultation process

**Activities**
The Committee carried out the following activities during the year under review:

- The Committee was represented on, and contributed to the work of: the Children’s Court Advisory Committee, the Juvenile Justice Advisory Committee, the Department of Family and Community Services’ consultation forum on the ‘Shaping a Better Child Protection System’ discussion paper, the NSW Civil and Administrative Consultative Forum Community Services Sub-Group, the National Children’s Commissioner roundtable consultation on Australia’s progress in implementing the United Nations Convention on the Rights of the Child and the Legal Aid NSW Panel Selection Committees
- The Committee briefed the 2018 President of the Law Society and a representative from the Committee to give evidence at the Legislative Assembly Committee on Law and Safety inquiry into the adequacy of youth diversionary programs
- The Committee liaised with the NSW Department of Justice, Juvenile Justice NSW, Legal Aid NSW, the Children’s Court NSW and the NSW Office of the Children’s Guardian on various matters in the civil (including care and protection matters) and criminal contexts
The Committee made submissions on the following issues during the year under review:

- Children (Detention Centres) Amendment (Parole) Bill 2017
- Committee on Law and Safety – Inquiry into the adequacy of youth diversionary programs in NSW (several submissions)
- Consultation on protections for certain witnesses giving evidence
- Department of Education non-attendance directions guidelines
- Department of Education protocols regarding the questioning of children (several submissions)
- Independent National Security Legislation Monitor Review of the prosecution and sentencing of children for Commonwealth terrorist offences
- Juvenile Justice Advisory Committee – Stakeholder consultation on the Royal Commission into Institutional Responses to Child Sexual Abuse – Youth Detention
- NSW Police Suspect Targeting Management Plan
- Proposed changes to listing arrangements for the Children’s Court in 2018 (several submissions)
- Review of seclusion, restraint and observation of consumers with a mental illness in NSW Health facilities
- Review of the Children’s Court Rule 2000 (NSW)
- The Justice Project – Children and Young People

The Committee also contributed to the following joint submissions during the year under review:

- Consultation on proposed inclusions in the Justice Cluster Miscellaneous Amendments Bill – Budget Session 2018 (several submissions)
- Consultation on proposals for the Justice Cluster Miscellaneous Amendments Bill – Spring Session 2018 (several submissions)
- Draft Sentencing and Parole Regulations
- Education Amendment (School Safety) Bill 2017
- Inquiry into local adoptions
- Legal Aid Review of Fees
- National Children’s Commissioner Consultation on Australia’s progress in implementing the United Nations Convention on the Rights of the Child
- Shaping a Better Children Protection System
- Statutory review of the Terrorism (Police Powers) Act 2002 (NSW)
- The adequacy of existing offences in the Commonwealth Criminal Code and of state and territory criminal laws to catch cyberbullying
2017 membership:


2018 membership:


Functions, priorities and/or activities

- Monitor the effect of the Civil Procedure Act 2005 and the Uniform Civil Procedure Rules with respect to costs
- Monitor the efficacy of the costs assessment scheme
- Examine and comment on legislation and law reform proposals relating to solicitors’ costs
- Assist solicitors in NSW to understand their rights and obligations under that legislation
- Respond to any costs related solicitor enquiries
- The Costs Committee also produces a range of information resources such as the Costs Guidebook and handles direct enquiries from solicitors
2017 membership:

2018 membership:

Functions
The role of this Committee is to represent the Law Society and its members on policy and practice issues arising in relation to criminal law and to uphold the rule of law, having regard to:
• The interests of people charged with criminal offences
• The rights of people in custody
• The interests of intellectually disabled, mentally ill and other cognitively impaired people as they are affected by the criminal law
• The rights of Indigenous Australians

The Committee's priorities include:
• Developing and commenting on law reform and legal policy proposals (including preparing submissions, and liaising with government and other stakeholders in this process)
• Educating the legal profession about changes to the law, and providing guidance on practice and other issues
• Exchanging information about issues arising in legal practice (such as recent case law) that may indicate a legal policy issue or concern

Committee priority issues for 2018
The Committee identified the following priority issues for 2018:
• The Department of Justice’s criminal justice reforms
• Child sexual assault reforms
• The rising prison population

Activities
The Committee carried out the following activities during the year under review:
• The Committee was represented on, and contributed to the work of: the Criminal Court of Appeal User Group; District Court Criminal Business Committee; Bail Monitoring Committee, Statewide Steering Committee – Joint Protocol to Reduce the Contact of People with Disability in Supported Accommodation with the Criminal Justice System; Domestic Violence Reforms Consultation Group; Mental Health Support for Aboriginal and Torres Strait Islanders in the Forensic and Correctional Systems Liaison Group; Child Sexual Assault Taskforce, Child Sexual Offences Evidence Pilot Implementation Monitoring Group; Child Sexual Assault Laws Roundtables, Legal Aid NSW Sentencing and Parole Training Sub-committee, Mandatory Defence Disclosure Workshop; Early Appropriate Guilty Pleas – Model Explanations Working Group, Corrective Services NSW Legal Practitioners Consultative Group, Criminal Justice Reforms Stakeholder Roundtable; and Legal Aid NSW Panel Selection Committees
• The Committee liaised with the NSW Department of Justice, NSW Bar Association, NSW Police Force, NSW Local Court, Office of the Director of Public Prosecutions (Cth and NSW), Legal Aid NSW, the Aboriginal Legal Service, NSW Young Lawyers, and Corrective Services NSW on various matters relevant to the criminal justice system

The Committee made submissions on the following issues during the year under review:
• A fairer penalty notice system for NSW
• Amendment of Local Court Practice Note Comm 1
• Amendment to Local Court Practice Note Crim 1
• Amendments to the Crimes (Administration of Sentences) Regulation 2014
• Automated referral system for male perpetrators of violence
• Child Sexual Offences Review – legislative proposals
• Chief Magistrate’s Office (CMO) proposal – State Parole Authority (SPA) to vary, revoke and impose conditions on Intensive Correction Orders (ICOs)
• Consent in relation to sexual assault offences
• Consultation paper – Apprehended Domestic Violence Order (ADVO) duration and related matters
• Consultation paper – strangulation offences in NSW
• Council of Attorneys-General Admissibility of Tendency and Coincidence Evidence Working Group – Scoping Paper
• Criminal Justice Reforms (several submissions)
• Draft Bill – Amendments to implement the National Domestic Violence Order Scheme
• Draft Brief Protocol between NSW Police and the Office of the Director of Public Prosecutions (ODPP) (several submissions)
• Draft Crimes (Administration of Sentences) Amendment (Parole) Bill 2017
• Draft Crimes (Sentencing Procedure) Amendment (Sentencing Options) Bill 2017
• Draft Criminal Legislation Amendment (Child Sexual Abuse) Bill 2018
• Draft Criminal Procedure Amendment (Pre-Trial Disclosure) Bill 2018
• Draft Justice Legislation Amendment (Committals and Guilty Pleas) Bill 2017
• Expanding Audio Visual Links – Proposals to amend the Evidence (Audio and Audio Visual Links) Act 1998
• Fees for Legal Aid matters
• Further proposals Justice Cluster Miscellaneous Amendments Bill 2018
• Implementation of Early Appropriate Guilty Plea Reforms
• Inner city local allocation strategy for public housing estates
• Inquiry into the adequacy and scope of special care offences
• Inside Outside: Recovery research project
• Issuing of RMS opinions as to eligibility for disqualification removal
• Justice Legislation Amendment Bill (No 2) 2017
• Legal Practitioners Consultative Group Meetings
• Low range Prescribed Concentration of Alcohol (PCA) – infringement notice proposal
• Markuleski direction and extension of failure to report/protect offences
• Measures to reduce recidivism
• ODPP and Reporting Services Branch draft retention and disposal authorities
• Preferred model for expansion of the Child Sexual Offence Evidence pilot
• Proposed amendments to the Crimes (Administration of Sentences) Act 1999 and the Crimes (Sentencing Procedure) Act 1999 (several submissions)
• Proposed amendments to the Terrorism (High Risk Offenders) Act 2017
• Proposed new Legal Aid Fee Scales and Panel Structure
• Public Safety Orders – safeguards to protect vulnerable persons
• Quashing Habitual Traffic Offender declarations
• Reforming the coronial system in NSW
• Remake of the Criminal Procedure Regulation 2010
• Review into the Royal Prerogative of Mercy
• Review of the Uniform Evidence Law
• Road Transport Legislation Amendment (Road Safety) Bill 2018
• Statutory Review of the Bail Act 2013 (several submissions)
• Statutory review of the Tattoo Parlours Act 2012
• Strengthening child sexual abuse laws in NSW
• Table offences - draft amendments
• Senior Crown Prosecutor – potential impact of early appropriate guilty plea reforms
• Terrorism Legislation Amendment (Police Powers and Parole) Act 2017
• Victims in the criminal justice system package proposals
• Victims’ involvement in sentencing – Victim impact statements

The Committee also contributed to the following joint submissions during the year under review:
• Australian Law Reform Commission Incarceration Rates of Aboriginal and Torres Strait Islander Peoples
• Consultation on proposals for the Justice Cluster Miscellaneous Amendments Bill – Spring Session 2018 (several submissions)
• Consultation on proposed inclusions in the Justice Cluster Miscellaneous Amendments Bill – Budget Session 2018 (several submissions)
• Court and Tribunal Fees
• Draft Sentencing and Parole Regulations
• Education Amendment (School Safety) Bill 2017
• Justice Legislation Amendment Bill (No 2) 2017
• Legal Aid Review of Fees
• Statutory Review of the Crimes (Criminal Organisations Control) Act 2012
• Statistical Review of the Terrorism (Police Powers) Act 2002 (NSW)
• Surveillance Devices Act 2007 – Police body-worn video provisions
• Terrorism (High Risk Offenders) Bill 2017
• The adequacy of existing offences in the Commonwealth Criminal Code and of state and territory criminal laws to catch cyberbullying
**DIVERSITY AND INCLUSION**

**2017 membership:**

**2018 membership:**

**Functions**
The role of this Committee is to promote diversity, equality and inclusion in the legal profession, in particular by progressing initiatives to ensure the equality of opportunity for all members of the profession, regardless of race, ethnicity, heritage, gender, age, religion, disability, sexual orientation, gender identity or intersex status.

The Committee’s priorities include:
- Developing and commenting on law reform and legal policy proposals (including preparing submissions, and liaising with government and other stakeholders in this process)
- Educating the legal profession about changes to the law, and providing guidance on practice and other issues
- Exchanging information about issues arising in legal practice (such as recent case law) that may indicate a legal policy issue or concern

**Committee priority issues for 2018**
The Committee identified the following priority issues for 2018:
- Support the implementation of Advancement of Women initiatives
- Develop resources and case studies in line with the Committee’s mission including in relation to flexible working arrangements
- Consideration of specific issues relating to intersectionality and minority groups in the legal profession

**Activities**
The Committee carried out the following activities during the year under review:
- In support of the Law Council’s National Model Gender Equitable Briefing Policy and in conjunction with the NSW Bar Association, organised three networking events for solicitors and barristers working in the areas of criminal law, environmental and planning law, public and administrative law, and construction law
- Continued to promote and monitor the uptake of the Law Society’s Charter for the Advancement of Women in the Legal Profession
- Published the “Diversity and Inclusion in the Legal Profession: The Business Case” resource on the Law Society website
- Undertook training with Pride in Diversity
- Participated in a Sydney University Law Society “LGBTI Workplace Inclusion in the Legal Profession” panel discussion
- Liaison with the Law Council in relation to marriage equality
ELDER LAW, CAPACITY & SUCCESSION

2017 membership:

2018 membership:

Functions
The role of this Committee is to represent the Law Society and its members on policy and practice issues arising in relation to elder, capacity and succession law.

The Committee’s priorities include:

• Developing and commenting on law reform and legal policy proposals (including preparing submissions, and liaising with government and other stakeholders in this process)
• Educating the legal profession about changes to the law, and providing guidance on practice and other issues
• Exchanging information about issues arising in legal practice (such as recent case law) that may indicate a legal policy issue or concern

Committee priority issues for 2018
The Committee identified the following priority issues for 2018:

• Policy and advocacy in relation to powers of attorney, enduring guardians and advance care directives

Activities
The Committee carried out the following activities during the year under review:

• Developed a pro forma letter to doctors in relation to capacity assessments for wills and enduring powers of attorney
• Liaised with representatives from NSW Births, Deaths and Marriages in relation to practice issues
• Responded to a number of practitioner enquiries in relation to policy issues
• Members of the Committee attended NSW Young Lawyers meetings to provide guidance and assistance to junior practitioners

The Committee made submissions on the following issues during the year under review:

• Access and disclosure of an incapacitated person’s will
• Appointments of enduring guardian
• Dementia – Medical diagnosis of legal incapacity
• Independent review of the surety bond scheme
• Proposed amendments to the Succession Act 2006

The Committee also contributed to joint submissions on the following issues during the year under review:

• Access to digital assets upon death or incapacity
• Consultation on proposals for the Justice Cluster Miscellaneous Amendments Bill – Spring Session 2018 – Second tranche of proposals
• Costs queries from the Department of Justice
• Draft Findings of the Retirement Villages Inquiry
• Inquiry into the Quality of Care in Residential Aged Care facilities in Australia
• Retirement Villages Regulation 2017
• Review of the Australian Solicitors Conduct Rules
• Review of the Guardianship Act 1987 – Draft Proposals
• Statutory review of Part 3A of the Assisted Reproductive Technology Act 2007 (NSW)
EMPLOYMENT LAW

2017 membership:

2018 membership:

Functions
The role of this Committee is to represent the Law Society and its members on policy and practice issues arising in relation to employment and industrial law.

The Committee’s priorities include:
• Developing and commenting on law reform and legal policy proposals (including preparing submissions, and liaising with government and other stakeholders in this process)
• Educating the legal profession about changes to the law, and providing guidance on practice and other issues
• Exchanging information about issues arising in legal practice (such as recent case law) that may indicate a legal policy issue or concern

Anticipated committee work for 2018
Consider policy and practice issues arising in relation to employment and industrial law, and in particular, practice issues in the Federal Court, Federal Circuit Court, Fair Work Commission and the Industrial Relations Commission.

Activities
The Committee carried out the following activities during the year under review:
• Participated in the Federal Circuit Court (Industrial Law) User Group
• Participated in the Federal Court (Employment and Industrial Relations National Practice Area) User Group
• Participated in the Industrial Relations Commission User Group
• Liaison with the Law Council in relation to the right to representation in the Fair Work Commission
• An Employment Law subcommittee contributed articles to the Law Society’s SmallTalk e-newsletter on sexual harassment and employers’ superannuation obligations
• Held a dinner with members of the Fair Work Commission and Industrial Relations Commission.

The Committee also contributed to a joint submission on the following issue during the year under review:
• Justice Cluster Miscellaneous Amendments Bill – Budget Session 2018 – Section 383 Industrial Relations Act 1996
Functions

The role of this Committee is to represent the Law Society and its members on policy and practice issues arising in relation to planning and environmental law.

The Committee’s priorities include:
• Developing and commenting on law reform and legal policy proposals (including preparing submissions, and liaising with government and other stakeholders in this process)
• Educating the legal profession about changes to the law, and providing guidance on practice and other issues
• Exchanging information about issues arising in legal practice (such as recent case law) that may indicate a legal policy issue or concern

Committee priority issues for 2018

The Committee identified the following priority issues for 2018:
• Implementation of the legislative amendments to the Environmental Planning and Assessment Act 1979
• Review of the Environmental Planning and Assessment Regulation 2000
• Review of Aboriginal cultural heritage laws

Activities

The Committee carried out the following activities during the year under review:
• Participated in stakeholder forums with the Department of Planning and Environment to discuss proposed reforms to the Environmental Planning and Assessment Act 1979
• Participated in stakeholder forums to discuss proposals for new Planning Panels
• Participated in, and contributed to, the work of the Land and Environment Court Users Group
• Committee representatives attended stakeholder consultation meetings with representatives from the Department of Industry to discuss crown land management
• Participated in a meeting with a consultant engaged by the Department Planning and Environment to review planning certificates
• Met with a Cambodian delegation to discuss environmental law

The Committee made submissions on the following issues during the year under review:
• Draft Environmental Planning and Assessment Amendment Bill
• Draft referral criteria, code of conduct and operational procedures for Independent Hearing and Assessment Panels (IHAPs).
• Remediation of Land State Environmental Planning Policy (SEPP)
• Revised approach to Class 3 compensation matters

The Committee also contributed to joint submissions on the following issues during the year under review:
• Draft Aboriginal Cultural Heritage Bill 2018
• Draft Community Engagement Strategy for Crown land management
• Draft Swimming Pools Regulation 2018
• Environmental Planning and Assessment Amendment (Identification of Buildings with Combustible Cladding) Regulation 2017 (Draft Regulation)
• Justice Legislation Amendment Bill (No 2) 2017
• Review of the Environmental Planning and Assessment Regulation 2000
• Short-Term Holiday Letting in NSW

ENVIRONMENTAL PLANNING & DEVELOPMENT

2017 membership:

P. Wright (Chair), L. Finn (Deputy Chair), M. Bonanno, A. Cahill, B. Charlton, C. Drury, J. Fan, S. Higginson (until October 2017), N. Highman (until September 2017), R. James, B. McCann, D. Morris (from December 2017), M. Pearce, T. Poisel, E. Ryan, J. Sheehan, J. Schipp (from December 2017), J. Walsh, L. Booth (Policy Lawyer).

2018 membership:

P. Wright (Chair), E. Ryan (Deputy Chair), M. Bonanno, A. Cahill, B. Charlton, C. Drury, L. Finn, R. James, A. Knox, B. McCann (until May 2018), R. McCulloch, D. Morris, M. Pearce, J. Schipp, J. Sheehan, P. Vergotis, J. Walsh, L. Booth (Policy Lawyer).
**ETHICS**

**2017 membership:**

**2018 membership:**

**Mission Statement for 2017/2018**
- To preserve and enhance the integrity of the legal profession and to ensure the proper discharge by members of the profession of their obligations to the Court, clients and community
- Encourage, maintain and enhance desirable professional practices and to prevent and resist undesirable professional practices within the profession
- To promote desirable professional conduct by members of the legal profession and enhance public confidence in the integrity of solicitors
- To provide timely information and education of ethical obligations of solicitors to the legal profession
- To ensure continuity of the required professional standards and to provide guidance to the legal profession on issues of professional ethics

**Functions:**
The functions of the Ethics Committee are defined by the directives of the Council of the Law Society. These Council directives provide the general delegation of powers, authorities and discretions to the Ethics Committee. Each year the Council will review and set goals that will focus on maintaining and promoting the high ethical standards of the legal profession.

The specialist services provided by the Ethics Committee include:
- Providing the legal profession ready access to a body of specialist legal knowledge that can provide detailed and timely guidance of information on ethical issues
- Servicing the various parts of the legal profession engaged in general practice, government departments, large firms and within the other departments of the Law Society. Requests for guidance include solicitor enquiries, written guidance and in-house services whilst working in conjunction with other committees of the Law Society. This promotes a culture of integrity and independence to the legal profession, promoting ethics and professional standards for solicitors and providing a foundation for maintaining public confidence about the ethical standards of the profession
- Maintaining high ethical standards for the legal profession are achieved by identifying and preventing undesirable practices. This is achieved by designing and implementing education programmes, publishing relevant guidelines and materials to assist the legal profession and undertaking research, inquiries and make submissions on relevant ethical topics on behalf of the legal profession

Membership of the ethics committee reflects the broad and diverse legal profession, allowing the practical skills of practitioners from government departments, private practice (large, medium and small) and in-house departments to provide practical guidance to the legal profession. This service provides a specialist and comprehensive knowledge base to provide expert guidance on ethical issues for solicitors.

Membership of the ethics committee includes 18 members of the legal profession including 2 Councillors of the Law Society.

Professional support to the Ethics Committee is provided by administrative and legal resources of the Ethics department of the Professional Support Unit (PSU) within the Professional Standards Department (PSD) of the Law Society.

The Ethics Committee meetings are held regularly each month and consider a broad range of matters addressing ethical issues of the legal profession and its members.

**Highlights of the Year – Specific Tasks for 2017/18**
- Continuing to provide enhanced education programmes on ethics for the legal profession to address CPD requirements. The target groups included government, in-house, private firms and young lawyers. Part of the programme was to address the growing number of accredited specialists and their fields of expertise
- Content and delivery of the Ethics modules utilized web cast and new information technology to promote access and availability for the legal profession
- Promoting the ongoing relationship between the public and the legal profession to promote ethics issues, public confidence and access to professional standards
- Providing leadership, maintaining a liaison role between state and national organizations to address ethical issues for the legal profession
2017 membership:

2018 membership:

Activities
The Committee carried out the following activities during the year under review:
• Liaised with and contributed to the work of the Family Law Courts Self-represented Litigants Working Party
• Represented the Law Society on a number of Legal Aid Commission of NSW panels, including the Family Law General Panel, Panel for Independent Children’s Lawyers and Care and Protection Panel
• Represented the Law Society on a number of groups, including the Family Court Liaison Group and the Federal Circuit Court Liaison Group
• Represented the Law Society on the Greater Sydney Family Law Pathways Network
• Monitored the uptake of the Law Society’s FLSS
• Established and contributed to a high level working group to address delays in family law proceedings in NSW

The Committee made submissions on the following issues during the year under review:
• Compulsory arbitration
• Family Law Amendment (Family Violence and Cross-examination of Parties) Bill 2017
• Family Law Amendment (Family Violence and Other Measures) Bill 2017 and Family Law Amendment (Parenting Management Hearings) Bill 2017
• Family law jurisdiction of the Local Court of NSW
• Joint Costs Advisory Committee – Legal Practitioners’ Scale of Costs
• Judicial Resourcing in the Federal Circuit Court
• Judicial Vacancy – Newcastle Registry; and Related Issues
• Orders and the Commonwealth Courts Portal
• Proposed consequential amendments to the Status of Children Act 1996 and Births, Deaths and Marriages Registration Act 1995 following changes to the Marriage Act 1961

The Committee also contributed to a joint submission on the following issue during the year under review:
• 2018-2019 Pre-Budget Submissions
• Legal Aid Review of Fees
• Shaping a Better Children Protection System
• Statutory Review of Part 3A of the Assisted Reproductive Technology Act 2007 (NSW)
FIDELITY FUND MANAGEMENT

2017 Membership:
J. Glowrey (Chair), A. Bentley, A. Boog, D. Browne, P. Coster, V. Higinbotham, P. Lewis, W. Readford, P. Smith.

2018 Membership:
J. Glowrey (Chair), A. Boog, P. Coster, R. Flitcroft, P. Lewis, E. Patrick, W. Readford, P. Smith, D. Vine-Hall.

Functions
The function of the Committee is to administer the Legal Practitioners Fidelity Fund in the exercise of powers delegated to it by the Council of The Law Society of New South Wales.

Activities
The Committee carried out the following activities during the 2017/18 year:

• Met on 12 occasions to consider and determine claims made against the Fund, recoveries and matters relating to the Fund’s management.
• Determined 37 claims worth $3,949,437.46. Of the 37 claims, 25 for an aggregate amount of $1,966,090.67, were allowed, partly allowed or settled. A total of 12 claims were totally disallowed. Additionally, 7 claims for $891,109.91 were withdrawn.
• As at 30 June 2018, there were 67 undetermined claims against the Fund (involving 12 solicitors or law practices) amounting to $9,611,826.44, compared with 35 undetermined claims totaling $3,889,658.75 the previous year.
• Of the 67 claims mentioned above, outstanding claims involve $7.9m regarding 3 solicitors (53 claims). The remaining 9 solicitors are the subject of claims for $1.7m.
• The total paid to claimants during the year was $2,283,567.72 comprising principal of $2,224,465.35 and interest of $59,102.37, involving claims in respect of 14 solicitors. In a financial year, not all claims allowed or partly allowed may be paid in that same period, as formal requirements may not be completed in that year.
• New claims received during the year totaled $10,532,177.03.
• Provision for claims is $ to be inserted which comprises claims received and likely to be successful as well as an amount for instances where there is evidence that there may have been default or failure to account but where the claims are yet to be lodged. In addition, there are contingencies of $ to be inserted. This amount comprises notices of default or failure to account in respect of which a claim has not been made and where there is presently insufficient evidence that there may have been a default or failure to account, claims received which, based on current information, are considered not likely to be successful and disallowed claims subject to appeal or possible appeal.
• All allowed claims for default or failure to account have been paid at 100 cents in the dollar.
• Solicitors’ contributions to the Fund for the 2017/2018 year were $70 per solicitor where required to contribute. The Legal Profession Uniform Law (NSW) provides that government and corporate solicitors do not contribute to the Fund.
• 14 solicitors or firms have been the subject of paid claims during the year. Of those, 3 defaulting solicitors have been bankrupted and in the other instances proceedings are being considered by the Committee.
FUTURE OF LAW AND INNOVATION IN THE PROFESSION (FLIP)

2017 membership:

2018 membership:
D. Humphreys OAM, (Chair) (Executive); M. Tidball (Executive), M. Ludvigova (Executive), A. Boumerhe (Executive), S. Walker, B. Stack, C. Bibby, M. Legg, G. Ulman, D. Browne, E. Espinosa.

Functions
In March 2016, the Law Society established the Future of Law and Innovation in the Profession (FLIP) Committee. In April 2016, the FLIP Commission of Inquiry commenced. The Commission was established to:
• Identify and understand the changes currently affecting the profession
• Inform solicitors and to gather data for use in future policy
• Place itself at the centre of change, so as to help the profession develop the leadership required to respond to the challenges ahead.

The FLIP Report was launched on 28 March 2017 and draws on the testimony of 103 witnesses who gave evidence at the FLIP Commission of Inquiry, and on a number of separate interviews and written submissions.

The FLIP Report also received input from FLIP Committee members who represent various segments of the legal sector, including:
• Legal and university academics
• Senior court officials and technology experts
• Operation and change managers
• General counsel
• The Australian Human Rights Commissioner
• Lawyers from city and country practices
• Members of the Law Society Council

Priorities
In 2017, the Law Society commenced work on executing the FLIP Report’s recommendations, which was overseen by the Committee. In 2018, the FLIP Committee membership has been refreshed. A new directive for the 2018 Committee has been approved by the Law Society Council.

The previous directive of the FLIP Committee guided the evidence and reporting obligations of the FLIP Commission of Inquiry. The new directive for the 2018 Committee focuses upon implementation of the FLIP Report’s 19 recommendations.

Activities
A significant amount of work has been undertaken in 2017/2018 year by the Law Society in implementing the FLIP Report’s recommendations, including:
• The development of a robust staffing structure to support the full implementation of the FLIP Report. Strategic Membership Manager Martina Ludvigova oversaw the development and roll-out of new legal innovation initiatives, as well as the implementation of the specific initiatives recommended by the FLIP Report.
• The FLIP Stream research partnership between the Law Society and UNSW was launched on 14 March 2018 and is led by Professor Michael Legg. Through the FLIP Stream, the Law Society funds research and innovation projects by the University for five years, with a new topic to be focused upon each year.
• There are numerous deliverables placed on the FLIP Stream partnership including academic articles, profession focused articles, UNSW to provide presenters and academics to present at the Law Society’s events and CLE seminars either as presenters, panellists or facilitators.
• In 2018, the FLIP Stream is exploring the use of artificial intelligence within the legal profession.
• 2018 was also a busy time for the Law Society with planning for the inaugural FLIP Conference to be hosted by the Law Society on 14 September 2018 as well as legal hackathon to be hosted on 7 September 2018.
• In 2018, the Law Society launched its new website. A centrepiece of the new website is the FLIP online portal. The portal facilitates information across all sectors of the profession about developments in legal technology, work process improvements and client focused services as well as details on FLIP events and resources including podcasts.
• We have also commenced a range of events to support the recommendations of the FLIP Report, including:
  • FLIP General Counsel Forum on 8 August and 5 December 2017 and 11 April 2018
  • FLIP Leaders in Government Forum on 26 September 2017
  • New Ways of Working in the Agile Legal Environment on 29 November 2017
  • The Mindful Leader – An Evening with Michael Bunting on 8 February 2018
  • Innovation to Aid Access to Justice Workshop on 18 June 2018
  • The FLIP Inquiry Series – Behind the buzz words on 20 June 2018
GOVERNMENT SOLICITORS

2017 membership:

2018 membership:

Functions
The role of this Committee is to represent the Law Society and its members on policy and practice issues arising in relation to government solicitors.

Committee priority issues for 2018
The Committee has identified the following priority issues for 2018:
• Development of a detailed plan/strategy to raise the profile of Government Solicitors within the rest of the legal profession
• Identify initiatives to increase the engagement of Government Solicitors within the profession, other segments of the profession and within the government segment itself
• Preparation of practitioner guidance
• Advise on topics for the Government Solicitors Conference
• Promote and manage the John Hennessy Legal Scholarship and the Michelle Crowther PSM Excellence Award

Activities
The Committee carried out the following activities during the year under review:
• Provided advice and assistance for the Government Solicitors Conference and other relevant CPD activities
• Commenced drafting a practical ‘Handy Hints’ guide for Government Solicitors
• Promoted and administered the John Hennessy Legal Scholarship and the Michelle Crowther PSM Excellence Award
• Managed the Reciprocal In-House CPD program for government solicitors
• Prepared articles for inclusion on the Government Solicitors Committee hub webpage and other Law Society publications
• Drafted an interactive guide on the law of privilege for government solicitors
• Considered ethical and other practice issues raised by government solicitors through the Committee and its members
HUMAN RIGHTS

2017 membership:

2018 membership:

Functions
The role of this Committee is to represent the Law Society and its members on policy and practice issues arising in relation to the obligations of Australia and NSW under international and domestic human rights law, and to uphold the rule of law.

The Committee’s priorities include:
• Developing and commenting on law reform and legal policy proposals (including preparing submissions, and liaising with government and other stakeholders in this process)
• Educating the legal profession about changes to the law, and providing guidance on practice and other issues
• Exchanging information about issues arising in legal practice (such as recent case law) that may indicate a legal policy issue or concern

Committee priority issues for 2018
The Committee identified the following priority issues for 2018:
• Advocacy for a NSW Human Rights Act
• Disability advocacy in NSW
• Housing and homelessness
• The treatment of asylum seekers
• Business and human rights

Activities
The Committee carried out the following activities during the year under review:
• Hosted Hilary Kincaid, Inner City Legal Centre, to speak on Re Kelvin [2017] FamCAFC 258
• Assisted with the following Thought Leadership events:
  • Human Rights in Unchartered Territory
  • A new approach for people seeking asylum in Australia
• Liaison with the Law Council of Australia
• Liaison with Australian Lawyers for Human Rights
• Liaison with the Stand By Me Disability Advocacy campaign on continued funding for disability advocacy organisations in NSW

The Committee made submissions on the following issues during the year under review:
• Australian Human Rights Commission Optional Protocol to the Convention against Torture (OPCAT) in Australia Consultation Paper
• Commonwealth Redress Scheme for Institutional Responses to Child Sexual Abuse Bill 2017 and related Bill (several submissions)
• Inquiry into Organ Trafficking and Transplant Tourism
• Inquiry into the Australian Citizenship Legislation Amendment (Strengthening the Requirements for Australian Citizenships and Other Measures) Bill 2017
• Inquiry into the Migration Amendment (Prohibiting Items in Immigration Detention Facilities) Bill 2017
• Inquiry into the review processes associated with visa cancellations made on criminal grounds
• Jordan-Australia Extradition and Mutual Assistance Treaty
• Modern Slavery Bill 2018 (NSW)
• Modern Slavery in Supply Chains Reporting Requirements
• Religious Freedom Review
The Committee also contributed to joint submissions on the following issues during the year under review:

- Australian Law Reform Commission Review of Incarceration Rates of Aboriginal and Torres Strait Islander Peoples
- Australia’s draft report to the United Nations Committee on the Convention on the Rights of the Child
- Inquiry into the Operation of the *Legislation Review Act 1987* (NSW)
- Inquiry into the Social Services Legislation Amendment (Cashless Debit Card) Bill 2017
- Inquiry into the Social Services Legislation Amendment (Welfare Reform) Bill 2017
- Joint Select Committee on Constitutional Recognition Relating to Aboriginal and Torres Strait Island Peoples 2018
- National Children’s Commissioner Consultation on Australia’s progress in implementing the United Nations Convention on the Rights of the Child
- National Disability Insurance Scheme Amendment (Quality and Safeguards Commission and Other Measures) Bill 2017
- Review of the *Guardianship Act 1987* – Draft Proposals
- Statutory review of Part 3A of the *Assisted Reproductive Technology Act 2007* (NSW)
- Statutory Review of the *Crimes (Criminal Organisations Control) Act 2012*
- Statutory review of the *Terrorism (Police Powers) Act 2002* (NSW)
- *Surveillance Devices Act 2007*: Police body-worn video provisions
- *Terrorism (High Risk Offenders) Bill 2017*
IN-HOUSE CORPORATE LAWYERS

2017 membership (Corporate Lawyers):

2018 membership:

The Committee’s name changed to In-House Corporate Lawyers in January 2018.

Functions
The role of this Committee is to represent the Law Society and its members on policy and practice issues arising in relation to in-house corporate lawyers.

Committee priority issues for 2018
The Committee has identified the following priority issues for 2018:
• Providing collaboration and knowledge sharing opportunities through identification and delivery of appropriate events/forums
• Preparation of practitioner guidance and other resources on relevant and topical issues faced by in-house corporate lawyers
• Supporting and promoting the implementation of the recommendations and findings from the Future of Law and Innovation in the Profession (FLIP) Report

Activities
The Committee carried out the following activities during the year under review:
• The Committee held several successful events for the in-house corporate lawyer segment including forums on crisis management and communication skills
• The Committee drafted practical guidance on ethical issues faced by in-house counsel
• The Committee collaborated with the Australian Pro Bono Centre to hold a first year anniversary event to celebrate the launch of the Pro Bono Guide for In-House Lawyers
• The Committee worked on drafting a response around the FLIP report recommendations
• Provided advice on the quarterly forums and other relevant CPD activities
• Prepared articles for inclusion on the Corporate Lawyers Committee hub webpage
• Considered ethical and other practice issues raised by corporate solicitors through the Committee and its members

The Committee also contributed to the following joint submission during the year under review:
• Proposed Amendments to the Australian Solicitor’s Conduct Rules
INDIGENOUS ISSUES

2017 membership:

2018 membership:

Functions
The role of this Committee is to represent the Law Society and its members on legal policy and practice issues arising in relation to Indigenous people in NSW.

The Committee’s priorities include:
• Developing and commenting on law reform and legal policy proposals (including preparing submissions, and liaising with government and other stakeholders in this process)
• Educating the legal profession about changes to the law, and providing guidance on practice and other issues
• Exchanging information about issues arising in legal practice (such as recent case law) that may indicate a legal policy issue or concern

Committee priority issues for 2018
The Committee identified the following priority issues for 2018:
• Indigenous incarceration rates (including driver licence disqualification reform; disability and cognitive impairment; birth certificates and identity documents; sentencing and diversion; police accountability; and deaths in custody)
• Care and protection and family law
• Domestic and family violence
• Aboriginal cultural heritage protection
• Improving access to justice, including through Indigenous lists, Indigenous sentencing courts and targeted resources for the legal profession

Activities
The Committee carried out the following activities during the year under review:
• Joint seminar on Sorry Business and Aboriginal Wills with the Judicial Commission of NSW and the NSW Bar Association
• Joint seminar on the Uluru Statement – First Nations Voice towards achieving sovereignty with the Judicial Commission of NSW and the NSW Bar Association
• Held an information session for Family and Community Services (FACS) on the Indigenous list at the Sydney registry of the Federal Circuit Court
• Liaison with Stolen Generations organisations on providing Law Society support for better reparations outcomes
• Engagement with the NSW Civil and Administrative Tribunal (NCAT) consultative forum on Tenancy, Social Housing and Aboriginal matters
• Liaison with the Law Council of Australia
• Liaison with the Legal Profession Reconciliation Network
• Liaison with Australians for Native Title and Recognition (ANTaR)
• Steering advice and oversight of the Law Society’s Indigenous Reconciliation Strategic Plan 2016-2019
The Committee made submissions on the following issues during the year under review:

• Closing the Gap Refresh Public Discussion Paper (several submissions)
• Commonwealth Redress Scheme for Institutional Responses to Child Sexual Abuse Bill 2017 and related Bill
• Commonwealth Redress Scheme for Institutional Responses to Civil Sexual Abuse Bill 2018 and related Bill
• Department of Family and Community Services Draft Aboriginal Targeted Earlier Intervention Strategy 2017-2021
• Exposure Draft Aboriginal Languages Bill 2017
• Family is Culture: Independent review of Aboriginal children and young people in out of home care in NSW
• Federal Circuit Court Indigenous List
• Funding for the Aboriginal Legal Service (NSW/ACT)
• Implementing the NSW Government response to “Unfinished Business”
• Joint Select Committee on Constitutional Recognition Relating to Aboriginal and Torres Strait Islander Peoples 2018
• Legal Aid NSW services in North West NSW
• Reforms to the Native Title Act 1993 (Cth) Options Paper
• Report of the Special Rapporteur on the rights of Indigenous peoples on her visit to Australia
• Review of the early release of superannuation benefits
• Support for the Youth Koori Court in the Children’s Court of NSW
• Support for the Walama Court proposal in the District Court of NSW

The Committee also contributed to the following joint submissions during the year under review:

• Australian Law Reform Commission Review of Incarceration Rates of Aboriginal and Torres Strait Islander Peoples
• Australia’s draft report to the United Nations Committee on the Convention on the Rights of the Child
• Draft Aboriginal Cultural Heritage Bill 2018
• Draft Community Engagement Strategy for Crown land management
• Education Amendment (School Safety) Bill 2017
• Inquiry into local adoptions
• Inquiry into the law of contempt
• Inquiry into the Social Services Legislation Amendment (Cashless Debit Card) Bill 2017
• Inquiry into the Social Services Legislation Amendment (Welfare Reform) Bill 2017
• Joint Select Committee on Constitutional Recognition Relating to Aboriginal and Torres Strait Island Peoples 2018
• Legal Aid Review of Fees
• Review of the Guardianship Act 1987 – Draft Proposals
• Shaping a Better Children Protection System
INJURY COMPENSATION

2017 membership:

2018 membership:

Functions
The role of this Committee is to represent the Law Society and its members on policy and practice issues arising in relation to injury compensation law.

The Committee’s priorities include:
• Developing and commenting on law reform and legal policy proposals (including preparing submissions, and liaising with government and other stakeholders in this process)
• Educating the legal profession about changes to the law, and providing guidance on practice and other issues
• Exchanging information about issues arising in legal practice (such as recent case law) that may indicate a legal policy issue or concern

Committee priority issues for 2018
The Committee identified the following priority issues for 2018:
• Monitoring and providing input into the implementation of recent motor accidents reforms
• Providing input into upcoming reforms to the workers compensation scheme
• Implementation and issues arising in relation to the National Disability Insurance Scheme/National Injury Insurance Scheme (NDIS/NIIS)
• Compensation/redress schemes for victims of abuse
• State regulation of automated vehicles

Activities
The Committee carried out the following activities during the year under review:
• The Committee was represented on and contributed to the work of: The Workers Compensation Commission User Group; the Motor Accidents Insurance Regulation Quarterly Legal Forum; the District Court Civil Business Group; the District Court Rules Committee and the Common Law Users Group
• Members of the Committee appeared before the Legislative Council Standing Committee on Law and Justice in relation to its Statutory Review of the State Insurance and Care Governance Act 2015

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The Committee made submissions on the following issues during the year under review:

- 2018 Review of the Compulsory Third Party Insurance Scheme
- 2018 Review of the Workers Compensation Scheme
- Claims Administration Manual and guidelines review
- Consultation regarding minor injury decision fact sheet and website content
- Cost regulation costing for motor accidents matters
- Draft Motor Accident Guidelines (August 2017)
- Draft Motor Accident Injuries Amendment Regulation 2017
- Feedback on amended Funeral Benefits Claims Form for the NSW Compulsory Third Party (CTP) Scheme
- Indexation of Regulated Fees under the Motor Accident Injuries Amendment Regulation 2017
- Lodging claims under the Motor Accident Injuries Act 2017
- NSW CTP insurance scheme reform – Definition of minor physical injury
- Motor Accident Guidelines (in relation to minor injury)
- Post–implementation review of Guidelines for claiming workers compensation
- Potential reforms to the NSW workers compensation dispute resolution system
- Proposed Advisory Service under the Motor Accident Injuries Act 2017
- Proposed changes to the Motor Accident Guidelines (March 2018)
- Proposed responses to the Royal Commission’s civil litigation recommendations
- Review of the Dust Diseases Tribunal Regulation 2013
- Review of the State Insurance and Care Governance Act 2015
- Section 3.28(3) of the Motor Accident Injuries Act 2017
- Time periods for lodging claims under the Motor Accident Injuries Act 2017

The Committee also contributed to joint submissions on the following issues during the year under review:

- Cost regulation costing for motor accidents matters (with NSW Bar Association and Australian Lawyers Alliance)
- Costs queries from the Department of Justice
- Draft Motor Accident Guidelines (August 2017) (with NSW Bar Association and Australian Lawyers Alliance)
- Home building eligibility guidelines
- Motor Accident Injuries Amendment Regulation 2017 (with Australian Lawyers Alliance)
- Proposed responses to the Royal Commission’s civil litigation recommendations (with Australian Lawyers Alliance)
- Revised Practice Note SC CA 1
2017 membership:

P. Argy (Chair), R. Bakoss, H. Brown, C. Eddison-Cogan, R. Grant, K. Iles, T. Kaldor, R. Prangell, T. Robinson, T. Rollo, L. Bustin (Executive Member).

2018 membership:


Functions

- Provide information, education and recommendations on technology matters for members
- Identify technology issues that the profession should be made aware of and which would be of benefit to members
- Promote standards and guidelines in relation to technology and online services for members
- Communicate and foster technological collaborative arrangements with the wider legal community
- When invited, respond to technology initiatives that originate outside the Law Society, but which have an impact on Law Society members
- Give priority to consideration of any matters as may be referred to the committee by the Council, President or Chief Executive Officer from time to time
- To report promptly to the Council on all matters and business in respect of which it exercises the powers delegated by Council

Activities

The Committee conducted the following activities during the year under review:

- Developed and distributed publications pertaining to the use of technology in the legal profession, for example *What you need to know about metadata* and *Client confidentiality and notifiable data breaches*
- Identified strategies for raising the profession’s awareness:
  - that technology can enhance the delivery of legal services without prejudicing the quality of the service
  - about options to improve systems and security policies to minimise the risk of cyber threats and optimise recovery
  - about protecting their practices and the confidentiality of client information when using technology

Strategies include provision of seminars and publication of materials on cybersecurity including input into the Law Council’s Cybersecurity Dos and Don’ts, monitoring legislation and giving input where appropriate, e.g. *Removing the Barriers to Electronic Communications*, identifying and recommending CPD topics in the electronic workspace

- Working with the FLIP Committee, Ethics Committee, Property Law Committee and Privacy & Data Law Committee as required on topical issues and to further respond in respect of the FLIP recommendations
- Maintained a watching brief on issues in relation to the Online Registry/Online Court and offered assistance in relation to the High Court Registry & Case Management review
- Maintained a watching brief on the national delivery of e-Conveyancing
2017 membership:
D. Humphreys (Chair), C. Kenny (Co-Chair), A. Bilias, M. Curran, G. Daley, P. Ferguson, K. Harry, J. Patterson, T. Gibson (Head of Licensing), S. Borg, J. Furio (Executive Members).

2018 membership:
D. Humphreys (Chair), C. Kenny (Co-Chair), A. Bilias, M. Curran, G. Daley, P. Ferguson, K. Harry, D. Barker, T. Gibson (Head of Licensing & Scheme), L. Ryan-Angel Dewar (Licensing Compliance Solicitor).

Functions
• Functions contained in Chapter 3 Part 3.3, 3.4 and 3.5 of the Legal Profession Uniform Law (NSW), pertaining to the grant, renewal and variation of practising certificates
• Monitor compliance with all statutory conditions and licensing requirements
• Consider non-standard applications for the removal, exemption or reduction of the Supervised Legal Practice (SLP) statutory condition
• Impose discretionary conditions on practising certificates with consent of practitioners
• Consider applications to vary practising certificate types
• Consider applications made pursuant to the Transitional Exemption provisions pertaining to government and corporate lawyers
• Monitor compliance with requirement to complete a Practice Management Course (PMC)
• Monitor Continuing Professional Development (CPD) compliance requirements
• Consider applications for exemption from Practical Legal Training (PLT) and make recommendations to the Legal Profession Admission Board
• Consider and review the Law Society’s policies on licensing matters

Activities
The Committee conducted the following activities during the year under review with a view to improving compliance with and monitoring of Uniform Law practising certificate requirements, as well as improving overall risk management by practising members of the profession:
• Considered 319 licensing applications, representing an 8.5% increase from the prior year, and of which 7% resulted in a referral to the Director, Professional Standards
• Considered non-standard applications for the removal, exemption or reduction of the statutory SLP condition
• Considered non-standard applications for unsupervised practising certificates by practitioners who have not held a practising certificate for greater than five years or are seeking to rely on legal practice experience undertaken in foreign jurisdictions
• Considered non-standard applications for a principal’s practising certificates
• Considered applications for exemptions from, or extensions of time to comply with, PMC and CPD requirements
• Considered various licensing applications by foreign lawyers now qualified to practise Australian law including removal of the SLP condition, variations of practising certificates and exemptions from PMC and CPD requirements
• Considered applications by practitioners for external and/or remote supervision plans
• Considered applications by practitioner’s practising outside their certificate conditions
• Considered applications for exemptions from PLT requirements
• Considered applications in respect of practitioners whose entitlement to practise for their employer’s related entities is limited by the Uniform Law definition of related entity
• Considered applications by practitioners with quasi legal practice experience
• Revised policy regarding PMC compliance by requiring proof of enrolment in a PMC to support an undertaking, followed by further review and adoption of a policy eliminating undertakings to complete PMC, other than where exceptional and extenuating circumstances exist
• Worked closely with recruitment agencies in respect of their placement of lawyers into employment
• Adopted a new policy regarding applications for extensions of time to comply with CPD by requiring practitioners to provide a statutory declaration setting out the particulars of their compliance
• Revised and Council adopted new policy regarding the process for non-disclosure of practitioners details on the statutory register maintained under the Uniform Law

LICENSING
2017 membership:

2018 membership:

Functions
The role of this Committee is to represent the Law Society and its members on policy and practice issues arising in relation to civil litigation.

The Committee's priorities include:
• Developing and commenting on law reform and legal policy proposals (including preparing submissions, and liaising with government and other stakeholders in this process)
• Educating the legal profession about changes to the law, and providing guidance on practice and other issues
• Exchanging information about issues arising in legal practice (such as recent case law) that may indicate a legal policy issue or concern

Committee priority issues for 2018
The Committee identified the following priority issues for 2018:
• Liaise with the Government, courts and tribunals about issues affecting practitioners, including fixed costs and court Practice Notes
• Continue to monitor developments in relation to online courts in Australian jurisdictions and overseas
• Develop a list of solicitors prepared to be act as the independent solicitor to supervise civil Search Orders (also known as Anton Piller Orders)
• Assist the Law Society in educating the profession about matters relating to civil litigation law and practice

Activities
The Committee carried out the following activities during the year under review:
• Liaised with key stakeholders, including the NSW Bar Association, the Department of Justice and the courts
• Represented the Law Society on a number of court committees and user groups, including the Supreme Court ADR Steering Committee, Supreme Court Common Law (Civil) Users Group, Supreme Court Rules Committee, Uniform Rules Committee, District Court Civil Business Group, District Court Rules Committee, NSW Civil and Administrative Tribunal Liaison Group and the Civil Justice Collaboration Group (including the Debt Recovery Working Group)
• Developed and updated resources for litigation lawyers, including resources available on the Law Society website, including guidance on the online court and registry and civil search orders
• Published updated information for members of the profession about changes in court practice and procedure, including changes to court practice notes
• Assisted the profession with various queries regarding litigation law and practice
The Committee made submissions on the following issues during the year under review:

- Civil Practice Note 1 (several submissions)
- Fixed costs under the *Legal Profession Uniform Law Application Regulation 2015*
- High Court Review of Registry procedures
- Liability for Court Fees in Pro Bono Matters
- Listing of Civil Claims Hearings at the Downing Centre Local Court
- NCAT jurisdictional issue (several submissions)
- Online Registry and the Online Court
- Proposals for consideration by the Uniform Rules Committee
- Proposed amendments to the *Civil Procedure Act 2005* (NSW)
- Proposed changes to the jurisdictional limit of the Small Claims Division, Local Court
- Remake of the *Oaths Regulation 2011*
- Review of the *Local Court Act 2007*
- Revised Practice Notes in the Common Law Division
- Search Orders (Anton Piller Orders)

The Committee also contributed to joint submissions on the following issues during the year under review:

- Court and Tribunal Fees
- Department of Justice consultation on proposed in the Justice Cluster Miscellaneous Amendments Bill 2018 (several submissions)
- Justice Legislation Amendment Bill (No 2) 2017
- NSW Civil and Administrative Tribunal – Jurisdictional issue arising from Burns v Corbett
- Proposed NSW Fair Trading Consumer Guarantee Directions Power
- Revised Practice Note SC CA 1
MEDICO LEGAL LIAISON

2017 membership:


The Committee did not convene in 2018.

Functions

The role of this Committee is to represent the Law Society and its members on policy and practice issues of mutual interest to the medical and legal professions and to maximise co-operation between the professions.

Committee priority issues for 2017

The Committee identified the following priority issues for 2017:

• Coronial matters, including streamlining practice and procedure
• Preparing practitioner guidance in relation to the interaction between the medical and legal profession generally
• Organisation of a seminar of interest to both professions

Activities

The Committee carried out the following activities during the year under review:

• Participated in the NSW Coroner’s Court Medical-Legal User Group meetings
• Updating the document Medico-Legal Evidence Guide
• Arranged a seminar on inquests
• Arranged a seminar on complaint patterns for medical and legal practitioners

The Committee contributed to joint submissions on the following issues during the year under review:

• National Disability Insurance Scheme Amendment (Quality and Safeguards Commission and Other Measures) Bill 2017
• Statutory review of Part 3A of the Assisted Reproductive Technology Act 2007 (NSW)
2017 membership (Privacy and Communications):

2018 membership:

The Committee’s name changed to Privacy and Data Law in January 2018.

Functions
The role of this Committee is to represent the Law Society and its members on policy and practice issues arising in relation to privacy and data law.

The Committee’s priorities include:

• Developing and commenting on law reform and legal policy proposals (including preparing submissions, and liaising with government and other stakeholders in this process)
• Educating the legal profession about changes to the law, and providing guidance on practice and other issues
• Exchanging information about issues arising in legal practice (such as recent case law) that may indicate a legal policy issue or concern

Committee priority issues for 2018
The Committee identified the following priority issues for 2018:

• Monitor causes of action and remedies available to affected individuals, including alternative mechanisms such as codes and statements of principle
• Assist the Law Society in educating solicitors about NSW and federal privacy and information law

The Committee made submissions on the following issues during the year under review:

• Australian Border Force Amendment (Protected Information) Bill 2017
• Authority of Private Investigators
• Draft Resources in relation to the Notifiable Data Breaches Scheme
• Facial recognition system
• Final report of the review into Open Banking
• Government proposal for access to encrypted data
• Identity Matching Legislation (several submissions)
• Impact of new and emerging information and communications technology on Australian law enforcement agencies
• Managing access to audio visual information under the Government Information (Public Access) Act 2009
• My Health Record System data
• Review of Health Providers’ Access to Medicare Card Numbers
• Revised “Dos and Don’ts” of Cyber Security

The Committee also contributed to joint submissions on the following issues during the year under review:

• “Dos and Don’ts” of Cyber Security
• 2018-2019 Pre-Budget Submissions
• Access to digital assets upon death or incapacity
• ASIC’s access to telecommunications intercept material
• Input for the Law Council Cyber Precedent Website
• Justice Legislation Amendment Bill (No 2) 2017
• Statutory review of Part 3A of the Assisted Reproductive Technology Act 2007 (NSW)
• Surveillance Devices Act 2007 – Police body-worn video provisions
**PROPERTY LAW**

**2017 membership:**

**2018 membership:**

**Committee priority issues for 2018**
The Committee identified the following priority issues for 2018:
- Assist solicitors to transition to electronic conveyancing
- Update the contract for sale and purchase of land for expected changes in the payment of GST for new residential premises and new residential subdivisions
- Review of the Law Society Lease

**Activities**
The Committee carried out the following activities during the year under review:
- Prepared two new editions of the contract for sale and purchase of land
- Participated in various roundtable discussions with NSW Fair Trading, including in relation to Retirement Villages and the Strata building bond and inspection scheme
- Participated in several discussions with Treasury and the ATO in relation to the new GST at settlement measure
- Participated in quarterly liaison meetings with NSW Land Registry Services and the Office of the Registrar General
- Participated in electronic conveyancing symposiums hosted by the Office of the Registrar General
- Liaised with the Office of Local Government and NSW Fair Trading in relation to swimming pool barrier requirements
- Liaised with Subsidence Advisory NSW in relation to current reforms
- Liaised with the Clean Energy Regulator regarding permanence obligations and conveyancing
- Participated in a collaboration session with Revenue NSW regarding electronic lodgment of applications
- Participated in the Law Council’s National Electronic Conveyancing System Committee
- Participated in NCAT Forums in relation to the Retirement Village, Strata and Community Title and Home Building Matter lists

**Functions**
The role of this Committee is to represent the Law Society and its members on policy and practice issues arising in relation to property law and conveyancing practice.

The Committee’s priorities include:
- Developing and commenting on law reform and legal policy proposals (including preparing submissions, and liaising with government and other stakeholders in this process)
- Educating the legal profession about changes to the law, and providing guidance on practice and other issues
- Exchanging information about issues arising in legal practice (such as recent case law) that may indicate a legal policy issue or concern
- Where relevant, preparing and reviewing standard documentation for use by the profession (including contracts, leases etc.)
The Committee made submissions on the following issues during the year under review:

- Coal Mine Subsidence Compensation Act 2017
- Conveyancing Rules draft version 4
- Exposure drafts of Strata Schemes Management Amendment (Building Defects Scheme) Bill 2018
- Model Participation Rules and Model Operating Requirements – Consultation Drafts version 5
- Off-the-plan contracts for residential property
- Proposal to amend all strata scheme common property titles containing reference to by-laws set out in Schedule 1 of the Strata Schemes Management Act 1996
- Removing barriers to electronic land contracts
- Several submissions in relation to the Strata building bond and inspection scheme
- Verification of Identity and disparity between lawyer and estate agent fees

The Committee also contributed to joint submissions on the following issues during the year under review:

- Draft Findings of the Retirement Villages Inquiry
- Draft Swimming Pools Regulation 2018
- Environmental Planning and Assessment Amendment (Identification of Buildings with Combustible Cladding) Regulation 2017
- GST at Settlement measure – Draft forms
- Improving the integrity of GST on Property Transactions
- Inquiry into removing unnecessary regulatory burdens on NSW businesses
- Retirement Villages Regulation 2017
- Review of the Environmental Planning and Assessment Regulation 2000
- Short-Term Holiday Letting in NSW
2017 membership:
P. Wright (Chair), A. Chalk (Deputy Chair), A. Abadee, Dr. G. Appleby, L. Armstrong, Assoc. Prof. S. Brennan, P. Buchberger, R. Flitcroft, C. Freer, S. Given, R. Green, A. Halstead, B. Hearnden, R. Heinrich, K. Hooper, Dr. M. Landrigan, M. Marich (until August 2017), A. Markus, N. McBride, A. Mitchelmore, S. Murray, M. Smyth, Dr. S. Thompson, Dr. A. Tsacalos, K. Wrigley (until October 2017), S. Wyatt, E. Howard (Policy Lawyer).

2018 membership:
P. Wright (Chair), A. Chalk (Deputy Chair), A. Abadee, Dr. G. Appleby, L. Armstrong, Assoc. Prof. S. Brennan, S. Calnan, K. Curry (until June 2018), R. Flitcroft, R. Green, A. Halstead, B. Hearnden, R. Heinrich, G. Johnson, Dr. M. Landrigan, A. Markus, J. Moller, S. Murray, C. Ragusa, M. Smyth (until May 2018), Dr. S. Thompson, Dr. A. Tsacalos, S. Wyatt, S. Patrick (until May 2018)/V. Kuek (from June 2018)(Policy Lawyers).

Functions
The role of this Committee is to represent the Law Society and its members on policy and practice issues arising in relation to public law issues, including constitutional law, administrative law, civil liberties and the rule of law.

The Committee’s priorities include, in relation to such matters:
• Developing and commenting on law reform and legal policy proposals (including preparing submissions, and liaising with government and other stakeholders in this process)
• Educating the legal profession about changes to the law, and providing guidance on practice and other issues
• Exchanging information about issues arising in legal practice (such as recent case law) that may indicate a legal policy issue or concern

Committee priority issues for 2018
The Committee identified the following priority issues for 2018:
• Monitoring these principles in the following areas:
  • Identifying opportunities to review frameworks in relation to administrative decisions (e.g. provision of internal review and external merits review)
  • Monitoring the powers and independence of investigative bodies (e.g. Independent Commission Against Corruption (ICAC), Law Enforcement Conduct Commission (LECC))
  • Monitoring counter-terrorism and national security legislation
  • Monitoring new legislation on public advocacy and freedom of political expression
  • Monitoring the changing relationship between areas of public law and private law

These initiatives will be considered in the context of relevant international standards and frameworks

Activities
The Committee carried out the following activities during the year under review:
• Hosted Chief Commissioner Peter Hall QC, ICAC
• Engagement with the consultative forum of the Administrative and Equal Opportunity Division of NCAT
• Liaison with the Law Council of Australia

The Committee made submissions on the following issues during the year under review:
• Anti-money laundering
• Inquiry into procedural fairness for inquiry participants

The Committee also contributed to the following joint submissions during the year under review:
• Inquiry into the law of contempt
• Inquiry into the Operation of the Legislation Review Act 1987 (NSW)
• NSW Civil and Administrative Tribunal – Jurisdictional issue arising from Burns v Corbett
• Statutory review of the Terrorism (Police Powers) Act 2002 (NSW)
• Treasury Laws Amendment (Whistleblowers) Bill 2017
REVENUE NSW / LAW SOCIETY LIAISON

2017 membership (Office of State Revenue/Law Society Liaison):

2018 membership:

The Committee’s name changed to Revenue NSW/Law Society Liaison in January 2018.

Functions
The role of this Committee is to represent the Law Society and its members on policy and practice issues arising in relation to state revenue issues in NSW.

The Committee’s priorities include:
• Developing and commenting on law reform and legal policy proposals (including preparing submissions, and liaising with government and other stakeholders in this process)
• Educating the legal profession about changes to the law, and providing guidance on practice and other issues
• Exchanging information about issues arising in legal practice (such as recent case law) that may indicate a legal policy issue or concern

Activities
The Committee carried out the following activities during the year under review:
• Facilitated the exchange of views and proposals between the Law Society and Revenue NSW
• Commented on relevant cases and reviewed relevant Bills, Acts and Regulations
• Reviewed the application of Revenue Rulings
• Contributed to discussions and identified the impact of proposed tax reforms
• Participated in a collaboration session with Revenue NSW regarding electronic lodgment of applications
• Represented the Law Society in consultation with NCAT regarding mediation in the Revenue List

The Committee made submissions on the following issues during the year under review:
• Draft Commissioner’s Practice Note CPN 004 – Foreign Surcharges and Discretionary Trusts
• Draft revised Revenue Ruling DUT 012 v2 Dutiable Transactions Evidence of Value
• Draft Revenue Ruling and draft Practice Note – New home development by Australian based developers that are foreign persons
• State Revenue Legislation Further Amendment Bill 2017
• Draft revised Revenue Ruling – No. LT 097 Land used for Primary Production
• Draft Revenue Ruling – No. G 011 Surcharge Land Tax and Duty – Residential Premises that are not Dwellings

The Committee also contributed to the following joint submission during the year under review:
• Proposed changes to practice and procedure in Revenue List matters
RURAL ISSUES

2017 membership:

2018 membership:

Functions
The role of this Committee is to represent the Law Society and its members on policy and practice issues arising in relation to rural NSW.

The Committee’s priorities include:
• Developing and commenting on law reform and legal policy proposals (including preparing submissions, and liaising with government and other stakeholders in this process)
• Educating the legal profession about changes to the law, and providing guidance on practice and other issues
• Exchanging information about issues arising in legal practice (such as recent case law) that may indicate a legal policy issue or concern
• Where relevant, preparing and reviewing standard documentation for use by the profession (including contracts, leases etc.)

Committee priority issues for 2018
The Committee identified the following priority issues for 2018:
• Better access to justice in rural and regional areas, including the provision of adequate judicial resources in rural and regional areas
• Identifying topics for the Rural Issues Conference

Activities
The Committee carried out the following activities during the year under review:
• Provided advice on topics and speakers for the Rural Issues Conference held on 27 October 2017
• Created fact sheets relating to additional clauses in contracts for the sale of rural land and to assist purchasers of rural land
• Updated existing fact sheets relating to crown land and native vegetation to take account of legislative reforms in these areas
• Engaged with rural and remote practitioners in relation to access to justice issues
• Monitored Law Society activity in relation to the regulation of water brokers

The Committee made submissions on the following issues during the year under review:
• Courts in rural and regional areas
• Murray-Darling Basin Royal Commission - Issues Paper 2
• Partial closure of Belmont Court House (several submissions)
• Purchases of rural land in NSW
Made by the Law Society on behalf of more than one committee
- “Do and Don’ts” of Cyber Security
- 2018-2019 Pre-Budget Submissions
- Access to digital assets upon death or incapacity
- ASIC’s access to telecommunications intercept material
- Australian Law Reform Commission Incarceration Rates of Aboriginal and Torres Strait Islander Peoples
- Australia’s draft report to the United Nations Committee on the Convention on the Rights of the Child
- Costs queries from the Department of Justice
- Court and Tribunal Fees
- Draft Aboriginal Cultural Heritage Bill 2018
- Draft Community Engagement Strategy for Crown land management
- Draft Findings of the Retirement Villages Inquiry
- Draft Sentencing and Parole Regulations
- Draft Swimming Pools Regulation 2018
- Education Amendment (School Safety) Bill 2017
- Environmental Planning and Assessment Amendment (Identification of Buildings with Combustible Cladding) Regulation 2017 (Draft Regulation)
- GST at Settlement measure – Draft forms
- Home building eligibility guidelines
- Improving the integrity of GST on Property Transactions
- Input for the Law Council Cyber Precedent Website
- Inquiry into local adoptions
- Inquiry into removing unnecessary regulatory burdens on NSW businesses
- Inquiry into the law of contempt
- Inquiry into the Operation of the Legislation Review Act 1987 (NSW)
- Inquiry into the Quality of Care in Residential Aged Care facilities in Australia
- Inquiry into the Social Services Legislation Amendment (Cashless Debit Card) Bill 2017
- Inquiry into the Social Services Legislation Amendment (Welfare Reform) Bill 2017
- Joint Select Committee on Constitutional Recognition Relating to Aboriginal and Torres Strait Island Peoples 2018
- Justice Cluster Miscellaneous Amendments Bill – Budget Session 2018 – Section 383 Industrial Relations Act 1996
- Justice Cluster Miscellaneous Amendments Bill 2018 (several submissions)
- Legal Aid Review of Fees
- National Children’s Commissioner Consultation

on Australia’s progress in implementing the United Nations Convention on the Rights of the Child
- National Disability Insurance Scheme Amendment (Quality and Safeguards Commission and Other Measures) Bill 2017
- NSW Civil and Administrative Tribunal – Jurisdictional issue arising from Burns v Corbett
- Proposed changes to Practice and Procedures in the Revenue List
- Proposed NSW Fair Trading Consumer Guarantee Directions Power
- Retirement Villages Regulation 2017
- Review of the Australian Solicitors Conduct Rules
- Review of the Environmental Planning and Assessment Regulation 2000
- Revised Practice Note SC CA 1
- Shaping a Better Children Protection System
- Short-Term Holiday Letting in NSW
- Statutory review of Part 3A of the Assisted Reproductive Technology Act 2007 (NSW)
- Statutory Review of the Crimes (Criminal Organisations Control) Act 2012
- Statutory review of the Terrorism (Police Powers) Act 2002 (NSW)
- Surveillance Devices Act 2007 – Police body-worn video provisions
- Suspect Targeting Management Plan
- Terrorism (High Risk Offenders) Bill 2017
- The adequacy of existing offences in the Commonwealth Criminal Code and of state and territory criminal laws to catch cyberbullying
- Treasury Laws Amendment (Whistleblowers) Bill 2017

Made with other organisations
- Cost regulation costing for motor accidents matters (with NSW Bar Association and Australian Lawyers Alliance)
- Draft Motor Accident Guidelines (August 2017) (with NSW Bar Association and Australian Lawyers Alliance)
- Motor Accident Injuries Amendment Regulation 2017 (with Australian Lawyers Alliance)
- Proposed responses to the Royal Commission’s civil litigation recommendations (with Australian Lawyers Alliance)