

21

ANNUAL REPORT 2021



THE LAW SOCIETY
OF NEW SOUTH WALES



Acknowledgement of Country

The Law Society of NSW acknowledges the Gadigal of the Eora nation, on whose land our office is located.

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ABOUT THE LAW SOCIETY

The Law Society can trace its origins back to 1842, when a small group of solicitors recognised the need “to promote good feeling and fair and honourable practice among members of the profession so as best to preserve the interests and retain the confidence of the public”.

Since then, the Law Society has been given increasing statutory powers and plays a diverse role in promoting and regulating the fair practice of law throughout NSW.

Now, more than 135 years after it was incorporated, the Law Society is the largest and most influential legal membership association in Australia.

The heart of the Law Society can be found in its motto, *omnium iura defendimus* – defending the rights of all. We support lawyers so they can defend the rule of law.

Our role is to act as co-regulator of the legal profession, ensuring solicitors meet the highest ethical and professional standards, and to serve as the representative voice of the legal profession.

We have a long, proud history of supporting, assisting, encouraging and advocating on behalf of our members.

Our responsibilities are numerous. We enhance the profession’s voice, encouraging debate, and actively drive law reform issues through policy submissions and open dialogue with government. We promote professional standards to ensure the community and the profession are well served by ethical and responsible solicitors.

We provide guidance and support to solicitors on all aspects of the *Legal Profession Uniform Law* and its associated legislation, as well as the myriad issues involved in practising law in NSW and beyond. We unite the profession, helping members stay in touch with legal developments and fellow solicitors through an unmatched range of publications, resources, events, networking opportunities, and regional law societies.

Welcome to the Law Society of NSW.



2021 Opening of Law Term Dinner
Photographer: Chris Gleisner

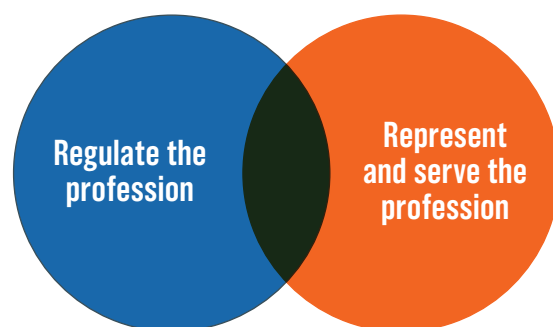
VISION

- To lead the profession
- To serve members
- To ensure a just legal system

MISSION

- Undertake activities and services determined by the needs and welfare of members
- Effectively represent the profession at government and community levels
- Ensure a competitive national profession
- Ensure the community is served by ethical, competent and independent legal practitioners
- Ensure the community has reasonable and affordable access to justice
- Advocate for ongoing reform of the law and the legal system

WHAT WE DO



Regulate the profession: Endowed with co-regulatory duties with the Office of the Legal Services Commissioner, we promote professional standards, license solicitors to practise, investigate complaints and administer discipline to ensure that both the community and the profession are properly served by ethical and responsible solicitors.

Guide the profession: We provide confidential guidance to solicitors about all aspects of the *Legal Profession Uniform Law* and its associated legislation. To complement assistance across sensitive ethical and compliance issues, we also help solicitors comply with their professional development obligations.

Enhance the profession's voice: We act as the voice of the legal profession, representing the interests of more than 31,000 members. We encourage debate and actively drive law reform issues through policy submissions and open dialogue with governments, parliamentary bodies and the courts.

Unite the profession: We unite the profession, helping members across the state stay in touch with legal developments and with fellow solicitors through a range of publications, mentoring, professional development and networking opportunities and regional law societies.

Support members: We provide a wide range of services to our members to assist them in their professional and personal lives so they can provide better service to their clients and uphold the integrity of the profession.

Connect the profession and the community: We promote access to justice and ensure the general public can be easily connected to members of the profession when they require legal advice.

STRATEGIC PLAN 2019–22

The Law Society's Strategic Plan underpins the organisation's focus on fulfilling its regulatory functions, driving law reform and legal policy and providing services and support to the profession.

REGULATION

High professional standards and integrity within the profession

- **Support solicitors** to maintain the highest levels of ethical and professional standards, improving services for clients and the community
- **Undertake regulatory functions fairly and without bias**, promoting community and government confidence in the NSW regulatory framework
- **Help practitioners meet their regulatory obligations** by providing education and assistance in the areas of ethics, costs and regulatory compliance
- **Engage with other regulatory authorities** to ensure the ongoing success and efficacy of the NSW co-regulatory framework while maintaining the independence of the legal profession
- **Support the adoption of uniform legal profession legislation nationally** and advocate for regulatory legislative improvements when required
- **Support law practices seeking to draw on the experience of foreign lawyers**, including by advocating for appropriate changes to the regulatory framework, and promote international market access for NSW solicitors

ADVOCACY

Leadership in law reform and the rule of law

- **Promote and protect justice and the rule of law**, preserving the integrity of the legal system
- **Drive law reform and legal policy** in Australian and international arenas
- **Provide expert and technical assistance to government and Parliament** in the development of legal policy
- **Engage and empower the legal profession** via the Law Society's advocacy work
- **Educate and inform the community** about the law and legal issues, including the importance of the rule of law
- **Advocate for a well-resourced and accessible justice system**
- **Promote the value of the pro bono work the profession undertakes**
- **Advocate for regulatory policy and legislation which is accessible** and workable for members of the community and the solicitors advising them



VALUE

Excellence in service to
the profession

- **Communicate effectively with the profession** via multi-media channels catering to the diverse needs and preferences of all practice segments
- **Provide extensive, timely and varied content to educate, inform and inspire lawyers** at all stages of their careers, and support them in meeting compliance obligations
- **Facilitate networking opportunities** to sustain a strong community of lawyers linked by collegiality, mutual support and a foundational respect for the rule of law
- **Drive dialogue around and support services for the profession's wellbeing requirements**
- **Develop market- and thought-leading CPD**, conferences and events to support the profession's educational needs
- **Facilitate access to lifestyle and practice products** and services to assist members
- **Provide reliable and accessible practice and professional support services** for all practitioners

SUSTAINABILITY

A relevant and
viable association
for the profession

- **Help practitioners to adapt and innovate in the face of change affecting the profession**, including by exploring new types or ways of delivering legal services
- **Pursue opportunities for collaboration with professional, academic and other Australian and international organisations** which share the Law Society's objectives
- **Promote the profession as one of distinction**, actively demonstrating its value and contribution to the community
- **Champion diversity and inclusion in legal practice** by supporting attraction and retention strategies and reporting on the demographics of the profession
- **Maintain an internal culture that reflects the values of the profession**, including advocacy for the rule of law and professional integrity
- **Diversify revenue streams** through the growth of existing and the introduction of new services beyond those currently offered to our members
- **Ensure ongoing financial strength and viability** through increased operating efficiency, prudent investment and strategic resource allocation, and continued improvement in governance and risk management processes



2021 International Women's Day Breakfast

YEAR IN REVIEW

July 2020

- 6 Solicitor Outreach Service (SOS) launched
- 8 FLIP Buzzwords: Strategy
- 14 FLIP Microsoft Training: WorkingSm@rt with Outlook
- 23 FLIP Microsoft Training: WorkingSm@rt with Teams
- 28 Mindfulness: Resilience and Mental Wellbeing

August 2020

- 4 Mindfulness: Mindful Relationships
- 11 In-House Corporate Lawyers Forum: National Pro Bono Target
- 11 NSW Young Lawyers Sexual Harassment Bystander Intervention Training
- 17 General Counsel Forum
- 19 Online Courts and the Future of Justice with Richard Susskind OBE
- 26 AIJA Conference Weekly Series (until 30 Sep)

- 31 Sonja Stewart joins as CEO of the Law Society

September 2020

- 1 FLIP Stream: Change Leadership for Small Law Firms
- 3 FLIP: Managing Technology and Data Risk
- 7–11 Government Solicitors Conference Week
- 22 Elimination of Sexual Harassment in the Legal Profession
- 30 FLIP Buzzwords: Internet of Things

October 2020

- 12 Charles Xuereb Oration – Mental Health and Wellbeing in the Law
- 17–18 NSW Young Lawyers Administrative Law Moot
- 23 Rural Issues Conference
- 26 Annual Members Address
- 27 Staying Well in the Law: Life as a High-Performance Lawyer

November 2020

- 3 *LSJ* Awarded Association Publication of the Year, and Cover of the Year, at the Mumbrella Publish Awards
- 4 NSW Young Lawyers State of the Profession Address
- 5 Celebrating Marriage Equality
- 10 Staying Well in the Law: Managing Stress for Sustained Performance Over Time – Part 1
- 13 FLIP Virtual Regional Roadshow
- 13–14 NSW Young Lawyers Annual Assembly
- 17 In-House Corporate Lawyers Forum: Modern Slavery
- 23–27 Specialist Accreditation Week
- 30 General Counsel Forum



2020 Charles Xuereb Oration –
Mental Health and Wellbeing in the Law



2021 Opening of Law Term Dinner



2021 International Women's Day Breakfast



2021 Thought Leadership event

December 2020

- 3 International Disability Day: Creating a Disability Confident Workplace
- 8 Thought Leadership Series: Religion and Reform
- 8 Staying Well in the Law: Life Hacks to Manage and Prevent Burnout – Part 2
- 9 FLIP Buzzwords: Working From Home
- 10 NSW Young Lawyers Bla(c)k Lives Matter: Implications for the Human Rights of First Nations Peoples in Australia

January 2021

- 18 Staying Well in the Law: Mental Health Awareness

February 2021

- 3 Opening of Law Term Dinner
- 8–11 Opening of Law Term Religious Services
- 24 FLIP Buzzwords: Multidisciplinary Practices

March 2021

- 1 General Counsel Forum
- 16 International Women's Day
- 17 Staying Well in the Law: How to Deal with Years Like 2020 – What We Can Learn From Firefighters
- 23 In-House Corporate Lawyers Forum: Social Media Risk and Opportunity – What to do From a Legal Perspective
- 26 Sydney Law Careers Fair
- 31 Thought Leadership Series: Climate Change – An Emerging Role for Legal Practitioners

April 2021

- 13 Staying Well in the Law: Talking Differently About Grief
- 28 FLIP Roadshow: Parramatta

May 2021

- 3 NSW Young Lawyers Sexual Harassment Bystander Intervention Training

- 4 NSW Young Justice Program
- 12 Staying Well in the Law: Assessing and Changing our Relationship with Alcohol
- 18 In-House Corporate Lawyers Forum: Lawyers as a Cultural Moral Compass – When the Right Thing To Do is The Only Thing To Do
- 21 Golden Gavel
- 28 FLIP Roadshow: Orange

June 2021

- 2 Staying Well in the Law: Understanding and Managing Perfectionism
- 5 NSW Young Lawyers Mid-Year Assembly
- 23 An Update from Legalsuper
- 30 FLIP Buzzwords: Process Improvement

PRESIDENT'S REPORT

The 2020–21 reporting period was again disrupted by the global COVID-19 pandemic and the ongoing impact of the virus on all facets of society.

In 2021, I have focused on supporting the state's 36,000 solicitors through the crisis and building on the work undertaken by my predecessor, Richard Harvey, in the first half of the reporting period.

During my time as President, I have sought to ensure our profession emerges from the pandemic stronger, more diverse and more inclusive. I have also sought to offer compelling thought leadership in order to achieve genuine change and to advocate for more resources for our courts and tribunals.

We are a profession that holds dearly to its traditions. But this does not mean we are resistant to change. Our profession responded exceptionally well to the extended periods of lockdown and we continue to demonstrate our willingness and capacity to adapt the practice of law for the benefit of our clients and society as a whole.

Ultimately, I believe it will be the resilience, strength and agility of our profession that will become the defining qualities of these times.

Supporting the profession

The Law Society exists to support its members and the broader community. Keeping our legal community connected and informed was an important service to our members as we dealt with the ever-changing nature of the pandemic. During the reporting period, we continued to provide important updates about the impact of the public health orders on the legal profession via Monday Briefs, the COVID-19 portal, and our "COVID-19 Update". These member communications continue to be a trusted and reliable source of information for practitioners.

Since the emergence of the COVID-19 pandemic early last year, the Law Society has frequently engaged with the Government and the Courts regarding a broad range of legal issues raised by the pandemic. We have sought to ensure that the justice system can continue to operate as efficiently and safely as possible, and we have kept at the forefront of our minds the health and wellbeing of the profession, as well as the wider community.



Our courts and tribunals were quick to transition to online hearings during periods of lockdown, and they have embraced technologies that allow remote access to justice. What remains to be seen is how we, and all involved in the administration of justice, capitalise on the innovative responses to the pandemic experience for the benefit of our clients, our practices, the broader community, and each of us as professionals. As decisions are made about which changes are temporary and which will be retained or extended, we will draw on the feedback from practitioners, gleaned from our major member survey on a post-COVID justice system. The results of surveys, undertaken as part of our FLIP Stream Research partnership with UNSW Law, will also be beneficial. I also thank the Australian Institute of Judicial Administration for hosting an enlightening discussion at our 2021 Government Solicitors Conference reflecting on the virtual courtroom during the pandemic.

Face-to-face events were the exception rather than the norm in 2020–21. While we all look forward to the day when in-person CPD and events resume without restrictions, the online format has increased access for members outside the Sydney CBD, to the point we've seen event registrations increase by 300 per cent in the past 12 months. Webinars of note were those designed to prepare the profession for two milestone events – the establishment of the new Personal Injury Commission in NSW and the commencement of the new Federal Circuit and Family Court of Australia (FCFCOA). These events played an important role in preparing the profession for important changes in the administration of justice.

We've now amassed an extensive catalogue of webinars which can be accessed through our on-demand portal on topics relating to our advocacy work, Thought Leadership, the Future of Law and Innovation in the Profession (FLIP), and health and wellbeing.

During the past 12 months, we expanded our suite of wellbeing services, support and resources for the profession. Our new Staying Well in the Law Series, which provides practical and skills-based webcasts, training and resources to help practitioners and their teams stay well, has been a huge success. The webcasts covered topics such as burnout, dealing with perfectionism, grief, and coping with change and uncertainty. They attracted record registrations.

Creating a more diverse and inclusive profession

As a Law Society, we aim to lead, encourage, and provide our members with the best possible resources to achieve genuine change. This year, I have championed Law Society initiatives to create a more diverse and inclusive legal profession, one that will be better able to serve our state's vibrant and diverse community.

Our 2020 National Profile of Solicitors revealed that 53 per cent of all Australian solicitors are female and, for the first time, women solicitors outnumber their male counterparts in all states and territories. The release of this data underscores the importance of ongoing initiatives focusing on the advancement of women in the legal profession.

In 2021, I launched a refreshed Charter for the Advancement of Women in the Legal Profession. The Charter now contains new provisions to prompt signatories to establish procedurally fair and transparent sexual discrimination

and harassment complaints processes, prompting hundreds more law firms and legal practices to sign the Charter. The Law Institute of Victoria has since adopted our Charter, making it available to all Victorian firms, practices and their teams. This development means that law firms and legal practices across two states, representing nearly 70 per cent of our nation's solicitors, can become a signatory to the Charter.

We also launched a new portal on the Law Society website which deals solely with the issue of sexual harassment in the legal workplace. This portal is an important element of our ongoing work to eliminate disgraceful and unacceptable behaviour in the workplace. The portal has been well received by the profession, as has our new CPD workshop dealing with sexual harassment in the workplace and workplace culture. We also released a new workplace guide to help NSW law firms and legal practices identify and eliminate discrimination and harassment in recruitment and employment practices in the workplace. It also contains model anti-discrimination and harassment policies, which can be adapted by law firms and legal practices.

I firmly believe our profession needs to reflect the community we serve. Not only do we need to retain and accelerate women in the profession, we must ensure equality of opportunity for all members of the profession, regardless of race, ethnicity, heritage, gender, age, religion, disability, or sexual orientation – which means we all need to continue to work collectively, as a profession, to find ways to create more diverse, inclusive workplaces where everyone feels safe, secure and supported. At the time of writing, we were in the process of launching our new Cultural Diversity Guidance for legal workplaces.

Future-proofing our profession

During the reporting period, we continued with our extensive FLIP initiatives and FLIP Stream research. The FLIP Program continues to shine a light on the most significant trends, issues and emerging opportunities lawyers in Australia face today. We were fortunate during the reporting period to be able to hold our FLIP Regional Roadshow events in person at Parramatta and Orange in the Central West. These roadshows provided our members with low-cost, innovative and sustainable solutions to improve their practice. Our FLIP Behind the Buzzwords bi-monthly series continued in the online format, exploring topics of relevance to the profession, including dealing with the challenges of the pandemic experience. Again, they attracted record attendances. We have some exciting new offerings in the pipeline including FLIP Tech

Face-to-face events were the exception rather than the norm in 2020–21 ... the online format has increased access for members outside the Sydney CBD, to the point that **we've seen event registrations increase by 300 per cent in the past 12 months.**



PRESIDENT'S REPORT

Tools, a new virtual learning and training series exploring various categories of technology and innovation. Our flagship annual FLIP Conference will return in October 2021 as an online event. The program will showcase the best legal service delivery, marketing, and collaboration solutions shaping the practice and business of law in Australia today.

Access to justice

The Law Society serves a critical role in providing high quality, intellectually rigorous and highly respected submissions to government on matters of key significance in our communities.

One of the rewarding aspects of being involved with the Law Society is the extensive policy work we undertake through our 20 specialist policy and segment committees. This is important work that helps shape debate about legal reform in our state, uphold the rule of law and ensure access to justice for all. Our regular submissions and public statements would not have been possible without the contribution of the hundreds of solicitors who volunteer their expertise and time serving on the Law Society's policy and regulatory committees. This involvement is an important facet of the volunteer work we undertake for the benefit of our communities and society in general. I am proud of the significant achievements stemming from our advocacy work. It is a credit to our committee members, supported by our Policy and Practice department, that more than 200 submissions were made during a period of significant regulatory and policy change.

Significant submissions included law reforms relating to sexual assault consent laws, coercive control, raising the age of criminal responsibility, the national framework for interoperability in conveyancing, religious discrimination and the development of a property tax in NSW.

Ongoing engagement with the NSW Government, supported by a concerted media campaign, resulted in a \$56.1 million funding boost over four years to appoint eight new magistrates and increase resources for prosecutors and Legal Aid NSW. This funding will bring much-needed resources to reduce delays in the Local Court, particularly in regional areas of the state.

After many years of campaigning on behalf of the profession, we welcomed the NSW Government's decision to expand the specialist Drug Court to Dubbo. The Law Society has publicly encouraged the expansion of the Drug Court and other diversionary programs for some time.

Expanding the Drug Court to a major regional NSW centre was also one of the recommendations of the Special Commission of Inquiry into the Drug Ice.

Eighteen months after launching a community-backed campaign for a multi-purpose justice precinct in Sydney's south west, we welcomed a joint announcement from the Federal Government, NSW Government and Campbelltown City Council detailing a \$1 million business case investigating the potential development of a community and justice precinct in Campbelltown. Our campaign involved a joint alliance with local councils, regional law societies, the NSW Bar Association, the NSW Police Association, the Women's Domestic Violence Court Advocacy Service (WDVCAS), Macarthur Legal Centre and the Greater Sydney Commission. We look forward to continuing to engage with all levels of government on the outcomes of the strategic business case to ensure access to justice for those living in Australia's fastest growing region.

Thought leadership

The Law Society exists to not only champion the profession, but to challenge it; to draw our members' attention to emerging issues that will impact their practice and to highlight developing legal issues. One of the ways we do this is through our very successful Thought Leadership program. During the reporting period, we held compelling panel discussions on Climate Change and the Law, Religious Freedom, and a NAIDOC Week-inspired "Conversation with Professor Megan Davis" on the Uluru Statement from the Heart. The Law Society and NSW Young Lawyers also launched a Joint Policy Statement on the Uluru Statement from the Heart during NAIDOC Week.

Raising the profile of our profession

One of my key priorities this year was to engage with as many practitioners as possible from all corners of the state, to listen to the profession, advocate for their needs, and to share and promote the good work they undertake in their local communities. Before the 2021 COVID-19 lockdown, I had the opportunity to meet with suburban and regional practitioners in a number of locations including Albury, Ballina, Bowral, Campbelltown, Coffs Harbour, Goulburn, Grafton, Griffith, the Illawarra, Newcastle, Nowra, Orange, Parramatta, Port Macquarie and Moruya. The extent and type of community work our profession undertakes voluntarily, including pro bono legal work, continues to amaze me. When it comes to pro bono and other unpaid legal work, the 2020–21 NSW

RECOGNISING MEMBERS



From left to right: 2020 President's Medal winner **Peter Rosier**, with **Ruth Pollard** (not pictured) highly commended; 2020 John Hennessy Legal Scholarship winner **Sarah Wyatt** and 2020 Michelle Crowther PSM Excellence in Government Legal Service Award winner **Emma Langton**.

Practising Certificate Survey revealed that around 41 per cent of respondents reported conducting pro bono, unpaid or voluntary work as a legal practitioner in the previous year. On average, they reported having provided 62 hours of service a year, which equates to approximately eight working days per practitioner. Across all respondents, more than 550,000 hours were reported to have been undertaken in the 12 months prior to the survey.

President's charity

My charity for 2021 was the Dementia Australia Research Foundation, the research arm of Dementia Australia. Dementia affects close to half a million Australians and that number is set to double in the next 25 years. Like many Australians, I have witnessed the devastating impact this disease has on those who are living with dementia and those caring for someone living with dementia. Investing in research into dementia will ultimately help minimise its impact in the future. It was a privilege to use my time as President to raise awareness of this misunderstood disease and raise vital funding for research. My thanks to the profession for their support and donations, and to the Law Society for providing this opportunity. It means the world to me.

Conclusion

Faced with circumstances well beyond our control, our profession continues to demonstrate its willingness and capacity to adapt the practice of law for the benefit of the clients we serve and society as a whole.

I particularly want to acknowledge and thank the 2020 President, Richard Harvey, for his leadership and steady resolve during the first half of the reporting period. His leadership when the pandemic first hit Australian shores helped inform our ongoing response. My sincere thanks to the entire Law Society team, led by the Chief Executive Officer Sonja Stewart, for their incredible expertise, support and tireless work supporting our profession. Thank you to the Law Society Councillors, the members of our many committees, and the Regional Law Society Presidents for their much valued contribution in 2020–21.

Our Law Society is a wonderful institution which exists to serve the solicitors of NSW, to amplify their voices, to develop policy and advocate for change for the betterment of society, and to offer leadership and support to every solicitor in this state. Under my predecessors, we have earned the trust of government and the respect of our fellow citizens, which is reflected in our list of statutory powers. As a co-regulator, we ensure solicitors understand their responsibilities to the courts and their fellow citizens and help them meet the very highest ethical and professional standards.

It has been a privilege to be a part of this organisation, and never more so than as President.

A handwritten signature in black ink, appearing to read 'Juliana Warner'.

Juliana Warner
President

CEO'S REPORT

I am very pleased to present my first Annual Report and acknowledge my predecessor, Michael Tidball, and the considerable legacy he left, as well as Kenneth Tickle, our Chief Operating Officer, who acted as CEO during the transition period and greatly assisted me in the onboarding process.

Since my commencement in late August 2020, I have learnt from the Presidents, Councillors, the 36,000-strong NSW legal profession, and our dedicated staff the importance of the Law Society's vision and the many and varied ways we work hard to deliver on leading the profession, serving our members, and ensuring a just legal system.

Financial performance

While the Law Society group, which includes Lawcover Insurance, has reported a \$2.4 million deficit for the 2020–21 financial period, we nevertheless finish the year in excellent financial shape. The deficit was the direct result of the decision to reduce membership fees to \$10 for the 2020–21 practising year. This one-off measure was taken to provide immediate support to our members by allowing this cost saving to be directed toward areas of more pressing need during the COVID-19 crisis, while at the same time ensuring that members could continue to rely on the services and assistance the Law Society provides.

The investment portfolios of the Law Society parent entity and Lawcover Insurance have delivered favourable returns over the past 12 months, which were both a significant improvement over the investment performance experienced by each entity during the prior year.

The Law Society group continues to maintain its strong financial position with net assets of \$268.6 million at 30 June 2021. It is pleasing to report that Lawcover's capital base remains considerably above the minimum amount required by the Australian Prudential Regulation Authority and also the average level across the general insurance industry.

Additional information on both the Law Society and consolidated group financial results can be found in the Treasurer's Report and concise financial statements.



Legal policy and representation

Despite the many challenges of operating in an environment affected periodically by COVID-19-related restrictions, the Law Society's advocacy work continued largely without interruption. While many submissions were made to Government and the Courts regarding the challenges of COVID-19 restrictions, and seeking reforms to ensure the profession was able to discharge its duties to clients and the courts as efficiently as possible, we continued our engagement with a range of law reform issues, including the development of a national framework for interoperability in e-conveyancing, the development of a property tax in NSW, and reform of the law in the areas of consent in sexual assault, and coercive control.

We worked closely with the Government and the inaugural President of the new Personal Injury Commission, assisting to develop the legislation and rules that will govern the operation of the Commission, and played a similar role, with the Law Council of Australia, in shaping the future operation of the Federal Circuit and Family Court of Australia.

The Law Society also showed leadership in a number of areas over the financial year, including updating and re-launching the Charter for the Advancement of Women, and associated guidelines, updating our Workplace Guide and Model Discrimination policies, hosting a Thought Leadership event on Climate Change and the Law, and releasing a joint policy statement with NSW Young Lawyers supporting the implementation of the Uluru Statement from the Heart.

Continuing Professional Development

The Law Society's Professional Development team supports the Continuing Professional Development (CPD) needs of the legal profession in areas of compliance and ethical responsibilities. Our CPD program is one of the largest in Australia and is accessible via our LawInform portal, which is unique in providing a free CPD units tracker for members. Over the past year, the Law Society has delivered hundreds of CPD offerings across all four mandatory knowledge areas. Courses this year have included hot topic webinars, virtual workshops, and our three-day Practice Management Course in addition to our suite of eLearning modules. 2021 also saw us introducing two important new specialty offerings to the profession: Mental Health First Aid for the Australian Legal Profession, an initiative with Mental Health First Aid Australia, and Sexual Harassment – Changing Workplace Culture, delivered under licence from the Queensland Law Society.

In addition to our regular CPD offerings, the Professional Development team also holds three annual conferences to meet the needs of different membership segments, which will again be delivered online this year. On 5 August 2021, the Law Society hosted the Specialist Accreditation Conference delivering topics in six specialist streams. It provided delegates with 10 CPD units of substantive law in their area of specialisation – business law, employment and industrial law, family law, property law, personal injury, and wills and estates. The Law Society's Specialist Accreditation peer assessment program enables practitioners to gain recognition as experts in their chosen area of practice. Currently, there are over 1,600 Accredited Specialists across 17 areas of law.

Since my commencement in late August 2020, I have learnt from the Presidents, Councillors, the 36,000-strong NSW legal profession, and our dedicated staff the importance of the Law Society's vision and the many and varied ways we work hard to deliver on leading the profession, serving our members, and ensuring a just legal system.

The annual Government Solicitors Conference, held in September 2021, provides practitioners with an extensive program of online sessions and panel discussions that can be watched online in real time or on demand. The Rural Issues Conference, held every year in October, includes seminars on topics that are uniquely relevant to regional and rural practitioners.

The NSW Mentoring Program has grown organically since 2008 to cover three groups: early career lawyers, graduates and women. The programs have all increased in size year on year, and the 2021 mentoring cohort has more than 400 participants.

Professional standards

The Law Society continues to exercise its functions as a co-regulator of the NSW legal profession, consistent with the principle of taking responsibility for ensuring the highest ethical and professional standards. We continue to engage with the profession in this function and play a leading role with other regulators around the country to strengthen our regulatory environment. During the reporting year, the Law Society substantially improved its performance in dealing with complaints with a number of matters resulting in successful disciplinary outcomes.

Future of Law and Innovation in the Profession

The Law Society plays a leading role in mediating technology-related change through relationships with our members, the profession, the public and government. Over the past year, the historic changes to the way we work have significantly impacted solicitors, their clients and society. Our intention with the Future of Law and Innovation in the Profession (FLIP) Program is driven by the need to support the entire profession as it adapts to technological and innovation advancement, shaping how legal services are delivered.

As part of the Law Society's five-year FLIP Stream collaboration with UNSW Law & Justice, we released the findings from the 2020 annual research on "The Sustainability of Law and Lawyers". These include primers on "Legal Design" and "The Future of Legal Costs and Legal Fees". The FLIP Buzzwords Series held bi-monthly panel sessions on strategy, the internet of things, working from home, multidisciplinary practices, and data and process improvement.

The popular FLIP Regional Roadshow, targeted to our regional and suburban members, was provided on-demand



2020 Government Solicitors Awards
Photographer: Chris Gleisner

online in December 2020 and as in-person events at Parramatta and Orange in 2021. In the absence of the annual FLIP Conference, we have held a range of additional online sessions and series, offered to members for free: change leadership for small law, online courts, managing technology and data risks in the post-COVID-19 world, Microsoft training, and mindfulness.

During this period, we have reached over 7,000 registrations across the FLIP events. Moreover, we continued to evolve the FLIP portal, which is an important part of the Law Society's website.

NSW Young Lawyers

NSW Young Lawyers continued to support its community of students and early career solicitors through a wide variety of flagship events, submissions, and publications. Continuing to adapt to a COVID-19 operating environment, NSW Young Lawyers have hosted a large number of initiatives including webinars, virtual networking opportunities, and online monthly practice area meetings.

NSW Young Lawyers welcomed Justice Lucy McCallum, the 2020 Young Lawyers Patron, who delivered the annual State of the Profession Address in late October 2020 on "Isolation and resilience: maintaining professionalism and collegiality in the year of the pandemic". In mid-2021, NSW Young Lawyers hosted their Mid-Year Assembly, providing a valuable opportunity for our Young Lawyer

Despite the many challenges of operating in an environment affected periodically by COVID-19 related restrictions, the Law Society's advocacy work continued largely without interruption.

volunteers from around the state to come together for networking, planning and professional development. The event featured a keynote delivered by 2021 Patron, Professor Megan Davis, and included sessions on mental health and legal design thinking.

The graduate team implemented and held new and existing events in the reporting period, moving many programs online in light of COVID-19. The annual NSW Law Careers Fair was held at the ICC Sydney, with a diverse range of employer exhibitors from small, mid and large private practice firms, corporate in-house teams, government departments, legal publishing houses and lawtech start-ups – all designed to give students a better understanding of the many career paths available to them. More than 1,200 students registered to attend the in-person event. The Graduate and Clerkship program ran on LegalVitae, with 17 law firms advertising a graduate or clerkship position.



11,896

referrals to members of the public seeking access to legal services were made by the Solicitor Referral Service



602

applications received by the Pro Bono Scheme



200+

submissions were made on major law reform issues



145

CPD courses were delivered during 2020–21

The Mock Law program continued to provide a valuable learning opportunity for high school students with 1,300 students from 168 high schools participating. In addition, the Young Justice program held a physical session in May, taking place at the Supreme Court of NSW and the Law Society's office. In total, 46 high school students from across Greater Sydney attended and took part in a careers panel, legal literacy workshop and sentencing workshop.

Engaging with the profession

The 2020–21 year saw strong engagement maintained across our website and primary publications, including Monday Briefs, *LSJ*, and COVID Update. We also launched a new podcast series, Just Chat, which has recorded a steady increase in subscribers since its debut

at the 2020 Government Solicitors Week. We were very proud to see *LSJ* awarded Member Organisation Publication of the Year for the fourth year in a row at the Mumbrella Publish Awards in November. The team also won Cover of the Year in the business magazine category. With COVID seemingly under control, we managed to hold several face-to-face events in early 2021, and it was exciting to be able to bring our members together again. We saw event engagement soar through strong communications, excellent speaker engagement, and some very relevant topics, with attendance surpassing previous years.

Access to justice

The demand for pro bono services continues to be strong in the reporting period, with many vulnerable and disadvantaged people turning to the Law Society for help. The Law Society's Pro Bono Scheme received 602 applications between 1 July 2020 and 30 June 2021 and 285 of those applications were afforded pro bono legal assistance, with most applications relating to family law, followed by criminal law, and wills and estates. There is an ongoing demand for the Law Society's Solicitor Referral Service, which provided a total of 11,896 referrals to members of the public seeking access to legal services in the reporting period.

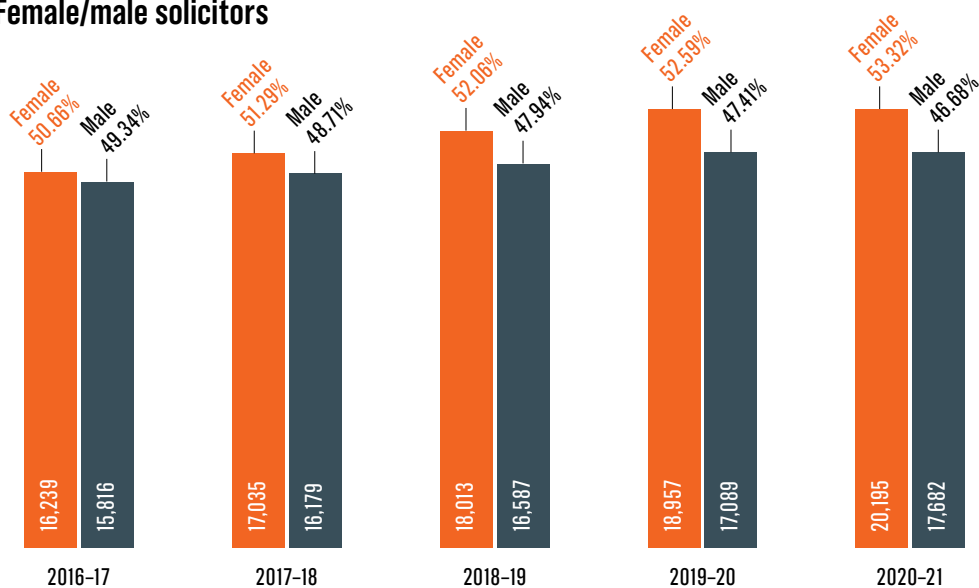
In reporting on the considerable achievements of the Law Society during an unprecedented year, my thanks go to Presidents Richard Harvey and Juliana Warner – your hard work and passion for the NSW legal profession is nothing short of infectious and, as an incoming CEO, I have greatly appreciated and benefited from your expertise.

While the financial year, as is the case for most organisations home and abroad, is defined by the COVID-19 pandemic, the Law Society has continued to serve and represent the interest of the NSW legal profession and significantly contribute to legal reform and access to justice. We look forward to learning from our experiences, listening to our members, and emerging into the new financial year that will be 180 years since a small group of solicitors recognised the need “to promote good feeling and fair and honourable practice among members of the profession so as best to preserve the interests and retain the confidence of the public”.

Sonja Stewart
Chief Executive Officer

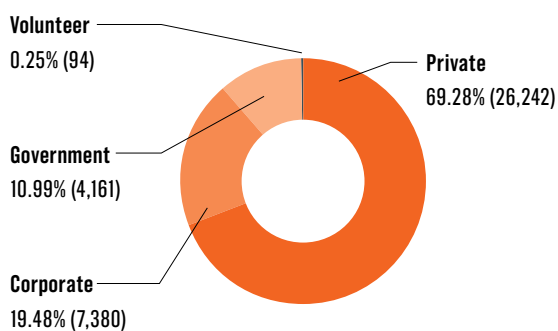
PROFILE OF THE PROFESSION

Female/male solicitors

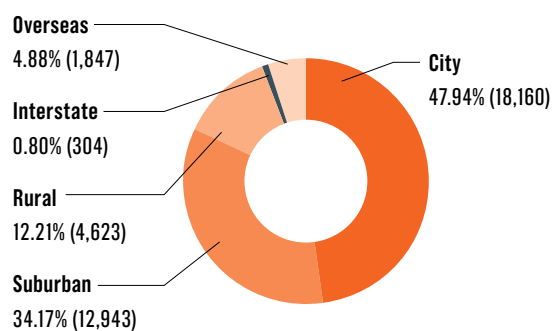


This snapshot of the profession reflects data from the Law Society Registry on 30 June 2021.

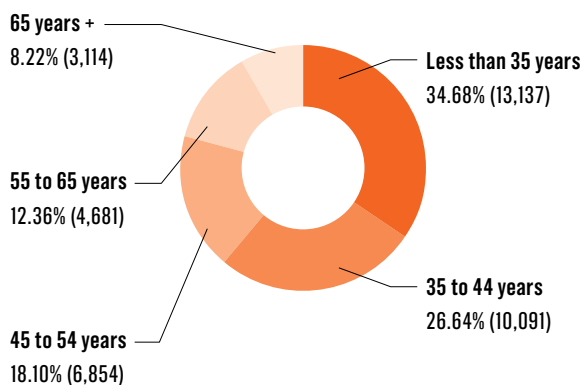
Category of solicitors



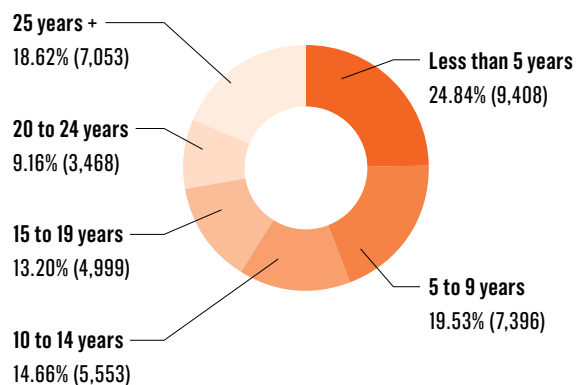
Location of solicitors



Age of solicitors



Experience of solicitors



550
complaints opened

Against firm
34

Against individual
516

Closed – 611

Total onhand complaints as of
1 July 2020 – 770
30 June 2021 – 714

Major complaint categories

Category	Count
Cost/Payment Issues	166
Personal Conduct	117
Non-Compliance	115
Communication/Services	77
Trust Account Matters	41
Competence and Diligence	17
Other	17

Complaints opened, by practitioner's area of law

Area of Law	Count
Commercial Law	137
Conveyancing/Real Property	116
No Area of Law	65
Criminal Law	52
Commercial Litigation	48
Family Law	34
Administrative Law	21
Banking/Finance	21
Employment/Industrial Law	16
Litigation/General	15
Debts/Insolvency	8
Personal Injury	5
Civil Litigation	3
Wills & Estates	3
Immigration Law	2
Intellectual Property	2
Environmental Law	1
Small Business	1

Complaints opened, by solicitor type

Solicitor Type	Count
Principal of a law practice	362
Employee of a law practice	95
Not Practising	47
Law Practice	34
Government Legal Practitioner	9
Corporate Legal Practitioner	3

Complaints closed, by disciplinary outcomes

2019-20

Outcome	Count
PCC – UPC/Caution	1
PCC – UPC/Reprimand	10
Referral to NCAT	6

2020-21

Outcome	Count
PCC – UPC/Caution	11
PCC – UPC/Reprimand	12
Referral to NCAT	2

Complaints opened, by type of complainant

Complainant Type	Count
Third Party (Other Side)	160
Third Party	152
Solicitor	83
Client/Formal Client	80
Barrister	23
Solicitor on behalf of Client	17
Law Society	10
Beneficiary	10
Other	9
Government Dept	3
Legal Aid Commission	1
Judge	1
NSW Legal Services Commissioner	1

Litigation outcomes

Outcome	Count
Finding of PM	9
Roll removal recommended	1
Reprimand/Fine	4
Reprimand/PC Conditions	1
Reprimand/Education	2
Awaiting orders	1

Finding of UPC	Count	Other
Reprimand/Education	1	Lay disqualification order
Reprimand	1	Disciplinary matter - withdrawn
Caution	1	Review of s299 decision - upheld

2019-20 Roll removal 2

PM – professional misconduct

LAWCOVER CEO'S REPORT

I am delighted to deliver my first Lawcover Insurance report for the 2021 Law Society Annual Report.

The year ended 30 June 2021 has been characterised by the ongoing challenges of the pandemic. Importantly, Lawcover has continued to provide its professional indemnity insurance (PII) and claims prevention activities without notable impact, thanks to the efforts of our dedicated Lawcover team in delivering an effective business continuity plan. While the duration of the pandemic and its long-term effects remain to be seen, we are pleased to have been able to provide ongoing premium relief and financial hardship assistance to those of our insured law practices who need it.

Pleasingly, continued positive outcomes on claims and significant participation by the profession in our Risk Management Education Program, has seen Lawcover end the financial year in a strong position. New online education programs, developed in response to the pandemic's impact on practices, are proving very popular with lawyers and it is very satisfying to note that we continue to be rewarded with high customer satisfaction ratings.

Regardless of the circumstances under which we must operate, Lawcover continues to focus on delivering the best possible value to our insured law practices. Our value proposition remains focused on these six key areas:

- **Inform** – create awareness through effective media channels
- **Support** – provide assistance through practice support services, claims management and advice
- **Protect** – deliver ongoing security through a broad PII policy backed by financial strength
- **Engage** – implement risk management and claims prevention programs and workshops
- **Connect** – utilise online facilities to make interactions quicker and more efficient
- **Participate** – champion the interests of the legal profession within the insurance environment.

Lawcover's purpose extends beyond the provision of professional indemnity protections. As a wholly-owned, but independent, subsidiary of the Law Society of NSW, we are a part of the legal profession and are highly motivated to fulfill our obligation to serve the best interests of the profession as well as those who use its services.



Our mandate is to seek appropriate outcomes in the management of claims arising from allegations of negligence, not only through the rigorous defence of unmeritorious claims but also the quick and fair compensation of legitimate claims.

Financial performance

The financial results for the year ended 30 June 2021 were pleasing in the face of the challenges of the pandemic. The company has delivered a modest pre-tax profit for the year of \$1.3 million.

Lawcover's Board and Executive continues to focus on targeted 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 and the objectives of our sustainable premium strategy
- Managing the company's investment strategy to ensure an appropriately balanced portfolio within the company's risk appetite
- Maintaining appropriate levels of reinsurance protection

Our focus is to provide certainty, stability, availability and affordability of insurance.

The company's regulatory capital as at 30 June 2021 was \$158 million, well above APRA's minimum requirement.

Premiums and cost of insurance

Keeping premiums affordable and sustainable is one of our business goals. The pandemic created a range of challenges for law practices this year, however Lawcover's hardship and premium relief support initiatives responded to law practices in need.

Notifications (claims and circumstances)

As the number of lawyers insured by Lawcover continues to grow at approximately 4-5 per cent per annum, over time we have seen a steady increase in reported circumstance and claim notifications. During the 2020–21 year claim notifications increased, predominantly due to cyber-attacks on law practices and in relation to Surcharge Purchaser Duty errors picked up in audits by Revenue NSW. Otherwise, notifications in other areas of practices have remained stable and low. A total of 766 notifications were received in the year to 30 June 2021 compared with 665 in the year to 30 June 2020.

Claims and circumstances at 30 June each year

	2021	2020
Circumstances	391	359
Claims	375	306
Total	766	665

Percentage of notifications – area of practice

The table on the right presents the percentages of notifications by area of practice for the year ended 30 June 2021 with comparisons to the prior year. This provides further evidence of the underlying stability of the claims portfolio.

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.

While the duration of the pandemic and its long-term effects remain to be seen, we are pleased to have been able to provide ongoing premium relief and financial hardship assistance to those of our insured law practices who need it.

Percentage of notifications – area of practice

Area of practice	% of total reported 2021	% of total reported 2020
Conveyancing	26%	41%
Litigation	31%	21%
General Commercial	9%	10%
Family Law	7%	7%
Wills & Estates	12%	7%
Mortgages & Commercial Borrowing	4%	5%
Leases	4%	2%
Sale & Purchase of Business	2%	1%
Other (including Criminal, Defamation, & Revenue)	5%	6%
	100%	100%

Summary

As this is my first report to the Law Society, I would like to acknowledge my predecessor's role in guiding Lawcover from strength to strength during his tenure. With the support of the Lawcover Board and our dedicated team, Michael Halliday made an outstanding contribution to Lawcover's success.

At the time of my appointment to the role of CEO, the pandemic had triggered many changes to the way we were providing our services and support to the profession. Nearly twelve months later, the pandemic continues to exert a major influence over nearly every industry and Lawcover has continued to successfully adapt the way we interact with our insured law practices.

Our operating model has evolved in response to extraordinary circumstances, and we have grown stronger from the experience, ready to continue our mission to provide enduring protection and maximum value for our insured law practices.



Kerrie Lalich
Lawcover Chief Executive Officer

NSW YOUNG LAWYERS PRESIDENT'S REPORT

NSW Young Lawyers represents, engages with and supports law students, law graduates, and solicitors and barristers under the age of 36 or in their first five years of practice.

NSW Young Lawyers serves and connects its students and early career practitioners not just through centrally-organised events and programs, but also through a wide variety of guest speaker and networking events provided through NSW Young Lawyers' 14 volunteer committees, each committed to promoting and networking in a different area of law.

While primarily volunteer-driven, NSW Young Lawyers could not do what it does without the support given to it by the Law Society of NSW and its team of full-time staff, including Linda Cazzolli, Manager of NSW Young Lawyers and Graduate Services; Samantha Newman, Events and Committee Coordinator; Emily Bolding, Events and Committee Coordinator; and Anwen Gardner, Graduate Services Coordinator.

Each year, NSW Young Lawyers selects a charity to support for the calendar year together with a patron. The 2021 Charity of the Year is Minds Count and the 2021 Patron is Professor Megan Davis.

Connecting during COVID-19

In 2020, NSW Young Lawyers adapted to a COVID-19 environment, delivering its events and meetings virtually, and moving to a hybrid format for meetings before the 2021 extended stay-at-home orders were introduced, at which point events returned solely online.

The flexible approach meant our communities and committees in each area of law were able to stay connected and continue to grow, and NSW Young Lawyers continued to identify and deliver services that our students and early career practitioners might need most during these challenging times.

NSW Young Lawyers had a number of wellbeing-related events during the pandemic. Starting with our Building Resilience in a Pandemic: Wellbeing Workshop with Robyn Bradey on 27 August 2020, we launched two social mindfulness events, a Paint and Sip event on 6 May 2021, and following the end of the financial year, a Kokedama Making Workshop online on 12 August 2021. We had



2021 Charity

Minds Count



2021 Patron

Professor Megan Davis

a fantastic session on Keeping Calm During COVID, delivered online by Neuropsychologist Dr Hannah Korrel on 18 August, which attracted over 250 registrations. Our Wellbeing Working Group continued to run the book club, with sessions approximately every six weeks.

There was a wellbeing collaboration between the Law Society and NSW Young Lawyers and our 2021 charity of the year, Minds Count, for the panel session entitled "In Support of R U OK? Day". On 9 September 2021, a panel of legal professionals from a variety of legal practices and paths joined the panel, moderated by Christine Morgan, Chief Executive Officer of the National Mental Health Commission.

Supporting a change in culture in law

In 2020, NSW Young Lawyers co-won the Law Council of Australia's Organisation Award for the work the Human Rights Committee had done in the project "Addressing Sexual Harassment in Australian Workplaces".

This project started in 2019 with a law reform submission and survey of young lawyers to the Australian Human Rights Commission's National Inquiry into Sexual Harassment in Australian Workplaces. Realising the importance of instituting cultural change, NSW Young Lawyers organised two Sexual Harassment Active Bystander Training sessions, which were presented by experienced sexual harassment and discrimination lawyer Trish Low. These sessions were held online and coordinated by the Executive Council's Policy Working Group, with more than 230 people participating on 11 August 2020 and 170 people registered for the 3 May 2021 session.

The Executive Council's Wellbeing Working Group collaborated with the Law Society's Diversity and Inclusion Committee to present a "Bring Your Whole Self to Work: An LGBTIQ+ Careers Panel" on Thursday 27 May 2021. The panelists discussed their journeys as professionals in small firms, large firms, in-house and policy roles and shared insights as to how they have seen the profession's attitude to being 'out' in the workplace change over recent years.

Submissions and policy work

Each year, NSW Young Lawyers contributes to both the law and the development of its membership by producing a large number of high-quality submissions. In 2020–21, NSW Young Lawyers made a total of 16 submissions (with another five in July 2021) across multiple practice areas, including on topics such as coercive control, climate change, and the high level of First Nations people in custody.

In 2020 NSW Young Lawyers co-won the Law Council of Australia's Organisation Award for the work that the Human Rights Committee had done in the project Addressing Sexual Harassment in Australian Workplaces.



Significantly, NSW Young Lawyers collaborated with the Law Society of NSW Council on the development of a Joint Policy Statement Supporting the Uluru Statement from the Heart. On 6 July 2021, during NAIDOC Week, the Joint Policy Statement was formally launched at a Thought Leadership event featuring the 2021 Patron entitled "In Conversation with Professor Megan Davis". The joint statement calls on the Commonwealth Parliament to set a timetable for a referendum on the constitutional entrenchment of a First Nations Voice to Parliament as a matter of priority.

Career growth and professional development

Every one of NSW Young Lawyers' committees provides a range of offerings to its members to assist them in developing their skills and networks within the profession. This is not only done through standalone educational events, but at every one of our committees' monthly meetings, which offer guest speakers and legal updates to benefit our participants.

In conjunction with Unisearch, NSW Young Lawyers hosted the "New Normal Reset for Young Lawyers" webinar on 9 June 2021 about navigating and optimising WFH and hybrid work environments. The Workplace and Safety Law Committee presented its Networking and Recruitment Panel in April 2021 at Marque Lawyers.

The Criminal Law Committee ran its successful full-day Advocacy Training CPD Seminar in May 2021.

The Business Law Committee ran a successful Professional Skills Series in 2020, including a seminar on 11 November 2020 on "Drafting and Enforcing Indemnity Clauses in Commercial Contracts" presented by Andrew Andreyev, Principal Solicitor at Andreyev Lawyers, and Nicholas Bentley, barrister at New Chambers.

Publications

NSW Young Lawyers publishes a number of publications, including in particular its "practitioners guide" series, offering practical guidance in various areas of law, targeted at the needs of early career practitioners. In July 2020, we published the newest of these practitioner guides, the *Guide to Appeals from the NCAT*, which was launched by Judge Susanne Cole, Deputy President of the NCAT. The Animal Law Committee launched a fact sheet on NSW Young Lawyers Companion Animals and Apartments in July 2020.



Regional connections

In addition to our 14 regular committees, our Bushweb Regional Issues Committee continues to coordinate links across the state between young lawyer representatives from Regional Law Societies and NSW Young Lawyers.

Student connections

NSW Young Lawyers also convenes the Special Committee of Law Student Societies (SCLSS), which is made up of the President (or delegate) from each of the law student societies from each university in NSW, and the President of NSW Young Lawyers. This committee provides a forum to connect those law student societies with each other and with NSW Young Lawyers, and to collaborate on intervarsity competitions and initiatives such as the Student Golden Gavel, this year won by Lucia Mai from UTS.

Competitions

The NSW Golden Gavel comedic public speaking competition has long been a flagship event in the legal profession. Delivered in person at the Fullerton Hotel on 21 May 2021, the event attracted over 400 members from across the legal profession for a morning of laughs and connecting. Olivia Irvine was the overall winner as selected by our judging panel, and Oliver Moore took out the coveted People's Choice Award. Olivia will now move on to represent NSW in the National Golden Gavel competition.

The 2020 Sir Anthony Mason Constitutional Law Essay Competition was won by Mikaela Smith with the topic a discussion of the case *Love v Commonwealth* [2020] HCA 3.



NSW Young Lawyers Mid-Year Assembly Gala Dinner. L'Aqua, Cockle Bay



NSW Law Career's Fair – International Convention Centre, Darling Harbour

NSW Young Lawyers provides a space for students and young lawyers to develop their skills, support one another, and grow into the profession's future leaders.



The inaugural Administrative Law Moot was held on 11-12 September 2020, with the moot problem about the automation of government decision making, and the winner was Olivia Irvine.

The NSW Young Lawyers Patron Awards recognise exceptional contributions by our members and volunteers to the legal profession and the community. The winners in 2020 were:

- **Community:** Climate Change and the Law Project. This campaign consisted of contributions from the NSW Young Lawyers Human Rights, Environment and Planning Law, and International Law Committees.
- **Professional Project:** Business Law Committee's Professional Skills Series
- **Young Lawyer of the Year:** Daniel Cung

State of the Profession Address

A feature in NSW Young Lawyers' calendar, the State of the Profession Address gives our members an opportunity to hear from and be inspired by the Patron of NSW Young Lawyers. On 4 November 2020, NSW Young Lawyers 2020 Patron Justice Lucy McCallum gave her insights to the topic "Isolation and resilience: maintaining professionalism and collegiality in the year of the pandemic".

NSW Young Lawyers Assembly

These assemblies serve as an opportunity for our committee chairs, vice-chairs, general delegates, student representatives, regional delegates, and other appointed representatives to come together, engage with one another,

and plan the future of NSW Young Lawyers. The 2020 Annual Assembly was held online with the theme "Discover", and the 2021 Mid-Year Assembly was hosted at L'Aqua, Cockle Bay and attracted over 80 of our engaged Young Lawyer volunteers for a full day of planning, learning and voting, with the theme "Reset, Rethink, Recharge". Attendees benefited from sessions on managing burnout and legal design thinking.

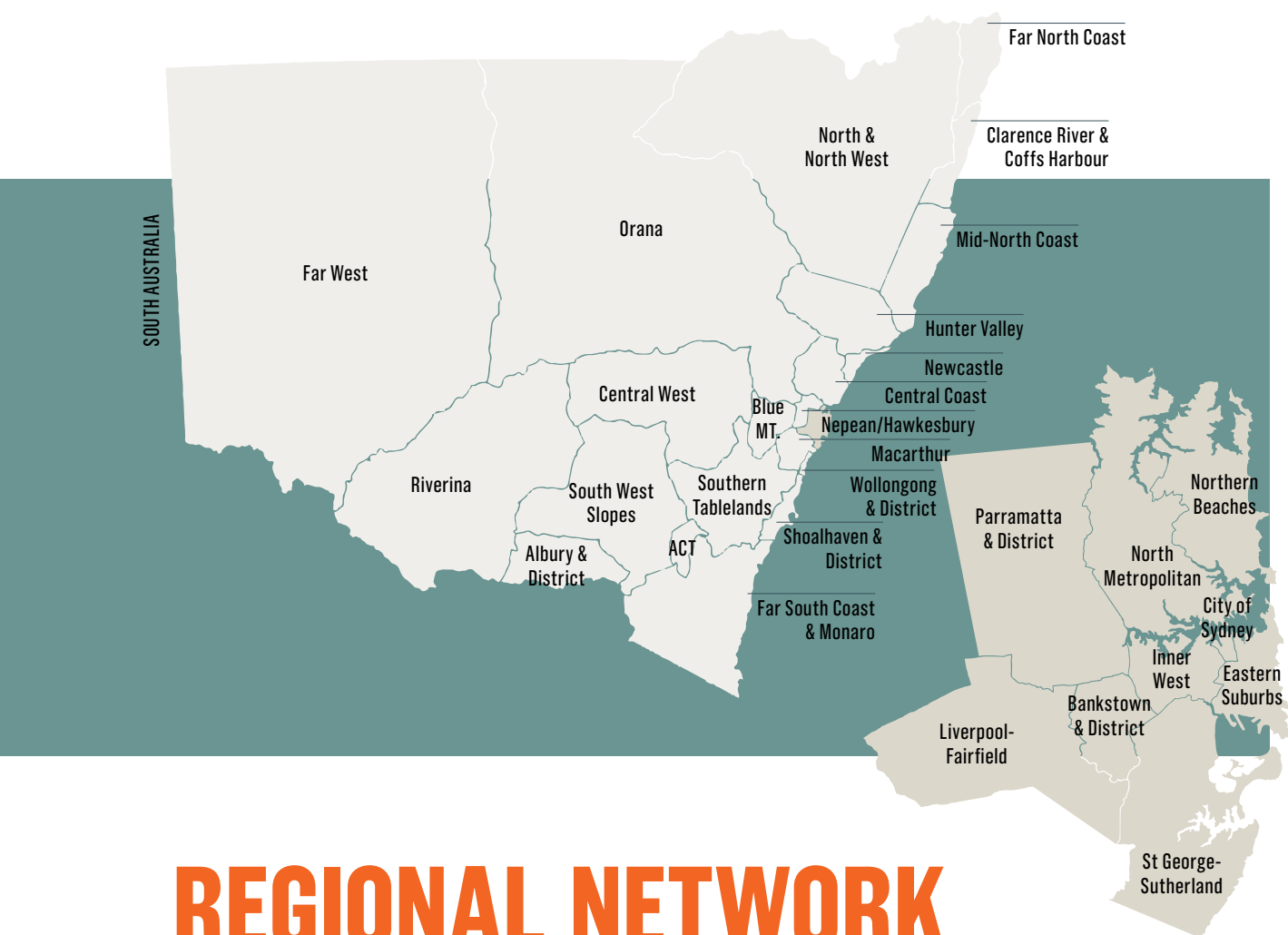
NSW Law Careers Fair

The Graduate and Student Services Department of the Law Society runs an annual NSW Law Careers Fair. Aimed at penultimate and final-year students, the NSW Law Careers Fair provides a central forum to connect students with legal employers regardless of where they are studying. After a successful virtual Fair in 2020, the event reconnected in person for the 2021 Career's Fair, hosted at the International Convention Centre on 26 March 2021. The event attracted over 1,200 student registrations and featured employer exhibitors from across the legal ecosystem including private practice, large, mid and boutique firms, in-house corporate teams including Woolworths and American Express, Government Departments, community legal centres, legal tech startups and the large legal publishing houses, LexisNexis and Thomson Reuters, providing a wide range of opportunities for students.

Thank you to all the volunteers who contributed to the various programs and events of NSW Young Lawyers.

Simon Bruck

President, NSW Young Lawyers



REGIONAL NETWORK

A network of 29 regional law societies ensures the work of the Law Society is relevant and accessible to practitioners, no matter where they are. While each regional law society has its own constitution and takes initiative on local issues, the Law Society plays a coordinating role, providing grants and other support.



Cassandra Banks
Co-President, Clarence River &
Coffs Harbour Law Society



Maria Daniele
President, Inner West Law Society



Andrew Boog
President, Orana Law Society



Colleen Donnelly
President, City of Sydney Law Society



Eric Craney
President, Far West Law Society



Paul Ell
President, Shoalhaven & District
Law Society



Jennifer Croker
President, Eastern Suburbs
Law Society



Dannielle Ford
President, Central West Law Society



Gary Fox
President, Newcastle Law Society



Jane Glowrey
Co-President, Riverina Law Society



Kymberlei Goodacre
Co-President, Clarence River & Coffs Harbour Law Society



Jason Goode
Co-President, Riverina Law Society



Philippa Grant
President, Northern Beaches Law Society



Ivan Kent
President, Central Coast Law Society



Erin Kerr
President, Albury & District Law Society



Andrew Lee
President, Liverpool & Fairfield Districts Law Society



Steve McAuley
President, Parramatta District Law Society



Helen Miedzinski
President, St George-Sutherland District Law Society



Peter Nevett
President, Southern Tablelands Law Society



Sarah Newman
President, North Metropolitan Law Society



Stephen Pinchin
President, Far North Coast Law Society



Sarah Reid
President, Macarthur Law Society



Jacqueline Rogers
President, Bankstown & District Law Society



Natalie Scanlon
President, North & North West Law Society



Roderick Storie
President, Nepean/Hawkesbury Law Society



Jodie Thurgood
President, Mid North Coast Law Society



Melinda Twyford
President, Far South Coast & Monaro Law Society



Nada Vujat
President, Hunter Valley Law Society



John Weir
President, South West Slopes Law Society



Andrew White
President, Blue Mountains Law Society



Katharine Young
President, Wollongong & District Law Society



Ann-Marie Bomerhe
Regional & Segment Engagement Manager, the Law Society of NSW

CORPORATE GOVERNANCE STATEMENT

The Law Society considers good corporate governance to be a critical component in successfully achieving its organisational objectives, and its 2019–22 Strategic Plan recognises the importance of continual improvement in governance processes to the Law Society’s sustainability and its ability to serve and support the changing needs of the legal profession.

The Law Society’s governance framework is intended to facilitate the effective management of the business and operations of the organisation, as well as to foster a Council that is forward-thinking and outcome-driven in leading the profession, representing its members, and addressing the public interest. This framework consists of risk management and internal control processes, and corporate governance policies and practices. It:

- sets out the Law Society’s mission and the Council’s role;
- defines Councillor and Office Bearer roles, responsibilities and accountabilities; and
- provides procedural guidelines in relation to Council committees, reporting obligations of representatives on outside bodies and control of the Council’s agenda.

The role of the Council and CEO

The Law Society is governed by the Council, which comprises 21 elected or appointed Councillors, together with ex officio members (i.e. any serving Senior Office Bearer whose elected term has expired), as provided by the Law Society’s Memorandum and Articles of Association. The President of the Law Society serves as the Chair of the Council. The Council meets monthly, with special Council meetings convened as required, primarily in relation to regulatory matters requiring urgent consideration.

The Law Society is a public company limited by guarantee and all Councillors are directors of the company.

Councillors in office at the date of this Annual Report and their attendance at monthly Council meetings in the 2020–21 financial year are as follows:

	Eligible to attend	Attended
Juliana Rose Warner (President)	12	11
Joanne Patricia van der Plaat (Senior Vice President)	12	9
Cassandra Denise Banks (Junior Vice President)	12	11
Brett McGrath (Treasurer)	12	12
Richard John Harvey (Immediate Past President)	12	12
Lauren Diana Absalom	8	8
Jennifer Ruth Ball	12	11
Angelo Biliass	12	12
Danny Wayne Bricknell	12	12
Simon Jeremy Ashley Bruck	8	8
Adriana Care	12	9
Catherine Joy James	12	12
Zora Kekeff	12	10
Iona Wai Ting Luke	12	11
Hugh Ignatius Macken	8	8
Ronan MacSweeney	12	12
Stephen McAuley	12	12
Michelle Devenish Meares	8	8
Jade Elizabeth Tyrrell	12	12
Mark Stephen Warton	12	12
Jennifer Jane Windsor	12	11
Jennifer Louise Lai Wah Wong	12	12

Councillors who retired or resigned during the 2020–21 year and meetings attended were:

	Eligible to attend	Attended
Andries Gerrit Boog	4	3
Amber Rachel Cerny	4	4
Richard John Flitcroft	4	4
Terence Leland Stern	4	4

The Council is charged with ensuring the Law Society has a sound corporate governance framework in place to enable it to appropriately support its members, meet the needs of the profession, and satisfy the objectives of its Strategic Plan.

The Council's primary responsibilities include:

- to set the vision, mission and objectives of the Law Society and determine its key policies and overall strategic direction;
- to monitor the organisation's compliance with statutory requirements and other obligations;
- to oversee the Law Society's risk management, control and accountability systems;
- to monitor organisational performance; and
- to ensure the effective performance of its regulatory functions under the legal profession legislation (as defined in the *Legal Profession Uniform Law Application Act 2014*).

In 2021, the Council has supported the development of a suite of key corporate governance documents, including charters for the Council, the Executive Committee and for the Audit, Risk and Finance Committee. These Charters will assist the Council to effectively fulfil its responsibilities with regard to the management of the business of the Law Society.

The Council Charter, approved and adopted by the Council in March 2021, now serves as the main point of reference with regard to the current role, responsibilities and functioning of the Council, including the delegations in place with respect to the Office Bearers, the Law Society Committees and the Chief Executive Officer (CEO).

The CEO, with the support of the Law Society's Leadership Team, has responsibility for managing the day-to-day affairs of the Law Society, in accordance with the Strategic Plan, the Law Society's risk management framework and Council-approved policies, and within the risk appetite determined by the Council.

Law Society Committees

The Council has established a number of committees to assist it to fulfil its responsibilities in relation to its regulatory functions, policy matters and the management of the business and operations of the Law Society.

These standing committees, which have powers and authorities delegated by the Council, are a source of expert

advice and assistance to Council, the Law Society and the profession. The committees primarily comprise solicitor members of the Law Society, although certain committees also include lay members. Member participation, which is voluntary and unremunerated, is critical to the success of the committees. Further information regarding membership of the standing committees is set out on pages 32 to 35 of the Annual Report.

The regulatory committees perform functions under the legal profession legislation as well as monitoring practice standards and, where applicable, providing guidance in relation to areas such as ethics, costs and regulatory compliance. The policy and practice and liaison committees typically serve as a source of policy proposals and reform initiatives and as an educative and review body and commentator in relation to legislation, discussion papers and reports, representing the Law Society and its members on policy and practice issues in relation to specific areas of expertise.

Council Committees

The Council has also established certain Council committees, comprised only of Councillors, to assist the Council with the management of the Law Society. These Council Committees are the Executive Committee and the Audit, Risk and Finance Committee.

Executive Committee

The Executive Committee, which comprises the Office Bearers of the Law Society, meets monthly prior to the monthly Council meeting. The members of the committee for the year ended 30 June 2021 were Councillors C Banks, R Harvey, B McGrath, J van der Plaats and J Warner.

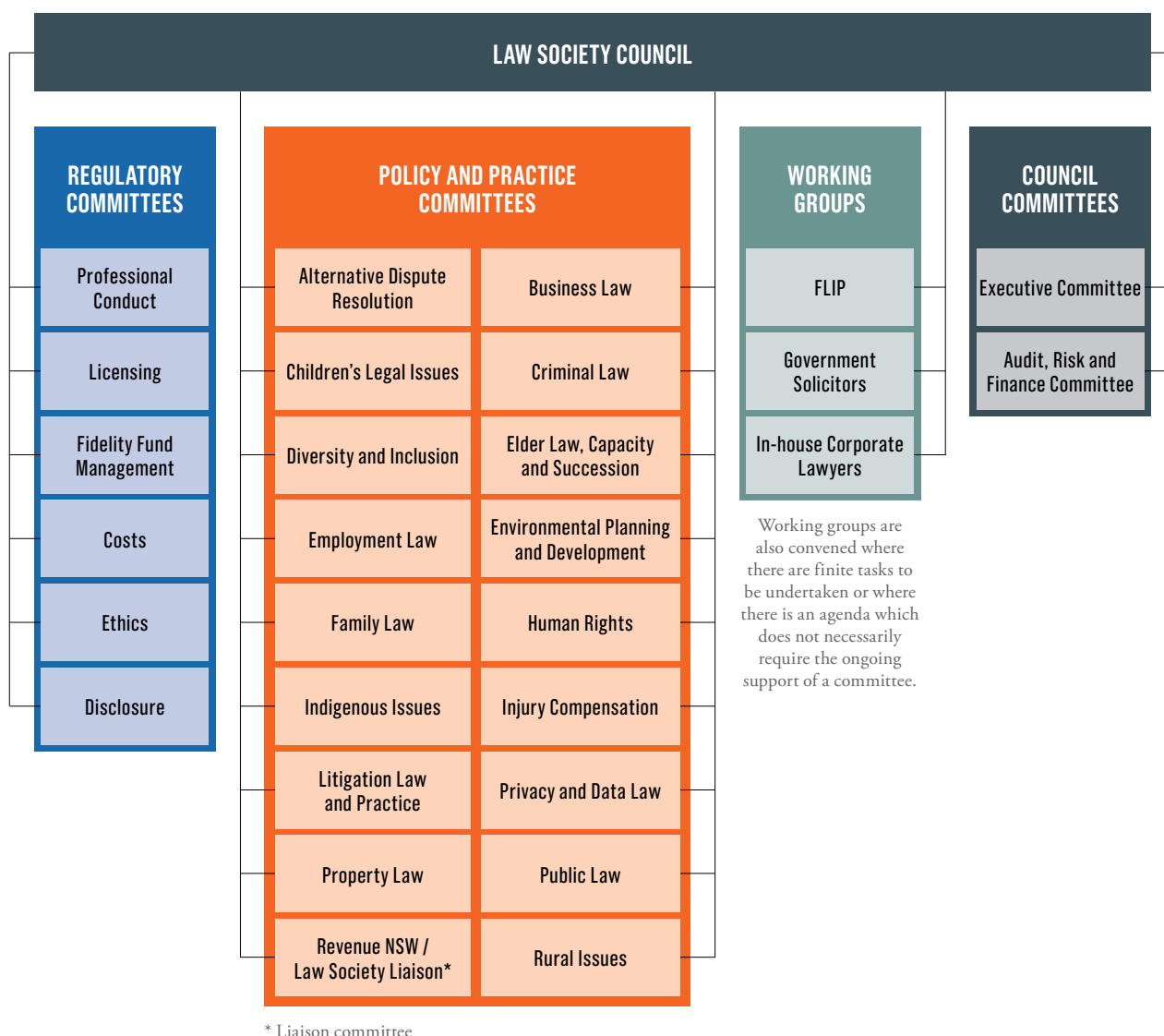
The Council approved the adoption of an Executive Committee Charter in March 2021. This new Charter provides greater clarity regarding the role and responsibilities of the Executive Committee, and sets out in one document (which will be reviewed and approved by the Council on a regular basis) the key matters for which the Council is delegating authority to the Committee.

Among its responsibilities, the Executive Committee will monitor the administration and management of the Law Society, including implementation and progress of the Strategic Plan and budget, make decisions in relation to matters referred by the CEO, and approve expenditure in accordance with Law Society policies and requirements. It may also consider policy issues referred to it by the Council, the other committees or the CEO.

CORPORATE GOVERNANCE STATEMENT

In accordance with the new Executive Committee Charter, the Executive Committee will now also perform the function previously undertaken by the Nominations Advisory Committee (in particular, with respect to calling for nominations from potential candidates and making recommendations to the Council). The Nominations Advisory Committee was disestablished in March 2021.

Law Society Committees



Audit, Risk and Finance Committee

The Council's Audit, Risk and Finance Committee comprises the Treasurer (Chair) and up to five other Councillors appointed by the President, generally for an initial term of two or three years. The current members of this Committee are Councillors B McGrath (Chair), C Banks, D Bricknell, A Care, and R Harvey.

Meetings are held at least quarterly but may be convened more frequently if considered necessary. A special meeting is convened, generally in late August or early September, to consider, and make recommendations to the Council regarding the Law Society's annual financial statements.

The Audit, Risk and Finance Committee assists the Council to discharge its duties in relation to the Law Society Group of companies with regard to financial disclosure and reporting, internal control, compliance and risk management, and the engagement, performance and independence of the external auditor. The Committee's primary responsibilities in relation to financial management and investments include:

- advising the Council on the budget and in relation to the Strategic Plan;
- overseeing the development and review of investment policies and guidelines; and
- approving capital expenditure up to prescribed limits as set by the Council.

The Committee consults routinely with the Law Society's external auditor and investment and other advisers. The review and oversight function undertaken by the Audit, Risk and Finance Committee promotes accountability and provides the Council with additional assurance regarding the quality and reliability of information used by the Council and the integrity of the Law Society's reporting and control systems.

The Council approved the adoption of an Audit, Risk and Finance Committee Charter in June 2021. This Charter provides greater clarity regarding the role and responsibilities of the Committee, which includes an increased focus on risk management, and sets out in one document (which will be reviewed and approved by the Council on a regular basis) the key matters for which the Council is delegating authority to the Committee.

Risk management

The Audit, Risk and Finance Committee has responsibility for reviewing and recommending to the Council changes to the risk appetite statement (RAS) (which was recently adopted by the Law Society in the 2020 financial year) and assessing the alignment between the Law Society's risk appetite and its plans and objectives. The Audit, Risk and Finance Committee is responsible for overseeing the maintenance of an effective risk management framework and monitoring the development and implementation of procedures to support the effective identification and management of risks.

The Council monitors the operational and financial aspects of the Group's activities and, both directly and through the Audit, Risk and Finance Committee, considers the recommendations and advice of management, the external auditor and other external advisers regarding the material risks that face the Group.

Code of conduct

As elected representatives of the solicitors of NSW, members of the Council acknowledge their responsibility to:

- put the interests of the Law Society's members ahead of personal or sectional interests;
- act with integrity;
- respect the confidentiality of Council business;
- adhere diligently to the Law Society's mission and objectives and Council's role;
- avoid conflicts of interest;
- comply with the requirements of the protocols, policies and standards set out in the Manual for Councillors and the Law Society's policies and procedures;
- respect the values inherent in the Council's statement of ethics for solicitors; and
- comply with statutory requirements.

In March 2021, the Council approved the adoption of a Letter of Service to be provided to all Councillors upon their election or appointment as a Councillor. The Letter sets out the key responsibilities and expectation of Councillors (drawn from the Manual for Councillors and the Articles of Association).

LAW SOCIETY COUNCILLORS



Juliana Warner

President

Member of Fidelity Fund Management Committee



Joanne van der Plaats

Senior Vice President

Chair of Professional Conduct Committee, Co-Chair of Rural Issues Committee and Member of Disclosure Committee



Cassandra Banks

Junior Vice President

Co-Chair of Family Law Committee, Member of Audit, Risk and Finance, and Rural Issues Committees



Brett McGrath

Treasurer

Chair of Audit, Risk and Finance Committee, Member of Family law, Alternative Dispute Resolution and Fidelity Fund Management Committees



Richard Harvey

Immediate Past President

Chair Property Law Committee, Member of Audit, Risk and Finance, and Environmental Planning and Development Law Committees



Lauren Absalom

Member of Elder Law, Capacity and Succession, and Professional Conduct Committees



Jennifer Ball

Deputy Chair of Professional Conduct and Litigation Law and Practice Committees



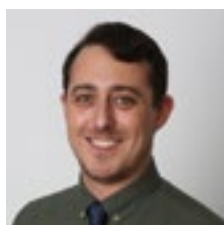
Angelo Bilias

Deputy Chair of Licensing Committee, and Member of Professional Conduct and Criminal Law Committees



Danny Bricknell

Member of Audit, Risk and Finance and Fidelity Fund Management Committees



Simon Bruck

Member of Human Rights Committee



Adriana Care

Member of Audit, Risk and Finance Committee and Business Law Committees



Catherine James

Member of In-house Corporate Lawyers Committee



Zora Kekeff

Co-Chair of Family Law Committee. Chair of Alternative Dispute Resolution and Disclosure Committees



Iona Luke

Deputy Chair of Diversity and Inclusion and In-house Corporate Lawyers Committees



Hugh Macken

Chair of Costs Committee, Member of Employment Law and Fidelity Fund Management Committees



Ronan MacSweeney

Chair of Diversity and Inclusion, and Government Solicitors Committees



Steve McAuley

Member of Licensing Committee



Michelle Meares

Member of Ethics, Family Law, Professional Conduct, and Privacy and Data Law Committees



Jade Tyrrell

Member of Professional Conduct and Indigenous Issues Committees



Mark Warton

Member of Injury Compensation and Professional Conduct Committees



Jennifer Windsor

Member of Government Solicitors, Public Law and Professional Conduct Committees



Jennifer Wong

Chair of Children's Legal Issues and Licensing Committees, Deputy Chair of Government Solicitors Committee

POLICY AND SEGMENT COMMITTEES

Alternative Dispute Resolution

2020 membership: Z. Kekeff (Chair), G. Ulman (Deputy Chair), J. Anderson, P. Argy, J. Ashby-Boyd, L. Bishkov, A. Boyd-Boland, K. David, G. Ettinger, P. Farrell, N. Flaskas, R. Hughes, C. Jeffery, M. Kofman, Judge L. Levy, K. Lewis, P. Lewis, A. Lopes De Lima, J. McDermott, H. Miedzinski, T. Peisley, A. Scarcella, F. Townend, J. Tyrell, J. Woodward, N. Harvey (Policy Lawyer).

2021 membership: Z. Kekeff (Chair), G. Ulman (Deputy Chair), P. Argy, A. Boyd-Boland, B. Bryant, G. Carabetta, K. David, G. Ettinger, G. Fabiani, P. Farrell, N. Flaskas, R. Hughes, Judge L. Levy, P. Lewis, A. Lopes De Lima, J. McDermott, B. McGrath, H. Nandni, T. Peisley, C. Peterson, A. Scarcella (until February 2021), C. Seil, G. Strazzeri, M. Ziegler, N. Harvey (Policy Lawyer).

Business Law

2020 membership: A. Cerny (Chair), T. Russell (Deputy Chair), C. Bertuch, A. Boog, D. Castle, S. Felicio, T. Hunter, J. Kabos, T. Masters, K. McLean, T. Mylecharane, D. Ramsay, B. Roe, L. Serafim, R. Snowden, J. Stathis, A. Vatani, L. Booth (Policy Lawyer).

2021 membership: A. Cerny (Chair), T. Russell (Deputy Chair), S. Ajitkumar (from June 2021), M. Bush, A. Care, J. Hsu, T. Hunter, H. Huynh (until June 2021), O. Kubyk, M. Lo, T. Masters, K. McLean, T. Mierendorff, M. Milnes, B. Roe, L. Serafim, R. Snowden, J. Stathis, L. Booth (Policy Lawyer).

Children's Legal Issues

2020 membership: J. Wong (Chair), J. Irwin (Deputy Chair), C. Akthar, K. Beckhouse (until November 2020), M. Blanco, N. Callander, A. Choi, M. Dimech, R. Frankham, L. Goodwin, J. Higgins, K. Hopgood, F. Kay, M. Loundar, S. Niles, K. Phillips, Z. Robinson, C. Samuels, Magistrate T. Sheedy, G. Slack-Smith, J. Symons, A. Tang, A. Small (Policy Lawyer).

2021 membership: J. Wong (Chair), J. Irwin (Deputy Chair), C. Akthar, N. Callander, A. Choi, A. Christie-David, A. Dawson (until April 2021), M. Dimech, L. Goodwin, S. Hargans (from February 2021), K. Hopgood, M. Inger, F. Kay, M. Loundar, N. Mekler, S. Niles (from March 2021), K. Phillips, Z. Robinson, C. Samuels, Magistrate T. Sheedy (from March 2021), G. Slack-Smith, J. Symons, A. Tang, A. Small (Policy Lawyer).

Criminal Law

2020 membership: A. Lumsden (Chair), M. Mantaj (Deputy Chair), C. Akthar, Deputy Chief Magistrate M. Allen, C. Bell, A. Biliass, P. Blake, V. Chan, P. Coady, E. Conditsis, D. Giddy, R. Hoyles, J. Hunter, L. Kaban, H. Ketley, R. Leary, R. McMahon, S. Mortimer, P. Musgrave, R. Ogden, J. Pheils, K. Saddington, J. Sanders, T. Spohr, J. Styles, J. Sutton, J. Weir, R. Geare (Policy Lawyer).

2021 membership: A. Lumsden (Chair), M. Mantaj (Deputy Chair), C. Akthar, Deputy Chief Magistrate M. Allen, C. Bell, A. Biliass, P. Blake, V. Chan, P. Coady, E. Conditsis, D. Elston, D. Giddy, S. Hedberg, I. Hogan, R. Hoyles, J. Hunter, L. Kaban, H. Ketley, R. Leary, P. Musgrave, R. Ogden, J. Pheils, K. Saddington, J. Sanders, T. Spohr, J. Styles, J. Sutton, J. Wong, R. Geare (Policy Lawyer).

Diversity and Inclusion

2020 membership: R. MacSweeney (Chair), J. Warner (Deputy Chair), E. Allen, B. Charlton, A. Drayton, Z. Edries, M. Graczol, R. Grant, K. Hong, M. Kakaire, D. Kelly, E. Lau, I. Luke, A. Lyras, H. McGonagle, B. McGrath, A. Miller, J. Parker, N. Parsons, K. Rathie, I. Reiss, J. Skelton, N. Stewart, T. Tran, J. Vincent, D. Yadav, C. Elvy (July 2020) / A-M. Boumerhe (August 2020) / S. Lee (from September 2020) (Policy Lawyers).

2021 membership: R. MacSweeney (Chair), I. Luke (Deputy Chair), S. Ajitkumar (from June 2021), E. Allen, K. Brooker, G. Burke, J. Camden, J. Dawes, A. Drayton, Z. Edries, R. Grant, M. Gurlica, R. Haynes, K. Hong, D. Kelly, A. Lyras, H. McGonagle, S. Nachiappan, M. Nawaz, J. Parker, N. Parsons, K. Pender, I. Reiss, V. Roles (from March 2021), J. Skelton, N. Stewart, D. Yadav (until June 2021), S. Lee (Policy Lawyer).

Elder Law, Capacity and Succession

2020 membership: D. Browne (Chair), R. Neal (Deputy Chair), L. Absalom, L. Baber, K. Bozinovska, L. Brown, J. Clarke, N. Darcy, M. Dixon, B. Dornan, B. Hayward, I. Hoskinson, A. Koumoukelis, R. Lewis, M. Lovelock, S. McAuley, R. McCullagh, P. McGowan, A. McIntyre, J. McMillan, M. Morris, K. O'Donnell, D. Pickering, R. Pollard, M. Reid, N. Scanlon, A. Schiralli, M. Schyvens, T. Tunbridge, K. Whitley, S. Hunt (Policy Lawyer).

2021 membership: J. McMillan (Chair), R. Neal (Deputy Chair), L. Absalom, J. Clarke, N. Darcy, M. Dixon, B. Hayward, G. Kirwan (from March 2021), A. Koumoukelis, R. Lewis, M. Lovelock, R. McCullagh, P. McGowan, A. McIntyre, D. Pickering, R. Pollard, M. Reid, N. Scanlon, A. Schiralli, M. Schyvens (until May 2021), J. Smythe, P. Vartuli, K. Whitley, S. Yoo, S. Hunt (Policy Lawyer).

Employment Law

2020 membership: N. Keats (Co-Chair), J. van der Plaats (Co-Chair), B. Akers, P. Almond, T. Angelopoulos, M. Byrnes, J. Camden, P. Costigan, C. Divani, M. Doherty, B. Feltham, L. Forsyth, A. Grayson, L. Izzo, C. Kerley, D. King, K. Lewis, H. Macken, P. Macken, V. Maroulis, D. McEvoy, D. Potts, C. Stebbing, W. Steenson, S. Trimby, A. Small (Policy Lawyer).

2021 membership: B. Feltham (Co-Chair), N. Keats (Co-Chair), B. Akers, T. Angelopoulos, M. Byrnes, P. Costigan, M. Doherty, L. Forsyth, A. Grayson, C. Kerley, D. King, K. Lewis, H. Macken, D. McEvoy, D. Potts, S. Ramsay, C. Stebbing, W. Steenson, L. Taylor, M. Tuohy, A. Small (Policy Lawyer).

Environmental Planning and Development

2020 membership: R. McCulloch (Chair), C. Drury (Deputy Chair), M. Bonanno, A. Cahill, B. Charlton, L. Finn, C. Huegill, R. James, A. Knox, P. Murray, M. Pearce, A. Penklis, B. Rayment, J. Schipp, J. Sheehan, P. Vergotis, L. Booth (Policy Lawyer).

2021 membership: R. McCulloch (Chair), C. Drury (Deputy Chair), M. Bonanno, A. Cahill, B. Charlton, K. Huxley, R. James, A. Knox, J. Mitchell, P. Murray, A. Penklis, B. Rayment, J. Schipp, J. Sheehan, N. Vella (from March 2021), P. Vergotis, L. Booth (Policy Lawyer).

Family Law

2020 membership: C. Banks (Co-Chair), Z. Kekeff (Co-Chair), L. Baber, K. Beckhouse, B. Bryant, C. Bryett, J. Burreket, A. Colquhoun, P. Davis, J. Dawson, P. Doolan, B. Hayward, J. Higgins, F. Hoad, T. Kelman, E. Lau, P. Lewis, L. Longbottom, L. Maitland, B. McGrath, M. Meares, H. Miedzinski, A. Sanderson, G. Thompson, M. Whitehead, S. Hunt (Policy Lawyer).

2021 membership: C. Banks (Co-Chair), Z. Kekeff (Co-Chair), B. Bryant, C. Bryett, A. Colquhoun, P. Davis, J. Dawson, P. Doolan, B. Hayward, M. Hayward, F. Hoad, M. Livermore, L. Longbottom, L. Maitland, M. Mastronardi, B. McGrath, M. Meares, C. Oosterhoff, D. Palethorpe, G. Thompson, M. Whitehead, M. Worner, S. Hunt (Policy Lawyer).

Government Solicitors

2020 membership: R. MacSweeney (Chair), J. Wong (Deputy Chair), A. Abadee, S. Alden, A. Baril, D. Barker, H. Bell, P. Buchberger, J. Camden, A. Duvall, G. Ettinger, M. Graczol, K. Harry, M. Keenan, A. Kennedy, J. McGovern, K. Nash, J. Patterson, M. Pearce, T. Postma, C. Ragusa, C. Samuels, R. Spitzer, J. Stathis, J. Tozer, A. Tsacalos, P. Vartuli, J. Windsor, N. Justen-Hoven (Policy Lawyer).

2021 membership: R. MacSweeney (Chair), J. Wong (Deputy Chair), A. Abadee, S. Alden, A. Baril, D. Barker, H. Bell, K. Boyd, K. Brown, J. Camden, A. Duvall, G. Ettinger, M. Filippeli, M. Graczol, T. Haber, K. Harry, M. Keenan, J. McGovern (until April 2021), J. Patterson, C. Ragusa, C. Samuels, M. Siciliano (from May 2021), J. Stathis, A. Thomas, J. Tozer, A. Tsacalos, P. Vartuli, J. Windsor, N. Justen-Hoven (Policy Lawyer).

Human Rights

2020 membership: A. Mojtahedi (Chair), M. Nawaz (Deputy Chair), W. Ahmed, J. Anderson, P. Blake, S. Bowes, S. Bruck, Dr. S. Calnan, A. Drayton, K. Elali, R. Haynes, J. Le, A. Levin, K. McKenzie, A. Newton, N. Regan, I. Reiss, E. Ryan, S. Sharmin, A. Sinclair, J. Windsor, A. Small (Policy Lawyer).

2021 membership: A. Mojtahedi (Chair), M. Nawaz (Deputy Chair), J. Abraham, W. Ahmed, S. Bowes, S. Bruck, Dr. S. Calnan, S. Clarke, A. Drayton, S. Ek, F. Lay, J. Le, E. Leong, A. Levin, M. Markoulli, K. McKenzie, A. Newton, I. Reiss, A. Sage, A. Sinclair, A. Vaughan (until June 2021), A. Small (Policy Lawyer).

POLICY AND SEGMENT COMMITTEES

Indigenous Issues

2020 membership: J. Behrendt (Chair), P. Mulroney (Deputy Chair), Z. Armytage, S. Bailey, Professor D. Barker, D. Barnes, E. Bastable, B. Cansdale, D. Captain-Webb, R. Cook, A. Cregan, S. Crellin, L. De Silva, B. Dufty, M. Dupuis, C. Edwards, D. Elston, M. Gleeson, B. Greenwood (until September 2020), M. Holden, J. Lovric, Dr. T. McComsey, P. Mountain, R. Sexton, T. Shepherd, G. Slack-Smith, A. Vorst-Parkes, T. Wallace, J. Weate, V. Kuek (Policy Lawyer).

2021 membership: J. Behrendt (Chair), P. Mulroney (Deputy Chair), Z. Armytage, S. Bailey, E. Bastable, B. Cansdale, D. Captain-Webb, R. Cook, A. Cregan, S. Crellin, A. Dawson (until April 2021), L. De Silva, B. Dufty, M. Dupuis, J. Fing (from March 2021), M. Gleeson, M. Holden, J. Lovric, Dr. T. McComsey, M. Merritt, P. Mountain, B. Murray (from April 2021), R. Sexton, J. Tyrell, A. Vorst-Parkes (until March 2021), T. Wallace, V. Kuek (Policy Lawyer).

In-house Corporate Lawyers

2020 membership: R. Hunter (Chair), I. Luke (Deputy Chair), T. Csillag, A. De Govrik, K. Elali, P. Housden, K. Iles, C. James, S. Mackenzie, J. Moses, J. O'Shannassy, Dr. S. Pallavicini, E. Papanikolaou, N. Regan, S. Russo, J. Sefton, J. Wilkin, N. Justen-Hoven (Policy Lawyer).

2021 membership: R. Hunter (Chair), I. Luke (Deputy Chair), D. Bitsis, T. Csillag, A. Daquinag, K. Elali, K. Hinde, P. Housden, C. James, J. Moses, K. Murali, J. O'Shannassy, E. Papanikolaou, T. Swan, N. Justen-Hoven (Policy Lawyer).

Injury Compensation

2020 membership: T. Stern (Chair), T. Concannon (Deputy Chair), A. Abboud, S. Butcher, B. Casado, B. Cassidy, G. Daley, L. Davidson, G. Guest, S. Harris, I. Jones, C. Ktenas, A. Lopes De Lima, H. Macken, P. Macken, R. May, K. McCusker, A. Mulcahy, D. Potts, C. Slan, J. Thurgood, K. Toshack, M. Warton, D. Weng, A. Prigan (Policy Lawyer).

2021 membership: T. Concannon (Chair), L. Davidson (Deputy Chair), A. Abboud, F. Bellissimo, S. Butcher, A. Chan, G. Daley, G. Guest, S. Harris, I. Jones, C. Ktenas, A. Lopes De Lima, P. Macken, R. May, B. McAuley, A. Mulcahy, D. Potts, K. Toshack, H. Turner, M. Warton, D. Weng, R. Yousef, A. Prigan (until June 2021) / A-M Boumerhe (June 2021) (Policy Lawyers).

Litigation Law and Practice

2020 membership: J. Warner (Chair), E. Yamine (Deputy Chair), L. Absalom, J. Ball, S. Baxter, J. Bowker, S. Brodowski, K. David, P. Farrell, S. Fernandez, P. Green, D. Hing, J. Howard, C. Hutchinson, G. Johnson, R. Kenna, K. Martin, K. McLean, S. Murray, C. Peterson, J. Prowse, J. Robb, J. Sefton, M. Stephens, T. Stern, P. Sutherland, S. Webber, P. Wiggins, M. Zraika, C. Elvy (July 2020) / S. Lee (from August 2020) (Policy Lawyers).

2021 membership: E. Yamine (Chair), J. Ball (Deputy Chair), S. Baxter, J. Bowker, S. Brodowski, K. David, S. Fernandez, P. Green, D. Hing, J. Howard, C. Hutchinson, G. Johnson, E. Keir (from May 2021), R. Kenna, M. Kofman, K. Martin, K. McLean, S. O'Connor, C. Peterson, J. Prowse, J. Robb, M. Stephens, T. Stern, P. Sutherland, S. Webber, P. Wiggins, M. Zraika, S. Lee (Policy Lawyer).

Privacy and Data Law

2020 membership: P. Leonard (Chair), K. Keogh (Deputy Chair), S. Blanks, H. Brown, G. Collins, N. Commins, A. Cook, T. Csillag, A. Drayton, M. Fai, O. Ganopolsky, C. Higgins, A. Jacquet, R. Jeyasingam, A. Kopsias, B. Liang, T. Long, J. McAteer, M. Meares, S. Ng, S. O'Gorman, J. Rogers, J. Sabet, D. Vaile, K. Watts, A. Prigan (Policy Lawyer).

2021 membership: P. Leonard (Chair), G. Collins (Deputy Chair), S. Blanks, H. Brown, A. Cerny, N. Commins, T. Csillag, R. Dagher, A. Drayton, M. Fai, O. Ganopolsky, A. Jacquet, K. Keogh, A. Kopsias, B. Liang, J. McAteer, S. McLaughlan, M. Meares, R. Muttusamy, S. Ng, L. Nicholson, M. O'Brien, S. O'Gorman, J. Rogers (until April 2021), C. Sevil, K. Watts, R. Wilkins, A. Prigan (Policy Lawyer).

POLICY AND SEGMENT COMMITTEES

Property Law

2020 membership: R. Harvey (Chair), C. Huegill (Deputy Chair), M. Andrews, A. Antony, D. Bluth, A. Cahill, A. Care, G. Channell, J. Crittenden, M. Devitt, D. Fitzclarence, J. Glowrey, R. Goncalves, M. Jebeile, G. Maksimovic, B. Malone, T. McKibbin, J. McMillan, G. Newton, M. Osborne, Dr. S. Pallavicini, P. Rosier, D. Skapinker, S. Stott, M. Swan, K. Tran-Tsai, G. Lea (Policy Lawyer).

2021 membership: R. Harvey (Chair), C. Huegill (Deputy Chair), M. Andrews, E. Ashley, A. Cahill, G. Channell, J. Crittenden, M. Devitt, E. Di Stefano (from May 2021), D. Fitzclarence, J. Glowrey, R. Goncalves, M. Jebeile, G. Maksimovic, B. Malone, T. McKibbin, J. McMillan, G. Newton, M. Osborne, Dr. S. Pallavicini, H. Robilliard, P. Rosier, D. Skapinker, S. Stott, M. Swan, W. van Ede, G. Lea (Policy Lawyer).

Public Law

2020 membership: A. Chalk (Chair), A. Abadee (Deputy Chair), A. Baril, Dr. S. Calnan, A. Duvall, R. Heinrich, G. Johnson, M. Keenan, A. Kennedy, Dr. M. Landrigan, A. Markus, A. Mojtahedi, S. Murray, M. O'Brien, A. Rafter, C. Samuels, H. Sims, K. Smith, M. Smyth, Dr. A. Tsacalos, S. Webb, A. Zekanovic, V. Kuek (Policy Lawyer).

2021 membership: A. Chalk (Chair), A. Abadee (Deputy Chair), A. Baril, J. Boughey, A. Duvall, S. Ek, R. Heinrich, G. Johnson, M. Keenan, Dr. M. Landrigan, A. Mojtahedi, A. Moss (from May 2021), M. O'Brien, A. Rafter, A. Sapienza, H. Sims, K. Smith, M. Smyth, Dr. A. Tsacalos, J. Windsor, A. Zekanovic, M. Zraika, V. Kuek (Policy Lawyer).

Revenue NSW / Law Society Liaison

2020 membership: A. Boog (Co-Chair), C. Smythe (Co-Chair), M. Brewster, A. Chek, G. Chiert, F. Di Francesco, V. Donnelly, J. Dudley, A. Fernandez, B. Hewitt, D. Lam, F. Lam, J. Lee, R. Newey, R. Nguyen, T. Nguyen, M. Nowell, N. O'Reilly, I. Phillips, L. Serafim, J. Shead, M. Telan, L. To, G. Vale, J. Yem, G. Lea (Policy Lawyer).

2021 membership: A. Boog (Co-Chair), C. Smythe (Co-Chair), S. Bazouni (from May 2021), M. Brewster, A. Chek, G. Chiert, G. Cremer, F. Di Francesco, V. Donnelly, J. Dudley, A. Fernandez, J. Gharib, B. Hewitt, D. Lam, F. Lam, J. Lee, R. Newey, R. Nguyen, T. Nguyen, M. Nowell, N. O'Reilly, S. Paterson, I. Phillips, L. Serafim, J. Shead, M. Telan, L. To, G. Vale, J. Yem, G. Lea (Policy Lawyer).

Rural Issues

2020 membership: J. Thurgood (Co-Chair), J. van der Plaats (Co-Chair), R. Austin, C. Banks, S. Colquhoun, D. Fitzclarence, A. Fleming, C. Hannah, R. Jarratt, L. Kelly, S. Mason, A. Miller, P. Moffitt, S. Morgan, G. Ryan, N. Scanlon, M. Shepherd, M. Twyford, C. Elvy (July 2020) / G. Lea (August 2020) / S. Lee (from August 2020) (Policy Lawyers).

2021 membership: J. Thurgood (Co-Chair), J. van der Plaats (Co-Chair), M. Anderson, R. Austin, C. Banks, S. Field, D. Fitzclarence, J. Goode, D. Heilpern, R. Jarratt, L. Kelly, P. Moffitt, S. Morgan, S. Nachiappan, G. Ryan, N. Scanlon, J. Spear, M. Twyford, S. Lee (Policy Lawyer).

MAJOR LAW REFORM SUBMISSIONS

Business Law

- Draft Guidance for Breach Reporting Reforms
- Major Reforms to the Foreign Investment Review Framework
- Options for mandatory adoption of electronic invoicing by business
- Proposed condition for the disbursement of donated funds following disaster appeals
- Review of the *Personal Property Securities Act 2009* (Cth) (multiple submissions)
- Rural Fires Amendment (NSW RFS and Brigades Donations Fund) Bill 2020

Children's Legal Issues

- *Children (Criminal Proceedings) Regulation 2021*
- Framework to prevent and respond to children with problematic and harmful sexual behaviours
- Practice Note 5 – Case management in care proceedings
- Youth Justice Disability Action Plan (2021-2023)

Criminal Law

- Alternative verdicts for summary proceedings
- Consultation on Miscellaneous Justice Bills
- Court Appointed Questioners
- Court Attendance Notice – contact details
- COVID-19 pre-recorded evidence hearing provisions
- Disclosure by prosecuting authorities
- Discussion Paper: Coercive Control
- Domestic Violence Court Reforms
- Drug Supply Prohibition Order Pilot Scheme Bill 2020
- Exposure draft of the Crimes Legislation (Offences Against Pregnant Women) Bill 2020
- Extension of legislative provisions to deal with COVID-19 pandemic
- Inquiry into assaults on members of the NSW Police Force (multiple submissions)
- Inquiry into coercive control in domestic relationships – question taken on notice
- Inquiry into the Drug Supply Prohibition Order Pilot Scheme Bill 2020
- Inquiry into the Mandatory Disease Testing Bill 2020 (multiple submissions)

- Inquiry into the provisions of the Firearms and Weapons Legislation (Criminal Use) Bill 2020
- Inquiry into the provisions of the Firearms and Weapons Legislation Amendment (Criminal Use) Bill 2020 – questions taken on notice
- Jury reforms
- Law Enforcement Conduct Commission Inquiries
- Listing arrangements for Burwood Local Court
- Local Court Duty Solicitor Scheme
- Local Court Practice Note Crim 1
- Online court proposals
- Police body-worn video
- Review of AFP powers
- Review of sentencing for assaults on emergency services workers
- Review of the high-risk offender legislation in NSW
- Section 293 of the *Criminal Procedure Act 1986*
- Supreme Court (Criminal Appeal) Rules
- Tendency and Coincidence reforms
- The prosecution of regulatory offences

Diversity and Inclusion

- Harnessing the one thing we have in common: diversity in the Legal Profession - Persons with disability
- National Disability Strategy - Stage 2 Consultations

Elder Law, Capacity and Succession

- 2020–21 Pre-Budget Submission
- Advice on solicitors reporting elder abuse
- Australian Taxation Office consultation with the legal profession regarding deceased estates
- End of Life Care and Decision-Making
- Extension of legislative provisions to deal with COVID-19 pandemic
- Laws, forms and practices relating to enduring powers of attorney and estate administration
- Taxation and social security laws relating to granny flat arrangements

Employment Law

- Fair Work Amendment (Supporting Australia's Jobs and Economic Recovery) Bill 2020

Environmental Planning and Development

- Building Business Back Better
- Flood Prone Land Package
- Interim Report of the Independent Review of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth)
- Offences for the unlawful removal/lopping of trees which does not require consent
- Proposed Local Character Clause
- Proposed Natural Disasters Clause
- Proposed New Housing Diversity SEPP
- Review of Infrastructure Contributions in NSW – Issues Paper
- Review of the *Land Acquisition (Just Terms Compensation) Act 1991*
- Review of the *Lands Acquisition Act 1989* (Cth)
- Varying Development Standards

Family Law

- Enhancing the family safety competency of legal practitioners
- Harmonised Family Law Rules
- Joint Practice Directions for family law
- Regulation 67B of the *Family Law Regulations 1984*
- Urgent resourcing of Family Court of Australia and Federal Circuit Court of Australia

Human Rights

- Anti-Discrimination Amendment (Religious Freedoms and Equality) Bill 2020 (multiple submissions)
- Australian National Contact Point Peer Review 2021
- Education Legislation Amendment (Parental Rights) Bill 2020 – answers to questions on notice
- Migration cases in the Federal Circuit Court of Australia
- Review of Declared Area Provisions

Indigenous Issues

- Aboriginal and Torres Strait Islander National Voice proposal
- Civil Liability Amendment (Child Abuse) Bill 2021
- Consumer credit reforms
- Deaths in custody – public disclosure

- Establishment of an Indigenous specific sentencing list in the District Court of NSW
- Indigenous Evaluation Strategy
- Indigenous Voice Co-Design Process Interim Report 2020
- Inquiry into the destruction of 46,000 year old caves at the Juukan Gorge in the Pilbara region of Western Australia
- National Agreement on Closing the Gap – Implementation of targets in NSW

Injury Compensation

- 2020 Review of the Compulsory Third Party insurance scheme (multiple submissions)
- 2020 Review of the Workers Compensation Scheme
- Centrelink delays (multiple submissions)
- Dispute Resolution Service Legal Portal – Community of Practice
- Funeral benefits under the Compulsory Third Party scheme
- *Health and Other Services (Compensation) Act 1995* (Cth)
- Injury insurance arrangements for food delivery riders in the gig economy
- Motor Accidents and Workers Compensation Legislation Amendment Bill 2021
- Motor Accidents Guidelines Version 6 (multiple submissions)
- Personal Injury Commission Bill 2020
- Personal Injury Commission Rules consultation
- Personal Injury Commission Stakeholder Reference Group (multiple submissions)
- Review of icare and the *State Insurance and Care Governance Act 2015* (multiple submissions)
- SIRA Review of Legal Support for Injured People in the NSW CTP Scheme (multiple submissions)
- Workers Compensation Enquiry and Complaints Handling Protocol
- Workers compensation guidelines for allied health treatment and hearing service provision

MAJOR LAW REFORM SUBMISSIONS

Litigation Law and Practice

- Court Fees
- Federal Court Practice Note: Commercial Arbitration
- Increasing the fixed scale costs for solicitor fees
- Practice Note DC (Civil) No 1
- Utilising Digital Technology in the Federal Court

Privacy and Data Law

- *Health Records and Information Privacy Act 2002*
- Inquiry into the impact of technological and other change on the future of work and workers in New South Wales
- Mandatory notification of data breach scheme in the Privacy and Personal Information Protection Amendment Bill 2021
- *National Health (Privacy) Rules 2018* review
- Review of the *Data Sharing (Government Sector) Act 2015*
- Review of the *Privacy Act 1988* (Cth)
- Service NSW Check-in application

Property Law

- Addressing market power in electronic lodgment services
- Conveyancing Rules Waiver - Required Dealings
- Exposure Draft Real Property Amendment (Certificates of Title) Bill 2020
- Extension of strata and community lands COVID-19 regulations (multiple submissions)
- Lodgment of Electronic Powers of Attorney and Old Systems Deeds through ELNOs
- Model Participation Rules and Model Operating Requirements – version 6.1
- National Industry Panel on Interoperability
- Position Paper on Changes to Enforcement Powers in the Electronic Conveyancing National Law
- Priority Notices Industry and Customer Brochures
- Proposed Regulatory Framework for Interoperability
- *Retail Leases Act 1994*
- Retail Tenant's Guide
- Review of the effectiveness and efficiency of the NSW Home Building Compensation Fund

Public Law

- Commonwealth Integrity Commission Bill 2020 – exposure draft
- Effective funding of the NSW integrity agencies
- Inquiry into the Australia's Foreign Relations (State and Territory Arrangements) Bill 2020 and Australia's Foreign Relations (State and Territory Arrangements) (Consequential Amendments) Bill 2020
- Reputational impact on an individual being adversely named in the ICAC's investigations
- Requirements for administrative decision-makers in NSW to give reasons for decisions

Revenue NSW / Law Society Liaison

- Commissioner's Practice Note - Landholder Duty

Rural Issues

- Murray-Darling Basin water markets inquiry – interim report
- Recruitment and Retention of Lawyers in Rural, Regional, and Remote Australia

Joint submissions made by the Law Society on behalf of more than one committee

- A New Decision-making Framework for Property Matters in Family Law
- Addressing Sexual Harassment in the Australian Legal Profession
- Administrative review of the *Bail Act 2013*
- Ageing and Disability Commissioner Amendment Regulation 2021
- Ageing and Disability Commissioner regulatory provisions
- ALRC Judicial Impartiality Consultation Paper
- Amendments for witnessing oaths, declarations or affidavits
- Amendments to building legislation
- Anti-Discrimination Amendment (Religious Freedoms and Equality) Bill 2020
- *Children (Detention Centres) Regulation 2015*
- Commissioner's Practice Note – *Payroll Tax Act 2007*
- Commissioner's Practice Note - Powers of Attorney

MAJOR LAW REFORM SUBMISSIONS

- Consultation on Miscellaneous Justice Bills (multiple submissions)
- Continuing the Productivity Conversation – Productivity Commission Green Paper
- Declarations under the *Telecommunications (Interception and Access) Act 1979* (Cth)
- *Design and Building Practitioners Regulation 2020* (multiple submissions)
- Digital execution and certification of conveyancing documents
- Draft Persons with Disability (Regulation of Restrictive Practices) Bill 2021
- Draft State Strategic Plan for Crown Land
- Education Legislation Amendment (Parental Rights) Bill 2020
- Family Law Amendment (Federal Family Violence Orders) Bill 2021
- Federal Court procedural reforms in response to COVID-19 pandemic
- Federal Government response to the Australian Human Rights Commission’s *Respect@Work* report
- *Foreign Evidence Act* (Cth) – application to NSW
- Government response to Australian Law Reform Commission Final Report – Review of the Family Law System
- *GR v The Department of Communities & Justice and Ors* [2020] NSWSC 1622
- Inquiry into family, domestic and sexual violence
- Inquiry into the Climate Change (National Framework for Adaptation and Mitigation) Bill 2020 and the Climate Change (National Framework for Adaptation and Mitigation) (Consequential and Transitional Provisions) Bill 2020
- Inquiry into the coronial jurisdiction in NSW
- Inquiry into the High Level of First Nations People in Custody and Oversight and Review of Deaths in Custody (multiple submissions)
- Inquiry into the NSW child protection and social services system
- Judicial Appointments (multiple submissions)
- Missing Middle Project
- National Information Sharing Network between the Family Law and Family Violence and Child Protection Systems
- National Register of Enduring Powers of Attorney
- National Sexual Harassment Roundtable
- Open Justice Review: Consultation Paper
- Options Paper: Agricultural Land Use Planning Strategy
- Practice Guide for registered certifiers
- Property Tax Proposal
- Remote witnessing via audio-visual link
- Revenue Ruling - Build to Rent
- Revenue Ruling - *Land Tax Management Act 1956*
- Revenue Ruling - Transfer of business property between family members
- Royal Commission into Aged Care Quality and Safety – Final Report
- Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability
- Rural, Regional and Remote National Strategic Plan
- Second anniversary review of the national redress scheme
- Select Committee on Job Security
- Singapore Convention on Mediation
- South Australian Law Reform Institute inquiry into Powers of Attorney
- Stage 2 of the Review of the Model Defamation Provisions
- Statutory Review of the NSW Strata Schemes Laws
- Tax Administration Amendment (Combating Wage Theft) Bill 2021
- The Lawyer Project
- The Special Commission of Inquiry into the Drug ‘Ice’

Joint submissions made with other organisations

- Aboriginal mental health workers and mental health care in NSW prisons and mental health facilities

TREASURER'S REPORT



On behalf of the Law Society Council, I am pleased to present the Law Society's annual financial reports for the year ended 30 June 2021.

While the Law Society group has reported a deficit for the period, this is a direct result of the Council's decision to reduce membership fees to \$10 for the 2020–21 practising year – a measure taken to allow the profession to apply this \$400 cost saving to areas of more pressing need following the onset of the COVID-19 crisis in early 2020. Despite the challenges of the past 12 months, the Law Society remains in an exceptionally strong financial position which allows us to continue both supporting and advocating for our members well into the future.

Following the one-off measure to reduce membership fees to \$10 for the 2020–21 practising year, which significantly reduced membership fee income received for the year ended 30 June 2021, The Law Society of New South Wales parent entity reported a deficit of \$2.9 million for the financial period.

This reduction in membership fee income was partially offset by the Law Society's externally managed investment portfolio achieving an overall 12.2 per cent investment return for the 2020–21 financial year, which was a pleasing result following the asset price volatility experienced during the first half of 2020.

Lawcover Insurance continues to improve its financial position, with a net profit after tax of \$0.5 million also primarily driven by enhanced investment returns. Lawcover Insurance maintains a strong capital position relative to the wider general insurance industry, and as the only profession-owned APRA regulated insurer of the legal profession in Australia it is well placed to ensure ongoing stability in providing professional indemnity cover to the practising solicitors of New South Wales. Further details on the insurance operations of the group can be found in the Lawcover CEO's report.

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.

A stylized, handwritten signature in black ink, appearing to read 'Brett McGrath'.

Brett McGrath
Treasurer

A breakdown by entity of the group result is shown below:

	2021	2020
	\$'000	\$'000
The Law Society of New South Wales	(2,913)	(462)
Lawcover Insurance Pty Limited	530	(2,186)
SMIF Management Pty Limited	(22)	(20)
Consolidated deficit after tax	(2,405)	(2,668)

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

	2021	2020
	\$'000	\$'000
The Law Society of New South Wales	143,543	146,456
Lawcover Insurance Pty Limited	159,627	159,097
SMIF Management Pty Limited	68	90
Net assets before group eliminations	303,238	305,643
Elimination of the Law Society's investment in Lawcover Insurance	(34,600)	(34,600)
Net assets after group eliminations	268,638	271,043

CONCISE FINANCIAL REPORT

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 2021. 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: lawsociety.com.au

COUNCILLORS' REPORT

For the year ended 30 June 2021

Councillors' report

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 2021.

Councillors

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

Lauren Diana Absalom	Iona Wai Ting Luke
Jennifer Ruth Ball	Hugh Ignatius Macken
Cassandra Denise Banks	Ronan MacSweeney
Angelo Biliias	Stephen McAuley
Andries Gerrit Boog	Brett Patrick McGrath
Danny Wayne Bricknell	Michelle Devenish Meares
Simon Jeremy Ashley Bruck	Terence Leland Stern
Adriana Care	Jade Elizabeth Tyrrell
Amber Rachel Cerny	Joanne Patricia van der Plaat
Richard John Flitcroft	Juliana Rose Warner
Richard John Harvey	Mark Stephen Warton
Catherine Joy James	Jennifer Jane Windsor
Zora Kekeff	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: Ms L Absalom (elected 22.10.20), Mr D Bricknell (re-elected 22.10.20), Mr S Bruck (appointed 22.10.20), Ms A Care (re-elected 22.10.20), Mr H Macken (elected 22.10.20), Ms M Meares (elected 22.10.20), Ms J Windsor (elected 22.10.20), Ms J Wong (re-elected 22.10.20).

During the year, the following Councillors retired or resigned from Council: Mr A Boog (retired 22.10.20), Ms A Cerny (retired 22.10.20), Mr R Flitcroft (retired 22.10.20), Mr T Stern (retired 22.10.20).

The company secretaries of The Law Society of New South Wales are Ms M Lewis and Mr K Tickle.

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 New South Wales and fulfils both a regulatory and representative function on behalf of the profession. The Law Society of New South Wales 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.

Dividends

The company's constitution prohibits the distribution of dividends to its members.

Review of operations

The deficit of the company for the year was \$2.9 million (2020: \$0.5 million deficit). The profit or loss of subsidiaries are as set out in their respective financial statements.

The result of group operations for the year was a loss of \$2.4 million (2020: \$2.7 million loss).

COUNCILLORS' REPORT

For the year ended 30 June 2021

Changes in state of affairs

Following the onset and declaration of the COVID-19 pandemic in March 2020, the Council resolved to set membership fees at \$10 (plus GST) for the 2020–21 practising year. This represented a significant reduction from the solicitor membership fee of \$400 (plus GST) approved by Council for the 2019–20 practising year. This one-off measure resulted in an estimated membership fee income decrease of \$11 million during the 2020–21 practising year relative to the 2019–20 practising year. There was no further 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 46.

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



J Warner
Councillor



B McGrath
Councillor

Sydney, 16 September 2021



Auditor's Independence Declaration

As lead auditor for the audit of The Law Society of New South Wales for the year ended 30 June 2021, 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.

A handwritten signature in dark ink, appearing to read 'R Balding', with a long horizontal flourish extending to the right.

R Balding
Partner
PricewaterhouseCoopers

Sydney
16 September 2021

.....
: **PricewaterhouseCoopers, ABN 52 780 433 757**
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CONSOLIDATED STATEMENT OF PROFIT OR LOSS AND OTHER COMPREHENSIVE INCOME

For the year ended 30 June 2021

		Consolidated	
	Note	2021 \$'000	2020 \$'000
Revenue	3	121,249	108,397
Investment revenue		14,331	6,286
Other income		10,238	9,786
Employee benefits expense		(32,219)	(31,595)
Depreciation and amortisation expense		(2,783)	(2,387)
Law Council capitation fees		(1,898)	(3,389)
Outwards reinsurance premium expense		(8,877)	(8,311)
Claims expense		(81,486)	(60,223)
Finance costs		(94)	(78)
Consulting and professional fees expense		(6,550)	(7,869)
Other expenses		(13,512)	(13,864)
Loss before income tax		(1,601)	(3,247)
Income tax expense		(804)	579
Loss for the year		(2,405)	(2,668)
Other comprehensive income			
<i>Items that will not be classified to profit or loss</i>			
Revaluation of land and buildings		-	5,801
Other comprehensive income for the year, net of tax		-	5,801
Total comprehensive (loss) income for the year		(2,405)	3,133
Loss is attributable to:		(2,405)	(2,668)
Members of The Law Society of New South Wales		(2,405)	(2,668)
Total comprehensive (loss) income is attributable to:			
Members of The Law Society of New South Wales		(2,405)	3,133
		(2,405)	3,133

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

CONSOLIDATED BALANCE SHEET

As at 30 June 2021

		Consolidated	
	Note	2021 \$'000	2020 \$'000
Current assets			
Cash and cash equivalents		28,048	21,977
Trade and other receivables	4	24,209	11,772
Investments	5	178,122	165,689
Current tax assets		2,294	2,027
Other assets		1,681	2,506
Total current assets		234,354	203,971
Non-current assets			
Receivables	4	22,296	4,835
Investments	5	246,705	237,154
Property, plant and equipment		58,631	59,189
Right-of-use assets		2,408	2,651
Deferred tax assets		2,588	2,721
Intangible assets		6,086	1,405
Total non-current assets		338,714	307,955
Total assets		573,068	511,926
Current liabilities			
Trade and other payables		12,957	9,002
Lease liabilities		702	546
Provisions	6	77,784	83,256
Other liabilities	7	110,607	82,688
Total current liabilities		202,050	175,492
Non-current liabilities			
Lease liabilities		1,814	2,133
Provisions	6	100,566	63,258
Total non-current liabilities		102,380	65,391
Total liabilities		304,430	240,883
Net assets		268,638	271,043
Equity			
Reserves		43,342	43,342
Retained earnings		225,296	227,701
Total equity		268,638	271,043

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 2021

	Consolidated		
	Reserves	Retained earnings	Total equity
	\$'000	\$'000	\$'000
Balance at 1 July 2019	37,541	230,369	267,910
Loss after income tax	-	(2,668)	(2,668)
Other comprehensive income	5,801	-	5,801
Total comprehensive income	5,801	(2,668)	3,133
Balance at 30 June 2020	43,342	227,701	271,043
Loss after income tax	-	(2,405)	(2,405)
Other comprehensive income	-	-	-
Total comprehensive loss	-	(2,405)	(2,405)
Balance at 30 June 2021	43,342	225,296	268,638

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 2021

	Consolidated	
	2021 \$'000	2020 \$'000
Cash flows from operating activities		
Receipts from customers	45,882	33,948
Payments to suppliers and employees	(51,737)	(56,259)
Interest paid	(94)	(78)
Premiums received	83,867	72,870
Outwards reinsurance premiums paid	(10,339)	(9,575)
Claims paid	(49,171)	(60,191)
Reinsurance and other recoveries received	3,079	2,903
Income taxes refunded	(937)	(7,936)
Net cash inflow (outflow) from operating activities	20,550	(24,318)
Cash flows from investing activities		
Payments for purchase of investments	(181,611)	(210,751)
Proceeds on sale of investments	173,788	233,200
Interest received	170	401
Payments for property, plant and equipment	(597)	(774)
Payments for intangible assets	(5,619)	(930)
Net cash (outflow) inflow from investing activities	(13,869)	21,146
Cash flows from financing activities		
Payment of lease liabilities	(610)	(381)
Net cash outflow from financing activities	(610)	(381)
Net increase (decrease) in cash and cash equivalents	6,071	(3,553)
Cash and cash equivalents at the beginning of the year	21,977	25,530
Cash and cash equivalents at the end of the year	28,048	21,977

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

FINANCIAL COMMENTARY

For the year ended 30 June 2021

Income statement

The Law Society of New South Wales group reported a loss of \$2.4 million for the year (2020: \$2.7 million loss). Total revenue (including investment and other income) increased by 17.2 per cent to \$145.8 million, while operating expenses increased 15.4 per cent to \$147.4 million.

The movement in revenue was underpinned by the following factors:

- The number of solicitors holding a practising certificate increased by 5.1 per cent during the reporting period, which led to a \$1.1 million increase in practising certificate fee revenue.
- Following the onset and declaration of the COVID-19 pandemic in March 2020, the Law Society's Council resolved to set membership fees at \$10 (plus GST) for the 2020–21 practising year. This resulted in a combined \$11.4 million decrease in solicitor and associate membership fee revenues.
- Reinsurance recoveries have increased by \$22.0 million. This is primarily due to the reinsurance recovery reported in relation to one specific large top up insurance claim, in addition to further recoveries to be received under the Lawcover Insurance aggregate stop-loss programme.
- Investment revenue increased by 128.0 per cent or \$8.0 million, with the Law Society parent entity and Lawcover Insurance reporting increases of \$4.4 million and \$3.6 million respectively. Following the market volatility experienced during the 2019–20 period as a result of the COVID-19 pandemic, investment markets rebounded strongly in the 2020–21 financial year. The Law Society's externally managed investment portfolio produced an investment return of 12.2 per cent (2020: 1.4 per cent loss) during the 2020–21 year, with Lawcover Insurance returning an investment yield of 2.9 per cent over the same period (2020: 1.9 per cent).

While several factors have contributed to the increase in overall expenses, the movement largely stems from the following:

- Gross claims expenses increased by 35.3 per cent or \$21.3 million. This is principally due to one specific large top up insurance claim, however that has been offset by a corresponding increase in reported reinsurance recoveries as highlighted above. In addition to this there has been further development in cyber-related claims as well an increase in claims handling expenses reported by Lawcover Insurance.
- Consulting and professional fees expenses decreased by 16.8 per cent or \$1.3 million following a reduction in the costs associated with information technology systems development and maintenance across the group. The Law Society has also generated cost savings through the further use of internal recruitment resources and a reduced reliance on external agencies.

Balance sheet

The group has finished the year with reported net assets of \$268.6 million, a decrease of 0.9 per cent from the prior period. The group's financial position remains strong with cash and investments held by the Law Society and Lawcover Insurance totalling \$452.9 million at 30 June 2021.

While the outstanding claims liability held by Lawcover Insurance has increased, this is principally offset by the increase in reinsurance recoveries reported at 30 June 2021.

Lawcover Insurance continues to maintain an exceptionally resilient capital position, with a capital adequacy multiple of 3.3 times APRA's prudential capital requirement at 30 June 2021 (unaudited).

Cash flow statement

As at 30 June 2021, the group held cash of \$28.0 million, an increase of 27.6 per cent from the prior period. When short term deposits are included this increases to \$66.1 million. 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.

NOTES TO THE FINANCIAL STATEMENTS

30 June 2021

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 2021. These entities include Lawcover Insurance Pty Limited (Lawcover Insurance) and SMIF Management Pty Limited (SMIF Management). 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 standard for the first time for the annual reporting period commencing on 1 July 2020:

- AASB 2018-7 *Amendments to Australian Accounting Standards – Definition of Material*

Based on the group's assessment, these amendments did not have any impact on the amounts recognised in prior periods and are not expected to significantly affect the current or 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 2020, including:

- AASB 2020-1 *Amendments to Australian Accounting Standards – Classification of Liabilities as current or Non-current* (effective for annual periods beginning on or after 1 January 2022)
- AASB 2021-2 *Amendments to Australian Accounting Standards – Disclosure of Accounting Policies and Definition of Accounting Estimates* (effective for annual periods beginning on or after 1 January 2023)
- AASB 17 Insurance Contracts (effective for annual periods beginning on or after 1 January 2023)
- AASB 2020-5 *Amendments to Australian Accounting Standards – Insurance Contracts* (effective for annual reporting periods beginning on or after 1 January 2021)

The group intends to apply the standards and amendments detailed above for the reporting periods beginning on the effective dates set out above. An assessment has been performed for the following:

- AASB 2020-1 *Amendments to Australian Accounting Standards – Classification of Liabilities as current or Non-current* makes amendments to AASB 101 *Presentation of Financial Statements* to clarify requirements for the presentation of liabilities in the statement of financial position as current or non-current. When this Standard is adopted for the year ending 30 June 2023, there will be no material impact on the transactions and balances recognised in the financial statements.
- AASB 2021-2 *Amendments to Australian Accounting Standards – Disclosure of Accounting Policies and Definition of Accounting Estimates* amends a number of accounting standards to improve accounting policy disclosures and clarify the distinction between accounting policies and accounting estimates. The Standard also makes amendments to AASB Practice Statement 2 *Making Materiality Judgements*. When this Standard is adopted for the year ending 30 June 2023, there will be no material impact on the transactions and balances recognised in the financial statements.

2. Changes in accounting policy (continued)

- AASB 17 *Insurance Contracts* was issued in July 2017 and will replace AASB 4 *Insurance Contracts*, which currently permits a wide variety of practices. AASB 17 will fundamentally change the current accounting for insurance contracts, impacting both liability measurement and profit recognition. The general model under AASB 17 is based on a discounted cash flow model with a risk adjustment and deferral of up-front profits. The alternative model permitted within the standard is the premium allocation approach, which is allowed for short duration contracts. This approach is used to measure the pre-claims liability, similar to current unearned premium accounting practices. Based on an initial assessment it is expected that Lawcover Insurance policies will qualify for the premium allocation approach. Over the course of the coming twelve months Lawcover Insurance will undertake a detailed assessment of the impact of AASB 17, including the financial impact of the standard.
- AASB 2020-5 *Amendments to Australian Accounting Standards – Insurance Contracts*, makes amendments to AASB 4 *Insurance Contracts* and AASB 17 *Insurance Contracts*. This standard amends AASB 17 to:
 - reduce the costs of applying AASB 17 by simplifying some of its requirements;
 - make an entity's financial performance relating to insurance contracts easier to explain; and
 - ease the transition to AASB 17 by deferring its effective date to annual periods beginning on or after 1 January 2023 instead of 1 January 2021.

The amendments to AASB 4 also permit eligible insurers to continue to apply AASB 139 *Financial Instruments: Recognition and Measurement* until they are required to apply AASB 9 *Financial Instruments* alongside AASB 17. This applies to Lawcover Insurance. From 1 January 2023, Lawcover Insurance must apply AASB 9 *Financial Instruments* together with AASB 17 *Insurance Contracts* and reflect the changes in the Lawcover Insurance standalone financial statements. Lawcover Insurance is yet to undertake a detailed assessment of the impact of AASB 9, however this will be performed prior to first time adoption of the Standard.

3. Revenue

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

	Consolidated	
	2021 \$'000	2020 \$'000
Membership and practising certificate fees	15,667	25,970
Premium revenue	73,395	72,415
Reinsurance and other recoveries	24,069	2,040
Legal training revenue	1,259	1,363
Member services revenue	1,935	1,835
Other revenue	4,924	4,774
	121,249	108,397

NOTES TO THE FINANCIAL STATEMENTS

30 June 2021

4. Trade and other receivables

	Consolidated	
	2021	2020
	\$'000	\$'000
Current		
Trade receivables	3,768	95
Reinsurance and other recoveries receivable	16,361	11,371
Other receivables	4,080	306
	24,209	11,772
Non-current		
Reinsurance and other recoveries receivable	22,296	4,835
	22,296	4,835

5. Investments

Current		
Deposits	38,052	26,412
Negotiable certificates of deposit	16,997	2,000
Corporate & government securities	19,045	43,355
Managed funds	104,028	93,922
	178,122	165,689
Non-current		
Corporate & government securities	246,705	237,154
	246,705	237,154

6. Provisions

Current		
Outstanding claims liabilities	74,404	79,266
Employee benefits provision	3,380	3,990
	77,784	83,256
Non-current		
Outstanding claims liabilities	99,389	62,212
Employee benefits provision	1,177	1,046
	100,566	63,258

NOTES TO THE FINANCIAL STATEMENTS

30 June 2021

7. Other liabilities

	Consolidated	
	2021 \$'000	2020 \$'000
Current		
<i>Deferred revenue</i>		
Membership and practising certificate fees	27,883	14,403
Premiums received in advance	81,545	67,367
Other	1,179	918
	110,607	82,688

8. Subsidiaries

Name of entity	Country of incorporation	% Equity interest		Investment \$	
		2021	2020	2021	2020
SMIF Management Pty Limited (i)	Australia	100	100	2	2
Lawcover Insurance Pty Limited (ii)	Australia	100	100	34,599,942	34,599,942
				34,599,944	34,599,944

- (i) **SMIF Management Pty Limited.** Incorporated in New South Wales on 19 June 1987. Contributed equity of 2 ordinary shares fully paid.
- (ii) **Lawcover Insurance Pty Limited.** Incorporated in New South Wales on 17 January 2001 and commenced operations in April 2004. Contributed equity of 34,599,942 ordinary shares fully paid. The company was established to underwrite compulsory professional indemnity insurance for solicitors.

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.

COUNCILLORS' DECLARATION

30 June 2021

The Councillors declare that in their opinion, the concise financial report of the consolidated entity for the year ended 30 June 2021 as set out on pages 47 to 55 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 2021. 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



J Warner
Councillor



B McGrath
Councillor

Sydney, 16 September 2021



INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF THE LAW SOCIETY OF NEW SOUTH WALES

Report on the concise financial report

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 2021 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 2021 comprises:

- the consolidated balance sheet as at 30 June 2021
- the consolidated statement of profit or loss and other 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 financial commentary.

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.

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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.

The financial report and our report thereon

We expressed an unmodified audit opinion on the financial report in our report dated 16 September 2021.

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
16 September 2021

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