

ANNUAL REPORT 2018/19

Prepared by the Law Society
of Western Australia

THE **ESSENTIAL**
MEMBERSHIP FOR THE
LEGAL PROFESSION

lawsocietywa.asn.au





The Law Society of Western Australia

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Contents

Strategic Plan 2017-2020	4	Elder Law and Succession Committee	50
Membership Survey	5	Employment Relations Committee	51
President's Report	6	Environment, Town Planning and Local Government Committee	52
Chief Executive Officer's Report	8	Ethics Committee	53
The Year in Numbers	10	Francis Burt Law Education Programme and Old Court House Law Museum Advisory Committee	54
Council 2018	12	General Conditions for the Sale of Land Committee	55
Council 2019	13	Human Rights and Equal Opportunity Committee	56
Governance	14	Indigenous Legal Issues Committee	57
Stakeholder Meetings	16	In-house/Government Lawyers Committee	58
Submissions	16	Insolvency and Reconstruction Law Committee	59
Nominations to External Boards	18	Intellectual Property and Technology Committee	60
Sponsors	18	Joint Law Society/Women Lawyers Committee	61
Life Members	19	Mental Health and Wellbeing Committee	62
Lawyer of the Year Awards	20	Personal Injuries and Workers' Compensation Committee	63
General Manager Reports	21	Professional Indemnity Insurance Management Committee	64
Advocacy Team Report	22	Professional Standards Scheme Committee	65
Corporate Services Team Report	26	Property Law Committee	66
Law Mutual Team Report	28	Quality Practice Standard Committee	67
Programmes Team Report	30	Taxation Committee	68
Committee Reports	37	Young Lawyers Committee	69
Access to Justice Committee	38	Financial Statements	70
Accreditation Committee	39	Statement of Profit or Loss and Other Comprehensive Income	71
Administrative, Constitutional and Migration Law Committee	40	Statement of Financial Position	72
Alternative Dispute Resolution Committee	41	Statement of Changes in Equity	73
Brief Editorial Committee	42	Statement of Cash Flows	74
Commercial Law Committee	43	Notes to the Financial Statements	75
Construction and Infrastructure Committee	44	Statement by Council	89
Costs Committee	45	Independent Auditor's Report	93
Country Practitioners Committee	46		
Courts Committee	47		
Criminal Law Committee	48		
Education Committee	49		

Strategic Plan 2017-2020



Purpose The **voice** of the legal profession in Western Australia

Vision The **essential** membership for the legal profession

Strategic Priorities

- Strong Advocacy
- High Value Services
- Organisational Excellence

Strong Advocacy

The Law Society is respected as the voice of the legal profession. It proactively engages stakeholders on key issues and facilitates rational analysis to adopt sensible positions that are sought after by members, Law Council of Australia, Government and media representatives.

The Law Society's views are considered to be well researched, measured, reasonable and representative. Members are highly engaged in expert committees and working groups. The Law Society is not afraid to speak on controversial issues, but it "picks its battles". It is transparent about why and how decisions have been made. Opinions are easy to access and well promoted via spokespeople, press releases, the website and ecommunications.

The Law Society plays a pivotal role in driving a range of profession and public education initiatives. This contributes to improved public perceptions of the legal profession.

High Value Services

The Law Society continues to stay in touch with members' needs and responds with an improved range of desirable, value adding services and benefits, including:

- information services
- referral and support services
- education and professional development
- member privileges
- networking and social events
- professional indemnity insurance via Law Mutual (WA)
- mentoring services

Organisational Excellence

The Law Society develops and promotes customised services, targeted at various member segments.

The Law Society is forward thinking and financially sustainable, with effective systems. The Council offers strong, representative and collaborative leadership.

There is a strong and compelling value proposition, supported with clear strategies to retain and attract a growing number of members. Our communication is responsive, effective and tailored for member needs.

Staff and members have a clear understanding about their role and are motivated to achieve the Law Society's vision.

Membership Survey

The Law Society's overall performance is strong and continues to improve. According to an independent online survey conducted by CATALYSE® in October 2018 the Law Society's Overall Performance Index Score has climbed from 66 to 71 points over the past two years.

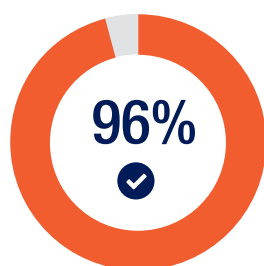
The Law Society continues to be well regarded as the voice of the legal profession. There is strong agreement among members that the Society is addressing essential professional development needs through its Continuing Professional Development (CPD) programme and it is keeping members well informed about changes in legislation and key issues affecting the profession. The Law Society will maintain a strong focus on these areas, and strive for high performance, as they are considered to be of greatest importance for members.

Members have indicated that they want increased membership value and asked that the Law Society focuses on growing

and developing its CPD programme, lobbying and advocating effectively on behalf of the profession and improving its understanding of members' needs.

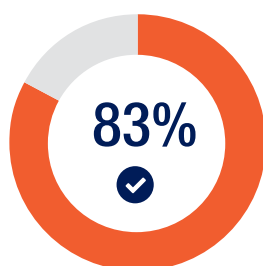
Technology disruption is the top issue facing lawyers. Members discuss challenges with technology moving faster than law changes, keeping up to date, cyber security and the expectation to be accessible around the clock. Members are seeking cultural change across the profession and continued improvement in health and wellbeing among lawyers. The Law Society will consider ways to provide better support for members in these areas.

While there is high satisfaction with ecommunication and the *Brief* journal, ratings have been trending downward and there is lower satisfaction with the Law Society's website. The Law Society will be taking steps to develop a strategy to better meet members' needs in these areas.



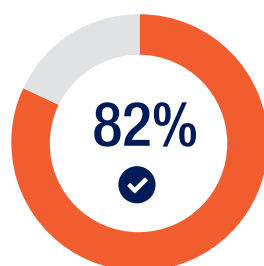
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Member Satisfaction
(Overall Performance
Index Score: 71/100)



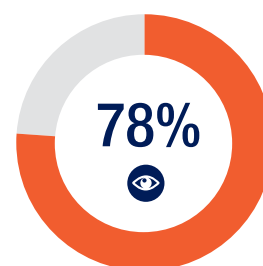
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The Society is the voice of the
legal profession in Western
Australia



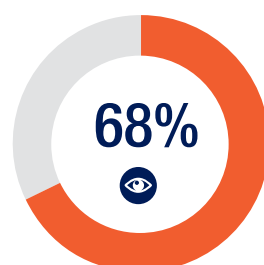
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Addresses essential professional
development needs through its CPD
programme and information provision



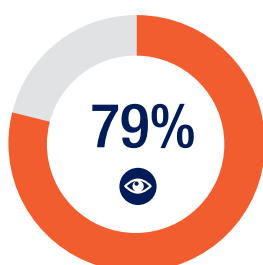
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Keeps members well informed about
changes in legislation and key issues
affecting the profession



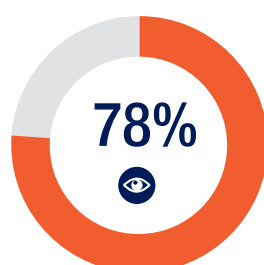
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Has a good understanding of
members' needs



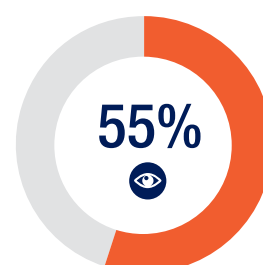
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e-communication



7

Brief journal



8

The Society's website

✓ Target achieved

👁 Focus area

If you have ideas about how the Society could improve, or to discuss these results further, please contact the Chief Executive Officer, David Price on (08) 9324 8605 or by email dprice@lawsocietywa.asn.au.



Greg McIntyre
President

President's Report

The 2018/19 financial year was a productive and successful one for the Law Society. In this Report, I outline some notable events and discuss a number of key advocacy initiatives undertaken by the Law Society in 2018/19.

Significant Judicial Welcomes and Farewells

In July 2018, Law Society Life Member and former President the Hon Wayne Martin AC QC retired as 13th Chief Justice of Western Australia after more than a decade of service to the community. 2018 Law Society President Hayley Cormann attended the ceremonial farewell for the Chief Justice on Friday, 20 July 2018 at the Supreme Court, addressing the Court on behalf of the Law Society's members and paying tribute to His Honour at the conclusion of a distinguished judicial career.

The Law Society was delighted to welcome Western Australia's 14th Chief Justice, the Hon Peter Quinlan at a Supreme Court ceremony on Monday, 20 August 2018. The Law Society has continued to work closely with His Honour throughout the year in the best interests of the legal profession and broader community. Extensive interviews with both the retiring and newly-appointed Chief Justice were published in the Law Society's *Brief* journal.

Black Tie Gala Dinner

On Saturday, 4 August the Law Society and WA Bar Association co-hosted a Black Tie Gala Dinner for the legal profession at Crown Towers, Perth. It was an unforgettable evening with hundreds of members of the profession and judiciary in attendance. Federal Attorney General the Hon Christian Porter MP gave a sharp and entertaining keynote address. The WA legal profession again displayed its generosity by bidding on a range of unique experiences and prizes in a charity silent auction, with part proceeds going to Anglicare WA's Street Connect programme through the Chief Justice's Law Week Youth Appeal Trust.

Landgate

In August 2018, the Law Society welcomed the decision by the Government of Western Australia to reject the sale of Landgate and instead keep it in public hands. The Law Society opposed

the privatisation of Landgate in the absence of adequate protections for consumers and therefore welcomed the commitment of the State Government to guaranteeing the continued integrity of the land registry and maintenance of the existing system of indefeasibility of title.

Best Practice Guide

In late 2018, the Law Society developed an information guide to encourage best practice, fairness and compliance with legal obligations when employing graduates and junior practitioners. This useful guide covers issues such as remuneration, conditions of employment and employee supervision and is accessible through the Law Society's website.

Legislation to Expunge Historical Homosexual Convictions

In September 2018, the Law Society welcomed the passage of legislation through State Parliament to implement a scheme for the expungement of historical convictions related to consensual homosexual activity. The passage of the legislation followed extensive advocacy by the Law Society, which had originally made a submission in April 2016 to the former Attorney General.


Unlawfully Engaging in Legal Work

In 2018/19 the Law Society published a fact sheet on unlawfully engaging in legal work. The fact sheet sets out the provisions of the *Legal Profession Act* prohibiting a person from engaging in legal work unless the person is an Australian Legal Practitioner. It also addresses the purpose of the prohibition, the meaning of 'legal practice', and examples of actions that are, and are not, classified as legal practice.

National Redress Bill

In November 2018, the Law Society expressed its support for a proposed amendment to the National Redress Bill, which was the subject of debate in the WA Legislative Council. The Bill as drafted would have barred survivors of child sexual abuse from applying for criminal injuries compensation if they had already received a redress payment.

The Law Society supported an amendment allowing victims to retain their existing statutory right to claim criminal injuries compensation regardless of any redress payment, on the grounds of uniformity and fairness. Ultimately, the State



Government agreed to incorporate the amendment to the Bill, ensuring survivors of child sexual abuse retained their existing statutory rights.

Had the Bill not been amended, it would have resulted in Western Australia standing alone as the only State in which an applicant would have been unable to receive criminal injuries compensation after accepting a redress payment. The amended legislation will now help create a nationally consistent redress scheme, which the Law Society has always supported.

Legal Profession Regulations

The Law Society made representations to the Attorney General and other stakeholders to effect amendments to the *Legal Profession Regulations 2009*. The Attorney General was receptive to those representations and a number of amendments were gazetted on 27 October 2018. The changes included making in-house counsel exempt from having to take out cover under the Law Mutual (WA) insurance arrangements in relation to legal services provided to related entities to their employing entity; making volunteers to Community Legal Centres, Legal Aid and the Aboriginal Legal Service exempt from having to take out cover under the Law Mutual insurance arrangements; and amendments to clarify and simplify administration of the Law Mutual insurance arrangements.

Justice Project

An outreach role of the Law Society, as the representative of the profession, is advocating for justice for all members of the community. The Justice Project of the Law Council of Australia identified 13 vulnerable groups suffering significant impediments to obtaining access to justice. The Law Society has established a Justice Project Working Group, constituted by two members from each relevant Law Society Committee (including the Access to Justice, Elder Law and Succession, Indigenous Legal Issues, and Administrative, Constitutional and Migration Law Committees). The Working Group will undertake a review of the Justice Project Report's findings and prepare an implementation strategy to progress those recommendations relevant to Western Australia.

Imprisonment for Unpaid Fines

In January 2019, the Law Society and Law Council of Australia released a joint statement, calling on the WA Government to repeal laws that have led to disadvantaged members of our community being incarcerated due to non-payment of fines. I was pleased to note the Law Society's advocacy was taken up by the media. An article was published in *The West Australian* and I took part in interviews with ABC Radio's *AM* and *Statewide Drive* programmes. The State Government has said it takes the issue very seriously and has indicated that it intends to introduce legislation into Parliament, acknowledging the impact on vulnerable members of our community and making imprisonment for fine default a last resort.

New Law Society Professional Standards Scheme

On 15 February 2019, the Professional Standards Council of Western Australia resolved to approve the Law Society's new Professional Standards Scheme, which commenced on 1 July 2019. The Professional Standards Scheme provides law practices with the opportunity to limit liability in the event of a claim.

Legal Profession Uniform Law

In late February 2019, the Law Society welcomed the announcement that Western Australia had agreed to adopt the Legal Profession Uniform Law. This development represents another positive step towards a national legal market. The Law Society has been in favour of Western Australia adopting the Legal Profession Uniform Law for many years.

A single, uniform set of professional conduct rules providing inter-jurisdictional consistency can only benefit consumers of legal services, the legal profession and regulators, especially with national and international firms now being commonplace.

The legislation to enable the legal profession to join the Scheme is anticipated to be introduced and passed in the WA Parliament by 1 July 2020. From that date, the Legal Services Council, which oversees the implementation and operation of the Uniform

Law, will be expanded to seven and include at least one member from Western Australia. The Law Society has always maintained that Western Australia should have guaranteed representation on the national Legal Services Council and that WA should continue to maintain a local regulatory body made up of representatives of the legal profession and independent of government. The Law Society understands that these requirements are pre-conditions of the Western Australian Government joining the Scheme and will be met under the Uniform Law.

Updates to Law Society Briefing Papers

The Law Society maintains a collection of Briefing Papers outlining its policy positions on issues relating to the law, legal profession and community. In 2018/19, the Law Society made changes to a number of Briefing Papers, to bring them up-to-date. The Briefing Papers are publicly accessible through the Law Society's website.

Law Week

Law Week 2019 brought the legal profession and public together in May, with a focus on law and justice in the community. Over 40 Law Week events were held across Western Australia, including around Perth and in regional areas.

National Reconciliation Week

The Law Society was proud to support National Reconciliation Week 2019. The Law Society sponsored a banner for the State Government's Street Banner Project. The Law Society was also a supporter of the National Reconciliation Week Breakfast held on 31 May at Crown Perth.

Conclusion

Further detailed information about the Law Society's activities can be found in the CEO's Report, General Manager Reports and Committee Reports.

My thanks to the members of the Law Society's Council, Committees and staff for all of their efforts in 2018/19.



David

David Price
Chief Executive Officer

Chief Executive Officer's Report

I am pleased to report that the Law Society has again experienced continued membership growth this past financial year. In 2018/19, the Law Society's total membership grew to 4,138 (including Life and Honorary Members), as the legal profession continues to discover the value and benefits of Law Society membership.

It was again a busy year that included the planning and implementation of our new Professional Standards Scheme (which provides a significant benefit for Law Society members by capping occupational liability). Over 90 CPD seminars and webinars were successfully delivered and the Law Society performed important advocacy work for the benefit of the community and shaping the future direction of the legal profession. Over 30 events were delivered including our memorable Black Tie Gala Dinner at Crown Towers Perth, at which members of the legal profession were very generous in their support. The Law Society was delighted to announce the donation of \$15,000 from the Chief Justice's Youth Appeal Trust to Anglicare WA's programme Street Connect from the funds raised on the night. I would also like to acknowledge the efforts of Attorney General the Hon John Quigley MLA in securing further funding of \$15,000 for Street Connect from the Department of Justice.

As a constituent member of the Law Council of Australia, the Law Society was consulted and worked together with the Law Council on a number of important national and international matters affecting the legal profession as well as the community including The Justice Project, a national, comprehensive review into the access to justice in Australia for people experiencing significant disadvantage.

This past financial year, Law Mutual (WA) continued to offer a range of Risk Management seminars for insureds that were focused on the needs of different categories of practitioners and law practices and various types of professional indemnity claims. The 2018/2019 risk management seminars and other training proved to be successful and were attended by

over 1,800 insured practitioners. Law practices are able to obtain a 5% discount on their total Contribution Amount for the new insurance year, if they have fulfilled specific requirements for the discount.

As part of the Law Society's commitment to promote the positive contributions of lawyers to the community, the social media campaign #LawyersMakeADifference was launched during Law Week 2019, aiming to break down stereotypes and tell powerful, positive stories. The campaign featured a number of videos of lawyers discussing their experiences and why their work is important to them. It was also promoted to the business community on the *Business News* online platform.

The Law Society has reaffirmed its commitment to reconciliation in accordance with its Reconciliation Action Plan (*Innovate RAP*). In 2018/19, the Law Society was proud to support the largest ever Reconciliation Breakfast to further raise awareness of reconciliation.


As part of the Law Society's RAP, all Law Society employees were invited to complete the SBS Cultural Training Program during 2018/19. We look forward to further building upon the Law Society's achievements as part of the next RAP that is currently being prepared for 2019 to 2021.

I have only touched on the very broad range of activities the Law Society has undertaken in the past 12 months and I would encourage you to read the General Mangers' and Committee reports in this year's Annual Report.

Member Feedback

The Law Society's overall performance remains strong and continues to improve and according to an independent online survey conducted by CATALYSE® in October 2018, the Law Society's Overall Performance Index Score has increased by five points (from 66 to 71 points) over the past two years.

The Law Society continues to be well regarded as the voice of the legal profession. There is strong agreement among members that the Law Society is addressing essential professional development needs through its Continuing Professional Development (CPD) programme and it is keeping members well



informed about changes in legislation and key issues affecting the profession. The Law Society will maintain a strong focus on these areas, and strive for high performance, as they are considered to be of greatest importance for members.

Looking Forward

New Strategic Plan 2020-2023

Building on the framework and successful implementation of the current 2017-2020 *Strategic Direction* (ending 30 June 2020) the Society's Council has adopted a new 2020-2023 *Strategic Plan* effective from 1 July 2020. The 2020-2023 *Strategic Plan* retains the current Vision for the Society as "the essential membership for the legal profession" and the Purpose "The voice of the legal profession" while introducing the following four new strategic imperatives:

A strong and respected voice

Acting as the voice of the legal profession in Western Australia on issues that are important to our members, the Law Society proactively engages with key stakeholders to influence positive change for the profession across a broad range of areas. Our work focuses on key legislative changes, and recognises the need to advance the profession generally amongst the wider community whilst maintaining a strong commitment to access to justice for all.

A vital support to members

We will support members by delivering targeted, relevant and highly valued services, including offering support, events, and access to communities. We will do this by equipping them to develop their careers, expertise and businesses.

A sustainable and supported future for members

In a sector being challenged by a changing landscape, new platforms, new competitors and changing customer needs, the Law Society understand that members and their firms need to be forward looking, agile and entrepreneurial. We will work with our members to identify the driving forces of change in the sector, and to develop programmes and services to help equip all our members for a sustainable career in the

profession by giving them the tools to develop their skills and knowledge.

Forward thinking organisation delivering value to members

The Law Society is recognised as an engaged, sustainable, and forward-thinking organisation where Council, Committee members and staff are aligned with the vision and purpose.

Organisational Review

It is now five years since an Organisational Review was conducted in 2014 and the Law Society's overall performance remains strong and continues to improve, as evidenced by the independent Member Survey mentioned above.

The Law Society has identified that in order to successfully deliver the four new strategic imperatives to members, an external consultant should again be engaged to work with key stakeholders to reassess the Organisational Review which was undertaken in 2014 and to make further recommendations to ensure that the Law Society is able to meet the Purpose, Strategic Imperatives, Key Areas of Transformation and Strategic Goals set out in the new 2020-2023 *Strategic Plan* in an environment where budget and price sensitivities exist. This work will be undertaken in the later part of 2019.

Thank You

Our success is thanks to a combination of the exceptional service and commitment provided by our Council Members, Executive, Committee Members and Law Society staff.

I would like to extend my sincere thanks and appreciation to Immediate Past President Hayley Cormann, current President Greg McIntyre SC, and both their Executive teams in 2018/19 for their dedicated support.

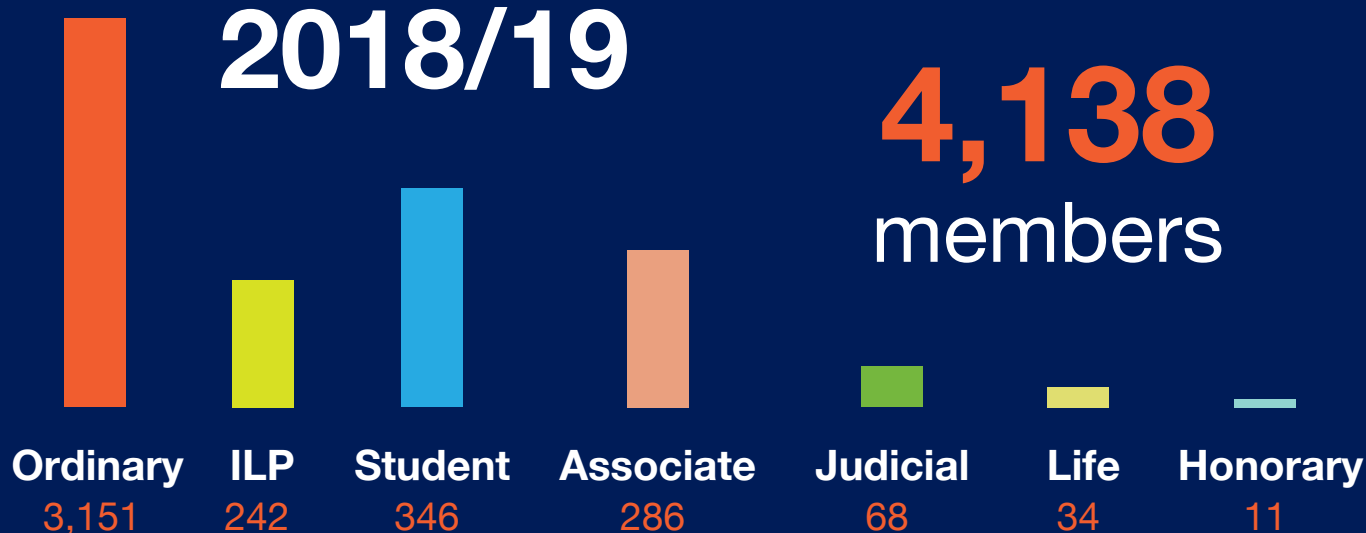
Thank you also to the Law Society Council Members of 2018 and 2019 and our many Committee Members, all of whom volunteer many hours of their time and make invaluable contributions towards making the Law Society the voice of the legal profession in Western Australia.

Finally, I would like to thank the Law Society's staff members for their loyalty, commitment and support as we work together for continued success. We look forward to the year ahead.

The Year in Numbers 2018/19



4,138
members



46

firms accredited through
the **Quality Practice
Standard**

43

members accredited
through the **Family Law
Specialist Accreditation**
programme



11 Policy Briefing
Papers

updated and published
to communicate the
Law Society's policy on
key issues affecting the
profession



Over 200

members shaped the
Law Society's advocacy by
sitting on committees and
contributing submissions to
Council



4,691

Registrations for the Law Society's **Continual Professional Development** offering



2,435

Registrations for Law Society events



Successfully lobbied for the expungement of historical homosexual convictions and lobbying for the adoption of the **Legal Profession Uniform Law** in Western Australia



Reconciliation Action Plan **Innovate** initiatives finalised in June 2019 (with a new RAP Innovate to be launched for next two years)

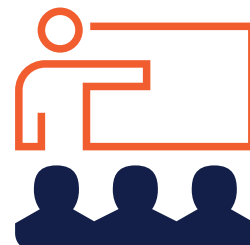


75 student mentees and 36 junior practitioner mentors successfully completed the Law Society's Law Student Mentoring Programme



1,609

Participating members in Professional Standards Scheme, an **increase of 16% members** opting to cap their professional liability



8,655

People educated on the legal profession through the **Francis Burt Law Education Programme**

Council 2018

The Council of the Law Society of Western Australia for 2018
1 July 2018 to 31 December 2018

2018 Council



Executive



Hayley Cormann
President
(Clayton Utz)



Greg McIntyre SC
Senior Vice President
(John Toohey Chambers)



Alain Musikanth SC
Immediate Past President
(Francis Burt Chambers)



Jocelyne Boujos
Junior Vice President and Treasurer
(Sceales Lawyers)

Ordinary Members

Brahma Dharmananda SC (Quayside Chambers)
Elisabeth Edwards (Multiplex Constructions)
Catherine Fletcher (Office of the Director of Public Prosecutions)
(Resigned July 2018)
Emma Griffiths (Asociatii Commercial Lawyers)
Ante Golem (from September 2018)
Karina Hafford (Slater and Gordon)
Eric Heenan (Francis Burt Chambers)
Fiona Low (Fiona Low, Barrister & Solicitor)
Marshall McKenna (Gilbert + Tobin)
Denis McLeod (McLeods)
Jodie Moffat (Peel Community Legal Services Inc.)
Nicholas van Hattem (Francis Burt Chambers)
Paula Wilkinson (Kim Wilson & Co)

Country Member

Kerstin Stringer (Mandurah Legal)

Junior Members

Zoe Bush (State Solicitor's Office of Western Australia)
Sarah O'Brien-Smith (HopgoodGanim Lawyers)
Brooke Sojan (Office of the Director of Public Prosecutions)

Immediate Past President

Alain Musikanth SC (Francis Burt Chambers)

Chief Executive Officer

David Price

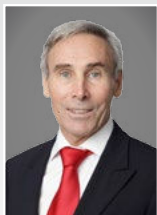
Council 2019

The Council of the Law Society of Western Australia for 2019
1 January 2019 to 30 June 2019

2019 Council



Executive



Greg McIntyre SC
President
(John Toohey Chambers)



Nicholas van Hattem
Senior Vice President
(Francis Burt Chambers)



Hayley Cormann
Immediate Past President
(Quayside Chambers)



Rebecca Lee
Junior Vice President and Treasurer
(Francis Burt Chambers)

Ordinary Members

Jocelyne Boujos (Sceales Lawyers)
Nathan Ebbs (Bennett + Co)
Ante Golem (Herbert Smith Freehills)
Emma Griffiths (Asociatii Commercial Lawyers)
Karina Hafford (Slater and Gordon) (Resigned May 2019)
Matthew Howard SC (Francis Burt Chambers)
Fiona Low (Fiona Low, Barrister & Solicitor)
Joanna Knoth (MDC Legal) (Resigned June 2019)
Gary Mack (Abacus Legal — Mediation) (from June 2019)
Denis McLeod (McLeods)
Jodie Moffat (HHG Legal Group)
Shayla Strapps (Mental Health Law Centre)
Paula Wilkinson (Kim Wilson & Co)
Joel Yeldon (Fourth Floor Chambers) (from June 2019)

Country Member

Kerstin Stringer (Mandurah Legal)

Junior Members

Zoe Bush (State Solicitor's Office of Western Australia)
(Resigned June 2019)
Brooke Sojan (Office of the Director of Public Prosecutions)
Demi Swain (Bennett + Co)

Immediate Past President

Hayley Cormann (Quayside Chambers)

Chief Executive Officer

David Price

Governance

The Law Society's Annual General Meeting was held on Thursday, 22 November 2018.

Councillor Meeting Attendance

1 July 2018 to 31 December 2018

Member	Council (Total 4)	Trustee of Law Mutual Fund (Total 4)	Trustee of the Public Purposes Trust (Total 3)	Trustee of the Chief Justice's Youth Appeal Trust (Total 2)
Hayley Cormann	4	4	3	2
Greg McIntyre SC	4	4	3	2
Jocelyne Boujos	4	4	3	2
Alain Musikanth SC	2	2	2	1
Brahma Dharmananda SC	1	1	1	1
Elisabeth Edwards	3	3	2	2
Catherine Fletcher (resigned 19 July 2018)	-	-	-	-
Ante Golem (from September 2018)	2	2	2	1
Emma Griffiths	1	1	1	0
Karina Hafford	3	3	2	1
Eric Heenan	3	3	2	2
Fiona Low	4	4	3	1
Marshall McKenna	2	2	1	0
Denis McLeod	3	3	3	2
Jodie Moffat	4	4	3	2
Nicholas van Hattem	4	4	3	2
Paula Wilkinson	4	4	3	2
Kerstin Stringer	3	3	2	1
Zoe Bush	3	3	2	1
Sarah O'Brien-Smith	1	1	1	0
Brooke Sojan	2	2	2	1

Governance *Cont'd*

Councillor Meeting Attendance

1 January 2019 to 30 June 2019

Member	Council (Total 5)	Trustee of Law Mutual Fund (Total 4)	Trustee of the Public Purposes Trust (Total 2)	Trustee of the Chief Justice's Youth Appeal Trust (Total 2)
Greg McIntyre SC	5	4	2	2
Nicholas van Hattem	3	3	2	2
Rebecca Lee	4	3	2	2
Hayley Cormann	2	2	1	1
Jocelyne Boujos	4	4	2	2
Nathan Ebbs	5	4	2	2
Ante Golem	3	3	2	2
Emma Griffiths	2	2	1	1
Karina Hafford (resigned May 2019)	2	2	1	1
Matthew Howards SC	2	1	1	1
Joanna Knoth (resigned June 2019)	3	3	1	1
Fiona Low	3	3	1	1
Denis McLeod	3	3	2	2
Jodie Moffat	4	4	2	2
Shayla Strappps	3	3	1	1
Paula Wilkinson	4	4	2	2
Kerstin Stringer	1	1	0	0
Zoe Bush (resigned June 2019)	3	2	0	0
Brooke Sojan	3	3	2	2
Demi Swain	5	4	2	2

Constitution

There is an Executive of the Council consisting of the President, the Vice-Presidents, the Immediate Past President and one ordinary member of the Council who is to be appointed by the Executive for up to 6 months in each calendar year.

Executive Appointed Councillors 2018

- Eric Heenan – 1 June to 30 September 2018
- Paula Wilkinson – 1 October to 31 December 2018

Executive Appointed Councillor 2018

- Ante Golem – 27 February to 30 June 2019

Stakeholder Meetings & Submissions

Executive Meetings 2018

Solicitor General
 Chief Magistrate, Magistrates Court
 Federal Shadow Attorney General
 Acting Justice and Acting Principal Registrar, Supreme Court of Western Australia
 Chief Judge and Principal Registrar, District Court of Western Australia
 LegalSuper

Executive Meetings 2019

Chief Justice of Western Australia and President of the Court of Appeal
 Family Law Practitioners' Association Executive
 Legal Aid Western Australia

Stakeholder Meetings 2018 (President/CEO)

President and President-Elect – Law Council of Australia
 Opposition Attorney General and Opposition Minister for Education
 Minister for Education
 Executive Director, Legal Services Council
 Executive Director, Law Firms Australia

Stakeholder Meetings 2019 (President/CEO)

Chief Executive Officer, Law Council of Australia
 Corporate Law Association of Perth

Associations Incorporation Act 2015

Section 42 – Disclosure of material personal interest.

In accordance with part (2) A member of the management committee of an incorporated association who has a material personal interest in a matter being considered at a management committee meeting must disclose the nature and extent of the interest – the following disclosure was made in the 2018-2019 year.

Name of Member	Date of Meeting/Item No.	Description of interest
Jocelyne Boujos	14.08.2018 – B.3 – Law Society Application to Australian Charities and Not For Profits Commission. Provided legal advice pro-bono.	Partner, Sceales Lawyers
Hayley Cormann	04.09.2018 – C.10 – Proposed New Federal Circuit and Family Court of Australia	Spouse is a Federal Government Minister
Jocelyne Boujos	04.09.2018 – B.2 Law Society Application to Australian Charities and Not For Profits Commission	Partner, Sceales Lawyers

Submissions 2018

Statutory Review of Section 9AA of the *Sentencing Act* – Department of Justice
 Costs Disclosure Under the Uniform Law – Legal Services Council
 Security of Payment for Subcontractors Review – Workshop 3 and Workshop 4 – Security of Payment Reform Industry Advisory Group
 Proposed Amendment to Section 55 of the *Criminal Procedure Act* – Department of Justice
 Processes to be followed in Judicial Appointments – Attorney General (State)
 Preparing Witness Statements for Use in Civil Cases – WA Bar Association
 Data on Court Appearances by Gender – WA Bar Association
 National Inquiry into Sexual Harassment in Australian Workplaces – Law Council of Australia
 Review of Criminal Injuries Scheme in Western Australia – Department of Justice
 Taxation Committee Submission on Proposed Amendment to the *Taxation Administration Act 2003* – Commissioner of State Revenue

Submissions 2018 *Cont'd*

Proposed New Federal Circuit and Family Court of Australia – Law Council of Australia
 Confidential – Consultation Draft of the *Legal Profession Amendment (PI Insurance Management Committee) Bill 2018* – State Solicitor's Office
 Confidential – Amendments to the *Legal Profession Regulations 2009* – State Solicitor's Office
 National Model Gender Equitable Briefing Policy Report – Law Council of Australia
 Proposed Amendments to the *Transfer of Land Act 1893* to Facilitate e-Conveyancing – Landgate
 Costs Disclosure Under the Legal Profession Uniform Law – Legal Services Council
 Different Valuation Dates for the Taking of Land Under the *Land Administration Act 1997* – Department of Planning, Lands and Heritage
 Uniform Law – Proposed Indexation Rule – Legal Services Council
 Use of the Title 'Special Counsel' – Legal Practice Board of Western Australia

Submissions *Cont'd*

Submissions 2018 *Cont'd*

Harmonised Court Rules on Service out of Australia - Chief Justice of Western Australia
Proposed Amendments to the Workers' Compensation Costs Determination - WorkCover WA
Model Litigant Guidelines - Attorney General (State)
Confidential – Options Paper for Enduring Powers of Attorney - Law Council of Australia
Effectiveness of the Current Temporary Skilled Visa System in Targeting Genuine Skills Shortages - Law Council of Australia
Uniform Law Revised Costs Disclosure Forms - Legal Services Council
Key Policy Issues for the Law Council Federal Election Policy Platform - Law Council of Australia
Pro Bono Legal Services Requirement for Government Tenders - State Solicitor's Office
Review of the <i>Criminal Property Confiscation Act 2000 (WA)</i> - The Review of the <i>Criminal Property Confiscation Act 2000</i>
Review of Part 5A of the <i>Criminal Appeals Act 2004 (WA)</i> - Department of Justice
Business Focused Amendments to the <i>Transfer of Land Act 1893</i> - Landgate
Diversity Jurisdiction in the State Administrative Tribunal - Attorney General (State)
National Inquiry into Sexual Harassment in Australian Workplaces - Law Council of Australia
Proposed Amendment to Section 55 of the <i>Criminal Procedure Act</i> - Department of Justice
Proposed Magistrates Court Practice Direction – Civil Costs - Magistrates Court
2019 Federal Election – Call to Parties Consultation - Law Council of Australia
Filing Submissions in the WA Industrial Relations Commission - WA Industrial Relations Commission

Submissions 2019

Uniform Law Revised Costs Disclosure Forms - Legal Services Council
Confidential – Proposed Amendments to the <i>Bail Act 1982 (WA)</i> - Department of Justice
National Harmonisation of Recognition of Grants of Probate - Attorney General (State)
Electronic Register of End of Life Choices - Attorney General (State)
Review of Powers of the President of the Children's Court and Information Sharing of Court Ordered Documents - Department of Justice
Witness Fees for Doctors - Australian Medical Association
Confidential – Amendments to the <i>Legal Profession Regulations 2009</i> - State Solicitor's Office
Claims Harvesting - Department of Justice
Supreme Court Consolidated Practice Directors – Expert Evidence - Supreme Court of Western Australia
Review of the Citizenship Revocation Provisions by the Independent National Security Legislation - Law Council of Australia
Health and Disability Services Complaint Office and Limitation Periods - Health and Disability Services Complaint Office
<i>Workers' Compensation (Legal Practitioners and Registered Agents) Costs Determination</i> - WorkCover WA
Productivity Commission Inquiry into Mental Health - Law Council of Australia
Independence of the Environmental Protection Authority - Minister for the Environment and Chairman of the Environmental Protection Authority
Confidential – <i>Strata Titles Amendment Bill 2018</i> – <i>Strata Tiles Regulations</i> Discussion Papers - Landgate

Submissions 2019 *Cont'd*

Review of the <i>Criminal Investigation (Covert Powers) Act 2012</i> - State Solicitor's Office
Legal Costs Committee Review – <i>Legal Profession (Solicitors Costs) Determination 2017</i> ; <i>Legal Profession (Non-Contentious Probate Costs) Determination 2017</i> ; <i>Legal Profession (Public Notaries) Determination 2017</i> - Legal Costs Committee
Submission to Treasury on Superannuation Binding Death Benefit Nominations and Kinship Structures - Law Council of Australia
<i>Crugnale and Commissioner of State Revenue</i> [2019] WASAT 8 - Commissioner of State Revenue
Law Council of Australia Consultation on the Ethics of Artificial Intelligence by the Department of Industry, Innovation and Science - Law Council of Australia
Ministerial Expert Panel on Voluntary Assisted Dying – Death Certificate - Ministerial Expert Panel on Voluntary Assisted Dying Death Certification
Review of the <i>Aboriginal Heritage Act 1972</i> - Department of Planning, Lands and Heritage
Review of the Amendments made by the <i>Telecommunications and Other Legislation Amendment (Assistance and Access) Act 2018</i> - Law Council of Australia
Review of the Citizenship Revocation Provisions by the Parliamentary Joint Committee on Intelligence and Security - Law Council of Australia
Review of the Mandatory Data Retention Regime - Law Council of Australia
Property Exchange Australia: Issue with Joint Authority to Authorise Payment from Law Practice Trust Account - Property Exchange Australia
Confidential – Inquiry into Mandatory Registration of Children and Young People on the Sex Offenders Register - Standing Committee on Environment and Public Affairs
Review of the Australian Solicitor's Conduct Rules - Law Council of Australia
Statutory Review of the <i>Criminal Organisations Control Act 2012</i> - Department of Justice
Proposed Law Council of Australia Policy on Sustainable Development - Law Council of Australia
Australian Human Rights Commission – Free and Equal: An Australian Conversation on Human Rights - Law Council of Australia
Centrelink Compliance Program and Related Automated Processes - Law Council of Australia
Law Society Support for Family Law Practitioners Association (WA) Request to the State and Federal Attorney General - Attorney General (Commonwealth and State)
<i>Uniform Civil Procedure Rules</i> - Chief Justice of Western Australia
Law Society Support for Provisions in the National Environmental Law Association Position Paper and Third Party Appeal Rights - National Environmental Law Association
Law Society of Western Australia Professional Standards Scheme – Risk and Compliance Policy, Framework and Five Year Plan Review – 2014 – 2019 Scheme - Professional Standards Council
Law Society of Western Australia Professional Standards Scheme – Risk and Compliance Policy, Framework and Five Year Plan Review – 2019-2024 Scheme - Professional Standards Council

Nominations to External Boards & Sponsors

The Law Society nominated members to represent the profession on the following external boards and committees:

Nominations to External Boards	Representative(s)
Law Access Limited	The Hon Malcolm McCusker AC CO QC; Elizabeth Needham; Cav. Maria Saraceni; Paula Wilkinson; Emma Griffiths-Blacklow; Hayley Cormann; Marshall McKenna; Shayla Strapps; Matthew Howard SC
Law Access Stakeholder Advisory Committee	Gregory Mohen
Law Council of Australia Corporate Governance Committee	David Price, Chief Executive Officer
Law Council of Australia Equal Opportunity Committee	Charmaine Tsang
Law Council of Australia Finance and Risk Committee	Greg McIntyre SC
Law Council of Australia Indigenous Legal Issues Committee	Nicholas van Hattem
Law Council of Australia – National Access to Justice Committee	Gary Mack Greg McIntyre SC (alternate)
Law Reporting Advisory Board	Kirsty Sutherland; James Wang; Julie Taylor
Legal Aid Committee 2019-2020	Trevor O'Sullivan; Edward Greaves; Warren Elder
Legal Costs Committee – Casual Observer	Jocelyne Boujos
Legal Costs Committee	Clare Thompson; Brendan Ashdown; Stewart Forbes; Kathleen McNally; Cav. Maria Saraceni
State Records Advisory Committee – Deputy Member	David Bruns
University of Western Australia Law Indigenisation Project Reference Group	Emma Griffiths

Sponsors

The Law Society would like to acknowledge and thank the following sponsors and supporters:

Partners	Member Privilege Partners	
BankWest – Financial Services Partner	Ascend Business Technology	Incito Wealth
Legalsuper – CPD Partner	Audi	John Hughes Group
Sponsors and Supporters	Avis and Budget	Kleenheat
Burgess Paluch	Barbagallo Group	Leblon Outdoor Design
The College of Law	Bayswater Mazda	LexisNexis
Curtin University	Black Swan State Theatre Company	Lexus
Department of the Attorney General	BMW	Mantra Group
Edith Cowan University	Brittons Formal Wear	Mercedes-Benz
Glen McLeod Legal	Capital Partners	Odyssey Beach Cafe
Herbert Smith Freehills	Claremont Artframers and Gallery	Parker & Co
HHG Legal Group	Complete Office Supplies	Pullman Bunker Bay Resort Margaret River
Houlihan Lokey	Direct Fusion Technologies	Region
Jackson McDonald	DoneltNow	QANTAS
KBE Human Capital	endota spa	Quest Mounts Bay Road
Law in Order	Fernando's Ital Jewellers	Red Balloon
LEAP Legal Software	Finer Details Concierge and Organiser	Regalia Craft
Leo Cussen Centre for Law	Service	The Family Travel Company
Murdoch University	Fleet 1st	Virgin Australia
Nuance Communications Australia	Funky Bunches	Volkswagen Group Australia
PEXA	Gillies Group	Watershed Premium Wines
The University of Notre Dame Australia	HBF	Wine Direct
The University of Western Australia	Hyundai	

Life Members

2018

Mr Kevin John Edwards

Cav. Maria Saraceni

His Honour Judge Hylton Quail

2017

Mr Robert Kronberger

2016

Susan Fielding

The Hon Kevin Parker AC RFD QC

Chris Zelestis QC

2015

The Hon Justice Carmel McLure

Steven Penglis

Clare Thompson

2014

Dudley Stow

2013

Her Hon Antoinette Kennedy AO

The Hon Robert Nicholson AO

2012

His Excellency Malcolm McCusker
AC CVO QC, Governor of WA

The Hon Chief Justice Wayne Martin AC

The Hon Michael Murray QC

The Hon Daryl Williams AM QC

2010

John Fiocco

2009

Elizabeth Heenan

2008

John Gillett

David Garnsworthy

2007

Michal Lewi

2005

The Hon Judge John Chaney

Rick Cullen

2003

The Hon Sir John Lavan

2002

Gregory Boyle

Judy Eckert

The Hon Robert French

The Hon Chief Justice David Malcolm AC

Robert Meadows QC

Her Hon Judge Kate O'Brien

John Syminton

1998

The Hon Sir Francis Burt AC

The Hon P Durack QC

The Hon John Toohey AC

The Hon Ian Medcalf AO

1996

The Hon Barry Rowland QC

The Hon John Wickham QC

Rory Argyle

Lawyer of the Year Awards



▲ Greg McIntyre, Law Society President; Lawyer of the Year Award winner (Practitioner with more than five years' experience), Dr Carolyn Tan; Murray Thornhill, HHG Legal



▲ Sonia Walker, Head of Discipline, Law and Criminology, Murdoch University; Lawyer of the Year Award winner (Practitioner with less than five years' experience), Kelsi Forrest; Greg McIntyre, Law Society President

Practitioner with more than five years' experience

2019

Dr Carolyn Tan

2018

Haley Allan

2017

Simon Creek

Nicholas van Hattem

2016

Claire Rossi

Glen McLeod

2015

John Fiocco

2014

Melanie Cave

2013

Thomas Percy QC

2012

Denis McLeod

Clare Thompson

2011

Shayla Strapps

Amanda Goodier

2009

Steven Penglis

2008

Dr Johannes Schoombee

Practitioner with less than five years' experience

2019

Kelsi Forrest

2018

Tegan Harrington

2017

Krista Dunstan

2016

Michael Geelhoed

2015

Callum Hair

2014

Jessica Bowman

Stephanie Puris

2013

Gary Mack

2012

Tammy Solonec

2011

Breony Allen

2009

Toni Emmanuel

2008

Anna Rakoczy

GENERAL MANAGER

REPORTS

Advocacy



Mary Woodford
General Manager
– Advocacy

The advocacy work undertaken by the Law Society is wide ranging and influences the activities undertaken in all areas of the Society. Advocacy on law reform initiatives, legislative change and strategic initiatives relating to access to justice, legal assistance funding, uniform law, closing the gap and diversity are some of the most important services we provide to the legal profession, government and the community.

The Committees and working groups review proposed legislation, identify issues and provide recommendations to government to ensure laws are fair and just. We also actively pursue relevant social issues, advocating for legal reform, service improvements or the need to mobilise stakeholder efforts.

This report details the Law Society's leadership on behalf of the legal profession in these areas and in particular the activities aimed at ensuring access to justice and the introduction of fair and just law in this State. Associated with this is the important role the Law Society has had in maintaining and developing stakeholder relationships with government agencies, members of parliament, the courts, State Solicitor's Office, the Office of the Director of Public Prosecutions, community organisations as well as law societies in other Australian States and Territories and nationally with Law Council Australia.

The committees and working groups have had a large volume of work this year and importantly there have been significant areas of legislative change in the areas of property, access to justice, criminal law, elder law and costs. This Report also sets out the achievements of the strategic initiatives that are managed by the Advocacy team each year including the mentoring programme, the Reconciliation Action Plan, the advancement of women in the legal profession, the Professional Standards Scheme and the Justice Project.

Advocacy Highlights & Projects

This year over 200 Law Society members participated in the Committees and working groups and contributed valuable knowledge and experience to the advocacy in law reform, policy review and development and legal commentary resulting in influence in each of these areas.

The Law Society's submissions covered a range of policy positions/guidelines which are identified in the Governance section of this Annual Report. The Committee Reports below set out in detail the contribution that Advocacy Committees have made during the year with notable submissions including:

- Community Titles Bill 2018
- Electronic Register of End of Life Choices
- National Model Gender Equitable Briefing Policy Report
- National Inquiry into Sexual Harassment in Australian Workplaces
- Pro Bono Legal Services Requirement for Government Tenders
- Proposed New Federal Circuit and Family Court of Australia
- Review of Powers of the President of the Children's Court and Information Sharing of Court Ordered Documents
- Security of Payment for Subcontractors Review
- Strata Titles Act Amendment Bill 2018 and the *Strata Titles Regulations* Discussion Papers

During this reporting period the Attorney General confirmed his intention to pass legislation to introduce uniform law for the legal profession by 1 July 2020. A Law Society Working Group has been established with representation from Costs, Courts, Ethics, Large Firms Australia and the Western Australian Bar Association to consider the proposed draft legislation and guide the profession in the implementation of uniform law. The Law Society is also represented on a Steering Group convened by the Solicitor General, who is advising the Attorney General on the relevant Bills to give effect to Uniform Law.

Committee Administration

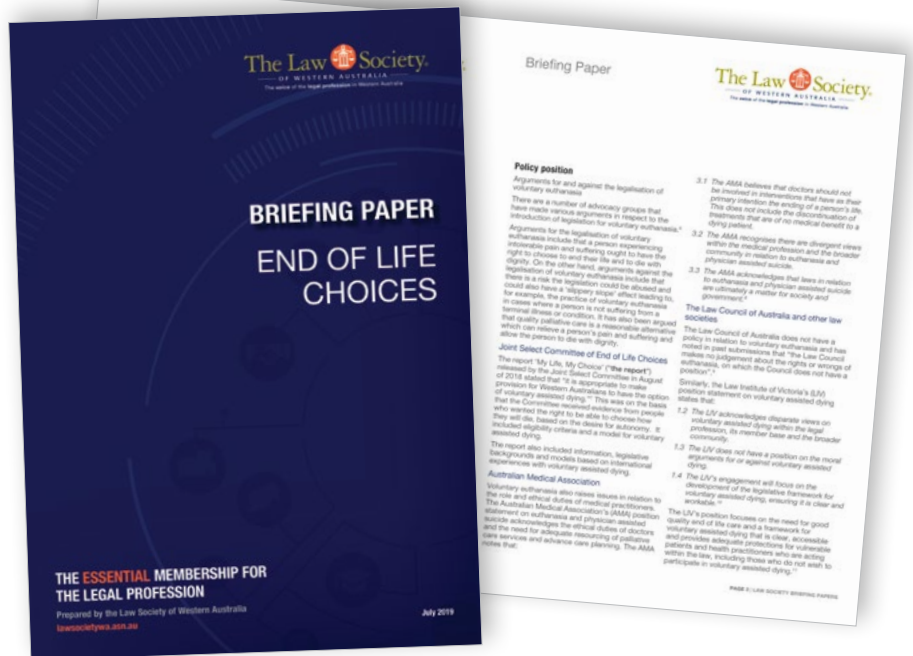
The Council Standing Orders and Committee Standing Orders (now Council Bylaws and Committee Bylaws) were reviewed and updated during the year as well as all Committee and Working Group terms of reference. Council approved the new bylaws in April 2019 and the terms of reference are scheduled to receive Council consideration and approval early in the next reporting period. The practice of Council members being appointed on an ex-officio capacity to Committees has continued which enables the Council to have a direct link with its committees.

Advancement of Women in the Legal Profession

This Working Group of Council continued to oversee the implementation of the recommendations from the 20th Anniversary Review of the 1994 Chief Justice's Gender Bias Taskforce Report. The Working Group's term was extended until 30 June 2019 to address a number of outstanding recommendations.

While a number of initiatives from previous reporting periods were continued, new initiatives during the year included:

- Adoption of the Equitable Briefing Policy and providing annual reports to the Law Council of Australia on briefing practices.
- Ongoing promotion of LCA "unconscious bias" training to members of the profession (men and women)
- Ongoing promotion of WGEA guide to reporting on website
- Promotion on the Law Society's website protocols, articles and other resources regarding flexible work arrangements
- Consultation with an "inter-firm group" of diversity representatives from different firms
- Publication on the Law Society's website links to resources and examples of policies in relation discrimination, harassment and bullying developed by the Law Council of Australia, the Australian Human Rights Commission, Safe Work Australia and Worksafe



▲ Briefing Paper focusing on End of Life Choices.

- Consideration of alternative fee arrangements
- A review of available data to identify whether there is a pattern of more women leaving the profession than men.

The Law Society successfully obtained a Public Purposes Trust grant to undertake a retention study in 2019/2020 to understand the reasons for the high attrition and low re-engagement among women in the Western Australian legal profession and identify solutions to stall this trend.

LawCare WA

Advocacy in the area of mental health and wellbeing for our profession remains a key priority for the Law Society. Our LawCare WA services are directed at assisting members to manage career, finances and health and wellbeing issues. The Member Assistance Programme provides members with up to three free counselling sessions per year. Through the Senior Advisors Panel and the Western Australian Bar Association Referral Service, members can access experienced practitioners for advice on ethical issues or complaints. The Law Society continued its

LawCare WA service and the Employee Relations Advice Line, in response to one of the recommendations in the Final Directions Paper concerning the availability of career support. The Employee Relations Advice Line allows members to obtain advice from industry experts from the Chamber of Commerce and Industry of Western Australia about human resources and employee relations issues.

Mentoring

The Law Society continues to conduct a mentoring programme for practitioners. In the last five years the programme has resulted in excess of 300 mentee and mentor matches. The programme is coordinated by a trained external facilitator who conducts information sessions for both mentors and mentees and manages the programme to ensure that the mentors and mentees are supported throughout the programme. A report is provided to Council at the end of each programme and the 2018/2019 report showed a high level of positive

feedback from both mentors and mentees. The survey showed that the programme appeared to be positively received by mentees and mentors alike. The induction training that is provided before the programme commences focused on mentees taking the time to prepare for their mentoring discussion and determining what they wanted to achieve from it. Following completion of the programme over two thirds of the mentors and mentees paired were still meeting in May 2019 and participants rated the program in the 75th percentile with 75% of participants rating the programme as excellent.

Professional Standards Scheme

The Law Society's Professional Standards Scheme that commenced on 1 July 2014 continued to grow this year. As of 30 June the Scheme had 1,609 participating members; 120 more than the number of participating members a year earlier. The management of risk across the Law Society is a centralised risk

management portfolio and has dedicated risk management positions. This enables the Law Society to deliver opportunities to the profession to improve its professional standards in a more holistic way.

During the 2018/19 year, the Committee also oversaw the preparation and submission of the Law Society's fifth annual compliance report to the PSCs and the third year of implementation of the Scheme's risk management and compliance framework. A significant amount of work was also devoted to the preparation and finalisation of an application to renew the Scheme, which expired at the end of the reporting year. The new Scheme commenced on 1 July 2019. The detail for the Committee's areas of work is contained under the Professional Standards Scheme Committee report in this Annual Report.

Reconciliation Action Plan

The Reconciliation Action Plan (RAP) program provides a framework for the Law Society to support the national reconciliation movement.

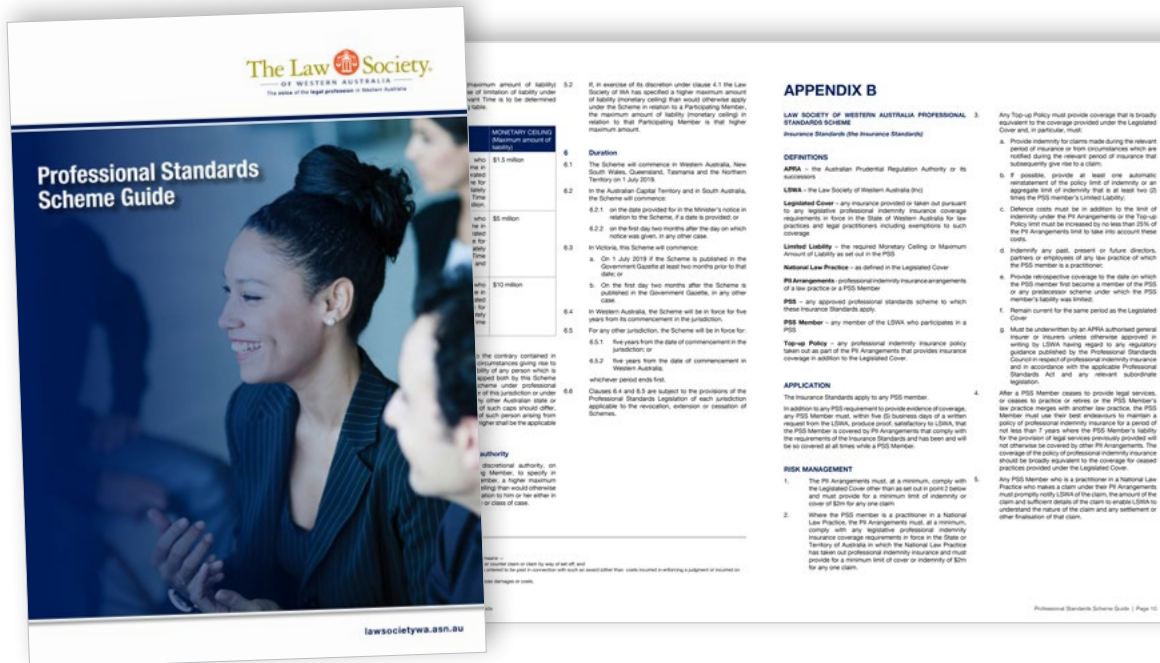
The Law Society's RAP Working Group oversees the strategic document that supports its Innovate RAP initiatives which include practical actions that drive the Law Society's contribution to reconciliation both internally and in the community it operates.

There are four RAP types (*Reflect, Innovate, Stretch, and Elevate*) that set minimum elements required for the Law Society to build strong relationships, respect and opportunities with the organization and community.

An Innovate RAP outlines work towards achieving the Law Society's vision for reconciliation. Initiatives for this RAP are:

- Providing opportunities to build and maintain relationship with Aboriginal and Torres Strait Islander peoples;
- engaging staff and stakeholders in reconciliation and cultural learning opportunities to increase





▲ Professional Standards Scheme Guide.

- understanding and appreciation of Aboriginal and Torres Strait Islander cultures, histories and achievements;
- developing and maintaining mutually beneficial relationships with Aboriginal and Torres Strait Islander peoples, communities and organisations to support positive outcomes;
- developing relationships, actions and targets with local stakeholders to promote reconciliation and the Law Society's vision for reconciliation; and
- engage employees in understanding the significance of Aboriginal and Torres Strait Islander cultural protocols, such as Welcome to Country and Acknowledgement of Country to ensure there is a shared meaning;
- investigate opportunities to incorporated ATSI supplier diversity within the Law Society and improve and increase Aboriginal and Torres Strait Islander employment outcomes within the Law Society.

The Law Society's Innovate RAP initiatives covered the period between July 2017 and 30 June 2019 and the Law Society Council have approved the Law Society making a new application to Reconciliation Australia for another RAP Innovate for the next two years.

Consistent with the initiatives of the RAP Law Society staff completed cultural awareness training during this reporting period. This will be reviewed and further cultural awareness training and activities will be progressed under the RAP.

Finally, the advocacy work undertaken this year would not be possible without the commitment and contribution from the committee and working group members. The Law Society thanks you all for this very worthwhile contribution to its advocacy.



Vernon Thompson
General Manager
– Corporate Services

Corporate Services

The Corporate Services Team provides commercial, administrative and financial support to the operation of the Law Society and related entities. This support includes financial management and reporting, marketing and communications, business development, human resources and payroll, IT management support and general administration support.

Financial Position

The Law Society has reported a normalised operating net surplus of \$131,507 for the year ended 30 June 2018, which is in line with forecasted expectations.

The total membership numbers for the year were 4,127, representing an increase of 74 members on the previous year.

As reflected in the audited accounts, the Law Society ended the financial year with accumulated net assets of \$2.33M and cash reserves of \$2.48M.

A breakdown of the Law Society's sources of income and areas of expenditure has been included at the end of this report.

Workplace Health and Safety

The Law Society is committed to a best practice environment, safety and health standards and regularly monitors workplace health and safety (WHS) in accordance with our WHS Management Plan (2016-2020).

Information and Communications Technology (ICT)

This year saw significant activity within the ICT area including the carrying out of a Request for Proposal process for the support services to the Society which resulted in a move to a new supporting partner being iQuest in January 2019.

The Law Society also performed a full review of its IT Strategic Plan, which was developed in partnership with our external consultants,

and involved the following primary activities:

- An annual desktop refresh;
- Successful annual backup and disaster recovery testing;
- Redesign of the planned network and system upgrades which resulted in approval to move a number of operating systems to the cloud; and
- Infrastructure planning including planning for significant system upgrades.

These upgrade projects are commencing the implementation phase and are designed and expected to both provide improved operational and financial outcomes to the Society.

The transition to our new provider of network support services has occurred seamlessly and without incident which is a credit to our staff and the team at iQuest and Focus Networks who have supported the Society admirably to December 2018.

Marketing and Communications

The Marketing and Communications team are responsible for a wide range of activities including the design and production of print and digital marketing collateral, social media creation and management, customised and targeted marketing campaigns, media engagement, advertising and business development.

The following are some examples of the regular products and activities which the team supports and/or provides:

- 11 issues annually of the Law Society's monthly journal, *Brief*
- Over 200 regular e-newsletters and customised email campaigns
- Development of marketing and communications material for key activities such as:
 - Law Week
 - Membership renewal campaigns
 - Council elections
 - Publication of the Law Society Diary and Directory

Each year the Marketing and Communications team develops a Marketing and Communications Strategic Plan, which forms the strategic map for higher level activities to improve the effectiveness of communications, increase media engagement and improve members' knowledge of the Law Society's services.

In line with this Strategic Plan, the website remains a key channel of communication and source of information to both members and the community. In May 2019, the Law Society of Western Australia launched a new resource, "For the Public" on its website to address the common queries, concerns and legal needs of the Western Australian public.

During Law Week 2019, the Society demonstrated its commitment to promote the good works of lawyers in a new campaign called #LawyersMakeADifference, challenging negative public perceptions and revealing some of the people behind the profession as part of a social media campaign, with a distinct web page on our website.

Media Engagement

In the 2018/19 year the Law Society produced 24 media statements covering a wide range of topics including judicial

and other appointments and retirements, customary law, the Law Society's Lore Law Project, imprisonment for unpaid fines, the Legal Profession Uniform Law, justice reinvestment, International Women's Day, the Law Council of Australia's Justice Project, funding of the Law Society's Francis Burt Law Education Programme and legislation to expunge historical homosexual convictions.

The Law Society and its initiatives were featured by numerous media outlets, including the ABC and The *West Australian*. As part of a strategic partnership with *Business News*, Law Society articles are regularly featured online and promoted in regular *Business News* email newsletters.

Social Media

Social media is a key means of communication with our members, the legal profession and the wider community. The Law Society utilises Facebook, LinkedIn and Twitter to engage and interact with users and keep members informed about events, activities and news. In the 2018/19 year, the Law Society continued to expand its social media following, with growth rates of around 20%-40% across these platforms.

Law Access

The Law Society is pleased to continue to provide significant in-kind support to Law Access for finance, payroll, marketing and communications, insurance and IT requirements. The Law Society continues to refer members of the public seeking to apply to the Law Access Pro Bono Referral Scheme.

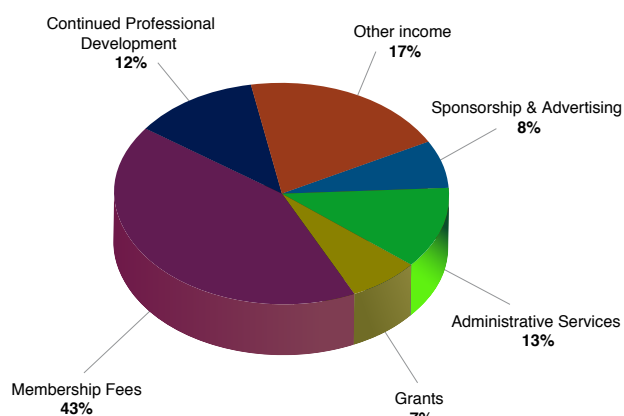
Public Purposes Trust

The Law Society acts as the trustee of the Law Society Public Purposes Trust. Through the direction of the Attorney General the trust provides financial support to organisations offering valuable services to the community.

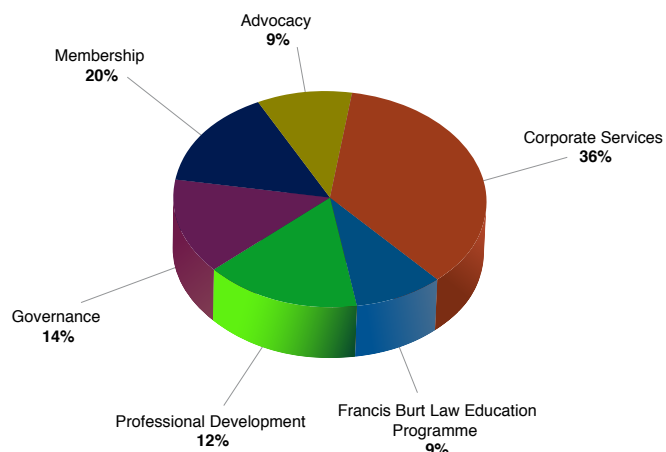
The financial and administrative functions of the Trust are managed by the Law Society with over \$2.3M being paid out in grants by the Attorney General in the 2018/19 financial year.

Please note that although the Law Society of Western Australia is the trustee of the Law Society Public Purposes Trust, it does not decide which applicants are to receive funding. Applications are assessed through an independent three-stage process with the final decision made by the Attorney General.

Law Society Income 2018/19



Law Society Expenditure 2018/19



Law Mutual (WA)



John Rogers
General Manager
– Law Mutual (WA)

Law Mutual provides professional indemnity insurance arrangements and effective risk and claims management solutions for the Western Australian legal profession while recognising the public interest.

The basic contribution rate for the 2019/2020 PI insurance arrangements increased by 10% compared to the previous year. This was primarily due an increase in anticipated annual claims' costs and increased Underwriter premiums.

The number of claims in the 2018/2019 insurance year is expected to be similar to the estimated number of claims in the 2017/2018 insurance year. In addition, the number of notifications of circumstances is in line with the long term average. The expected numbers for 2018/2019 are 76 (claims) and 127 (notifications) against a five year average of 66 and 124 respectively.

Law Mutual has dedicated personnel for each of the core functional areas of insurance services, finance, risk management and claims to address customer service and the needs of the business. The work carried out in 2018/2019 has allowed us to increase our risk management initiatives and streamline our business processes. For example, for the

2019/2020 insurance year, we have introduced a series of risk management webinars to increase the availability of risk management training to regional and remote practitioners.

Each year Law Mutual publishes an information booklet which details the insurance arrangements including general information on claims, what is and isn't covered and the calculation of annual contributions. The booklet for 2019/2020 insurance year has been distributed and is available on the Law Mutual website. For the 2019/2020 insurance year, as for the previous three years, Law Mutual placed the underwritten part of the PI insurance arrangements with the following underwriters:

- Vero (50%)
- Allianz Australia (25%)
- Amlin (Lloyds Syndicate) (25%)

During the reporting period, Law Mutual (WA) published its Claims Management Policy and Risk Management Policy on its website. Insured practitioners and consumers of legal services are encouraged to read these Policies to better understand Law Mutual (WA)'s approach to both of these important operational areas.

The 2018/2019 risk management seminars and other training were attended by over 1800 insured practitioners. 303 insured practices were able to claim a 5% discount on their



2019/2020 Annual Contribution for having met risk management training requirements.

In addition to the risk management seminars, Law Mutual (WA) facilitated four risk management workshops. The workshops provided an opportunity for practitioners to consider and provide feedback on the practical application of the requirements for good practice and matter management. The results of the analysis and information captured at the workshops was used to inform the content of the 2019/2020 risk management seminar programme.

The Professional Indemnity Insurance Management Committee (PIIMC) oversees the operations of Law Mutual, providing guidance and advice as required. There is a close working relationship between the PIIMC and the staff of Law Mutual. The following table sets out details of the number of meetings and attendance for PIIMC:



Committee Member	Attended	Meetings
Denis McLeod	5	7
Dudley Stow	7	7
Hayley Cormann (since 31/12/2018)	1	4
Eric Heenan (till 31/12/2018)	3	3
Jocelyne Boujos	7	7
Paula Wilkinson	7	7
Peter Forbes	7	7
Robert Evans	7	7

▲ Number of meetings and attendance for the Professional Indemnity Insurance Management Committee (PIIMC)



Áine Whelan
General Manager
– Programmes

Programmes

The Programmes area delivers client facing services that aim to bring essential value to members working in the profession. Programmes is responsible for retaining and growing membership, providing relevant Continuing Professional Development (CPD) and professional development for the profession, and delivering a committed education programme to schools and the broader community.

In 2018/19 the Law Society continued to deliver essential membership services that resulted in positive member engagement and growth including:

- strong membership base with 84% retention and 1.8% increase in overall membership numbers;
- leading provider of CPD via flexible learning opportunities across multiple learning channels, particular webinar offerings which increased by 500%; and
- strong loyalty to the Law Society's CPD education programme with CPD Freedom membership increasing by 30%.

Membership Services

The Law Society's vision as the essential membership of the legal profession ensures a strong focus on providing unique benefits that cannot be obtained elsewhere. Working with our membership and providing timely and relevant information and events have resulted in very positive engagement with the legal profession as illustrated by our membership numbers. Highlights in the membership area include:

- 4,138 members in 2018/19, compared to 4,062 in 2017/18 demonstrating a 1.8% increase in overall membership numbers;
- 3,170 members with practicing certificates (and section 36 practitioners) indicating a 51% market share of total WA practicing certificates & section 36 practitioners;

- strong membership retention rate of 84%; and
- 13.7% increase in Associate membership with the Law Society recording 632 Associate members in 2018/19 compared to 545 in 2017/18.

This success is a reflection of the Law Society's strong culture of providing good customer service, listening to members' needs and continually striving to provide better value for members. In 2018/19 a number of initiatives contributed to this including:

- Development of strategic campaign targeted to prospective members, which promoted targeted value propositions;
- implementation of highly tailored, segment specific initiatives to provide increased engagement and value to members;
- engagement with members and potential members through presentations, student expos, visits to firms and delivering high quality events;
- provision of high value CPD Freedom membership through an extensive CPD Programme including eLearning and increased number of webinars offering a new level of flexibility for members' professional development;
- relevant engagement and communication of the Law Society's programmes, resources and benefits through the website and social media channels;
- high value events including the Black Tie Gala Dinner; and
- Excellence in customer service and a member-facing approach to engagement.

2018/19 delivered 24 very successful and well attended events for the legal profession attracting 2,435 participants. The majority of 2018/19 event attendees were from our loyal membership base with non-members accounting for approximately 22% of all attendees.

Popular events were the Welcome to the Profession Breakfast, Volleyball and Netball competitions, End of Year Celebration, Small Firm Network Drinks and Later Lawyers Discussion & Networking Event, all which provided valuable opportunities for a wide cross section of member segments to connect

and achieve meaningful engagement with their profession.

The Later Lawyers event was a new initiative formed to address the needs of a growing segment of members, being individuals who came to law later in life and who do not identify with the traditional legal career progression. This network of Later Lawyers including members and non-members, came together to hear from a dynamic panel on the advantages and challenges in coming to law later in their careers, allowing new connections to be formed over shared experiences.

The Law Society was proud to work in partnership with legalsuper in the administration of a Mental Health First Aid Training (MHFAT) course for law students, ensuring that the importance of mental health remains front of mind for practitioners from the very beginning of their careers.

The social highlight of the year was the Biennial Black Tie Gala Dinner held on Saturday, 4 August 2018 at Crown Towers in association with the Western Australian Bar Association. Over 370 attendees participated generously in the silent auction with \$16,500 being donated to Anglicare WA's programme Street Connect through the Chief Justice's Law Week Youth Appeal Trust. The Law Society would also like to acknowledge the efforts of Attorney General John Quigley in securing a further funding of \$15,000 for Street Connect from the Department of Justice, resulting in a total of \$31,500 raised by the Law Society's 2018 Black Tie Gala Dinner.

The Law Week Awards Night was another highlight on the event calendar which was delivered for the first time at the new Westin Hotel. Held on Friday, 17 May 2019, Law Week concluded to announce the 2019 Lawyer of the Year Awards, acknowledge the Society's newest Life Members and to also recognise practitioners who have held a practising certificate for more than 50 years. Over 170 guests toasted to a successful Law Week and celebrated the week's theme of Law and Justice in the Community.

The Law Society's member privileges programme continued to provide significant discounts and value-adds across a range of home, lifestyle and corporate organisations.



▲ Welcome to the Profession Breakfast November 2018.

New member privilege partners included Odyssea City Beach Café, Pullman Bunker Bay Resort and The Family Travel Company.

The Law Society's accreditation programmes Quality Practice Standard and Family Law Accreditation provided members with the opportunity to achieve recognition, enhance their competitiveness, mitigate risk and ensure excellence in service. Two annual Quality Practice Standard accreditation workshops were held during the reporting period. The Law Society congratulated three new Quality Practice Standard firms, making a total of 46 firms currently accredited.

Law Society Law Graduate Programme

As part of its commitment to supporting young lawyers, the Law Society operates a Law Graduate Programme in conjunction with Law Access Limited. We have been pleased to host a graduate in the last financial year, providing training in and exposure to professional services administration, CPD programming, accreditation frameworks and event management. In addition the Programme gives a law graduate the opportunity to work as part of the Law Society's Advocacy team and also spend three days a

week at Law Access, performing valuable legal work on a pro bono basis. Law Access is a registered charity connecting vulnerable members of the community with pro bono legal advice and representation. The balance of both learning environments creates a unique learning opportunity for law graduates, providing additional skills to equip them for future employment.

Law Week 2019

Law Week in 2019 was one of the most successful ever with over 40 law week events for the community. Activities were held throughout Western Australia (65% metropolitan and 35% regional) including Albany, Bunbury, Claremont, Perth, Fremantle, Geraldton, Gosnells, Kalgoorlie, Mandurah, Midland and Subiaco. The legal profession offered community access to free events such as free legal advice in Perth and regional areas, Intellectual Property 101 – What you need to know about protecting your intellectual property, information sessions on Redress, Family Law, Property Settlement, Wills and Deceased Estates, and NDIS.

Highlights of Law Week included the Law Week Breakfast and the Attorney General's Community Service Law Awards featuring keynote address by Emeritus Professor Rosalind Croucher AM on 'Law, Lawyers and Human Rights'; the Law Access organised the Walk for Justice which attracted 600 supporters to walk along the Perth foreshore and raised over \$80,000 for the Law Access Pro Bono Referral Service; The Old Court House Law Museum evening of music 'The Life and Music of Dom Rosendo Salado', with a performance by Father Robert Nixon, from New Norcia; the Young Lawyers Committee screening of *Connection to Country*, raising awareness about how to assist with Indigenous legal issues; and Law Week Awards Night which announced Kelsi Forrest as the 2019 Lawyer of the Year with less than five years' experience and Dr Carolyn Tan as the Lawyer of the year with more than five years' experience.

Law week also saw the launch of the



▲ Greg McIntyre, President Law Society of Western Australia, presenting at the Law Week Awards Night 2019.

#*LawyersMakeADifference* campaign with the release of a short video featuring six lawyers from diverse backgrounds, additional six short videos for social media and various articles published in *Business News*. This campaign, targeted at the general public, aims to tell powerful stories, promote positive relatable conversations and present different 'faces' of the law in an effort to divert from traditionally held stereotypes. This project was received very positively and will continue over the next few years.

New website content 'For the Public' also went live during Law week. The content provides information specifically for the general public on how to assess whether an individual needs legal assistance, how to engage with legal professionals and other useful information.

Continuing Professional Development (CPD)

In 2018/19 the Law Society delivered two CPD programmes offering a total of 144

seminars (74 live and 70 online learning). The demand for online and live streamed webinars has been significant with the Society responding by increasing webinar delivery by over 500% and offering our largest ever number of on-demand eLearning courses from 93 authors this financial year. The Society continued to offer a variety of learning formats including offsite events such as the CPD Summer Getaway at The University Club and the CPD Day for Rural, Regional and Remote legal practitioners during Law Week at The Hilton Hotel.

The Society's success relies on exceptional speakers and this year we were fortunate to again have a first class group of speakers including the Chief Justice of Western Australia, the Hon Peter Quinlan, The Hon Justice Joe McGrath, Supreme Court of Western Australia, His Honour Chief Judge Sleight, District Court of Western Australia, and His Honour Judge Parry Deputy President of the SAT.

In-depth perspectives were also provided

by the Law Society's extensive network of national and internationally recognised speakers and chairs including the President of the Victorian Bar, Dr Matthew Collins QC, Jeffrey Goldberger, Special Counsel, Norton Rose Fulbright, the Acting Information Commissioner Catherine Fletcher, Catherine Willis, Assistant Commissioner Australian Tax Office and Mitchell Kowalski from the University of Calgary Law School, Canada, past Law Society Presidents His Honour Judge Christopher Kendall and His Honour Judge Hylton Quail, District Court of WA. We acknowledge and thank the many additional barristers and solicitors who contributed their time, expertise and enthusiasm.

The Society retained its high quality advocacy training by offering a refreshed Essentials of Advocacy and Negotiation intensive, followed by the seasoned Practical Advocacy Weekend chaired by Jenny Thornton (Barrister, Quayside Chambers). The day provided excellent focus on advocacy offered by barristers from five different Chambers, the Office of the Director of Public Prosecutions Western Australia and with District Court Judge Michael Gething presenting on negotiation. The 2018 Practical Advocacy Weekend was led with great success by Head Coach, The Honourable John Chaney SC with assistance from seven members of the judiciary, three barristers, the Director of Public Prosecutions and respected trainer and voice and performance coach, Julia Moody.

The CPD Summer Getaway Day held at the University Club in February 2019 exposed members to design thinking methodologies and also provided 'Essential Topics for the Busy Lawyer' which focused on current developments relevant to daily legal practice. We were privileged to close the day with an address from the Hon Peter Quinlan, Chief Justice of Western Australia, on the subject of Ethics.

During Law Week the Society was delighted to again offer our second full day conference for Rural, Regional and Remote lawyers. This was offered for Country members at no cost, and heavily discounted for Country non-members. The coming together of regional lawyers from areas as far as Esperance and Broome made for a very successful and



▲ Law Access Walk for Justice, Bell Tower May 2019.





▲ CPD for Rural, Regional and Remote Legal Practitioners May 2019.

energised learning and networking environment.

In 2019 we strengthened our complete CPD solution with the newly introduced CPD Freedom. This option was made available exclusively to Law Society members for a significant cost reduction on previous years. CPD Freedom offered a 25% and 63% reduction for experienced lawyers (\$600) and restricted legal practitioners (\$300) respectively which provided more than 90% of the Law Society's face-to-face seminars and all live webinars available to members for no additional cost. All eLearning was offered to CPD Freedom members at \$30 per seminar. The product delivered substantial savings to lawyers who want the freedom of choice and maximum flexibility with their continuing education. For law firms, it ensured practitioners had the freedom to think broadly about developments in the business and practice of law and to pursue their professional development with the Law Society for one fixed price.

Throughout the year the Professional Development area also delivered the annual Risk Management programme to 1,175 insured members.

Becoming a family law accredited specialist helps family law practitioners gain a higher level of competence and specialist skills, as well as enabling the legal profession and general public to identify solicitors who have expertise in family law. The biennial Family Law Accreditation exams are taking place in 2019 with a 100% increase in candidates from previous years. A total number of 22 candidates will undertake the Accreditation assessment which consists of a mock file, written exam and mock interview.

The Education Committee continued to work closely with the Law Society's committees, external stakeholders and leaders in their field to identify and develop relevant and engaging content for its CPD programme. The Law Society thanks its Education Committee for sharing networks and skills, speakers

for donating their time and knowledge and all sponsors who see value in our programme. The Law Society especially appreciated the ongoing support of legalsuper, our CPD partner.

Education and Community Services

This year the Society continued to engage with the community and the profession through The Old Court House Law Museum (the Museum), The Francis Burt Law Education (the FBLEP) Programme and The Mock Trial Competition (the Competition).

The State Government advised that it would cease its Department of Education funding of the FBLEP and the Competition after 30 June 2019. To address this, the Society successfully increased its Public Purposes Trust (PPT) triennial funding for the period 2019/20 to 2021/22. However the funding gap was not completely bridged, therefore this period represents

an important transition for Education and Community Services in order to sustain, and work towards building resources and service delivery to meet current and increasing demand.

From 1 January 2019, significant increases in Mock Trial Competition team registration fees and across the board \$2 increase in FBLEP fees for school and community groups plus significant increases in the FBLEP fees for International Language Colleges, Vocational Colleges and Professional Groups were implemented as a means of covering some of the gap in funding.

The total number of participants/visitors in 2018/19 was 15,437:

- 8,655 total participants in the Francis Burt Law Education Programme;
- 5,698 total visitors to the Old Court House Law Museum; and
- 1,084 student participants in the Mock Trial Competition (2019 calendar year as at 30 June 2019).

Mock Trial Competition

The 2018 Mock Trial Competition finalists were the 'Hale Briefs' versus the 'Hale Defenders' from Hale School with the 'Hale Briefs' team winning. Just under 1,200 students registered in 2019 and 1,082 students from 56 metro and regional schools in 112 teams took part in the 2019 Competition; 654 of those students achieved WACE accreditation towards their high school graduation.

Mia Sutcliffe of Lake Joondalup Baptist College was awarded the 2018 Mock Trial Competition Murdoch University Scholarship and 33 students attended the Mock Trial Competition Training Seminar and Workshop held at Murdoch University.

The Competition wouldn't be the success it is without volunteers from the legal profession who take on coaching or judging roles. (There were 90 judges and 57 coaches.) The Law Society is also grateful to the 60 teachers who managed the 112 teams in 2019.

Francis Burt Law Education Programme

The FBLEP engaged with 7,221 daily visitors with 85% of those groups being primary or secondary school groups. When combined with the Cluedunnit Kids Competition, the Lawyer Visits to Schools Network and the Remote and Regional Loan Box Programme FBLEP Pack the total number of participants reached 8,655.

Major projects for the Programme included:

- The Subsidised School Visits Programme;
- The Cluedunnit Kids Competition;
- The Lawyer Visits to Schools Network;
- The Youth Civics Leadership Day;
- The 2018 Sir Ronald Wilson Lecture: Presented by the Hon Justice Jeremy Curthoys; and
- The Lore Law Project: secured \$200,000 from the Criminal Property Confiscation Grants Program.



▲ Mock Trial Competition October 2018.



▲ Students at the Old Court House Law Museum.

Old Court House Law Museum

The Museum welcomed 5,698 visitors in 2018/19. Museum initiatives of particular interest this year:

- Temporary exhibitions: *The Life and Music of Dom Salvado, From Law, To War, To Peace, Forensics Anatomy of a Crime and Kate George: A Wild Bush Kid.*
- Public programmes: *The Life and Music of Dom Salvado, From Law, To War, To Peace, A Beginner's Guide to Forensic Science and Forensic Science Failures.*
- School Holiday Programmes: 159 children aged 7-12 and parents participated in the Museum's school holiday programmes in the reporting period.

The Museum's highly visual and engaging content has been promoted via its online channels of Facebook and Instagram resulting in a significant growth in local, regional, interstate and international supporters.

Dr Joanna Sassoon completed a Significance Assessment Report, which was made possible thanks to a Community Heritage Grant from the National Library of Australia (NLA), of the Museum collection and the building.

The Report confirmed the International, National and State significance of the Old Court House Law Museum collection and the building.

The refurbishment of Court 8 into a collection storage area commenced with efforts made to ensure the space aligns with the National Standards for Australian Museums and Galleries. We are grateful to the Supreme Court of Western Australia for making the Court 8 space available to the Museum for collection storage purposes.

The Law Society thanks the dedicated volunteer Committee Members and funding bodies whose assistance has been invaluable:

- the Public Purposes Trust;
- the Department of Education; and
- the Department of Justice.

COMMITTEE

REPORTS

Access to Justice Committee

Gary Mack
Convenor



The Access to Justice Committee has broad representation from members of the legal profession and key stakeholders in the provision of legal aid and legal assistance on a pro bono basis. Stakeholder representation includes Law Access Limited, a wholly owned not for profit subsidiary of the Society that co-ordinates pro-bono assistance in Western Australia and the Director of Civil Law at Legal Aid. The Law Society is also represented on the Law Access Limited Stakeholder Advisory Committee by a member of the Committee.

The Convenor and the Law Society's President have represented the Law Society on the Law Council of Australia's Access to Justice Committee. An important milestone for the Committee and Law Council was the publication of the Justice Project Final Report. This Report comprehensively reviewed the state of access to justice in Australia for people experiencing significant disadvantage. The Justice Project was overseen by an expert steering group led by the former Chief Justice of the High Court, the Hon Robert French AC. The Report identified 13 priority groups and made 59 recommendations.

The Law Society has established a Justice Project Working Group to identify which recommendations are strategic priorities to have implemented in Western Australia. The Convenor, Jenny McKenzie and Mr Justin Stevenson are the Committee's representatives on the Working Group.

During the recent Federal Election, the Law Council of Australia and the Law Society continued to campaigned

for the major parties to adopt policies that would lead to an increase in funding for legal assistance in accordance with the Productivity Commission's Inquiry into Access to Justice Arrangements' and the Justice Project's recommendations.

Initiatives undertaken during the year include submissions made to the Attorney General and the State Solicitor's Office concerning the requirement for pro-bono work to be included in government legal panel tenders. The submissions broadly followed the Victorian model.

The Aged Care Royal Commission is also being monitored by the Committee with an emphasis on access to justice for the elderly.

To assist practitioners conducting pro-bono matters, the Committee promoted an article that has been published in the June edition of *Brief* informing practitioners of schemes that assist in the payment of pro-bono disbursements.

The Committee continues to explore options to educate and assist practitioners to engage with their Aboriginal and Torres Straits Islanders' clients in an appropriate and culturally sensitive way.

The Committee continues to monitor the situation where legal practitioners engaging in legal practice at a community legal centre on a voluntary basis were not being provided with an exemption from holding professional indemnity insurance under a scheme approved by the Society. The *Legal Practice Regulations* have been amended to correct this anomaly however the Committee continues to monitor for potential unintended consequences of these amendments.

The Law Society acknowledges and thanks:

- Gary Mack (Convenor)
- Greg McIntyre SC (Former Convenor)
- Maryse Aranda
- Alexandria Bishop (former Committee member)
- David Blades
- Dianne Caruso
- Mark Cox
- Lara Gotti
- Dominique Hansen (observer)
- Jenny McKenzie
- Gregory Mohen
- Steven Penglis SC
- Nicholas Snare
- Brooke Sojan
- Justin Stevenson (observer)
- Heather Williams

Accreditation Committee

Trevor O'Sullivan
Convenor



The Accreditation Committee advises the Law Society's Council on the rules and regulations that govern the granting of accreditation by the Law Society. In a secondary capacity the Committee acts as the advisory board for family law accreditation.

Accredited family law specialists practising in Western Australia must be members of the Law Society, and there are currently 43 accredited family law specialists accredited in Western Australia with three accredited specialists retiring in 2019.

The Committee's achievements in 2018/19 include:

- delivery of the biennial specialist accreditation assessment programme, and 2019 being a year in which the accreditation assessment programme is being conducted;
- assessment of professional development activities submitted by accredited specialists, for which required accreditation professional development points may be allocated. Not all CPD is at a level to attract points for accreditation purposes. Western Australia is the only State in which accredited practitioners are required to submit requests to the Committee for the approval and allocation of professional development points.
- re-accreditation and auditing of accredited specialists; and
- the mutual recognition of interstate accredited specialists, in accordance with the national accreditation scheme.

The current accreditation assessment programme commenced in May 2019 with detailed information sessions

for candidates. 22 candidates are participating this year, an almost 100% increase on the previous programme. The number reflects the esteem in which specialist accreditation is held.

The privilege of applying the accredited family law specialist designation and distinctive logo is reserved exclusively for accredited specialists. Appointment as a specialist is a significant milestone in the career of a family law practitioner, and the Committee congratulates those admitted as candidates and wishes them well for the assessment tasks ahead.

The Law Society also actively participates in the Family Law Specialist Accreditation National Steering Committee. This ensures that all States and Territories share information to facilitate a consistent approach to assessment and credentialing. In an assessment year, the National Steering Committee works to promote consistency and uniformity of approach. That has included the Committee working with representatives of the other law societies and institutes to review and settle the assessment tasks and marking guides for assessment.

The Law Society acknowledges and thanks:

- Trevor O'Sullivan (Convenor)
- Damien Bowen
- Debbie Clinch
- Samuel Fahey
- Rod Hooper SC
- Elizabeth Hynes
- Denby Kerr
- Devin Sanghavi
- Paula Wilkinson

Administrative, Constitutional and Migration Law Committee

Peter Lohore
Convenor



The Administrative, Constitutional and Migration Law Committee met jointly with the Human Rights and Equal Opportunity Committee during 2018/19.

In 2018/19 the Committee monitored the work of the Law Council of Australia in developing policy positions on:

- Changes to the *Australian Citizenship Act 2007* (Cth);
- Counter-Terrorism Bills;
- *The Migration (Validation of Port Appointment) Bill*;
- *Migration Amendment (Regulation of Migration Agents) Bill*;
- *Migration amendment (Strengthening the Character Test) Bill*;
- *Migration Amendment (Streamlining Visa Processing) Bill*; and
- The Justice Project.

In November 2018 the Committee provided input for:

- a) a Law Council of Australia submission to the Inquiry by the Senate Legal and Constitutional Affairs Committee into the effectiveness of the current temporary skilled visa system in targeting genuine skills shortages; and
- b) Council's response to the Law Council of Australia arising from the Justice Project.

The Committee maintained a liaison with the Administrative Appeals Tribunal through membership of its Users' Group and has re-established regular liaison with the Department of Home Affairs.

Members of the Committee attended the Department of Home Affairs WA Stakeholders Forum in April 2019.

The Committee also maintained informal connections with the Migration Institute of Australia and the Australian Institute of Administrative Law (WA Chapter).

The Committee resolved to change its name to the Administrative and Migration Law Committee from 1 July 2019. This is to reflect the emphasis in the work undertaken by the committee.

The Law Society acknowledges and thanks:

- Peter Lochore (Chair)
- Anthony Coates
- John Fickling
- Kendra Hagan
- Matthew Keating
- Janette McCahon
- Alex McGlue (former Committee member)
- Martin Udall
- Janet Woollard
- Crawford Yorke

Alternative Dispute Resolution Committee

Scott Ellis SC
Convenor



The Committee continues to seek to promote alternative dispute resolution and the involvement of lawyers in alternative dispute resolution.

The Law Society is a Recognised Mediator Accreditation Body (RMAB) under the National Mediator Accreditation System (NMAS). The Committee makes recommendations to the Council about accreditation of mediators.

The Committee also makes recommendations to the Council about inclusion of mediators and arbitrators on the panels of mediators and arbitrators maintained by the Society. During the year, the Committee considered and recommended applications for accreditation and re-accreditation.

The Committee also discussed the difficulty of mediators in regional areas obtaining sufficient CPD points for compliance with the NMAS. Avenues for dealing with this are being explored.

The Committee is considering whether the Law Society should be proposing that there be a requirement for Genuine Steps Statements before

litigation is commenced.

A CPD seminar was held in July 2018 on the topic “Advanced ADR Technology” and the Committee is continuing to investigate other CPD initiatives to develop practitioners’ skills in this area of practice.

The Committee notes with sadness the passing of former Committee member Stanley Kawalsky in 2018 and the resignation due to illness in May 2019 of the Convenor, Laurie James. Laurie has been the Chair of the Committee since its inception.

Both Stan and Laurie’s contribution to the Committee will be greatly missed.

The Law Society acknowledges and thanks:

- Scott Ellis (Convenor)
- Laurie James (Former Convenor)
- Michael Hollingdale (Deputy Convenor)
- Mark Blundell
- Graham Castledine
- Nicoletta Ciffolilli
- Maha Chaar
- Ante Golem (Council *ex officio*)
- Nathan Landis
- Richard Lilly
- Marcus Pullen
- His Hon Judge Chris Stevenson
- Evan Sylwestrzak
- Nicholas van Hattem

Brief Editorial Committee

Jason MacLaurin
Convenor



Brief is the official journal of the Law Society and has been published since 1974. Brief keeps members informed about the Law Society's activities and the latest developments in the Western Australian legal profession.

11 monthly editions of *Brief* were published in the past financial year. Examples of notable articles featured in *Brief* over the year include:

- Magistrates Courts in Western Australia: Navigating Conveyor-Belt Justice in the General Lists by Magistrate Deen Potter
- Interview with the Hon Wayne Martin AC, QC upon his retirement as 13th Chief Justice of Western Australia
- Review of the High Court's visit to Perth, Toast to the High Court by Simon Freitag SC and Response by the Hon Justice James Edelman
- Interview with newly-appointed Chief Justice the Hon Peter Quinlan
- Review of the Law Society's 2018 Black Tie Gala Dinner
- Interview with newly-appointed Solicitor-General of Western Australia Joshua Thomson SC
- The Ethics of Settlement Negotiations in Employment Disputes by Mark Cox and Renae Harg
- Business and Human Rights: Relevance for WA Lawyers by John Southalan
- Can Employees be Dismissed for Making Vexatious Complaints by Gemma Little

- The Rule of Law and the Independence of the Judiciary: Values Lost or Conveniently Forgotten by the Hon Stephen Thackray, former Chief Judge, Family Court of Western Australia
- Improving Written Submissions by Judge Alan Troy
- #LawyersMakeADifference campaign articles highlighting the good work of lawyers in our community, including Tony Chong, Rebecca Bunney, Sophie Manera and Sally Bruce

The 'Trials and Tribulations' article series interviewed noteworthy practitioners including Kate Offer, Ambelin Kwaymullina, Faith Cheok, Iain McIntyre, Verity Long-Droppert and Nigel Lo.

A new article series 'Quirky Cases' was introduced in the 2019/19 financial year. Thank you to the Hon John McKechnie QC for all of his efforts in researching and authoring those articles. *Brief* was also pleased to continue publishing the regular Drover's Dog column.

Brief has also in the last financial year provided items concerning the many judicial appointments and farewells.

The Committee thanks all those who submitted articles or items for consideration, and encourages anyone who is interested in doing so to submit material.

Thank you also to those who make regular contributions to *Brief*, such as Dean Alston for his cartoon, Robert Glade-Wright with Family Law Case Notes and Gino Dal Pont for his ethics column.

The Law Society acknowledges and thanks:

- Jason MacLaurin (Convenor)
- Gregory Boyle
- Thomas Camp
- Jack Carroll
- Dr Rebecca Collins
- Natalie Connor (former Committee member)
- The Hon John McKechnie QC
- Fiona Poh (former Committee member)
- Dr Pat Saraceni
- Robert Sceales
- Verginia Serdev-Patterson (former Committee member)
- Eu-Min Teng

Commercial Law Committee

Shane Stewart
Convenor



The Commercial Law Committee's role is to report and make recommendations to the Law Society Council on commercial issues of significance to the Law Society and its members.

The Committee has representatives on the following liaison and working groups:

- Consumer Protection Liaison Group;
- ASIC Regional Liaison Group;
- Law Council of Australia, Business Law Section, Corporations Law Committee; and
- Law Society Working Group for the Royal Commission into Aged Care Quality and Safety.

Members of the Committee convened a number of meetings in order to obtain information and to prepare recommendations on a range of matters. They also attended a meeting with Mr Allan Bullman, Takeovers Panel who provided an update on the activities of the Takeovers Panel and considered issues raised by Committee members.

During the reporting period, the Committee considered a wide range of commercial issues and monitored legal developments and the progress of new legislation and reports in

relation to a number of different subject areas, including:

- Financial Services Royal Commission and ASIC funding;
- Insolvency reform including ipso facto, safe harbour and illegal phoenix activity legislation;
- Modern Slavery legislation;
- the *Directors' Liability Reform Bill*;
- ASX Listing Rule changes and continuous disclosure developments;
- Consumer Data Right Rules;
- National E-Conveyancing; and
- Technology issues and their impact on the legal profession and laws and legal system more generally.

Members of the Committee discussed and contributed to a submission by the Law Society to State Revenue regarding the State Administrative Tribunal decision of *Crugnale v Commissioner of State Revenue* [2019] WASAT 8.

Members of the Committee made recommendations on continuous professional development seminars and events for practitioners, including a 'Commercial Law Masterclass' for the Law Society's CPD Programme as well as identifying authors and articles for *Brief* and *Friday Facts*.

The Law Society acknowledges and thanks:

- Shane Stewart (Convenor)
- Robert French (Deputy Convenor)
- Bruno Camarri
- Sonia Chee
- Andrew Crean
- Jenny Cutri
- David Davidson (former Committee member)
- Brahma Dharmananda SC (former Committee member)
- Paul Evans
- Emma Garlett
- Maggie McGuinn
- Robert McKenzie
- Bruce Meredith
- Fiona Ng (Observer)
- Sarah O'Brien-Smith
- Adam Santa Maria (former Committee member)
- Steven Standing
- Andreas von Altenstadt
- Rachel Webber
- Linda Widdup (former Committee member)

Construction and Infrastructure Committee

Greg Steinepreis
Convenor



The Law Society's Construction and Infrastructure Committee was established in August 2015. The Committee's meetings are held in conjunction with meetings of the Law Council of Australia's Construction and Infrastructure WA Group. This Group is part of the Law Council's Business Law Section's longstanding Construction and Infrastructure Committee.

The Committee meets bi-monthly.

There is considerable overlap of members of the Law Society's Committee and members of the Law Council's Committee.

Topics for discussion by the Committee have related to local as well as national issues relating to the construction industry.

The Committee's activities for 2018/19 included the following:

- Considering discussion papers provided by the Industry Advisory Group (IAG) appointed by the State Government to investigate and report on reform of security of payment legislation in the building and construction industry in WA, and participating, on behalf of the Society, in the ongoing IAG workshops;
- Preparing further written submissions from the Society to the IAG;
- Considering the report of the IAG in relation to Security of

Payment Laws in the building and construction industry in WA and the State Government's response;

- Considering the Murray Enquiry into security of payment laws in Australia and the State government's response;
- Considering new or proposed statutes relevant to, and decisions of State superior courts, the Federal Court and the High Court on cases of significance to, the construction industry;
- Co-hosting a seminar for construction practitioners with Resolution Institute, the Society of Construction Law Australia and the Chartered Institute of Arbitrators in November 2018; and
- Assisting the Law Society in its CPD programme in the area of construction law.

The Law Society acknowledges and thanks:

- Greg Steinepreis (Convenor)
- Michael Hollingdale (former Convenor)
- Toby Browne-Cooper
- Elisabeth Edwards
- Scott Ellis
- Basil Georgiou
- James Healy
- Laurie James (former Committee member)
- Nathan Landis
- Richard Lilly
- Phil Loots
- Stephen McComish
- Adrienne Parker
- Chris Ryder
- Robert Shaw (former Committee member)

Costs Committee

Fraser Robertson
Convenor



The Costs Committee's primary function is to make recommendations to the Law Society Council in relation to reviews conducted by the statutory Legal Costs Committee (LCC).

In the reporting period the Law Society made submissions to the LCC in relation to the reviews of the scales for litigious matters.

The Committee also contributed to:

- A submission to the Legal Services Council and Commissioner for Uniform Legal Services Regulation concerning the possible revision of the costs disclosure thresholds under the Uniform Law, indexed amounts that include thresholds for costs disputes that designated local regulatory authorities can deal with and make binding determinations on and Uniform Law costs disclosure forms to be used for short form disclosure;
- A proposal to the Chief Magistrate that a Practice Direction be adopted by the Magistrates Court to provide parties with a more cost effective and quick, way to resolve costs disputes; and
- Nominations for appointment to the Legal Costs Committee.

A number of other matters were considered by the Committee including:

- Progressing a range of reforms to

the Suitors' Fund;

- the introduction of the Legal Profession Uniform Law in Western Australia; and
- Amendments to the Law Society's costs kits.

Members of the Committee also presented the CPD seminar *Costs-Unravelling the Mystery*, a seminar on effective costs and billing practices.

The Law Society acknowledges and thanks:

- Fraser Robertson (Convenor)
- Matthew Curwood (Deputy Convenor)
- Brendan Ashdown
- Maria-Luisa Coulson
- Sandra Costopoulos
- David Davidson
- Justin Edwards (former Committee member)
- Stewart Forbes
- David Garnsworthy
- Richard Graham
- Dr Eric Heenan (former Committee member)
- Stanley Kawalsky (former Committee member)
- Lachlan Palmos
- Amy Pascoe
- Philippa Rezos (former Committee member)
- Milos Supljeglav
- Daniel Yazdani

Country Practitioners Committee

Kerstin Stringer
Convenor



The Committee's strategic focus continues to be developed with a view to ensuring that it is representing, engaging, supporting and advocating for all members of the profession in rural, regional and remote areas.

The Committee was involved in the 2019 Law Week Country Practitioners CPD Day held in Perth. This free CPD day for Country Practitioners was again a huge success. The event brings practitioners from all over the State together as a collective and encourages collegiality between our country members.

The Committee continues to encourage the Law Society to provide CPD programmes/seminars tailored specifically to Country Practitioners and notes the recent announcements of online Risk Management CPD seminars. The Committee also promoted the Law Society's reduced fee for Country Practitioners to gain access to CPD Freedom. This change allows Country Members to have access to cost efficient and convenient e-learning through the Law Society.

The Committee recognises the concerns faced by Country Practitioners and in particular has focussed on access to information and support for isolated practitioners. Country Practitioners now have a dedicated section on the Law Society website which provides information and resources specific to Country Practitioners. It also provides information on important events and CPD seminars specifically aimed at Country Practitioners. Complementing these initiatives is the Law Society's regular feature in *Friday Facts* "For our Country Lawyers" which encourages collegiality and recognises the Law Society's value and support for its rural members.

The Committee has also maintained its representation on the Rural, Regional and Remote Lawyers Committee of the Law Council of Australia and continues to monitor the Justice Project which will be a focus in 2019/20.

The Law Society acknowledges and thanks:

- Kerstin Stringer (Convenor)
- Clare Brennan
- Peter Brindal
- Amelia Englert
- Amanda Sommerville

Courts Committee

Clinton Russell
Convenor



The Courts Committee continues to play an important role as a conduit for two-way feedback and the dissemination of information to practitioners between the Law Society, the Federal Court, Supreme Court, Family Court, State Administrative Tribunal, District Court and Magistrates Court.

In 2018/19, the Courts Committee assisted the Law Society to make submissions on various reforms and rule changes, including submissions to:

- the Attorney General and the Chief Magistrate regarding proposals for improving the efficiency of court processes in the Magistrates Court;
- the Federal Circuit Court on delays;
- the Supreme Court regarding Practice Directions relating to expert evidence and seminars on eTrials;
- the Attorney General in relation to the process for judicial appointments and the adoption of model litigant guidelines;
- the Western Australian Bar Association (WABA) on its Best Practice Guide *Preparing Witness Statements for Use in Civil Cases*;
- The Legal Practice Board on the

use of the term “Special Counsel” and non-practitioners engaging in legal work in the Liquor Commission; and

- the Law Council of Australia regarding its 2019 Federal Election Call to Parties.

In addition, the Committee has monitored issues and liaised with the Supreme Court and District Court in relation to electronic filing and the eCourts portal as well as amendments to the *Suitor's Fund Act 1964* and the effectiveness of the administration of the *Civil Judgments Enforcement Act 2014*.

The Courts Committee was also involved in consultations regarding the ongoing issue of delays in the Family Court and concerns about the provision of bailiff services in Western Australia by Baycorp (WA) Pty Ltd.

The Law Society acknowledges and thanks:

- Clinton Russell (Convenor)
- David Bruns (Deputy Convenor)
- Geoffrey Bourhill
- Tim Carey
- Rick Cullen
- Karen Farley SC (former Committee member)
- Stewart Forbes (former Committee member)
- Angelina Gomez
- Richard Graham
- Edward Greaves
- Fiona Halsey
- Jenni Hill (former Committee member)
- Registrar Russell Trott
- Registrar George Kingsley
- Nathan Landis
- Aaron McDonald
- Marshall McKenna (former Committee member)
- Hon Justice Simon Moncrieff
- Mark Pendlebury
- Martyn Plummer
- Pat Saraceni
- Principal Registrar Larissa Strk
- Acting Principal Registrar Natalie Whitby
- Deputy Chief Magistrate Elizabeth Woods
- Magistrate Matthew Walton

Criminal Law Committee

David Davidson
Convenor



The 2018/2019 financial year was once again a very busy year for the members of the Criminal Law Committee.

The Committee is well balanced with prosecutors, defence lawyers, barristers, sole practitioners and lawyers from community legal services, Aboriginal Legal Services and Legal Aid.

The Committee continues to monitor the mandatory sentencing provisions under the burglary offences of the *Criminal Code* for unjust outcomes for offenders. The Law Society remains committed to its opposition to all forms of mandatory sentencing.

The Criminal Law Committee has continued to advocate for many things in the last 12 months. A priority has been to arrange a meeting in August 2019 with the new Commissioner for Corrective Services, to discuss issues around solicitor prison visits.

The Committee reviewed a number of law reform initiatives being progressed by the Attorney General including amendments:

- to section 55 of the *Criminal Procedure Act 2004*;
- *To the Criminal Property Confiscation Act 2000*;
- arising from the statutory review of section 9AA of the *Sentencing Act 1995*; and
- arising from the statutory review of Part 5A of the *Criminal Appeals Act 2004*; and proposed amendments to the *Bail Act 1982*.

The Committee has also contributed to submissions to Law Council of Australia, including the Productivity Commission Inquiry into Mental Health and the Independent National Security Legislation Monitor into citizenship revocation provisions.

The Committee drafted a detailed submission to the Standing Committee of Environment and Public Affairs on the mandatory registration of children and young people on the sex offender register.

Finally, the Committee has continued to monitor delays in the Supreme Court and the District Court, and is represented on other Law Society Committees and external Committees:

- Registrar Whitbread is a member of the Stirling Gardens Magistrates Court Committee;
- the Convenor David Davidson is the WA delegate to the Law Council of Australia's National Criminal Law Committee; and
- the Deputy Convenor Karen Farley SC is the representative on the Strategic Criminal Justice Forum as well as monitoring and reporting on the Disability Justice Centre.

The Law Society acknowledges and thanks:

- David Davidson (Convenor)
- Karen Farley SC (Deputy Convenor)
- Patricia Aloï
- Ryan Arndt
- Avril Bartlett
- Clare Brennan
- Stephen Butcher
- Michael Cashman
- Katherine Gregory
- Ange Iradukunda (former Committee member)
- Jodie Moffat
- Carly Price
- Kirsten Scott
- Nicholas Snare
- Nicholas van Hattem
- Register Whitbread

Education Committee

Adam Levine
Convenor



The Law Society's Education Committee oversees the Law Society's Continuing Professional Development (CPD) programme, curated and developed by the Law Society's Professional Development Team, and delivered by subject matter experts.

The Committee's membership is strongly supported by the Western Australian legal profession, ensuring the Law Society delivers engaging and informed education, as well as offering a variety of topics and formats to suit a range of learning styles and preferences.

During 2018/2019 we provided education focused on supporting core skills for today's lawyers, with seminars on legal drafting and dictation, mental health and resilience, costs and leadership.

Our Programme included our second full day conference for Rural, Regional and Remote lawyers with great representation from all across Western Australia. Improving access to high quality CPD for our country lawyers is an important element of our annual CPD Programme. As we head into the fifth year since launching our eLearning portal, the Society now has over 70 courses available online which includes 93 authors and 91 hours content. Also at the beginning of 2019, our Programme expanded to include over 70% of our seminars as live streamed webinars, providing greater access to CPD for city, metropolitan and country based lawyers.

Highlights over the past year includes the very popular Contract Law Masterclass, Drafting Affidavits, The Art of Negotiation, How to Brief Counsel, Non-linear Legal Careers and Strata and Community Title Schemes.

Our annual favourites include the Practical Advocacy Weekend, Essential of Advocacy and Negotiation, A view from the Bench, Costs and the Ethics on Friday series.

The success of our Programmes is a testament to the generosity of our speakers from the judiciary, tribunals, the Bar, private law firms, in-house and government practice, academia and regulators including ASIC, the Australian Tax Office, the Legal Practice Board and the Legal Profession Complaints Committee.

The Law Society acknowledges and thanks:

- Elizabeth Needham
- Shonelle Duthie
- Fiona Grgich
- Angelina Gomez
- Adam Levine (Convenor)
- Fiona Low
- Dr Pat Saraceni
- Alexander Noonan (YLC Representative)
- Glen McLeod
- Rebecca Bunney
- Tim Houweling

Elder Law and Succession Committee

Elizabeth Heenan
Convenor



The Elder Law and Succession Committee's particular areas of interest are power of attorney reform (including interstate mutual recognition), legislative progress in succession law, probate practice and the *Family Provision Act 1972 (WA)*.

The Committee liaises with the Law Council of Australia National Elder Law and Succession Committee of which the Convenor is a member, and with the Supreme Court of Western Australia Probate Committee on which a Committee member (currently the Convenor) represents the Law Society.

As part of its work on the National Committee the Committee prepared the Law Society's submission to the Attorney General requesting a harmonised approach to the recognition of grants of probate made in Australian Courts, so obviating the requirement for these grants to be resealed.

In the past year, the Committee completed its review of the Report of the *Statutory Review of the Guardianship and Administration Act 1990* (GA Act). The Law Society made submissions to the Attorney General on the recommendations in the Report, which have been provided to the Department of Justice for consideration when an amendment Bill is at the drafting stage. Further submissions have now been made to the Attorney General drawing his attention to problems that have arisen in relation to the jurisdiction of the State Administrative Tribunal (SAT) as a tribunal, in dealing with cases where parties involved are from different States. This has arisen following the recent High Court decision on *Burns v Corbett* [2018] HCA15 which has been followed in two SAT cases dealing with the GA Act and two cases dealing with building disputes.

The committee noted the establishment of an expert panel to look into the

establishment of an Electronic register of Advance Health Directives and drew the attention of the Attorney General and the panel's Chair to the existing provisions (section 110ZAA) of the GA Act which have not yet been promulgated but which provide for such a register.

The Committee has been monitoring the progress of the inquiry by the Legislative Council Select Committee into Elder Abuse. The Law Society has provided the Select Committee with the Law Council of Australia's submission to the Australian Law Reform Commission's Elder Abuse Inquiry, to which the Committee contributed.

Members of the Committee have also contributed to the Law Society's briefing paper in relation to end of life choices.

A working group of the Committee is currently adapting the NSW Law Society's Guide *When a Client's Capacity is in Doubt* for Western Australian practice.

The Committee drafted a Law Society submission to the Ministerial Expert Panel on Voluntary Assisted Dying (death certification) after members of the Committee had attended a roundtable discussion on the issue.

The Committee is conducting the following reviews:

- a review of the *Retirement Villages Act 1992* (WA) having regard to recent legislative reforms in Queensland; and
- a review to extend Statutory Wills to minors.

Committee members presented at two CPD seminars, one on Blended Families in February 2019 and the other on Conflicts of Interest and Testamentary Capacity in September 2018.

The Law Society acknowledges and thanks:

- Elizabeth Heenan (Convenor)
- Susan Fielding (Deputy Convenor)
- Michael Bowyer
- Sally Bruce
- Nicoletta Ciffolilli
- Tara Connolly
- Natalie Connor
- Rob Durey
- Daniel Gill
- Craig Gregson
- John Hockley
- Patrick Hughes (former Committee member)
- Amanda Liston
- Peter Lochore
- Fiona Low
- Peter MacMillan
- Janette McCahon
- Peter Nevin
- Nova Oldfield
- Michaela Speering
- Kerstin Stringer (former Committee member)
- Demi Swain (Council ex officio)
- Matthew Wallis
- Gabriel Wong
- Daniel Yazdani

Employment Relations Committee

Phil Brunner
Convenor



The Employee Relations Committee is represented by practitioners who practice in the fields of employment, industrial relations and diversity (including discrimination and harassment).

The fields of law dealt with by the Committee may be subject to substantive legislative change depending on the Government of the day.

Over the course of the last year the Committee continued to monitor the Ministerial Review of the State Industrial Relations System. The Committee's work also involved considering the Law Society position paper and report into *People Unlawfully Engaging in Legal Work*, the possible implementation of industrial manslaughter laws by the State government and the right of lawyers to appear in matters before the Fair Work Commission.

The Committee is currently considering a recent decision of the Western Australian Industrial Relations Commission (WAIRC), involving the engagement of a junior lawyer as an independent contractor on a commission only basis and the whether the circumstances of engagement identified in the decision are contrary to the *Legal Profession Act* and the Best Practice Guidelines for Basic Work and Pay Conditions for Junior Practitioners.

The Law Society acknowledges and thanks:

- Philip Brunner (Convenor)
- Renae Harding (Deputy Convenor)
- David Blades
- Joseph Burke
- Stephen Butcher
- Nicoletta Ciffolilli
- Mark Cox
- Anna Creegan (former Committee member)
- Cory Fogliani
- Giacomo Giorgi
- Kendra Hagan
- Dominique Hartfield
- Mark Hemery
- Michael Jensen
- Kimberley Jones
- Stephen Kemp
- Joanna Knoth (former Committee member)
- Clarence Paul (former Committee member)
- Ben Watson

Environment, Town Planning and Local Government Committee

Denis McLeod
Convenor



The Environment, Town Planning & Local Government Committee had a number of key areas of priority in the 2018/19 reporting period.

These key priority areas included:

- Preparation of a 'rule of law' response by the Law Society to the perceived attempts of Ministers to interfere with the Environmental Protection Authority's processes in the announcement of its Environmental Factor Guideline – Greenhouse Gas Emissions; and
- Consideration of, and recommendation to the Law Society Council that it support the transfer of environmental appeals to independent adjudication in the State Administrative Tribunal. The position taken was consistent with the Committee's long-term advocacy aimed at ensuring Western Australia environmental appeals are referred to a Court or Tribunal independent of the Minister.

The Committee also continued to monitor the progress of legislative amendments relating to:

- The review of the *Contaminated Sites Act 2003* (WA);
- State Planning Policy 2.8 and the impact on landowners of provisions for uncompensated setting aside of land for

conservation purposes;

- The Western Australian Planning Commission approach of denying compensation to landowners affected by regional reserves but precluded from claiming compensation for injurious affection under principles recognised by the High Court in the *Southregal* case;
- State Planning Policy 3.6 and issues relevant to development cost contributions under local planning schemes and development contribution plans;
- The possibility of third party planning appeals; and
- *Local Government Act* review.

The Committee has attempted dialogue on the Main Roads WA asserted independence from the planning approval processes, and in State Administrative Tribunal appeals, of Main Roads WA decision-making on the major roads under its care, control and management.

The Committee continued its participation in the activities of the Australian Environment and Planning Law Group.

The Committee was sorry to lose but was pleased to congratulate its valued members Dr Stephen Willey and Charmian Barton, who resigned from the Committee during the year following their appointment to the State Administrative Tribunal.

The Law Society acknowledges and thanks:

- Denis McLeod (Convenor)
- Charmian Barton (former Committee member)
- Andrew Carr
- Graham Castledine
- Martin Flint
- Clare Gleeson
- Steven Halls
- Eve Lynch
- Alex McGlue
- Glen McLeod
- Belinda Moharich
- Gregory Mohen
- Linda Rowley
- Julius Skinner
- Craig Slarke
- Elisabeth Stevenson
- Stephen Willey (former Committee member)

Ethics Committee

Fiona Stanton
Convenor



The year saw a change in the Committee's Convenor with the retirement of Mr Julian Sher and the appointment of Fiona Stanton. The Committee acknowledges the enormous contribution of Mr Sher to the work of the Society in respect professional ethics and thanks him for his decade of service as the Convenor of the Ethics Committee.

The Committee has continued consideration of matters relevant to the the pending Legal Profession Uniform Law. This included consideration of inconsistencies between the *Legal Profession Rules 2009* (WA) and the *Australian Solicitors' Conduct Rules*. The Committee has given particular attention to rules proscribing contact with an opposing represented party and rules relating to the payment and receipt of referral fees. The Committee liaises with a member of the Society's Executive who represents the Society on the Legal Profession Uniform Law Working Group.

The Committee has continued to be ably represented on the Law Council's Professional Ethics Committee by its member Mr Ashley Macknay.

The Committee has undertaken a review of the Society's Ethical Practice Guidelines with a view to proposing amendments in order to ensure that the Guidelines continue to reflect ethical issues in contemporary legal practice. New Unbundling Guidelines have also been published by the Law Society.

The Committee considered proposed guidelines in relation to the practice of 'claims harvesting' – a practice of identifying prospective clients who have suffered injuries and referring them, for a fee, to lawyers. Members of the Committee participated in a working group in conjunction with members of the Personal Injuries Committee to finalise a proposed guideline in relation to claims harvesting and to respond to an enquiry from the Department of Justice in relation to this practice.

The Committee continues to consider matters raised by the Productivity Commission.

The Committee has recently welcomed as new members two very experienced practitioners in Mr Paul Donovan and Mr Mark Pendlebury.

The Law Society acknowledges and thanks:

- Fiona Stanton (Convenor from February 2019)
- Julian Sher (Former Convenor/ Committee member)
- Michael Cashman
- Hayley Cormann
- Cinzia Donald
- Paul Donovan
- Paul Evans
- Angelina Gomez
- Nicola Jansen
- Ashley Macknay
- Alain Musikanth SC
- Nova Oldfield
- Mark Pendlebury
- Craig Slater
- Nicola Watts

Francis Burt Law Education Programme and Old Court House Law Museum Advisory Committee

Marshall McKenna
Convenor



The Committee has continued to oversee the activities of the Francis Burt Law Education Programme (the Programme), including the Mock Trial Competition (the Competition), and the Old Court House Law Museum (the Museum); and the Law Society's Education and Community Services.

These valuable services allow the Western Australian community, interstate and international visitors to reflect on the rule of law in Western Australia; its significance, its impact, the freedoms and opportunities that it affords as well as injustices that have taken place, looming threats and concerns. During the year under review, more than 15,000 participants received the benefit of programmes and services provided by the Education and Community Services.

A priority in 2018/2019 was to address the funding shortfall caused by the withdrawal of Department of Education funding for the Francis Burt Education Programme and the Mock Trial Competition from 1 July 2019, whilst ensuring equity of access to the services. Thanks to an increase in Public Purposes Trust funding and forecasted increased income resulting

from the Programme and Competition fee increases, the Law Society has been able to continue Education and Community Services resources albeit with a minimal reduction and a reallocation of service delivery over the period. The reallocation of service delivery is anticipated to continue until resources can be increased to meet demand.

2019/20 onwards represents an important transition period for the Education and Community Services in order to maintain, and work towards building, resources and service delivery. The Committee and the Law Society have taken the view that it is time to re-evaluate the Education and Community Services funding model to attract and diversify income sources. Proposals include exploring the establishment of a foundation with Deductible Gift Recipient status, establishing a bequest foundation and a future fund all with defined policies and processes.

The Committee looks forward to working with the Law Society and the profession to ensure the continuation and expansion of its vital services which create a unique and valuable interface between the legal profession, the Court and the community.

The Law Society acknowledges and thanks:

- Marshall McKenna (Convenor)
- Professor Jürgen Bröhmer
- Professor Robert Cunningham
- Emeritus Professor Peter Handford
- Katja Levy
- Kelly Martinelli
- Stephen Powell
- Krishna Prasad
- The Honourable Chief Justice Peter Quinlan
- Professor Natalie Skead

General Conditions for the Sale of Land Committee

Frank Poeta
Convenor



The main focus of the General Conditions for the Sale of Land Committee's work in 2018/19 was reviewing the feedback on the updated 2018 revision of the Joint Form of General Conditions for the Sale of Land (Joint Form), to be taken into account for the next full revision.

The Committee addressed:

- providing the Joint Form in electronic format;
- feedback on the GST Withholding Annexure;
- GST at settlement;
- issues surrounding electronic conveyancing;
- incorporating electronic conveyancing into the main form, not as an annexure;
- incorporating foreign withholding amounts into the main form, not as an annexure;
- PEXA credentials and digital certificates;
- the removal of Duplicate Certificates of Title; and
- the review of the Inter-Governmental Agreement for an Electronic Conveyancing National Law.

The Law Society will soon offer the Joint Form electronically, via a modified version of Real Estate Institute Forms Live on the Society's website.

The Law Society acknowledges and thanks:

- Frank Poeta (Convenor)
- Gary Thomas (Deputy Convenor)
- Christopher Booth (former Committee member)
- Craig Bradley (REIWA)
- Damian Collins (current REIWA President)
- Hayden Groves (former REIWA President)
- Meagan Johnston
- Ross McCallum (REIWA)
- John Prevost
- Peta Whyte
- Gabriel Wong (former Committee member)

Human Rights and Equal Opportunity Committee

Elizabeth Needham
Convenor



The Human Rights and Equal Opportunity Committee met jointly with the Administrative, Constitutional and Migration Law Committee during the past year.

In 2018/19, the Committee monitored the work of the Law Council of Australia in developing policy positions on:

- Changes to the Australian Citizenship legislation;
- the Royal Commission into Aged Care Quality and Safety;
- the National Inquiry into Sexual Harassment in Australian Workplaces;
- Children's Rights in Relation to the Digital Environment;
- Review of the Mandatory Data Retention Regime;
- the Issues Paper *Free and Equal: An Australian conversation on human rights*; and
- the Select Committee into Elder Abuse.

The President is the Law Society representative on the Law Council of Australia's National Human Rights Committee. Committee member Jenni Hill was the Law Society representative on the Law Council of Australia's Equal Opportunity Committee until her appointment to the Supreme Court bench in June 2019. She was replaced by Charmaine Tsang.

The Law Society also supported the Law Council of Australia's submission to the Senate Legal and Constitutional Affairs Committee (Committee) regarding legislative exemptions that allow faith-based educational institutions to discriminate against students, teachers and staff.

The Convenor and another member of the Committee attended a roundtable discussion on 12 November 2018 hosted by the Australian Human Rights Commission on the implementation of the Optional Protocol to the Convention Against Torture, Cruel, Inhuman and Other Degrading Treatment.

The Law Society made a submission to the Law Reform Commission of Western Australia on its review and report on issues and inconsistencies in Western Australia's current legal framework relating to sex characteristics/biological diversity and gender diversity.

The Law Society acknowledges and thanks:

- Elizabeth Needham (Convenor)
- Alexandria Bishop (former Committee member)
- Zoe Bush
- Emma Cavanagh (former Committee member)
- Rebecca Dennison
- Hayley Graydon
- Kendra Hagan
- Jenni Hill (former Committee member)
- Ange Iradukunda
- Michael Jensen
- Megan McCormack
- Sara Pearson
- Ilse Petersen
- Rabia Siddique
- Carolyn Tan
- Charmaine Tsang

Indigenous Legal Issues Committee

The Hon. Michael Barker QC
Convenor



This year, the Indigenous Legal Issues Committee has seen a change of Convenor, with some new appointments to the Committee as well as previous Committee members staying on. There are a number of Committee members currently representing the Committee on Law Society Working Groups, and representing the Law Society on other groups outside the organisation.

The Committee continues to support the Reconciliation Action Plan (RAP) of the Law Society, with two representatives from the Committee sitting on the Law Society's RAP Working Group. The Working Group has responsibility for progressing the initiatives of Law Society's Innovate RAP 2017 to 2019 and is now finalizing the Innovate RAP report to Reconciliation Australia. An initiative of the Innovate RAP included implementing cultural awareness training for all staff and providing information to members on incorporating cultural awareness training as a component of continuing professional development.

Following the release of the Law Council of Australia's Justice Project Report in August 2018, the Committee reviewed the recommendations arising from the Report and is currently assisting the Law Society's Justice Project Working Group, with identifying the key recommendations for implementation in Western Australia as well as the availability and utility of protocols for lawyers with Aboriginal and Torres Strait Islander clients.

The Committee is also responsible for monitoring the Law Society's Mentoring Programme for Indigenous law students and a priority is to ensure the processes designed to facilitate the mentoring of Indigenous law students operate effectively. This will be an ongoing focus in the next 12 months.

The Committee continues to work closely with the Francis Burt Legal Education Programme to provide input and advice in relation to programmes and initiatives being developed by the Programme. This includes the Lore Law Project, an educational campaign targeting Aboriginal youth in both metropolitan and regional Western Australia and providing education about legal rights and responsibilities to school and community groups.

The Committee maintains liaison with other relevant committees with representation on the UWA Indigenisation of the Juris Doctor Project Reference Group and the Law Council of Australia Indigenous Legal Issues Committee.

The Law Society acknowledges and thanks:

- The Hon Michael Barker QC (Convenor)
- Krista Dunstan (Former Convenor/ Committee member)
- Chloe D'Souza
- Kelsi Forrest
- Emma Garlett
- Emma Griffiths
- Tegan Harrington (former Committee member)
- Marree Hart
- Marshall McKenna
- Jenny McKenzie
- Melita Medcalf
- John Ralph
- Brooke Sojan
- Tammy Solonec (former observer)
- Nicholas van Hattem

In-house/Government Lawyers Committee

Pamela Hass
Convenor



The In-house/Government Lawyers Committee aims to promote and support the specific needs of in-house and government lawyers within the Law Society. It particularly seeks to promote increased understanding in the wider profession of the in-house sector which constitutes over 30% of the national legal profession.

The Committee continues to support the Law Society's CPD programme and *Brief* with suggestions for seminars and participation in seminars which not only engage the in-house sector but also inform and educate the private profession on the particular challenges facing in-house practitioners. This included a Law Society CPD session on 'What is Unique about the Government Contract' as well as a recent *Brief* article on government

contracting by one of the committee members, which was well received. The Committee continues to highlight issues of concern to in-house and government practitioners including workload stress with numerous approved redundancies in the public sector.

The Committee is in the process of preparing to host another Law Society social function for members from other in-house organisations such as AMPLA, ACC and SOUL to socialise with members of the Law Society. This will be the third function of this nature. The 2018 function drew in-house representatives from many government and private organisations.

The Law Society acknowledges and thanks:

- Pamela Hass (Convenor)
- Elisabeth Edwards (Deputy Convenor)
- Sarah Coxon
- Peter Doherty
- David Davidson
- Ilse Petersen
- Miriam Sauley
- Zoran Vukojevic

Insolvency and Reconstruction Law Committee

Chris Pearce
Convenor



The Insolvency and Reconstruction Law Committee is a Committee of the Business Law Section of the Law Council of Australia.

As in previous years, the Committee has continued to liaise with the Australian Securities and Investments Commission, the Australian Financial Security Authority and the Australian Restructuring Insolvency & Turnaround Association, and the Committee is ably assisted by Adrian Saggars of ASIC and Paul Devellerez of AFSA who continue regularly attending its meetings and provide invaluable insights.

The Committee also works with other members of the Law Council's subcommittee in Adelaide, Brisbane, Canberra, Melbourne and Sydney.

The Commonwealth has continued its reform agenda over the course of the past year. The Committee's time has been dedicated to considering new

anti-phenixing proposals, several proposed changes to the *Bankruptcy Act*, consequences of recent changes to the law such as the introduction of the new "safe harbour" regime protecting directors from liability for insolvent trading, and other matters arising from the recent Banking Royal Commission.

In October 2018, Committee members attended the Law Council's Insolvency and Reconstruction annual workshop in Adelaide with members of the committees of the other States.

The Law Society acknowledges and thanks:

- Chris Pearce (Convenor)
- Philip Blaxill
- Michelle Dean
- Paul Devellerez (AFSA representative)
- Sam Dundas
- James Healy
- David John
- Richard Johnson (former Committee member)
- Robert McKenzie
- Chris McLeod
- Nino Odorisio
- Claire Petersen (former Committee member)
- Adrian Saggars (ASIC representative)

Intellectual Property and Technology Committee

Clare Mould
Convenor

The Intellectual Property and Technology Committee provides a forum for promoting and reviewing the practice and development of intellectual property, technology and data protection law. The Committee also provides an advisory resource to the Law Society Council on matters relating to intellectual property, information and communications technology as well as data, privacy and security.

The Committee provided extensive input to the Law Council of Australia's submission on the ethics of artificial intelligence for the Department of Industry, Innovation and Science in May 2019.

Members of the Intellectual Property and Technology Committee are also involved in external bodies such as the Intellectual Property Society of Australia and New Zealand (IPSANZ) and IP Australia, the statutory body that administers intellectual property laws in Australia.

After hosting a very successful Law Week event in May 2019, the Committee plans to make this an annual event, along with an Intellectual Property and Technology Masterclass CPD event planned for the second half of 2019.

The Committee welcomes opportunities to assist the Law Society in informing practitioners and the public on matters relating to intellectual property and technology law, particularly given the rapidly developing digital economy in which we operate.

The Law Society acknowledges and thanks:

- Clare Mould (Convenor)
- Iain Freeman
- Samuel Fiddian
- Lauren Gore
- Malcolm Jones
- Amy Lee
- Nadia Mansour
- Nicole Mumford
- Tennille Provost
- David Stewart

Joint Law Society/Women Lawyers Committee

Charmaine Tsang
Convenor



The Joint Law Society/Women Lawyers Committee is a committee with representation from the Law Society and the Women Lawyers of Western Australia (Inc).

During 2018/19, the Committee:

- conducted a review of the Quality Practice Standards (QPS) to identify opportunities where the QPS can address diversity and inclusion issues;
- nominated candidates for the 2019 WA Women's Hall of Fame and the WLWA Woman Lawyer of the Year Awards;
- developed an exit survey to identify retention issues and trends in consultation with firms so that there is shared information about gender equity issues;
- drafted the Inter-firm Diversity Group's Terms of Reference;
- wrote to the Chief Justice of Western Australia regarding a Visible Targets report for equitable briefing;

- wrote a submission for the Law Council of Australia regarding the National Inquiry into Sexual Harassment in Australian Workplaces;
- assisted the Law Society in its successful application for Public Purposes Trust funding for a Retention Study; and
- maintained the important connection between the Committee and the Advancement of Women in the Legal Profession Working Group.

The Committee assisted the Law Society's Advancement of Women in the Legal Profession Working Group to implement the Law Society's *Final Directions Paper*, a strategic plan for addressing the recommendations in WLWA's *20th Anniversary Review of the 1994 Chief Justice's Gender Bias Taskforce Report*.

The Law Society acknowledges and thanks:

- Charmaine Tsang (Convenor)
- Catherine Fletcher (Former Convenor/Committee member)
- Rebecca Lee (Former Deputy Convenor/Committee member)
- Jacqueline Brown (former Committee member)
- Melanie Callow
- Debbie Clinch (former Committee member)
- Anna Creegan
- Susan Diamond (former Committee member)
- Hayley Dodson (on leave)
- Malerie Durham
- Libby Fulham
- Jenni Hill (former Committee member)
- Daniela Ion
- Janette McCahon
- Jodie Moffat
- Sara Pearson
- Michaela Stanton-Cook
- Maya vanden Driesen
- Alena Zoric

Mental Health and Wellbeing Committee

David Davidson
Convenor



The Mental Health and Wellbeing Committee was formed in 2011 having been an ad hoc committee on Psychological Distress and Depression in the Legal Profession and Bullying.

On 8 December 2015, Council adopted the Mental Health & Wellbeing Recommendations 2016 to 2020.

Since July 2018, the Committee has been focusing on the need for education in the profession on health and wellbeing topics. In conjunction with the Young Lawyers Committee, the Committee developed a survey for junior lawyers in order to learn more about the issues they face as a result of their pay and working conditions and to provide some context for potential initiatives aimed at addressing these issues.

The Committee was consulted on and assisted in the presentation of a seminar on Fostering Healthy Relationships with the Bench. Members of the Committee also attended a Curtin University seminar on mental health first aid.

The Committee has been proactive in advocating the use and access of the Law Society's LawCare WA programme and has monitored the use of the Member Assistance Programme (counselling service) and the Employee Relations Advice Line.

The Committee also advocates the need to self-disclose mental illness when running a practice in the event that the practitioner is struggling to cope.

The Law Society acknowledges and thanks:

- David Davidson (Convenor)
- David Blades
- Debbie Clinch
- Libby Fulham
- Emma Griffiths
- Justine Howard
- Alyce Lynch
- Nik Snare
- Stacey Wellings

Personal Injuries and Workers' Compensation Committee

Gray Porter
Convenor



The Committee continued to progress a number of ongoing initiatives from the previous year as well as considering a number of issues that were referred to it from a number of agencies.

Matters dealt with by the Committee included:

- the controversial issues associated with the growing activity of claims harvesting;
- monitoring WorkCover Costs Determinations and activities of the WorkCover WA Costs Committee;
- preparing a submission on the amendments to the Criminal Injuries Compensation Scheme in Western Australia;
- Continuing representation on the Conciliation and Arbitration Services Users' Group;
- Preparing submissions (with Human Rights and Equal Opportunity Committee's comments) on the Royal Commission into Institutional Responses to Child Sexual Abuse;
- Monitoring of Law Reform Commissions' including reform of *Fatal Accidents Act*; and
- Reviewing the information provided by the Health and Disability Services Complaints

Office in relation to witness fees for doctors and limitation periods.

The Committee remains concerned with the time that some agencies are taking to resolve matters that the Law Society has referred to them including:

- The Health Department's reform of regulations applicable to costs recovery from compensable patients which results in legal practitioners continuing to have uncertainty when advising clients regarding claim finalisations.
- The WorkCover Costs Committee (WCC) for reasonable remuneration for workers' under the inadequate costs scale. The much discussed but long-anticipated proposal for reforms to the *Worker's Compensation and Injury Management Act* have not been provided to the Committee and now appears to be a low priority for the current Government.
- Proposal to amend the *Criminal Injuries Compensation Act* which are with the Office of the Attorney General.

The Committee also welcomed new members Bronte De Cuyper and Irena Ferraro following the resignation of Karina Hafford, following her appointment as an Assessor, Criminal Injuries Compensation.

The Law Society acknowledges and thanks:

- Gray Porter (Convenor)
- David Bruns (Deputy Convenor)
- Michelle Antunovich
- Mark Civitella
- Dan Connor
- Bronte De Cuyper
- Erica Dobson
- Irena Ferraro
- Asanka Gunasekera
- Karina Hafford (former Committee member)
- Vidal Hockless
- Nakkie Le Roux
- Joel Trigg
- Kerry Wood

Professional Indemnity Insurance Management Committee

Dudley Stow
Convenor



The Professional Indemnity Insurance Committee (PIIMC) has, as required by the *Legal Profession Act*, put in place the PI insurance arrangements for the 2019/2020 financial year. The negotiations were similar to previous years. The insurance placement includes consideration of the actuarial report prepared by our actuary, advice of our broker and our staff.

Ultimately, the annual contribution rate increased by an average of approximately 10%, primarily due to deterioration in expected claims costs and increased Underwriter premiums. We hope to be in a position to stabilise rates in future years. However, this, as always will depend on claims outcomes and underwriting market conditions. I would mention also claims numbers in the last three years continue to show an increase on the longer term average.

PIIMC has continued its focus on risk management initiatives that will, over time, lower the incidence and cost of claims leading to more stable contributions subject of course to the underwriting market. The most visible sign of this is the ongoing successful risk management seminar programme.

We have continued to introduce new risk management initiatives. For the 2019/2020 risk management seminar programme, we have included

four webinars that will make risk management training more accessible to regional and remote practitioners.

The Law Mutual team has highly experienced insurance capabilities that enabled us to fully analyse the PI insurance arrangements to ensure they are fair and equitable to practitioners and their clients while maintaining a very broad coverage at a reasonable cost. In that regard, the Council of the Law Society has approved, in principle, a change to gross fee income as the primary rating factor for both annual contributions (premiums) and insured's contributions (excesses). This, together with a change to claims loadings based on five year rolling loss ratios, will improve the fairness and equity of insurance costs spread across the firms that are covered under the Law Mutual insurance arrangements. These changes are dependent on the introduction of a new insurance system and final approval of Council.

Financially, Law Mutual is in a very sound position and neither the annual audit nor actuarial reports for 2017/2018 were qualified.

Finally I wish to thank PIIMC committee members and Law Mutual staff for their diligence and contribution for what has been another challenging but rewarding year.

The Law Society acknowledges and thanks:

- Denis McLeod
- Dudley Stow (Convenor)
- Hayley Cormann
- Eric Heenan
- Jocelyne Boujos
- Paula Wilkinson
- Peter Forbes
- Robert Evans

Professional Standards Scheme Committee

Alain Musikanth SC
Convenor



The Law Society's Professional Standards Scheme commenced on 1 July 2014. The Scheme caps occupational liability of participating members at \$1.5 million, \$5 million or \$10 million depending on the insurance policies and total annual fee income of the law practice.

The Professional Standards Scheme Committee was established to:

- consider issues relating to the Scheme, the Professional Standards Councils (PSCs) and the *Professional Standards Act 1997* (WA);
- act under specific delegation of Council, where granted, to make decisions in accordance with the Scheme and the *Professional Standards Act 1997* (WA);
- develop policy to assist in administering the Scheme;
- make recommendations from time to time to Council regarding the administration of the Scheme; and
- review the Scheme from time to time.

The Committee is pleased to report that as at 30 June 2019, the Scheme had 1,609 participating members. During the 2018/19 year, the Committee considered a number of applications for higher discretionary caps.

Six applications for discretionary caps were approved by Council during the course of the year. The Committee also oversaw the preparation and submission of the Law Society's fifth annual compliance report to the PSCs and the third year of implementation of the Scheme's risk management and compliance framework. A significant amount of work was also devoted to the preparation and finalisation of an application to renew the Scheme, which expired at the end of this reporting period. Happily, that application was successful, and the new Scheme commenced on 1 July 2019. Key features of the new Scheme include an insurance standard developed in the interests of members and consumers of legal services to ensure the quality, consistency and level of insurance of participants in the Scheme; the incorporation of Tasmania through mutual recognition provisions; and the inclusion of a provision addressing the capping of liability those who are subject both to the Scheme and to another scheme under professional standards legislation.

The Law Society acknowledges and thanks:

- Alain Musikanth SC (Convenor)
- Brendan Ashdown
- Nathan Ebbs
- Irena Ferraro
- Vidal Pinckney-Hockless
- Verginia Serdev-Patterson
- Craig Slater

Property Law Committee

Gary Thomas
Convenor



As with the previous year, much of the focus of the Property Law Committee during 2018/19 has been on the significant amount of legislative change associated with Strata Titles reform. This year has required detailed review of the amendments to the draft *Strata Titles Regulations* required for the implementation of the extensive amendments to the *Strata Titles Act 1985* and the proposed new *Community Titles Act 2018*.

Representatives of Landgate's Strata Titles Act Reform group attended several Committee meetings to brief members on the legal, technical and policy issues behind the legislative program, and the Strata Titles subcommittee prepared detailed submissions on the draft proposed amendments to the Regulations for submission to Landgate.

Other business of the Committee included monitoring the Landgate program for general reforms related to the operation of the *Transfer of Land Act 1893* and the implementation and impact of e-lodgement and e-conveyancing, following the publication of a new edition of the 2018 REIWA/Law Society Joint Form of General Conditions for the Sale of Land.

Members of the Property Law Committee continue to represent the Law Society on a number of external stakeholder groups and committees including the Law Council of Australia Legal Practice Section Australian Property Law Group, and the Law Council of Australia e-conveyancing Working Group. The Committee representatives (as well as Committee members generally) reviewed public consultation papers released by the e-conveyancing industry during the reporting period.

As part of its terms of reference, the Committee continued to monitor issues of potential impact on practitioners in the property area generally, including specific legislative changes, significant cases and Government policy reforms.

The Law Society acknowledges and thanks:

- Gary Thomas (Convenor)
- Marcus Easthope (Deputy Convenor)
- Mark Atkinson
- Peter Beekink
- Christopher Booth
- Sarah Coxon
- Susan Dukes
- Malerie Durham
- Craig James
- Meagan Johnston
- Fiona Low (Council *ex officio*)
- John Prevost
- Doug Solomon
- Gabriel Wong
- Peta Whyte
- Joel Yeldon

Quality Practice Standard Committee

Craig Slater
Convenor



The QPS committee continued to administer this scheme for the Society.

In the last year the QPS Committee welcomed three new firms to the QPS scheme. The QPS provided CPD training to assist new firms get accreditation in the scheme and to promote the scheme to new firms.

The QPS Committee continued its resolution to take a leadership position with the Joint Law Society and Women Lawyers Committee, following the “2014 Gender Bias Taskforce Review” by Women Lawyers WA and the Society’s “Final Directions” paper. The QPS Committee recommended to the Council a number of amendments to the QPS scheme to better address flexible workplace practices and equality of opportunity. The amendments also addressed risk management. The amendments were circulated for comments from Law Mutual and the Professional Standards Committee. Neither committee made recommendations. The QPS Committee looks forward to the Council’s approval to implement the proposed changes. The changes will be published when they are approved. They will not affect auditing until 2020.

In the next year the QPS Committee is considering an organisational review so that the annual audit could be complemented with practice management education to meet CPD requirements. The QPS Committee is considering the possibility that practitioners at participating firms will be eligible to obtain a CPD point for an engaged participation in practice management education that could follow and complement the audit process. The QPS Committee will seek the views of the Legal Practice Board of WA on this proposal.

At the end of the financial year the Council of the Law Society deferred the completion of the operational review of the QPS scheme. The QPS Committee looks forward to responding and completing that review.

The Law Society acknowledges and thanks:

- Craig Slater (Convenor)
- Andrew McGuiness
- David Vilensky
- Jeanette De Klerk
- Jocelyne Boujos
- Julie Ots
- Murray Thornhill
- Peter Liron
- Vidal Pinckney-Hockless

Taxation Law Committee

Dr John Hockley
Convenor



The Taxation Committee meets as a joint Committee of the Law Society of Western Australia and the Law Council of Australia. The Committee meets bi-monthly, but if needed monthly meetings take place.

Members of the Committee have been active presenting Continuing Professional Development seminars for the Law Society and the Committee continues to work with the *Brief* Committee in preparing regular columns on current taxation issues to further the education of readers and members of the Law Society. This initiative has been very successful. In addition, some refinements have been implemented to ensure a regular stream of articles for forthcoming issues of *Brief*.

During the reporting period the Tax Committee made submissions on various State and Commonwealth taxation issues. This work involved considerable effort by members resulting in an improvement in the taxation laws.

The Committee members have been involved in serving on various Committees of the Law Society, the Law Council of Australia and various advisory Taxation Committees involving the Australian Taxation Office and other representative organisations. Future seminars are

proposed on both State and Federal Revenue developments.

The Committee acknowledges the contribution of:

- Grahame Young for keeping the Committee apprised of all State and Interstate Revenue Issues and developments at the State Revenue Office; and
- Humphry Faas for keeping the Committee informed of recent developments in taxation being considered by the Taxation Committee of the Law Council of Australia (LCA).

Members of the Committee attended the LCA Taxation Committee's Annual Workshop, where Committee Members Humphry Faas and Rob Sceales were panel members for the Small Business Tax Issues discussion.

The Law Society acknowledges and thanks:

- John Hockley (Convenor)
- Humphry Faas (Deputy Convenor)
- Jocelyne Boujos
- John Fickling
- Fiona Halsey (former Committee member)
- Jonathon Leek
- David Murphy
- Sam Radici
- Alex Sceales
- Robert Sceales
- Matthew Sunits
- Clare Thompson
- Zoran Vukojevic
- Chelsea Walsh
- Grahame Young

Young Lawyers Committee

Zoe Bush
Convenor



The Young Lawyers Committee (YLC) provides support and is a voice for junior members of the profession. This year the YLC decided it needed to better engage with Western Australian law schools and students to better fulfil that role. As the first step in that process, a representative of each Western Australian law student society now attends YLC meetings on a quarterly basis. There have already been robust discussions about recruitment practices, mental health, and supporting graduates transitioning to practice, and we look forward to further developing that relationship.

During the year the YLC provided a range of events focused on the junior segment of the Law Society's membership, including:

- social events to promote collegiality, such as the Welcome to the Profession Breakfast and inter-firm sporting events (netball and volleyball);
- the Western Australian Golden Gavel Competition;
- the Practical Advocacy Weekend, including a preparatory seminar as well as a weekend of coaching sessions by judges and other senior members of the profession. As a participant, I can personally vouch for how valuable the weekend is for junior lawyers looking to practice and refine their advocacy skills;
- raising awareness of legal issues affecting Aboriginal peoples through our Law Week screening of *Connection to Country*, a beautifully shot documentary by Tyson Mowarin that explores the relationship between Aboriginal peoples and their land and charts their struggles to have their connection to land recognised;

- informing junior lawyers about social justice career paths at the Social Justice Opportunities Evening;
- inter-profession networking opportunities, which allow junior lawyers the opportunity to build their professional networks with young professional bodies from other industries, including accounting, consulting and engineering;
- informal networking opportunities for lawyers in small or mid-sized firms through the Small Firms Network; and
- the annual Law Student Mentoring Programme, which again included law students from all Western Australian law schools and continues to increase in numbers.

In recognition of the increasing diversity of the profession, the YLC has increased its focus on supporting and being a voice for junior lawyers who have come to the profession later in life. In September 2018, we hosted a well-attended Later Lawyers Discussion and Networking Event. A new initiative formed to address the needs of a growing segment of members, being individuals who came to law later in life and do not identify with the traditional legal career progression, the panel focused on the advantages and challenges in coming to law later in life. We look forward to continuing this focus going forward.

In addition to these initiatives, the YLC also:

- conducted a survey of junior lawyers seeking feedback on issues facing junior lawyers and on the Committee's activities;
- continued to connect with the Australian Young Lawyers Committee; and
- continued to welcome observers at Committee meetings.

The Law Society acknowledges and thanks:

- Zoe Bush (Convenor)
- Jack Carroll (Deputy Convenor)
- Sarah O'Brien-Smith (Former Convenor/Committee member)
- Chris Burch
- Haley Graydon (Deputy Convenor)
- Hague Skinner
- Nicola Ashford (Former Deputy Convenor/Committee member)
- Natalie Connor (Former Deputy Convenor/Committee member)
- Melanie Callow (former Committee member)
- Lucy Clark
- Alison Cooper (former Committee member)
- Olivia Doray
- Sean Gomes
- Angela Hayes
- Michelle Leach (former Committee member)
- Alyce Lynch
- James Marzec (former Committee member)
- Shona McIntyre (former Committee member)
- Fiona Poh
- Brooke Sojan (former Committee member)
- Stefan Tomasich (former Committee member)
- Alex Ward-Noonan

FINANCIAL

STATEMENTS

Statement of Profit or Loss and Other Comprehensive Income

For the Year Ended 30 June 2019

	NOTES	2019 \$	2018 \$
Revenue	5	4,874,372	4,974,311
Investment income		34,956	38,992
Other gains and losses	6	20	2,199
Loss on the revaluation of properties		-	(1,177,409)
Governance expenses		(655,966)	(653,218)
Member services expenses		(1,748,044)	(1,704,801)
Advocacy and community programmes expenses		(858,290)	(883,605)
Finance and administration expenses		(1,515,541)	(1,507,010)
(Deficit)/Surplus for the year		131,507	(910,540)

Other comprehensive income

Items that will not be reclassified subsequently to surplus or deficit:

Loss on revaluation of properties	-	(122,592)
Other comprehensive loss for the year	-	(122,592)
Total comprehensive (loss)/income for the year	131,507	(1,033,132)

The above Statement of Profit or Loss and Other Comprehensive Income should be read in conjunction with the accompanying notes.

Statement of Financial Position

As at 30 June 2019

	NOTES	2019 \$	2018 \$
CURRENT ASSETS			
Cash and cash equivalents	16	1,976,371	2,335,753
Other financial assets	7	500,164	-
Trade and other receivables	8	184,757	66,093
Other assets		134,929	129,576
Total current assets		2,796,221	2,531,422
NON-CURRENT ASSETS			
Property, plant and equipment	9	3,707,136	3,826,289
Intangible assets	10	16,536	9,314
Total non-current assets		3,723,672	3,835,603
Total assets		6,519,893	6,367,025
CURRENT LIABILITIES			
Trade and other payables	11	538,126	483,066
Borrowings	13	1,831,500	-
Provisions	12	310,020	360,375
Income received in advance		1,475,372	1,468,077
Total current liabilities		4,155,018	2,311,518
NON-CURRENT LIABILITIES			
Borrowings	13	-	1,831,500
Provisions	12	31,219	21,858
Total non-current liabilities		31,219	1,853,358
Total liabilities		4,186,237	4,164,876
Net assets		2,333,656	2,202,149
MEMBERS' FUNDS			
Reserves	14	-	-
Retained surplus	15	2,333,656	2,202,149
Total members' funds		2,333,656	2,202,149

The above Statement of Financial Position should be read in conjunction with the accompanying notes.

Statement of Changes in Equity

For the Year Ended 30 June 2019

	NOTE	RESERVES \$	RETAINED EARNINGS \$	TOTAL \$
Balance as at 1 July 2017		122,592	3,112,689	3,235,281
Deficit for the year		-	(910,540)	(910,540)
Loss from revaluation of properties	14	(122,592)	-	(122,592)
Total comprehensive loss for the year		(122,592)	(910,540)	(1,033,132)
Balance as at 1 July 2018		-	2,202,149	2,202,149
Surplus for the year		-	131,507	131,507
Loss from revaluation of properties	14	-	-	-
Total comprehensive income for the year		-	131,507	131,507
Balance as at 30 June 2019		-	2,333,656	2,333,656

The above Statement of Changes in Equity should be read in conjunction with the accompanying notes.

Statement of Cash Flows

For the Year Ended 30 June 2019

	NOTES	2019 \$	2018 \$
CASH FLOWS FROM OPERATING ACTIVITIES			
Member subscriptions		2,242,407	2,071,472
Interest received		34,627	41,462
Receipts from other operating activities		3,110,343	3,287,396
Payments to suppliers and employees		(5,146,364)	(5,407,569)
Net cash (used in)/generated by operating activities	16.1	241,013	(7,239)
CASH FLOWS FROM INVESTING ACTIVITIES			
Payments for term deposits - other financial assets		(500,164)	-
Payments for property, plant and equipment		(89,250)	(119,992)
Payments for intangible assets		(10,980)	(950)
Net cash used in investing activities		(600,394)	(120,942)
CASH FLOWS FROM FINANCING ACTIVITIES			
Repayment of borrowings		-	(456,000)
Net cash used in financing activities		-	(456,000)
Net (decrease)/increase in cash and cash equivalents		(359,382)	(584,181)
Cash and cash equivalents at the beginning of the year		2,335,753	2,919,934
Cash and cash equivalents at the end of the year	16	1,976,371	2,335,753

The above Statement of Cash Flows should be read in conjunction with the accompanying notes.

Notes to the Financial Statements

1. General Information

In the opinion of the Council, the Law Society of Western Australia is not publicly accountable. These financial statements are Tier 2 general purpose financial statements that have been prepared in accordance with Australian Accounting Standards – Reduced Disclosure Requirements adopted by the Australian Accounting Standards Board and the Associations Incorporation Act 2015 (WA). These financial statements comply with Australian Accounting Standards – Reduced Disclosure Requirements.

During the year, the Law Society of Western Australia changed from preparing special purpose financial statements to general purpose financial statements. The change in the basis of preparation of these financial statements resulted in an increase in the level of disclosures as required by the Australian Accounting Standards – Reduced Disclosure Requirements. There is no impact on the recognition or measurement of amounts included in the financial statements.

This is the first set of the Law Society of Western Australia's annual financial statements in which AASB 9 Financial Instruments has been applied. Changes to significant accounting policies are described in Note 3.10.

The Law Society of Western Australia is an incorporated association registered in Western Australia.

The Law Society of Western Australia is a not-for-profit entity for the purpose of preparing the financial statements under the Australian Accounting Standards.

2. Application of new and revised Australian Accounting Standards

2.1 Amendments to Accounting Standards that are mandatorily effective for the current reporting period

The Law Society of Western Australia has adopted all of the new and revised Standards and Interpretations issued by the Australia Accounting Standards Board (the AASB) that are relevant to its operations and effective for an accounting period that begins on or before 1 July 2018. Refer Note 3.10.

Applications of the amendments have had no impact on the Law Society of Western Australia.

2.2 New and revised Australian Accounting Standards and Interpretations on issue but not yet effective

At the date of authorisation of the financial statements, the Law Society of Western Australia has not applied the following new and revised Australian Accounting Standards, Interpretations and amendments that have been issued but are not yet effective:

Standard/Interpretation	Effective for annual reporting periods beginning on or after	Expected to be initially applied in the financial year ending
AASB 15 'Revenue from Contracts with Customers', AASB 2014-5 'Amendments to Australian Accounting Standards arising from AASB 15', AASB 2015-8 'Amendments to Australian Accounting Standards – Effective Date of AASB 15', and AASB 2016-3 'Amendments to Australian Accounting Standards – Clarifications to AASB 15'	1 January 2019	30 June 2020
AASB 16 Leases	1 January 2019	30 June 2020
AASB 1058 Income of Not-for-Profit Entities, AASB 1058 Income for Not-for-Profit Entities (Appendix D), AASB 2016-8	1 January 2019	30 June 2020

The impact of adopting the above standards is yet to be determined.

3. Accounting policies

3.1 Goods and services tax

Revenues, expenses and assets are recognised net of the amount of goods and services tax (GST), except:

- a) where the amount of GST incurred is not recoverable from the Australian Taxation Office, it is recognised as part of the cost of acquisition of an asset or as part of an item of expense; or
- b) for receivables and payables which are recognised inclusive of GST.

The net amount of GST recoverable from, or payable to, the Australian Taxation Office is included as part of payables in the Statement of Financial Position.

Cash flows are included in the Statement of Cash Flows on a gross basis. The GST component of cash flows arising from investing and financing activities which is recoverable from, or payable to, the Australian Taxation Office is classified within operating cash flows.

3.2 Revenue recognition

Revenue is recognised only when it is probable that the economic benefits will flow to the Law Society of Western Australia and the amount can be reliably measured.

Revenue is measured at the fair value of consideration received or receivable after taking into account any trade discounts and volume rebates.

3.3 Borrowing costs

Borrowing costs are recognised in profit or loss in the period in which they are incurred.

3.4 Employee benefits

A liability is recognised for benefits accruing to employees in respect of wages and salaries, annual leave, long service leave, and sick leave when it is probable that settlement will be required and they are capable of being measured reliably.

Liabilities recognised in respect of short-term employee benefits, are measured at their nominal values using the remuneration rate expected to apply at the time of settlement.

Liabilities recognised in respect of long term employee benefits are measured as the present value for the estimated future cash outflows to be made by the Law Society of Western Australia in respect of services provided by employees up to the reporting date.

3.5 Taxation

The Law Society of Western Australia is exempt from income tax under section 50-5 of the Income Tax Assessment Act (1997).

3.6 Property, plant and equipment

Land and buildings held for use in the production or supply of goods or services, or for administrative purposes, are stated in the statement of financial position at their revalued amounts, being the fair value at the date of revaluation, less any subsequent accumulated depreciation and subsequent accumulated impairment losses. Revaluations are performed with sufficient regularity such that the

carrying amounts do not differ materially from those that would be determined using fair values at the end of each reporting period.

Any revaluation increase arising on the revaluation of such land and buildings is recognised in other comprehensive income and accumulated within equity, except to the extent that it reverses a revaluation decrease for the same asset previously recognised in profit or loss, in which case the increase is credited to profit or loss to the extent of the decrease previously expensed. A decrease in the carrying amount arising on the revaluation of such land and buildings is recognised in profit or loss to the extent that it exceeds the balance, if any, held in the properties revaluation reserve relating to a previous revaluation of that asset.

On the subsequent sale or retirement of a revalued property, the attributable revaluation surplus remaining in the properties revaluation reserve is transferred directly to retained earnings. No transfer is made from the revaluation reserve to retained earnings except when an asset is derecognised.

Fixtures and equipment are stated at cost less accumulated depreciation and accumulated impairment losses.

Depreciation is recognised so as to write off the cost or valuation of assets less their residual values over their useful lives, using the straight-line method. The estimated useful lives, residual values and depreciation method are reviewed at the end of each reporting period, with the effect of any changes in estimate accounted for on a prospective basis.

An item of property, plant and equipment is derecognised upon disposal or when no future economic benefits are expected to arise from the continued use of the asset. Any gain or loss arising on the disposal or retirement of an item of property, plant or equipment is determined as the difference between the sales proceeds and the carrying amount of the asset and is recognised in profit or loss.

3.7 Intangible assets

Intangible assets acquired separately

Intangible assets with finite lives that are acquired separately are carried at cost less accumulated amortisation and accumulated impairment losses. Amortisation is recognised on a straight-line basis over their estimated useful lives. The estimated useful life and amortisation method are reviewed at the end of each reporting period, with the effect of any changes in estimate being accounted for on a prospective basis. Intangible assets with indefinite useful lives that are acquired separately are carried at cost less accumulated impairment losses.

Derecognition of intangible assets

An intangible asset is derecognised on disposal, or when no future economic benefits are expected from use or disposal. Gains or losses arising from derecognition of an intangible asset, measured as the difference between the net disposal proceeds and the carrying amount of the asset are recognised in profit or loss when the asset is derecognised.

3.8 Leases

Operating lease payments are recognised as an operating expense on a basis which reflects the time pattern in which the economic benefits from the leased assets are consumed.

3.9 Provisions

Provisions are recognised when the Law Society of Western Australia has a present obligation (legal or constructive) as a result of a past event, it is probable that the Law Society of Western Australia will be required to settle the obligation, and a reliable estimate can be made of the amount of the obligation.

The amount recognised as a provision is the best estimate of the consideration required to settle the present obligation at the end of the reporting period, taking into account the risks and uncertainties

surrounding the obligation. When a provision is measured using the cash flows estimated to settle the present obligation, its carrying amount is the present value of those cash flows (where the effect of the time value of money is material).

When some or all of the economic benefits required to settle a provision are expected to be recovered from a third party, a receivable is recognised as an asset if it is virtually certain that reimbursement will be received and the amount of the receivable can be measured reliably.

3.10 Changes in accounting policy

The Law Society of Western has initially applied AASB 9, including any consequential amendments to other standards, from 1 July 2018. A number of other new standards are also effective from 1 July 2018 but the adoption of these standards and interpretations did not have any material effect on the financial statements of the Law Society of Western Australia.

Due to the transition methods chosen, comparative information throughout these financial statements has not been restated.

3.10 (a) AASB 9 Financial Instruments

AASB 9 sets out requirements for recognising and measuring financial assets, financial liabilities and some contracts to buy or sell non-financial items. This standard replaces AASB 139 Financial Instruments: Recognition and Measurement.

AASB 9 contains three principal classification categories for financial assets: measured at amortised cost, FVOCI and FVTPL. AASB 9 eliminates the previous AASB 139 categories of held to maturity, loans and receivables and available for sale.

AASB 9 largely retains the existing requirements in AASB 139 for the classification and measurement of financial liabilities. The adoption of AASB 9 has not had a significant effect on the entity's accounting policies related to financial liabilities.

The following table and the accompanying notes below explain the original measurement categories under AASB 139 and the new measurement categories under AASB 9 for each class of the Society's financial assets as at 1 July 2018.

In dollars	Original classification under AASB 139	New classification under AASB 9	Original carrying amount under AASB 139	New carrying amount under AASB 9
Financial Assets				
Cash and cash equivalents	Loans and receivables	Amortised cost	2,335,753	2,335,753
Trade and other receivables	Loans and receivables	Amortised cost	66,093	66,093
Total Financial Assets			2,401,846	2,401,846
Financial Liabilities				
Trade and other payables	Other financial liabilities	Other financial liabilities	483,066	483,066
Borrowings	Other financial liabilities	Other financial liabilities	1,831,500	1,831,500
Total Financial Liabilities			2,314,566	2,314,566

AASB 9 replaces the 'incurred loss' model in AASB 139 with an 'expected credit loss' (ECL) model. The new impairment model applies to financial assets measured at amortised cost. Under AASB 9, credit losses are recognised earlier than under AASB 139.

3.11 Financial instruments policy

Recognition and initial measurement

Trade receivables are initially recognised when they are originated. All other financial assets and financial liabilities are recognised when the Law Society of Western Australia becomes a party to the contractual provisions of the instrument.

Financial assets – Classification – Policy applicable from 1 July 2018.

On initial recognition, a financial asset is classified as measured at amortised cost. Financial assets are not reclassified subsequent to their initial recognition.

Financial assets – subsequent measurement and gains and losses – Policy applicable from 1 July 2018.

Financial assets at amortised cost

These assets are subsequently measured at amortised cost using the effective interest method. The amortised cost is reduced by impairment losses. Interest income and impairment are recognised in profit and loss. Any gain or loss on derecognition is recognised in profit and loss.

Financial assets – Policy applicable before 1 July 2018.

The financial assets of the Law Society of Western Australia are classified into the following specified categories: 'held-to-maturity' investments, 'available-for-sale' (AFS) financial assets and 'loans and receivables.' The classification depends on the nature and purpose of the financial assets and is determined at the time of initial recognition.

Trade receivables, loans, and other receivables that have fixed or determinable payments that are not quoted in an active market are classified as 'loans and receivables'. Loans and receivables are measured at amortised cost using the effective interest method, less any impairment. Interest income is recognised by applying the effective interest rate, except for short-term receivables when the effect of discounting is immaterial.

Impairment of financial assets - Policy applicable from 1 July 2018.

The Law Society of Western Australia recognizes loss allowances for expected credit losses (ECLs) on financial assets measured at amortised cost. The Law Society of Western Australia measures loss allowances at an amount equal to lifetime ECLs. When determining whether the credit risk of a financial asset has increased significantly since initial recognition and when estimating ECLs, the Law Society of Western Australia considers reasonable and supportable information that is relevant and available without undue cost or effort. This includes both quantitative and qualitative information and analysis based on the trusts historical experience and informed credit assessment and including forward-looking information.

Measurement of ECLs – Policy applicable from 1 July 2018.

ECLs are a probability-weighted estimate of credit losses. Credit losses are measured as the present value of all cash shortfalls (i.e. the difference between the cashflows due to the trust in accordance with the contract and the cashflows that the trust expects to receive).

ECLs are discounted at the effective interest rate of the financial asset.

Write-off

The gross carrying amount of a financial asset is written off when the Law Society of Western Australia has no reasonable expectations of recovering a financial asset in its entirety or a portion thereof.

Impairment of financial assets - Policy applicable before 1 July 2018.

Financial assets are assessed for indicators for impairment at the end of each reporting period. Financial assets are considered to be impaired when there is objective evidence that, as a result of one or more events that occurred after the initial recognition of the financial asset, the estimated future cash flows of the investment have been affected.

For certain categories of financial assets, such as trade receivables, assets that are assessed for impairment on a collective basis even if they were assessed not to be impaired individually. Objective evidence of impairment for a portfolio of receivables could include the Law Society of Western Australia's past experience of collecting payments, an increase in the number of delayed payments in the portfolio past the average credit period of 60 days, as well as observable changes in national or local economic conditions that correlate with default on receivables.

For financial assets carried at amortised cost, the amount of the impairment loss recognised is the difference between the asset's carrying amount and the present value of estimated future cash flows, discounted at the financial asset's original effective interest rate.

For financial assets that are carried at cost, the amount of the impairment loss is measured as the difference between the asset's carrying amount and the present value of the estimated future cash flows discounted at the current market rate of return for a similar financial asset. Such impairment loss will not be reversed in subsequent periods.

The carrying amount of the financial asset is reduced by the impairment loss directly for all financial assets with the exception of trade receivables, where the carrying amount is reduced through the use of an allowance account. When a trade receivable is considered uncollectible, it is written off against the allowance account. Subsequent recoveries of amounts previously written off are credited against the allowance account. Changes in the carrying amount of the allowance account are recognised in profit or loss.

For financial assets measured at amortised cost, if, in a subsequent period, the amount of the impairment loss decreases and the decrease can be related objectively to an event occurring after the impairment was recognised, the previously recognised impairment loss is reversed through profit or loss to the extent that the carrying amount of the investment at the date the impairment is reversed does not exceed what the amortised cost would have been had the impairment not been recognised.

Derecognition of financial assets

The Law Society of Western Australia derecognises a financial asset when the contractual rights to the cash flows from the asset expire, or when it transfers the financial asset and substantially all the risks and rewards of ownership of the asset to another party. If the Law Society of Western Australia either transfers nor retains substantially all the risks and rewards of ownership and continues to control the transferred asset, the Law Society of Western Australia recognises its retained interest in the asset and an associated liability for amounts it may have to pay. If the Law Society of Western Australia retains substantially all the risks and rewards of ownership of a transferred financial asset, the Law Society of Western Australia continues to recognise the financial asset and also recognises a collateralised borrowing for the proceeds received.

On derecognition of a financial asset in its entirety, the difference between the asset's carrying amount and the sum of the consideration received and receivable and the cumulative gain or loss that had been recognised in other comprehensive income and accumulated in equity is recognised in profit or loss.

On derecognition of a financial asset other than in its entirety (e.g. when the Law Society of Western Australia retains an option to repurchase part of a transferred asset), the Law Society of Western Australia allocates the previous carrying amount of the financial asset between the part it continues to recognise under continuing involvement, and the part it no longer recognises on the basis of the relative fair values of those parts on the date of the transfer. The difference between the carrying amount allocated to the part that is no longer recognised and the sum of the consideration received

for the part no longer recognised and any cumulative gain or loss allocated to it that had been recognised in other comprehensive income is recognised in profit or loss. A cumulative gain or loss that had been recognised in other comprehensive income is allocated between the part that continues to be recognised and the part that is no longer recognised on the basis of the relative fair values of those parts.

3.12 Financial liabilities

The financial liabilities of the Law Society of Western Australia including borrowings and trade and other payables, are initially measured at fair value, net of transaction costs.

Other financial liabilities are subsequently measured at amortised cost using the effective interest method, with interest expense recognised on an effective yield basis.

The effective interest method is a method of calculating the amortised cost of a financial liability and of allocating interest expense over the relevant period. The effective interest rate is that exactly discounts estimated future cash payments through the expected life of the financial liability, or (where appropriate) a shorter period, to the net carrying amount on initial recognition.

Derecognition of financial liabilities

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

3.13 Fair value measurement

Fair value is the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date, regardless of whether that price is directly observable or estimated using another valuation technique. In estimating the fair value of an asset or a liability, the Law Society of Western Australia takes into account the characteristics of the asset or liability if market participants would take those characteristics into account when pricing the asset or liability at the measurement date. Fair value for measurement and/or disclosure purposes in these financial statements is determined on such a basis, except for share-based payment transactions that are within the scope of AASB 2, leasing transactions that are within the scope of AASB 117, and measurements that have some similarities to fair value but are not fair value, such as net realisable value in AASB 2 or value in use in AASB 136.

In addition, for financial reporting purposes, fair value measurements are categorised into Level 1, 2 or 3 based on the degree to which the inputs to the fair value measurements are observable and the significance of the inputs to the fair value measurement in its entirety, which are described as follows:

- Level 1 inputs are quoted prices (unadjusted) in active markets for identical assets or liabilities that the Law Society of Western Australia can access at the measurement date;
- Level 2 inputs are inputs, other than quoted prices included within Level 1, that are observable for the asset or liability, either directly or indirectly; and
- Level 3 inputs are unobservable inputs for the asset or liability.

4. Critical accounting judgments and key sources of estimation uncertainty

In the application of the Law Society of Western Australia's accounting policies, which are described in note 3, management is required to make judgements, estimates and assumptions about the carrying amounts of assets and liabilities that are not readily apparent from other sources.

Estimates and associated assumptions are based on historical experience and other factors that are considered to be relevant. Actual results may differ from these estimates.

The estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognised in the period in which the estimate is revised if the revision affects only that period or in the period of the revision and future periods in the revision affects both

current and future periods.

4.1 Key sources of estimation uncertainty

The key assumptions concerning the future, and other key sources of estimation uncertainty at the end of the reporting period, that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year are discussed below or elsewhere in the financial statements:

Useful lives of property, plant and equipment

As described above, management reviews the estimated useful lives of property, plant and equipment at the end of each reporting period. There has been no change to the estimated useful lives of property, plant and equipment in the current financial year.

Useful lives of intangible assets

As described above, management reviews the estimated useful lives of intangible assets at the end of each reporting period. There has been no change to the estimated useful lives of intangible assets in the current financial year.

Valuation of building

The Law Society of Western Australia's premises on 160 St Georges Terrace are measured and reported at fair value.

The premises were revalued by Opteon Property Group Pty Ltd on 30 June 2018 and the valuation was undertaken in accordance with the International Valuation standards and in accordance with applicable financial reporting standards, namely *AASB 13 Fair Value Measurement*. For the year ended 30 June 2019, fair value was determined based on management's assessment that there has been no material movement in the value on the building since the valuation conducted by Opteon on 30 June 2018.

5. Revenue

	2019	2018
	\$	\$
Member subscriptions	2,137,102	2,097,990
Membership services and activities	180,556	142,713
CPD programme and education	679,597	860,958
Grants and distributions	339,689	336,573
Marketing and promotion	398,317	359,756
Finance and administration services	619,065	618,046
Other revenue	520,046	558,275
Total Revenue	4,874,372	4,974,311

6. Other gains and losses

	2019	2018
	\$	\$
Gain on disposal of property, plant and equipment	20	2,199
Net gain	20	2,199

7. Other financial assets

	2019	2018
	\$	\$
Term Deposits	500,164	-
	500,164	-

8. Trade and other receivables

Current		
Trade debtors	98,276	20,046
Accrued income	85,476	45,371
Other receivables	1,005	676
	184,757	66,093

9. Property, plant and equipment

	2019	2018
	\$	\$
<i>Carrying amounts of:</i>		
Building	3,510,000	3,600,000
Plant and equipment	197,136	226,289
	3,707,136	3,826,289

	Building at fair value	Plant and equipment at cost	Total
Balance at 30 June 2018			
Cost or valuation	3,600,000	1,788,640	5,388,640
Accumulated depreciation and impairment	-	(1,562,351)	(1,562,351)
	3,600,000	226,289	3,826,288
Balance at 30 June 2019			
Cost or valuation	3,600,000	1,834,139	5,434,139
Accumulated depreciation and impairment	(90,000)	(1,637,003)	(1,727,003)
	3,510,000	197,136	3,707,136

The following useful lives are used in the calculation of depreciation.

- Plant and Equipment 4-11 years
- Buildings 40 years

Reconciliation of Property, Plant and Equipment	Building at fair value	Plant and equipment at cost	Total
Balance as at 1 July 2018			
Cost or valuation	3,600,000	1,788,640	5,388,640
Acquisitions	-	45,499	45,499
Disposals	-	-	-
Balance at 30 June 2019	3,600,000	1,834,139	5,434,139

Accumulated depreciation and impairment

Balance as at 1 July 2018	-	(1,562,351)	(1,562,351)
Depreciation	(90,000)	(74,652)	(164,652)
Balance at 30 June 2019	(90,000)	(1,637,003)	(1,727,003)

9.1 Measurement techniques of revalued amounts

The fair value as at 30 June 2018 of the Law Society of Western Australia's premises was determined by Opteon Property Group Pty Ltd. This valuation has been prepared using the direct comparison valuation method in accordance with the International Valuation Standards 2018 and AASB 13 *Fair Value Measurement*.

10. Intangibles

	2019 \$	2018 \$
Carrying amounts of:		
Trademark	16,536	9,314
	16,536	9,314

	Trademark
Balance at 30 June 2018	
Cost	49,303
Accumulated amortisation	(39,989)
	9,314
Balance at 30 June 2019	
Cost	60,283
Accumulated amortisation	(43,747)
	16,536

Trademarks are amortised over an estimated useful life of 10 years.

11. Trade and other payables

	2019	2018
	\$	\$
Current		
Trade creditors	144,070	45,702
Accrued expenses	44,792	54,974
Other payables	349,264	382,390
	538,126	483,066

12. Provisions

	2019	2018
	\$	\$
Current		
Employee benefits	310,020	360,375
Non-current		
Employee benefits	31,219	21,858
	341,239	382,233

13. Borrowings

	2019	2018
	\$	\$
Current		
Bank loan secured at amortised cost	1,831,500	-
Non-current		
Bank loan secured at amortised cost	-	1,831,500
	1,831,500	1,831,500

The Law Society of Western Australia's loan facility is secured by level 4 and part of level 5, 160 St Georges Terrace, PERTH WA 6000 and a general security interest over the assets and undertakings of the Law Society of Western Australia. This loan facility expires on 31 December 2019. The Law Society anticipates the renewal of this facility.

14. Property revaluation reserve

	2019	2018
	\$	\$
Balance at beginning of year	-	122,592
Decrease arising on the revaluation of properties	-	(122,592)
Balance at end of year	-	-

Valuation of the Law Society of Western Australia was completed by Opteon Property Group on 30 June 2018 (Refer to note 9.1).

15. Retained earnings

	2019	2018
	\$	\$
Balance at the beginning of the year	2,202,149	3,112,689
(Deficit)/Profit for the year	131,507	(910,540)
Balance at the end of year	2,333,656	2,202,149

16. Cash and cash equivalents

For the purposes of the statement of cash flows, cash and cash equivalents include cash on hand and in banks, net of outstanding bank overdrafts. Cash and cash equivalents at the end of the reporting period as shown in the statement of cash flows can be reconciled to the related items in the statement of financial position as follows.

	2019	2018
	\$	\$
Cash and cash equivalents	1,976,371	2,335,753
	1,976,371	2,335,753

16.1 Reconciliation of profit for the year to net cash flows from operating activities

	2019	2018
	\$	\$
(Deficit)/Surplus for the year	131,507	(910,540)
Loss on the revaluation of properties	-	1,177,409
Depreciation and amortisation of non-current assets	168,409	82,860
	299,916	349,729
Movements in working capital		
Decrease/(increase) in trade receivables	(118,664)	155,580
(Decrease)/increase in other assets	38,400	(52,667)
(Decrease)/increase in trade and other payables	55,060	(132,470)
Increase in provisions	(40,994)	21,681
(Decrease)/increase in income in advance	7,295	(349,092)
Cash (used in) operations	(58,903)	(356,968)
Net cash (used in)/generated by operating activities	241,013	(7,239)

16.2 Reconciliation of liabilities arising from financing activities

Changes in the Law Society of Western Australia's liabilities arising from financing activities are shown in the table below. Liabilities arising from financing activities are those for which cash flows were, or future cash flows will be classified in the statement of cash flows as cash flows from financing activities.

	Balance as at 1 July 2018	Financing cash flows (i)	Balance as at 30 June 2019
Borrowings (note 13)	1,831,500	-	1,831,500
	<u>1,831,500</u>	<u>-</u>	<u>1,831,500</u>

(i) Repayments of borrowings as represented in the statement of cash flows.

17. Financial instruments disclosures

(a) Financial instruments

The financial instruments of the Law Society of Western Australia comprise:

- Cash and cash equivalents;
- Term deposits;
- Trade and other receivables;
- Trade and other payables.

(b) Fair value of financial instruments

The carrying amounts of each of the financial instruments have been presented within the Statement of Financial Position at 30 June 2019.

In the opinion of Management, the carrying amount of those financial instruments not measured at fair value closely approximate their fair value as:

- Cash and cash equivalents;
- Term deposits and
- Trade and other receivables and trade and other payables have a short maturity cycle.

(c) Credit risk

Credit risk refers to the risk that the financial institutions (for cash and cash equivalents) and counterparties (for trade and other receivables) may default on their obligations to honour their commitments.

The maximum exposure to credit risk is limited to the carrying amount of cash and cash equivalents, and trade and other receivables noted in the statement of financial position at 30 June 2019.

The Law Society of Western Australia does not consider credit risk to be significant on account of the following factors:

- Cash and cash equivalents are held with the banking institutions that are subject to prudential regulations; and
- A significant portion of income relates to receivables from membership income which is paid upfront with no risk of default;

(d) Liquidity risk

Liquidity risk is the risk that the Law Society of Western Australia would not be able to meet its obligations to trade and other payables on account of the lack of available cash balance. The Law Society of Western Australia manages the risk through preparation of periodic budgets and holding cash reserves to meet those obligations on time.

The maturity profile of the Law Society of Western Australia's trade and other payables are:

	2019 Up to 6 months	2019 Total	2018 Up to 6 months	2018 Total
Trade and other payables	538,126	538,126	483,066	483,066
Total	538,126	538,126	483,066	483,066

(e) Interest rate risk

Interest rate risks refer to the variability in future cash flows of the Law Society of Western Australia on account of the changes in market interest rates. The following financial instruments are impacted by interest rate risks:

- Cash and cash equivalents items;

The sensitivity of the financial instruments to 0.25% change in market interest rate are:

	2019 Carrying amount	2019 Sensitivity	2018 Carrying amount	2018 Sensitivity
Cash and cash equivalents	1,976,371	(4,941)	2,335,753	(5,839)
Total	1,976,371	(4,941)	2,335,753	(5,839)

18. Related parties disclosures

During the financial year, and in the periods specified below, the following members served in the Council of the Law Society of Western Australia.

Members who served 1 January 2019 to 30 June 2019	Members who served 1 July 2018 to 31 December 2018
Greg McIntyre SC	Hayley Cormann
Nicholas van Hattem	Greg McIntyre SC
Rebecca Lee	Jocelyne Boujos
Hayley Cormann	Alain Musikanth
Jocelyne Boujos	Brahma Dhamananda SC
Nathan Ebbs	Elisabeth Edwards
Ante Golem	Catherine Fletcher (<i>resigned 19 July 2018</i>)
Emma Griffiths	Ante Golem (<i>from September 2018</i>)
Karina Hafford (<i>resigned April 2019</i>)	Emma Griffiths
Matthew Howard SC	Karina Hafford
Fiona Low	Eric Heenan
Joanna Knoth (<i>resigned June 2019</i>)	Fiona Low
Gary Mack (<i>from June 2019</i>)	Marshall McKenna
Denis McLeod	Denis McLeod
Jodie Moffat	Jodie Moffat
Shayla Strapps	Nicholas van Hattem
Paula Wilkinson	Paula Wilkinson
Joel Yeldon (<i>from June 2019</i>)	Zoe Bush
Kerstin Stringer	Sarah O'Brien-Smith
Zoe Bush (<i>resigned June 2019</i>)	Brooke Sojan
Brooke Sojan	Kerstin Stringer
Demi Swain	

Transactions between the Law Society of Western Australia and councillor related entities

Other than the President who receives a presidential honorarium, no member of Council receives directly or indirectly any fees, bonuses or other remuneration. The total honorarium paid in the financial year ending 2019 was \$126,637. (30 June 2018: \$125,514).

During the reporting period, legal services were provided to the Law Society of Western Australia, under normal commercial terms and conditions, by firms of which Councillors were partners, employees and consultants. A total of \$330 (30 June 2018: \$7,125) was paid by the Law Society of Western Australia for these legal services.

The Law Society of Western Australia received income from firms of which Council members are partners, employees and consultants. The following types of fees were received from all parties under the same terms and conditions as other members of the Law Society of Western Australia:

- membership fees;
- registration fees for Continuing Professional Developments and membership events.

Transactions between the Law Society of Western Australia and Law Mutual (WA)

During the current financial year, Law Mutual (WA) paid the Law Society of Western Australia administration, consulting and management services on normal commercial terms and conditions amounting to \$329,567 (30 June 2018: \$328,521) which includes the recovery of a percentage of

certain key management personnel's compensation paid by the Law Society of Western Australia. Law Mutual (WA) also paid the Law Society of Western Australia rent and outgoings on normal commercial terms and conditions amounting to \$181,789 (30 June 2018: \$181,788).

At 30 June 2019, Law Mutual (WA) owed the Law Society of Western Australia \$14,963 (30 June 2018: \$20,046).

Transactions between the Law Society of Western Australia and the Law Society Public Purposes Trust

In the 2018-19 financial year, the Law Society of Western Australia received grants payments from the Public Purposes Trust for the following activities:

	2019	2018
	\$	\$
Francis Burt Law Education Programme	200,000	200,000
Francis Burt Law Education Programme - Oral History Project	-	10,714
Law Week	20,000	20,000
	220,000	230,714

The Public Purposes Trust paid \$146,546 (2018: \$146,546) to the Law Society of Western Australia for administration, consulting and management services on normal commercial terms and conditions.

At 30 June 2019, \$40,300 were owed by the PPT to the Law Society of Western Australia (30 June 2018: \$nil).

Key management personnel compensation

The key management personnel at the Law Society of Western Australia comprise the senior management group. The gross compensation including statutory superannuation paid to these key management personnel during the year ending 30 June 2019 was \$839,647 (30 June 2018: \$794,795).

19. Commitments

(a) Operating Leases

	2019	2018
	Minimum Future Lease Payments	Minimum Future Lease Payments
	\$	\$
No later than 1 year	6,660	7,992
Longer than 1 year and not longer than five years	-	6,660
Longer than 5 years	-	-
	6,660	14,652

20. Remuneration of auditor

	2019	2018
	\$	\$
Audit of the financial statements	20,000	25,200
	20,000	25,200

The auditor of the Law Society of Western Australia for the year ended 30 June 2019 is KPMG (The prior year auditor was Deloitte).

21. Subsequent events

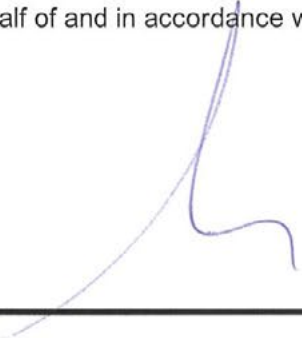
There has not been any matter or circumstance, which has arisen since 30 June 2019 that has significantly affected or may significantly affect, the operations of the Law Society of Western Australia, the results of those operations, or the state of affairs of the Law Society of Western Australia in future financial years.

Statement by Council

In the opinion of the Council of the Law Society of Western Australia

- a. The Law Society of Western Australia is not publicly accountable;
- b. The financial statements and notes that are set out in pages 2 to 22 are in accordance with the *Associations Incorporation Act 2015 (WA)* and the Law Society of Western Australia's Constitution, including
 - i. Giving a true and fair view of the Law Society of Western Australia's financial position as at 30 June 2019 and of its performance, for the financial year ended on that date; and
 - ii. Complying with Australian Accounting Standards – Reduced Disclosure Requirements.
- c. There are reasonable grounds to believe that the Law Society of Western Australia will be able to pay its debts as and when they become due and payable.


Signed on behalf of and in accordance with a resolution of the Council.



Greg McIntyre
President

22.10.19

Date



Rebecca Lee
Treasurer

22 October 2019

Date



Independent Auditor's Report

To the Members of the Law Society of Western Australia Inc.

Opinion

We have audited the **Financial Statements** of the Law Society of Western Australia (the Association).

In our opinion,

- the accompanying Financial Statements give a true and fair view of the financial position of the Association as at 30 June 2019 and of its financial performance for the year ended on that date in accordance with *Australian Accounting Standards - Reduced Disclosure Requirements* and the Associations Incorporation Act 2015 (WA).

The **Financial Statements** comprise:

- Statement of financial position as at 30 June 2019.
- Statement of profit or loss and other comprehensive income, Statement of changes in equity, and Statement of cash flows for the year then ended.
- Notes including a summary of significant accounting policies.
- Statement by Council.

Basis for opinion

We conducted our audit in accordance with *Australian Auditing Standards*. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Our responsibilities under those standards are further described in the *Auditor's responsibilities for the audit of the Financial Statements* section of our report.

We are independent of the Association in accordance with the ethical requirements of the *Accounting Professional and Ethical Standards Board's APES 110 Code of Ethics for Professional Accountants* (the Code) that are relevant to our audit of the Financial Report in Australia. We have fulfilled our other ethical responsibilities in accordance with the Code.

Other Information

Other Information is financial and non-financial information in the Law Society of Western Australia's annual reporting which is provided in addition to the Financial Statements and the Auditor's Report. The Association's Council members are responsible for the Other Information.

Our opinion on the Financial Statements does not cover the Other Information and, accordingly, we do not express an audit opinion or any form of assurance conclusion thereon.

In connection with our audit of the Financial Statements, our responsibility is to read the Other Information. In doing so, we consider whether the Other Information is materially inconsistent with the Financial Statements or our knowledge obtained in the audit, or otherwise appears to be materially misstated.



We are required to report if we conclude that there is a material misstatement of this Other Information, and based on the work we have performed on the Other Information that we obtained prior to the date of this Auditor's Report we have nothing to report.

Responsibilities of the Association's Council members for the Financial Statements

The Association's Council members are responsible for:

- preparing Financial Statements that give a true and fair view in accordance with Australian Accounting Standards - Reduced Disclosure Requirements and the Associations Incorporation Act 2015 (WA).
- implementing necessary internal control to enable the preparation of the Financial Statements that give a true and fair view and are free from material misstatement, whether due to fraud or error.
- assessing the Association's ability to continue as a going concern and whether the use of the going concern basis of accounting is appropriate. This includes disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless they either intend to liquidate the Association or to cease operations, or have no realistic alternative but to do so.

Auditor's responsibilities for the audit of the Financial Statements

Our objective is:

- to obtain reasonable assurance about whether the Financial Statements as a whole are free from material misstatement, whether due to fraud or error; and
- to issue an Auditor's Report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with *Australian Auditing Standards* will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error. They are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the Financial Statements.

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

KPMG

Matthew Beevers

Partner

Perth

22 October 2019



Auditor's Independence Declaration under division 5 of the Associations Incorporation Act 2015 (WA)

To the Council of the Law Society of Western Australia

I declare that, to the best of my knowledge and belief, in relation to the audit for the financial year ended 30 June 2019 there have been:

- i. no contraventions of the auditor independence requirements as set out in the Associations Incorporation Act 2015 (WA) in relation to the audit; and
- ii. no contraventions of any applicable code of professional conduct in relation to the audit.

KPMG

Matthew Beevers

Partner

Perth

22 October 2019



The Law Society of Western Australia

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