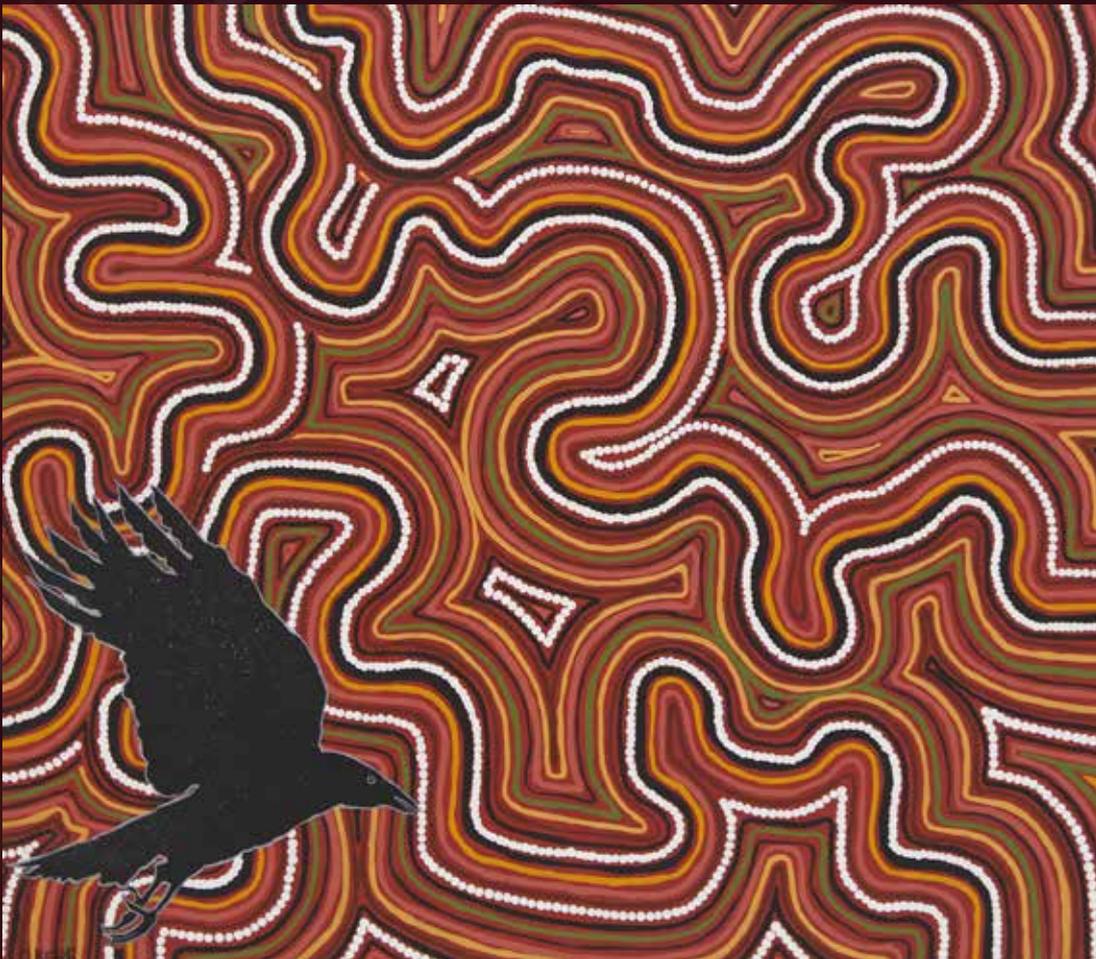


# DIFFERENT PERSPECTIVES



Annual  
Report  
2024



Our annual report theme for 2024 is ‘Different perspectives’. It reflects how we have committed ourselves this year to better understand what our customers want and need from us as a legal regulator. To do this, we are looking at how they engage with us and we are considering their experiences from their point of view – a different perspective to ours.

Cover artwork: D. Kerr (Yorta Yorta)  
*Moving Sands*, 2024. Acrylic on canvas.

Artist’s statement

***‘This is about how easily life changes, moves, alters goes ways we don’t want or expect and how it is never perfect. But it’s about moving with it, moving with the changes of moving sand and finding a new and sometimes better path to follow. It’s life, embrace it, and be free with it.’***



We acknowledge the Wurundjeri Woi Wurrung People as the Traditional Custodians of Naarm (Melbourne), the land on which our office sits. We pay our respects to their Elders; past and present. We support Treaty for Victoria.

#### Abbreviations and acronyms used in this report

**Application Act** *Legal Profession Uniform Law Application Act 2014 (Vic)*

**Bar** Victorian Bar Inc

**CPD** continuing professional development

**FTE** full-time equivalent

#### Legal Profession

**Uniform Law** Schedule 1 to the Application Act

**LIV** Law Institute of Victoria Inc

**PPF** the Public Purpose Fund

**SDA** statutory deposit account

**Uniform Law** Legal Profession Uniform Law

**VCAT** Victorian Civil and Administrative Tribunal

**VLSB+C** Victorian Legal Services Board and Commissioner

**VLSB** Victorian Legal Services Board

**VLSC** Victorian Legal Services Commissioner

**Published by order, or under the authority,  
of the Parliament of Victoria.**

October 2024

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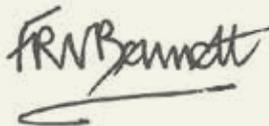
28 October 2024

Dear Attorney-General,

We are pleased to provide you with the 2023-24 Annual Report of the Victorian Legal Services Board and Commissioner.

This report provides an overview of the operations and financial status of the Board and Commissioner for the reporting year to 30 June 2024. It has been prepared in accordance with the requirements of the *Financial Management Act 1994* and the *Legal Profession Uniform Law Application Act 2014*.

Yours sincerely,



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**Fiona Bennett**  
Chairperson  
Victorian Legal Services Board



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**Fiona McLeay**  
CEO, Victorian Legal Services Board  
Victorian Legal Services Commissioner







01

# INTRODUCTION

This is the annual report of the Victorian Legal Services Board and Commissioner. It provides an overview of our operations, achievements and financial status for the year ending 30 June 2024.



## About us

### Who we are

We are the regulator of the Victorian legal profession. We license lawyers and oversee service standards and conduct. This includes handling complaints about lawyers, investigating poor conduct, and overseeing the management of trust accounts.

We are also the stewards of the Public Purpose Fund and the Fidelity Fund, and we administer these to support legal regulation and access to justice in Victoria.

### Why we exist

We exist to maintain and enhance public trust and confidence in the legal profession in Victoria.

### How we do our work

Our three strategic objectives are connected and mutually reinforcing, and each aspect of our work is supported by a strong focus on our people, technology and governance.

## Our strategic objectives

We launched our three-year Corporate Plan in December 2021. It implements our corporate strategy, A Clear Direction, and sets out how we will work towards our goal of maintaining and enhancing public trust and confidence in the legal profession in Victoria.

## Governance structure

We were established on 1 July 2015 under the *Legal Profession Uniform Law Application Act 2014* (Vic) (the Application Act).

Although the Application Act established us as two independent statutory authorities (the Victorian Legal Services Board and the Victorian Legal Services Commissioner), we operate as one body under a unified name: the Victorian Legal Services Board and Commissioner. We present our annual report of operations and financial statements in a combined annual report.

Our Board is a body corporate with perpetual succession. It is a public entity, although it does not represent the Crown. Our Commissioner, Fiona McLeay, is also the CEO of our Board.

As statutory authorities, we are accountable to the Victorian Parliament. Our responsible minister is the Attorney-General, The Hon. Jaclyn Symes.

As the regulator of the legal profession in Victoria, we are responsible for implementing the Legal Profession Uniform Law (the Uniform Law). This forms Schedule 1 to the Application Act. A series of rules and regulations underneath the Uniform Law further support the regulatory regime. These serve to protect consumers of legal services and enhance the integrity of the legal profession.

## Our functions

### BOARD FUNCTIONS

-  Licence lawyers
-  Assist and intervene in law firms experiencing issues
-  Provide fraud and theft compensation via the Fidelity Fund
-  Vary, suspend or cancel practising certificates; apply for strike-off
-  Oversee and audit trust accounts
-  Improve access to justice via our Public Purpose Fund programs
-  Oversee professional indemnity insurance
-  Prosecute unqualified legal practice

### COMMISSIONER FUNCTIONS

-  Receive complaints about lawyers and law practices
-  Resolve disputes between lawyers and clients
-  Resolve costs disputes
-  Investigate and prosecute breaches of the Act and Rules

## Our regulatory approach

The legal profession and the broader Victorian community rightfully expect that we will be an efficient and effective regulator of the legal profession. As such, we seek to target regulatory resources and efforts towards activities that identify and address the areas of greatest potential harm to consumers of legal services. In doing so, we aim to strike a balance between responding to immediate issues and identifying emerging areas of concern.

**Immediate issues** One of our core activities is responding to information we receive through complaints about lawyers, or from lawyers or the courts directly. We identify and prioritise responding to issues of high risk, while looking for ways to streamline our response to lower risks of harm.

**Emerging issues** We use data to identify trends and to design programs of work that aim to address emerging risks and prevent or minimise harm to consumers of legal services and the reputation of the profession. Through our *Risk Outlook*, we provide strategic guidance to Victorian lawyers about the key risks we see, our planned response to them, and useful tips about how lawyers can avoid or minimise those risks.

### A collaborative approach

We work collaboratively with our Uniform Law partners for the benefit of the legal profession and broader community. We partner with the Legal Services Council, the Commissioner for Uniform Legal Services Regulation and our fellow Uniform Law regulators in other jurisdictions to help inform our priorities. This includes achieving a balance between immediate and emerging priorities to maximise consistency. We place a high value on the expertise provided by the Law Institute of Victoria (LIV) and the Victorian Bar (the Bar), with whom we work collaboratively on activities that benefit the legal profession and improve legal practice standards to protect consumers and safeguard public trust and confidence in the profession.

This report provides an overview of how we implement these approaches, and what we have done to meet our statutory responsibilities and corporate objectives during the 2023–24 reporting year.

### Our values and commitments

The way we work is guided by the Victorian Public Sector values, as well as our own organisational commitments:



we collaborate



we are courageous



we value relationships



we lead and inspire



we adapt

## Principles that guide our approach to regulation

The following principles guide how we respond to immediate and emerging issues. These principles reflect the way we currently approach our work, as well as our aspirations for continuous improvement. They signal to our partners in regulation, the legal profession and the Victorian community what they should expect from us as a modern and future-focused regulator.

### Risk-based



We target our resources to the areas of greatest potential harm

- + We proactively identify areas of greatest risk to consumers of legal services or to the reputation of the profession and prioritise our resources accordingly.

### Evidence-based



We make decisions based on the best available data and intelligence.

- + Our decisions are supported by evidence gained from a variety of sources, including data provided by lawyers, complaints, external examiners' reports, investigations, audits and stakeholder feedback.
- + We undertake monitoring to ensure our programs are effective.
- + We build the outcomes of evaluation into regulatory design.

### Outcome focused



We aim to achieve practical outcomes when we take regulatory action.

- + Although process guides our decisions, our focus is on delivering tangible improvements for consumers and the profession.
- + We will adapt our processes if necessary to deliver better outcomes.
- + We independently exercise our discretion and make objective decisions.

### Collaborative



We collaborate with our Uniform Law partners and Victorian stakeholders to achieve positive outcomes.

- + We seek to foster good relationships with our Uniform Law partners to achieve the best outcomes for the legal profession and consumers of legal services.
- + We engage with our Victorian stakeholders as we respect their expertise and value their opinion.

### Consistent



We provide the same quality and accuracy of advice and service.

- + Our business areas are connected and communicate effectively to ensure consumers and the profession receive consistent messages from us.
- + We rely on our policies, procedures and standards to ensure we act in the same way over time, so our advice and decisions are fair and accurate.
- + We work closely with the professional associations that exercise delegated regulatory functions for us, to ensure our approaches and advice are consistent.

### Transparent



We publish information on our activities and are clear about the reasons for our decisions.

- + We present information in a way that is easily understood and clearly explains our reasoning.
- + We report on our activities to demonstrate our performance and make sure we can be held to account.

### Consumer focused



We seek to understand consumers and help them make informed choices about legal services.

- + We seek a deeper understanding of consumer interests and needs through our work with our Consumer Panel and in undertaking consumer research.
- + We seek to develop systemic responses to systemic harms. We work towards more accessible and streamlined assistance to consumers.
- + We provide guidance and targeted responses to lawyers to improve consumer service.

# YEAR AT A GLANCE

## \$66.9m



We provided \$66.9 million in grants and funding for organisations and programs through the Public Purpose Fund. This funding improves access to justice for the Victorian community, by supporting:

- our Change Grants funding stream
- our Strong Foundations Grants funding stream
- legal and justice organisations that provide services to all Victorians.

## 28,831



lawyers registered in Victoria  
at 30 June 2024.

# 54.9%



of all Victorian lawyers are women, but only 39% of women are principals of a law practice.

# 47.6



years is the average age of lawyers across the state, but in regional Victoria the average is 57 years.



We published a suite of new self-assessment tools on ethics for lawyers, to help them get more value from their continuing professional development.



We joined with the LIV in visiting lawyers in 14 regional communities across the state.



We finalised the design of our new consumer and lawyer online portal to enable all our customers to interact with us online securely and conveniently.



We conducted an in-depth survey of how consumers understand the law and engage with lawyers. This will help us monitor consumer behaviour change over time.

# 1,336



new issues identified within the 988 complaints received during the year.

# 1,299



issues resolved while closing 979 complaints.

# 8



investigations into unqualified legal practice were concluded and we commenced four new investigations.

## Introductory statement for the 2023-24 annual report

Across our organisation we have a strong emphasis on continually improving the work we do. When we designed our three-year Corporate Plan for the 2022-2024 period, we took a long-term strategic approach to how we would undertake our regulatory responsibilities. Our commitment to improve the way we deliver our services was central to our planning.

In support of this commitment, we have embraced the concept of thinking differently about how we do our work. In all of our initiatives, ranging from improving our customers' experiences of their dealings with us through to our progress against our Digital Transformation Strategy, we have explored how different perspectives can help us improve the type of regulator we are and the quality of service we provide. This is why we adopted the theme of 'Different perspectives' for our 2024 annual report.

### Improving customer experiences

**Improving our customers' experience is, at its core, a concept that requires us to start from a perspective other than our own.**

**One way we are doing this is through our surveys of our customers: the lawyers and consumers of legal services that look to us to be a modern and efficient legal regulator.**

For the past several years, we have surveyed lawyers about their experiences of different aspects of their career. This has given us valuable information on issues such as lawyers' wellbeing and the quality of supervision they received in their early years of legal practice. That research continued this year with our survey of lawyers who supervise early career lawyers. The survey results have given us a balanced understanding of supervised legal practice from both sides of the supervision relationship.

In June this year, we also began a pilot program to survey consumers about whether our systems, processes and the quality of our communications were meeting their needs. At its heart, this work aims to ensure that what we do is clear and consistent, and that our communications are tailored to the individual customer. We've also developed a framework for how we should communicate with people, which outlines the tone, style and key narrative for our communications. This major program of work will be a focus for us over the coming years as we apply our framework across our letters, emails, templates, notifications and online platforms. We anticipate that this will transform the way we communicate with people when they interact with our team.

We continued our work to improve the experience for people who need extra support when engaging with us. As part of the Scope Australia Communications Access Accreditation program, we developed a new communication tool that supports people with communication challenges to engage with our staff. The tool will be rolled out in late 2024, supported by training for staff. We also developed guidance for our staff on how they can make reasonable adjustments to our standard procedures when engaging with people who need extra support. This guidance recognises that a one-size-fits-all approach to dealing with people is not appropriate and it provides practical examples of support we might be able to offer.

In February 2024, we launched a new Service Charter to help us better serve our customers. It explains the values that underpin our work, what our customers can expect of us and what we need from them in return. The Charter connects with our new Quality Assurance and Review program, which enables us to manage complaints made by customers about us and identify how we can improve our services.

Our new Internal Review process involves taking an independent look at our work when a customer is not satisfied with a decision we have made. By undertaking these reviews, we are improving the transparency of our complaint-handling processes. They also serve to give us more insight into the complaints process from the customer's perspective.

### Learning more about consumer behaviours

Understanding how consumers engage with lawyers and the legal system is a vital part of our work to improve access to justice. To that end, this year we created a research function to help us capture and interpret consumer data. It will provide us with an evidence-base that will improve our understanding of consumer behaviours and needs, and help us develop policies that influence lawyer behaviour.

Next year, our research function will undertake a suite of projects that provide a powerful independent voice to inform broader justice policy and practice within Victoria, and across Australia. We will also be collaborating with world-leading experts to ensure our research is at the cutting-edge internationally.

### Evolving our technology

We made significant progress on our Digital Transformation Strategy this year. This expansive program is completely redesigning the way our technology supports our work. It involves thinking about what will work better for us individually and in our workgroups, as well as across the whole of our organisation and for our customers.

Over the last year, we consulted with lawyers, consumers and other stakeholders to understand how they would like to transact with us online. We mapped their needs and pain points. Lawyers told us they wanted a more integrated service across every aspect of their engagement with us. Consumers said they wanted a secure and easy way to interact with us at a time of their choosing. With a comprehensive understanding of their preferences, we created a vision for a tool that all of our customers could use. In the coming year we will build this vision and the supporting processes into our new online portal, which will replace our existing portal for lawyers (LSB Online).

### **Funding access to justice**

Our new Strong Foundations funding stream, which we launched in late 2023, is a clear example of how taking a different perspective can improve the way we deliver on our strategic objectives. Strong Foundations offers a different approach to funding for access to justice services across Victoria. It is a long-term funding stream designed to provide stable funding to an organisation over three to five years. In this first year, we allocated \$7 million to support eight community legal services. This is in addition to our regular grants funding, which saw an additional \$8 million shared between 28 access to justice projects across Victoria.

To help track the impact of this funding, we have incorporated data gathering and evaluation into our funding agreements. This will provide us with valuable data and insights to gauge the impact our funding has and how it helps us deliver on our strategic objectives. We are also progressively integrating evaluation frameworks into our regulatory activities, such as our practising certificate renewal process, our sexual harassment complaint online reporting tool, and our early intervention work.

### **Maintaining strong relationships**

We continued to enjoy a strong and productive relationship with the Legal Services Council, the Commissioner for Uniform Legal Services Regulation, and our equivalent bodies in New South Wales and Western Australia. We also value the different perspectives of our Victorian regulatory partners who support us in our work: the LIV, the Bar and the Legal Practitioners' Liability Committee. The strength of the Uniform Law regime is demonstrated by our collaboration and shared achievements.

We welcomed Glen Noonan as a new Board member in September 2023. Glen is the CEO of Diabetes Victoria, and previously had a successful 33-year career in a professional services firm, including 24 years as a partner. We were fortunate to gain his experience across business, health, education and not-for-profit sectors – a valuable set of perspectives to add to those of our other Board members.

Our Board has been enormously supportive of our vision and drive to be a more innovative regulator, and of our efforts to leverage different perspectives to improve the work we do. We are grateful for their ongoing encouragement and guidance.

Our staff continued to excel this year, both in their assigned roles and by taking on additional responsibilities to help us realise our ambitious goals. One major exercise we collectively undertook this year was preparing to relocate our office to accommodate our growing workforce. We completed the move to our new office, which overlooks the Supreme Court of Victoria, in September 2024.

Our staff also took on the planning to host the International Conference of Legal Regulators, combined with the local Conference of Regulatory Officers. This event will bring together legal regulators from Australia and around the world, to collaborate and learn. The work that has gone into this began in late 2023, and our staff have worked tirelessly to develop the program and organise a vibrant and engaging event for the delegates. We are extremely appreciative of their continued efforts, and it is gratifying to see that our staff remain engaged with their work as shown through our very impressive People Matter Survey results. This is in no small part thanks to the work of our Executive Leadership Team and our wider Leadership Group, who embody our workplace culture and strive to support our staff to be their best.

While this year has been full of achievements, there are still many more to come. We look forward to another strong year of success, empowered by strong relationships, more efficient technology, new ways of thinking, and our readiness to see things from a different perspective.

**Fiona Bennett** Chairperson

**Fiona McLeay** Chief Executive Officer and Commissioner

## Board members

### Ms Fiona Bennett

Chairperson, non-lawyer member  
(first appointed January 2008, appointed  
Chairperson January 2013)

Fiona is an experienced non-executive director and has held directorships at listed companies and not-for-profit entities. She has previously held senior executive positions at BHP Limited and Coles Group Limited, and has extensive experience in commercial and financial management, governance, risk management and audit. Fiona is a director of Common Equity Housing Limited. She is also a Fellow of Chartered Accountants Australia and New Zealand and the Australian Institute of Company Directors.

### Mr Sam Hay KC

Lawyer (advocate) member  
(appointed May 2023)

Sam is a barrister with more than 20 years' experience in a broad range of commercial, administrative and common law matters. He was appointed Senior Counsel in 2019. He is the immediate past President of the Victorian Bar Council, and the current Chair of Conferences of the Australian Bar Association. He has previously served as a member of the Victorian Legal Admissions Committee.

### Mr Glen Noonan

Non-lawyer member  
(appointed September 2023)

Glen is an experienced non-executive director, board chair, professional services partner and CEO. He is the current CEO of Diabetes Victoria. Previously Glen was a Senior Partner with PwC where he worked for 33 years, including 24 years as a partner. He held a range of leadership roles and has extensive experience in digital transformation, strategy, growth, commercial and financial management, risk and audit. Glen is a chartered accountant and graduate of the Australian Institute of Company Directors.

### Ms Liz Harris

Lawyer (non-advocate) member (first elected  
June 2018, appointed May 2023)

Liz has specialised in consumer complaints relating to lawyers, acting for both lawyers and consumers. She is a recognised expert in costs law and has run her own legal practice. She has been a sessional member of the VCAT Legal Practice list, a member of the Victorian Supreme Court Costs Committee, Chair of the LIV Advisory Board on costs law specialisation and Chair of LIV Cost Lawyers section.

### Ms Jacinta Lewin

Lawyer (non-advocate) member  
(appointed May 2023)

Jacinta is a Principal Lawyer at Maurice Blackburn Lawyers in the social justice practice. She worked in federal worker's compensation law managing a national law firm practice, before working at the Victorian Equal Opportunity and Human Rights Commission. Jacinta currently works in complex litigation and collaborates with stakeholders to improve access to justice outcomes for her clients. Jacinta is also Co-Chair of the LIV Human Rights Committee.

### Dr Lynne Williams AM

Non-lawyer member  
(appointed October 2013)

Lynne is an economist with over 30 years' experience in the public sector. She is also a Commissioner with the Commonwealth Grants Commission, and is Principal Fellow and a board member (Vice President) at St Hilda's College, a member of the Australian Institute of Company Directors and Fellow of the Institute of Public Administration Australia.

### Ms Catherine Wolthuisen

Non-lawyer member  
(appointed December 2017)

Catherine is the Energy and Water Ombudsman (Victoria) (EWOV) and has a track record of leadership in Australia and the UK, with a particular focus on dispute resolution and fair outcomes in regulated markets. Before joining the EWOV, Catherine held positions as the Customer Advocate at NAB, a board director of the Australian Telecommunications Industry Ombudsman, a panel member at the Australian Financial Services Ombudsman, Ombudsman with the UK Financial Ombudsman Service, Chair of the Economic Abuse Reference Group, and member of the UK Legal Services Consumer Panel.



Ms Fiona Bennett



Mr Sam Hay KC



Mr Glen Noonan



Ms Liz Harris



Ms Jacinta Lewin



Dr Lynne Williams AM



Ms Catherine Wolthuizen

## Executive Leadership Team

### Fiona McLeay

Fiona was appointed CEO and Commissioner in January 2018. Fiona was previously the CEO of Justice Connect, General Counsel at World Vision Australia and Special Counsel at Clayton Utz. She is Co-Chair of Equality Australia and Chair of the Australian Communities Foundation. Fiona was the Deputy Chair of the Australian Non-for-Profit and Charities Commission Advisory Board, and has previously served on a number of for-purpose boards including the Human Rights Law Centre and Health Justice Australia. Fiona has degrees from the universities of Melbourne, NSW and New York, and has attended both Harvard and Stanford Business Schools.

### Matt Anstee

Executive Director, Legal and Investigations

Matt was appointed in April 2020. He was formerly Head of Operational Legal Team at the UK Foreign and Commonwealth Office where he focused on national security, counter-terrorism and international relations. Matt has also worked with the National Crime Agency in the UK, Anti-torture NGO Redress, the International Criminal Court in the Hague, the Commonwealth Director of Public Prosecutions and the Victorian Office of Public Prosecutions. Matt leads our Early Detection and Prevention, Discipline and Suitability, Intervention and Enforcement, and Special Counsel teams.

### Simon Dally

Director, People and Culture

Simon is an HR professional with over 20 years' experience. His roles in both government and professional services organisations have taken him across the UK and Australia. He joined the VLSB+C in May 2022 from his previous role as the HR Director at the Victorian Auditor General's Office. He holds a Professional Certified Membership with the Australian HR Institute and a Master of Science in Business Management with Human Resources. Simon manages our People and Culture, and Internal Communications teams.

### Nicholas Diss

Executive Director, Shared Services & Digital Transformation

Nicholas was appointed in August 2022. He brings over 25 years' experience in education, government, not-for-profit, and food and beverage industries across Australia and the UK. Nicholas has a strong background in strategic and operational planning, large complex IT systems implementation, integrated reporting, and leadership of customer-focused, multinational shared services functions. He is also a Fellow of CPA Australia and holds a Master of Business Administration.

### Kerri-anne Millard

Executive Director, Policy and Outreach

Kerri-anne has over 25 years' experience in the public service. As a lawyer and public policy specialist, she has driven policy and legislative reform for many Victorian regulators, including EPA Victoria, Earth Resources, Consumer Affairs Victoria and Biosecurity Victoria. A member of our executive leadership team since 2018, Kerri-anne leads our teams responsible for Policy and Regulatory Strategy, Strategic Communications, Funding Programs and Partnerships, Lawyer Wellbeing, Research, and Evaluation and Impact. Her division also supports our independent Consumer Panel and leads our stakeholder engagement and relationship management work.

### Kelly Spiteri

Executive Adviser to the CEO and Commissioner

Kelly was appointed in 2019. With a background spanning multiple strategic roles across the public sector over 30 years, Kelly plays a pivotal role in advising the CEO/Commissioner, Board and executive team, and ensures alignment between our strategy and operational delivery. She has a background in dispute resolution and specialist expertise in stakeholder management. Kelly is passionate about cultivating positive connections and establishing intuitive, efficient and collaborative processes that benefit both consumers and the organisation.

### Danny Whelan

Executive Director, Licensing and Complaints

Danny was appointed in May 2022. He has over 20 years' experience in regulatory environments, most recently at WorkSafe Victoria. He holds a BA majoring in psychology and his expertise lies in contact centre and operations management. He is experienced in leading teams through significant change, and in implementing and improving operational efficiency. Danny oversees our licensing function, Customer Experience team and the division that manages enquiries and initial complaints.



Fiona McLeay



Matt Anstee



Simon Dally



Nicholas Diss



Kerri-anne Millard



Kelly Spiteri



Danny Whelan

02

# PROTECTING AND EMPOWERING CONSUMERS

One of our three strategic objectives is to promote consumer protection by empowering people to make informed choices about legal services and the costs involved. To do this, we are working to better understand the experience consumers have with their lawyers.

We also have a strong focus on addressing poor lawyer behaviour through our disciplinary processes. By proactively identifying risky conduct early we can take timely action against lawyers, which helps prevent harm to consumers.



## Improving information for consumers

### Service Charter

In 2022, we collaborated with the Victorian Ombudsman to undertake a review of how we manage complaints. Following that review, the Ombudsman provided us with feedback, including a recommendation that we develop a Service Charter to help us better serve our customers. After extensive consultation, both internally with our staff and with our independent Consumer Panel, we launched our new Service Charter in February 2024.

The Service Charter explains what our customers – both lawyers and consumers of legal services – can expect of us. It describes the values that underpin our work, such as transparency, fairness, privacy and accountability, and sets out the behaviours we expect from our customers in return.

The Service Charter is not just a stand-alone statement as it intersects with many of our programs. It also informs our approach when our staff face challenging behaviours, including the decisions we make about modifying or restricting a person's access to our services if they repeatedly demonstrate aggressive or threatening behaviour towards our staff.

### Quality Assurance and Review

Informed by the Ombudsman's review, we established a Quality Assurance and Review team in 2023. This team is independent from those managing and deciding complaints, and has two key focus areas:

- managing complaints about us and identifying opportunities to improve our services, and
- conducting internal reviews of our decisions.

### Complaints about us

Complaints can originate from internally escalated matters, as well as from external oversight bodies such as the Victorian Ombudsman or human rights bodies. These can provide us with valuable opportunities to reflect on and identify ways to improve how we deliver our services.

### What we learned from these complaints

In 2023-24, we received 53 complaints about us. Seven of these were related to concurrent internal reviews (outlined below) and were progressed through that process. We received 14 complaints via the Ombudsman and one via the Australian Human Rights Commission. The remaining 31 were either escalated internally or were received directly by the Commissioner or the Board.

Excluding the concurrent matters, we closed 43 service-level complaints and identified eight instances where the complaint had merit. Of those, five came to us via the Ombudsman’s office and related mainly to file-handling or lack of contact, which we were able to resolve quickly.

These types of complaints have helped inform some important initiatives, such as how we identify and engage with vulnerable consumers who need adjustments to engage with our services, the value of plain English communication with clients, and the importance of reducing delays in case allocation and file-handling.

**Internal review**

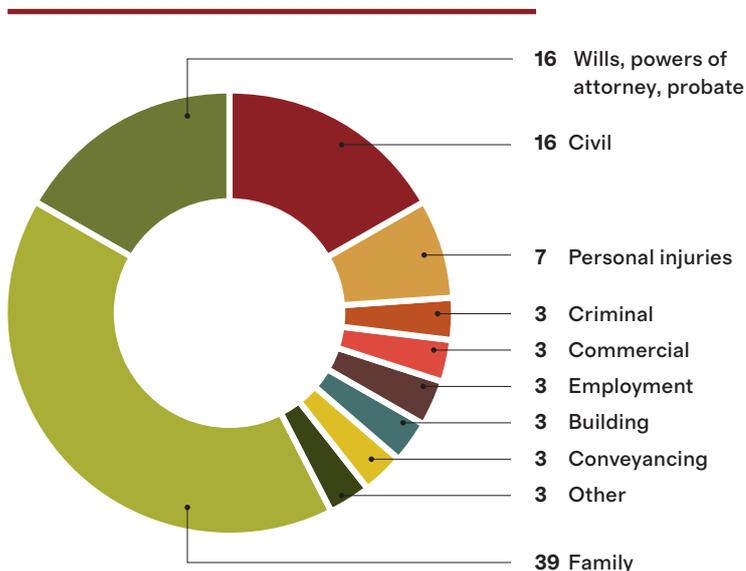
This year, we began a new process of internal reviews of our decisions. While decisions we make under the Uniform Law are generally final, the law provides some opportunities for complainants to request an internal review. In most cases, these requests relate to decisions we make to close a complaint.

The Uniform Law gives our office absolute discretion to decide whether or not to conduct an internal review. If we do decide to conduct one, there are three possible outcomes: confirming the original decision; making a new decision; or referring the matter back to the original decision-maker.

In conducting an internal review, we consider whether the original decision was a regulatory assessment, if the decision affects the rights and entitlements of a complainant, case law, and guidance issued by the Commissioner for Uniform Legal Services Regulation.

In this first year, complainants made 98 review requests, representing just under 20% of all cases eligible for review. Most of these requests were objections to our regulatory assessments on disciplinary complaints (i.e. reports about lawyers’ conduct). Family Law was the most common area of law featuring in review requests, followed by civil law and the combined areas of wills, powers of attorney and probate (Figure 1).

**FIGURE 1: AREAS OF LAW FEATURED IN INTERNAL REVIEW REQUESTS**



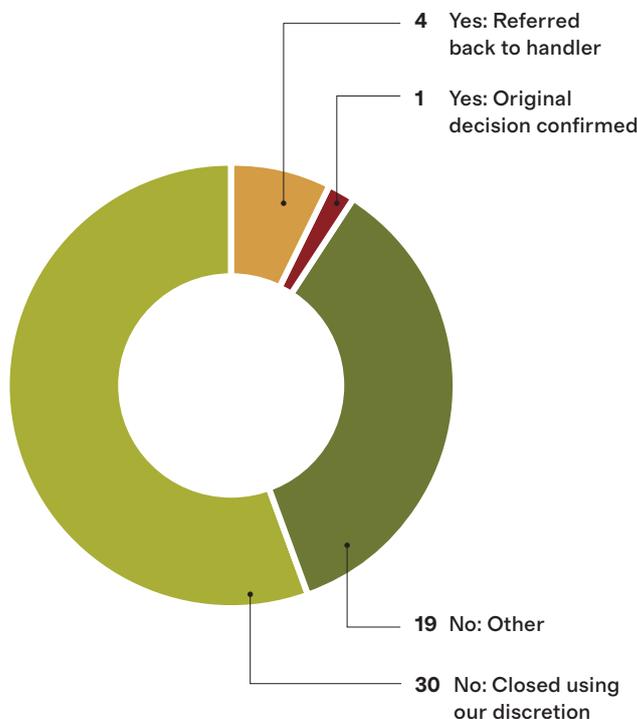
We finalised 54 review requests in 2023-24. Of those, we identified five cases where it was appropriate to conduct a review. In four of those cases, we set aside the original decision and referred the complaint back to the original decision-maker, either because an incorrect power had been used to close it, or because we had closed the matter despite having enough information to consider it further. In the other reviewed matter, we confirmed the original decision.

These outcomes provided valuable learning opportunities for our staff. We closed 30 requests using our discretion, and 19 requests on other grounds (for example, we could not contact the complainant, a review had previously been conducted, or the original decision was not reviewable).

We closed the remaining review requests using our discretion, in most cases because the request was out of time or there were insufficient grounds for a review (Figure 2).

Beyond improving the transparency of our complaint-handling processes, internal review assessments provide us with insight into our customers' experiences and give us the opportunity to perform a quality assurance check of our communication and decision-making processes. We share these learnings with our teams, which helps inform process improvements such as how we can more effectively interact with complainants experiencing vulnerability or disadvantage. We will continue to monitor our performance through the results of our internal review findings and track our performance.

**FIGURE 2: INTERNAL REVIEW OUTCOMES**



## Improving the customer experience

### Guidance for reasonable adjustments

People who interact with our organisation have different backgrounds and needs. To help us meet the needs of Victoria's diverse community, we developed guidance for our staff on how to recognise and respond to the needs of people who may need extra support when interacting with us, via our new Reasonable Adjustments Guidance.

In late 2024, we will support this new guidance by rolling out staff training, improvements to our online information and resources, and supporting guidance and policies. We have also begun improving our systems and processes to identify and manage the needs of users who require additional support through our new Regulatory Management System.

### Operational communications transformation

In late 2023, we started a project to transform our operational communications and developed a communications framework to guide this work. As well as outlining the tone, style, guidelines and key narrative, the framework aligns closely with our Service Charter and considers our customers' communications needs and preferences. It also reflects international standards regarding accessibility, vulnerability and plain language, to ensure we communicate with all our customers clearly and fairly.

In March 2024, we began the process of mapping every communication touchpoint for our new Regulatory Management System, and considering the improvements we need to make to communicate in line with the framework.

### New consumer and lawyer portal

In February 2024, we finalised the design of our new consumer and lawyer online portal, which is being developed as part of our Digital Transformation Strategy. For lawyers, the portal will replace LSB Online and will give them a more integrated service offering across every aspect of their engagement with us. For consumers, the portal will offer a new secure, intuitive and easy way for them to submit complaints and enquiries, and to interact with us. The portal design reflects human-centered design principles and incorporates direct feedback from both lawyers and consumers to ensure we are meeting their needs.

### Customer experience pilot surveys

In June 2024, we piloted a survey of people who have recently interacted with us, to understand if our systems, processes and communications are meeting their needs, and what changes we can make if they're not.

These anonymous surveys are designed to get a baseline measure of people's experience with us. The surveys include questions about how satisfied people were with the communications they received, the frequency of contact, whether they understood the processes, and if they were satisfied with the outcome. After we evaluate the pilot, these surveys will form part of our regular research activities.

### Understanding consumer experiences through research

We have long supported legal research and placed an emphasis on regulation and policy development that is underpinned by robust evidence and data. This is part of a global movement towards a 'bottom-up' approach to justice that is focussed on the needs and capabilities of the public.

This year we invested in our own research capabilities to ensure our regulatory approach continues to be evidence-based and consumer-focussed. In February 2024, we appointed a leading international expert on access to justice research, Professor Nigel Balmer, to direct our new research program.

**We know that legal need routinely goes unmet, and that a person's legal capability plays an essential role in their ability to find suitable help and get value from it. In response, this year we began work on a groundbreaking pilot research program with the Legal Understanding and Lawyer Use (LULU) surveys to identify where specific issues lie and what should be done about them.**

The LULU surveys seek to illuminate a public perspective that allows evidence to keep pace with the changes in the legal landscape. The surveys represent a new approach to monitoring consumer experience and behaviour; one that will better enable us to identify opportunities and understand the impact of change.

The LULU surveys are intended to address the gaps in our knowledge in key areas, including:

- what help people wanted when they were faced with a legal problem, what help they got and how it relates to their legal capability
- how people seek answers to legal problems using technology, and where the boundaries between generic vs bespoke advice lie, and
- how lawyers manage their clients' diverse information needs, and how this relates to client satisfaction.

Building on previous international studies of consumer experience, we designed our survey to address specific issues relating to Victorian and Australian consumers. We surveyed 3,501 Victorian residents and a further 2,063 people across the rest of Australia between February and March in 2024.

Our analysis of the survey data is well underway. The results will help us understand the adequacy of service provision, consumers' legal capability, the level of help sought, and the channels and services consumers use. Insight gained from the surveys will also provide us with an appreciation of consumers' experience of choosing and using legal services.

We will publish three reports in 2024–25. One will focus on the Victorian survey results, one on the results for the rest of Australia, and one on the issue of legal services costs and lawyer-client cost communication. These reports will provide a vital evidence base and underpin our efforts to improve Victorians' ability to access effective and high-quality justice services to meet their legal needs.

### Consumer Panel

Our Consumer Panel was established in March 2020 and is the only panel of its kind in Australia. The Consumer Panel helps us bridge the gap between consumer needs and the services provided by the legal profession, and offers consumer insights to inform our regulatory decision-making.

We have enjoyed the benefits that the expertise of Panel members has brought to our work, particularly around consumer research, and consumer policy and advocacy.

After four years of operation and, following a refresh of Panel membership, Panel Chair, Gerard Brody, undertook a review of the Panel's achievements to date. This provided an opportunity to explore further avenues for amplifying the Panel's influence and impact. In particular, the review focussed on how the Panel could continue to play a strong role in improving our regulatory focus on protecting vulnerable consumers, enriching the quality of interactions with our office, and more effectively reflecting consumer needs and concerns.

The review sought input from current Panel members, our Board and Chairperson, our CEO and Commissioner and our Executive Leadership Team. It also drew on lessons learned by similar bodies in the United Kingdom.

Completed in June 2024, the review recommended six changes to enhance the Panel's effectiveness in identifying consumer issues and shaping regulatory practices in the legal services sector:

- updating the Terms of Reference to incorporate a new vision and purpose
- realigning the Panel's workplan and priorities
- improving inputs to the Panel's work
- developing strong and cohesive relationships with our office
- improving resourcing to support the Panel's work, and
- recording and communicating the Panel's impact.

We endorsed the review's recommendations and will be progressively implementing them in the 2024-25 financial year.

## Receiving disputes and complaints

### Handling enquiries

During the 2023-24 year, we received 5,553 enquiries from the public – some of which involved potential complaints about a lawyer. Most enquiries (65%) raised issues relating to the quality of service a client received or concerns about the conduct of the lawyer. A further 35% involved concerns about legal costs.

# 5,553

#### ▶ public enquiries

We aim to deal with people's enquiries in the most efficient way possible. In 24% of enquiries, we discussed the issues involved with the consumer and gave them information about managing the relationship with their lawyer or helped them with other practical strategies to resolve their issues of concern with their lawyer directly.

Another 38% of enquiries were resolved after providing other general information, for example how to check our Register of Lawyers or how to provide relevant information to us via our online web form. In 18% of enquiries, people no longer needed our assistance or withdrew their enquiry.

Only 9% of enquiries escalated into complaints or were referred to teams within our organisation.

### Complaints opened

We opened 988 new complaints<sup>1</sup> this year, of which 432 (44%) involved only consumer matters (usually disputes over legal costs or service quality issues) and 504 (51%) involved only potential disciplinary matters (for example, where the lawyer's conduct may have breached the professional conduct rules). A further 46 (5%) complaints were immediately identified as involving both types of issues, which we refer to as mixed complaints. A complaint may evolve into a mixed complaint over time. For example, a complaint may initially be assessed as only a consumer matter, but as further information is provided it becomes clear that there are also disciplinary issues raised as well. We are yet to formally classify six further complaints.

Complaints may involve more than one issue. Among the 988 new complaints opened, we identified 1,336 individual issues. There were 575 issues identified in consumer matters, 659 issues identified in disciplinary complaints, and mixed matters included 102 matters.

The majority of complaints related to solicitors (94%). In contrast, barristers received only a small proportion of complaints (6%). This is consistent with previous years and is due to the significantly higher number of solicitors registered in Victoria compared to barristers. It also reflects the greater level of direct contact solicitors have with clients.

Overall, complaint numbers are very low compared to the total number of registered lawyers. This year, around 3.5% of all solicitors and 2% of all barristers had a complaint made against them.

Family law, probate, conveyancing, commercial law and criminal law were the top five areas of law that attracted complaints this year. The most common issues raised in complaints were about costs and bills, professional conduct, poor service, costs disclosure and trust account concerns.

*1. The complaint figures reported in this annual report may differ slightly from what is reported in the Legal Services Council's 2024 annual report due to the different times the data was extracted.*





### Alternative dispute resolution

A significant part of our work in protecting and empowering consumers is to help resolve disputes between lawyers and their clients. Each year we receive hundreds of complaints from clients who are dissatisfied with their lawyer's legal costs and/or the quality of their service. We are often able to help parties resolve their disputes quickly, however some parties need more support to reach a settlement. We can help them by using alternative dispute resolution tools like mediation and restorative practices.

#### Mediation

Several of our staff are nationally accredited mediators. They use their skills and expertise to guide disputing parties towards a mutually acceptable settlement. We also use co-mediation, where two mediators work with the lawyer and their client to help them reach a common understanding. One of the strengths of co-mediation is the different perspectives the two mediators bring. This can help the parties feel there is an even power balance, which is vital in reaching a fair and mutually acceptable resolution.

During the year, we successfully conducted 20 mediations.

#### Mediation in action: resolving a costs dispute

We received a complaint from a client about a lawyer's poor communication. The client was charged \$80,000 in legal costs for a family law matter. Even though the lawyer had not made any mistakes, the client felt that the costs weren't clearly explained. Having just gone through combative family law proceedings, the client was feeling anxious about disputing the costs. Both parties accepted our offer to help resolve the dispute through mediation.

Our mediator was empathetic while staying neutral and supported meaningful discussion between the parties. In each party's private sessions, the mediator helped identify and test practical solutions, and explained the options if the dispute wasn't resolved through mediation.

This mediation process created a safe space for the client and lawyer to understand each-other's perspective, negotiate a path forward and agree to a fair settlement that benefitted both parties.

#### Restorative practice

This year we expanded our dispute resolution capabilities by introducing restorative practice during mediation, where appropriate. Restorative practice goes beyond fault finding and focuses on healing and restoring relationships. It involves the client explaining how the lawyer's conduct has harmed them on a personal and emotional level and encourages the lawyer to acknowledge and be accountable for that harm. It also aims to get the client to acknowledge the lawyer's work, and efforts made on their behalf. We then help both parties to identify ways to repair the relationship. This is particularly important where it would be too complicated or costly for the consumer to take their legal matter to another lawyer.

Restorative practice can discourage lawyers from engaging in the same conduct that caused their client harm. For consumers, it can demonstrate the lawyer's respect for them, which can help to restore their faith and trust in the lawyer and the wider legal profession.

### Resolving disputes and complaints

We resolved 1,299 issues within complaints, and closed 979 complaint files during the year.

#### Resolving consumer matters

We resolved 588 consumer matter issues for the year, including 86 that were from mixed complaints. We closed 430 complaint files that involved consumer matters (including 32 mixed complaints). We resolved 43% (255) of these consumer matters through mediation and informal resolution processes, or through the parties sorting out their differences after we began to help them. In one further matter we made two binding costs determinations where we put a limit on what the lawyer could charge for their legal costs.

In 97 consumer matters we were unable to help the parties resolve the issue or make a formal determination about the outcome. In these instances, we referred the client and the lawyer to the Victorian Civil and Administrative Tribunal (VCAT) or to the Supreme Court of Victoria's Costs Court, where they could seek a costs assessment or a judicial determination.

#### Commissioner-initiated complaints

This year we opened 31 complaints as Commissioner-initiated complaints. A Commissioner-initiated complaint is one that we open when we have not received a complaint from the public, but have identified or received information about a lawyer's conduct that we believe requires further attention. These all involved disciplinary matters.

### **Resolving disciplinary matters and closing complaints**

We do not need to investigate all disciplinary complaints that we open. We can resolve lower-level conduct matters during our preliminary discussions with both sides, and sometimes consumers will withdraw their complaint. We also close disciplinary complaints if it becomes evident the information provided does not justify or require an investigation, or where the evidence does not support the allegations made. Our complaints-handling processes are described in detail on our website.

We resolved 711 disciplinary issues for the year, including 86 issues that appeared in mixed complaint files. We closed 587 disciplinary complaint files this year, including 36 mixed complaints and 33 Commissioner-initiated complaints. In 11 matters, we used our powers to make a formal determination that the lawyer had failed to meet reasonable expectations of competence, diligence, service quality and performance. In total, we made four orders reprimanding lawyers and five cautions for unsatisfactory professional conduct. We also ordered two lawyers to undertake further education and training. We decided to prosecute a further nine matters before VCAT (see Appendix 1 for further details).

### **Alternatives to disciplinary findings**

While some disciplinary complaints justify a VCAT prosecution, others benefit from alternative disciplinary approaches. We use our experience to determine which investigations can be handled differently to reach a faster and more effective result for all parties.

We also recognise that our investigative processes can be a distressing experience for lawyers. In particular, lengthy investigations can have an adverse effect on a lawyer's health and wellbeing, as well as a consumer's confidence in the legal process. A difficult and resource-intensive investigation sometimes doesn't achieve the best long-term outcome for changing a lawyer's behaviour. By applying new approaches to dealing with some lawyers' misconduct we can achieve a more efficient and effective regulatory approach to benefit both consumers and the profession.

In matters where we don't make a formal disciplinary finding, there may still be concerning behaviour that needs to be addressed but doesn't constitute a disciplinary breach. In some cases, we can have a greater impact on improving a lawyer's standard of legal services and ethics by issuing them with a warning, assisting them to rectify harm they caused, or making recommendations for better practices.

These actions provide the lawyer with information and assistance, which usually leads to positive changes and improvements in the quality of service they provide. They also serve to put the lawyer on notice that if similar conduct comes before us again, we may take more serious action against them.

### **Time taken to resolve issues**

The time it took to resolve the 1,299 issues varied depending on several factors, including their complexity, the lines of enquiry available, and how cooperative the parties are with our processes.

Within six months of receiving the complaint, we were able to resolve 22% (112) of consumer matter, 30% (213) of disciplinary and 7% (6) of mixed issues.

A larger proportion of complaints took longer than six months to resolve: 78% (390) of consumer matter, 70% (498) of disciplinary and 93% (80) of mixed issues.

# 1,299

► **issues resolved during the year**

### **Outstanding complaints**

We had 934 complaint files still open on 30 June 2024. These contained 479 consumer matter, 814 disciplinary and 405 mixed issues. We had yet to categorise a further six matters as we received them shortly before 30 June.

### **Prosecuting disciplinary breaches**

We brought nine new disciplinary applications before VCAT, and VCAT heard and determined four of our disciplinary prosecutions this year. We had one appeal lodged with VCAT against a Determination we made in March 2023, which was awaiting a hearing at 30 June 2024. We also had two appeals awaiting determination in the Supreme Court.

Three lawyers were removed from the Supreme Court's roll of legal practitioners (struck off) during the year:

- Mr Alexander Elliot was struck off on 31 July 2023
- Mr Peter Mericka was struck off on 12 January 2024, and
- Ms Yasemin Ozer was struck off on 19 March 2024.

## Intervening in law practices

Each year we need to intervene in the operation of some law practices to protect the interests of their clients and the public. These are known as external interventions and their functions are explained in detail on our website.

This year, we appointed a supervisor to one law practice to oversee how its trust account was being managed. We also appointed managers to take control of 20 law practices, involving:

- five practices where the principal solicitor had died
- four practices where the principal was not dealing adequately with trust money or was not properly managing the law practice
- four practices where the principal stopped working or the law practice ceased operating, but no provisions had been made to wind up the affairs of the law practice or deal with its trust money
- three incorporated legal practices where the company was being or had been wound up
- two practices where a lawyer ceased to hold a current practising certificate, and
- two practices where a serious irregularity was committed or had occurred with the trust money or the affairs of the practice.

During the year we ended two of these management appointments and the appointment of the supervisor. At 30 June 2024 the work of the other 18 managers remained ongoing.

We also continued a further 14 manager appointments and one supervisor appointment from the previous year into this year. Of these, seven managements ended during 2023-24, and seven other managers and the supervisor remained ongoing at 30 June. In total, there were 26 active external interventions at 30 June.

20

- ▶ manager appointments and one supervisor appointment

26

- ▶ active external interventions at 30 June

### Interventions in action: highlighting the importance of succession planning

In May 2022, a sole practitioner died leaving his law practice without a principal solicitor to take responsibility for it. In his will, he made it clear that a trusted employee solicitor would act as trustee for sale of the practice, and if the employee wished to purchase it, any conflict of interest should be 'set aside'. Despite making clear his intentions, he had not established a formal contingency or succession plan for his practice.

In line with the will, we appointed the employee as manager to control the law practice's affairs until the estate was settled. We also managed the residual potential conflict by implementing conditions on the appointment, following discussions with the manager and the will's two executors.

The manager ultimately purchased the firm. This was a positive outcome that allowed continuity for the clients, respect for the late principal's wishes, and minimal public expense. While this demonstrated the value of identifying a capable successor, the lack of succession plan left several matters unclear. The sale of the practice was deferred due to developments in the estate's administration, which put the manager into a fraught position and required our further regulatory involvement – more than would have been necessary if a succession plan had been established.

## Using new powers

Over the past two years we have been increasingly using the range of investigative powers available to us under the Uniform Law. These assist us to undertake enquiries about complaints and trust accounts, and to conduct compliance audits of law practices.

The Uniform Law also gives us further powers that allow us to compel a lawyer or a director of an incorporated legal practice to attend a process known as an 'oral examination'. Oral examinations are a powerful investigative tool, and we use them to uncover breaches of the Uniform Law. They allow our investigators to question people with knowledge of a law practice's affairs and compel them to give us an immediate response under oath or affirmation. This is the same as a power used by the Australian Securities and Investments Commission (ASIC).

When lawyers have tried to avoid attending an examination, we have obtained injunction orders from the Supreme Court that compel their attendance. We have also obtained contempt findings and orders for indemnity costs to enforce those orders.

We expect to continue using this important investigative power in the future.

## Dealing with unqualified legal practice

Unqualified legal practice is a serious criminal offence. In 2023-24, we opened four new unqualified legal practice investigations, where people were potentially engaged in legal work, or represented that they could, without authority to do so. Of those, two involved non-lawyers and the other two involved lawyers operating without a current practising certificate.

### Closed investigations

During the year, we concluded eight investigations, some of which had carried over from the 2022-23 year. When deciding what action to take, we consider various issues including the risk to the public. We directed five people to stop providing services, to stop representing they could undertake legal work, or to make other changes to the information they published online. We ended one investigation after we found insufficient evidence of unqualified practice to justify enforcement action, we resolved one matter through an agreed undertaking, and we concluded one investigation following the death of the subject.

### Court prosecutions

Unlike previous years, in 2023-24 we did not file any new criminal charges against people engaging in unqualified legal practice. One judicial review proceeding relating to past criminal charges continued from the previous year in the Supreme Court of Victoria. The outcome of that review was not available at 30 June 2024. We finalised one injunction proceeding that we started in a previous year against a lawyer who no longer held a current practising certificate but continued to engage in legal practice.

### Enforcement in action: unqualified legal practice

**In 2022, we sought an injunction in the Supreme Court to stop an unlicensed lawyer from engaging in legal practice. He did not hold a current practising certificate, which meant he was not entitled to undertake legal work. The matter was adjourned and returned to Court in May 2024.**

**We told the Court that although the lawyer was unlicensed, our investigations showed he had continued to undertake legal work, including swearing affidavits, exchanging legal correspondence and appearing in Court to represent another person.**

**By consent, the Court granted our injunction and made orders restraining the unlicensed lawyer from engaging in further unqualified legal practice. We successfully achieved a significant deterrent against him repeating his actions, as a breach of the Court orders would attract further serious charges of contempt of Court and a possible criminal conviction.**

### Prosecuting indictable offences

We undertake investigations of indictable offending in collaboration with Victoria Police when trust account deficiencies and fraud/theft offences occur within law practices.

During 2023-24, we worked on eight investigations. Three of these started during this financial year and the remaining five continued from previous years. Seven of these investigations involved lawyers and one involved a lay associate of a law practice.

We concluded three investigations during this financial year. By 30 June 2024, police had laid charges in two of the three matters. Five investigations remained ongoing at 30 June 2024.

#### Successful prosecutions

##### Yasemin Ozer

On 19 March 2024, former lawyer Yasemin Ozer was sentenced to a three-year Community Corrections Order after pleading guilty to six charges of theft. Between 2020 and 2022, we investigated complaints about Ms Ozer's conduct. We located evidence that Ms Ozer had stolen just over \$500,000 of clients' trust money. The Fidelity Fund paid out this sum to her affected clients, and in March 2024 Ms Ozer was struck off the Supreme Court's roll of lawyers.

##### Athena Razos

By 30 June 2024, another significant prosecution was nearing its end. Ms Athena Razos, former paralegal at the Melbourne office of Moray and Agnew, pleaded guilty in November 2022 to 16 charges of obtaining financial advantage by deception and obtaining property by deception. Ms Razos stole over \$1.56 million from her employer's trust account between 2013-17. She exploited her position and knowledge of the firm's accounting processes to carry out over 100 transactions for her own benefit. Ms Razos received a custodial sentence of five years and nine months.

Ms Razos had prior convictions for fraud involving another law practice, having been convicted in 2008 of theft and fraud-related charges that occurred when she was employed as a conveyancing clerk.

The case has brought into focus the need for law practices to carry out police checks and, most importantly, reference checks from former employers. It is also vital that law practices have internal processes in place for supervising staff adequately, especially when it comes to handling trust money. Law practices with trust authority should never delegate their trust responsibilities and must operate their trust accounts in line with the relevant statutory controls.

### Compensating clients for lost funds

We manage a compensation scheme called the Fidelity Fund. It protects people who have lost trust money or trust property due to the dishonest or fraudulent behaviour of a lawyer, an employee of a law practice or a barrister's clerk. Our website describes how the compensation scheme works.

In 2023-24, we received 21 new claims for compensation against our Fidelity Fund, totalling \$5,231,390.20. We carried over a further 30 claims from the previous reporting year.

This year, we resolved 31 claims involving:

- 18 claims that were wholly allowed, partly allowed, or otherwise settled, with resulting approved claim payments (including interest) totalling \$4,595,138.14 (not all of which was paid by 30 June 2024)
- seven claims that were wholly disallowed, totalling \$4,368,001.22, and
- six claims that were withdrawn.

We had 20 unresolved claims at 30 June 2024.

# 21

- ▶ new compensation claims against the Fidelity Fund received

# 31

- ▶ compensation claims resolved this year

Notably, one of the claims we paid during the year related to a claim made on behalf of 109 separate clients. These were the clients of a law practice who had positive balances recorded against their individual trust ledgers, where there were insufficient funds held in the relevant trust account to satisfy all balances. As such, a claim was lodged on behalf of all clients to 'top up' the general deficiency in the trust account, enabling the Board-appointed manager to distribute the correct balances in the trust account to the clients.

We allow claims when we find there has been a 'default' due to a failure to pay or deliver trust money involving fraud or dishonesty, and where the claimant has suffered a relevant financial loss due to the default. We disallow claims, generally, when we are not satisfied such a default had occurred.

Some claims on the Fidelity Fund are not paid in full, even when we can establish the client has suffered a financial loss. If the client has been able to recoup some of their losses through another avenue, or could have done so, we may reduce the claim payable by that amount.

#### **Compensation in action:**

##### **Fidelity Fund claim partly allowed**

We received a claim from the co-executors of a deceased estate who had engaged a lawyer to assist them with the settlement. The co-executors raised concerns with us, and when we investigated, we found the lawyer had made some unauthorised payments to an unrelated third party from the estate's trust funds. Money had also been taken out for the lawyer's costs without giving any of the co-executors an invoice.

We found serious breaches of the law practice's trust obligations. The lawyer appeared to have created fake email addresses purporting to be some of the co-executors, and created sham email trails to make it appear as if the payments were authorised. The fake invoices sent to those email addresses also did not match the fee arrangements the co-executors had agreed to.

We allowed the estate's claim for about \$130,000, considering a reduction to reflect the legal services received and a repayment by the law practice, and we have since taken further disciplinary action against the lawyer.

#### **Investigations in action:**

##### **Fidelity Fund claim disallowed**

Another claim we determined this year involved a claim for compensation from a property developer who blamed his lawyer for money lost on a failed business deal.

The claimant planned to purchase and develop properties with a partner, and sourced funds from other parties. A lawyer, whom the claimant hired to assist with the property purchases, held the funds in the law practice's trust account.

When the joint venture failed, the claimant told us that the lawyer had misappropriated the money, but our investigation showed the lawyer had followed the instructions as given. We also found that the claimant had recouped some money from the subsequent sales of the properties, and that the compensation he was claiming was in fact much more than what he told us he had given to the lawyer in the first place.

We ultimately disallowed the claim, primarily because we found no evidence of the lawyer having acted dishonestly. We also could find no clear evidence that the claimant's loss hadn't already been resolved.

### Intervening in law practices

We take a proportionate, risk-based approach to using our regulatory tools and aim to deter lawyers from engaging in risky conduct. Our Early Intervention Strategy plays a vital role in achieving this goal.

#### Compliance audits

This year we used our powers to conduct 49 compliance audits of law practices, with varying levels of complexity and outcomes.

Our compliance audit framework has yielded very successful results, ranging from law practices proactively adopting our recommendations, through to taking further regulatory action after identifying serious conduct issues.

We used our learnings from this approach to help us develop our annual Risk Outlook, cyber security minimum standards and our Early Intervention Strategy.

#### Compliance Audit Panel

In 2023, we established an external panel of experts to undertake compliance audits for us. Our Compliance Audit Panel includes 29 panellists with a range of valuable skills and qualifications.

While most panellists have a legal background, we have also appointed accountants, investigators and IT specialists to provide us with a broad spread of expertise to call on. This allows us to appoint suitably qualified auditors to conduct compliance audits to achieve specific and nuanced outcomes.

Panel members can also be engaged for other special auditing work, such as undertaking informal visits to law practices, having targeted discussions with law practices on specific topics, and providing mentoring/supervision for law practice principals if we have concerns about their ongoing compliance with their professional obligations.

Our Compliance Audit Panel operates until 31 December 2026 and has an extension option of up to two further years.

#### Intervention in action: supporting a sole practitioner

After a protracted investigation into alleged property settlement failures, we grew concerned that a law practice was not properly meeting its obligations to its clients.

The sole practitioner would not answer our requests for further information, making it impossible for us to understand the practice's underlying issues. We undertook a compliance audit to understand whether the law practice was meeting its other professional obligations to its clients, or whether this incident was an isolated issue.

The audit found that the law practice was actually complying with most of its professional obligations, but was struggling to communicate with its clients due to poor systems, structures and supports.

Our compliance audit report identified these issues and recommended a range of improvements that would help the sole practitioner better manage his practice, many of which he ultimately adopted. The law practice has since resolved its issues, avoiding the need for us to take more serious action against it.

### Oversight of trust accounts

#### Changes to the external examiner form

Our experience in investigating how law practices comply with their trust account obligations means that we know trust account records cover a wide range of compliance levels and that not all breaches are equal.

In consultation with our Uniform Law partners, in 2024 we made changes to how our external examiners report to us about the way law practices maintain their trust account records. As well as recording all breaches, we now also require external examiners to quantify the seriousness of each breach, whether minor or significant. This change adds a useful layer of context to the issues that external examiners see and allows us to view these reports in a risk-based manner so we can respond in an appropriate way.

### Responding to trust account errors

When we receive a report from an external examiner or via our online trust account irregularity form, we may investigate to see if certain key risk factors are present, including:

- whether there is an ongoing risk of harm to clients
- if a trust account deficiency has not been rectified
- if the law practice has a history of non-compliance with their professional obligations or has had previous Fidelity Fund claims made against it, or
- if the report is related to a cybercrime attack.

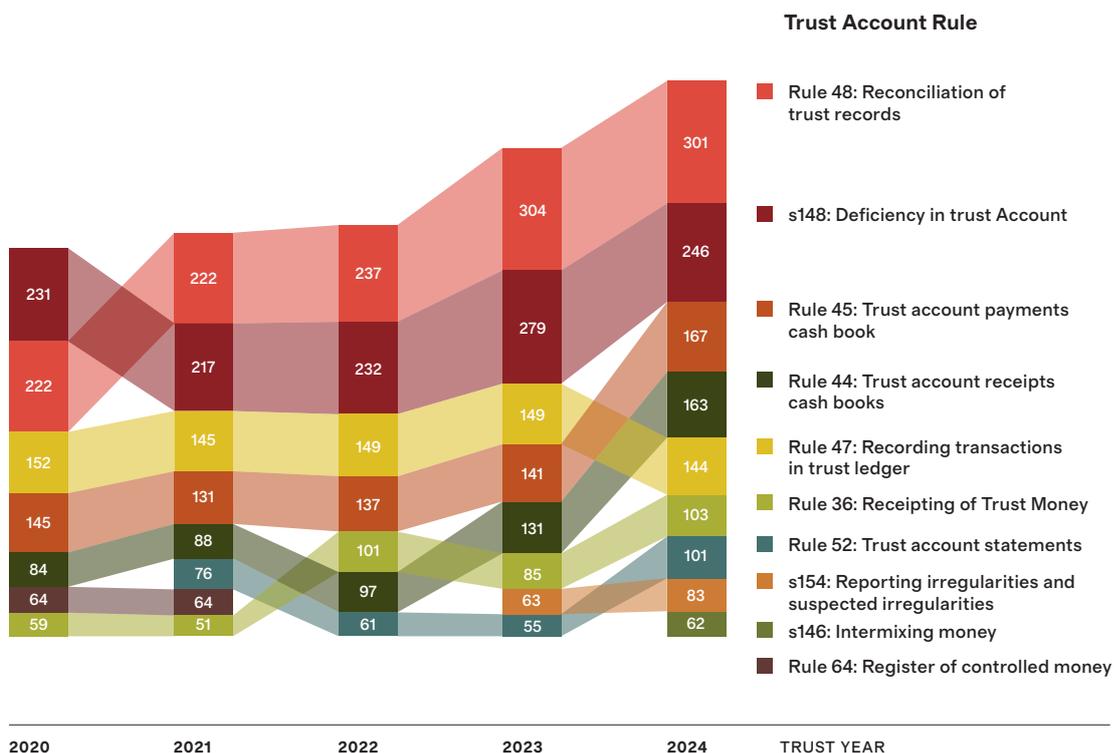
Over the last 12 months we focused our attention on using the information received from the mandatory irregularity reporting and our enhanced external examiner reports to target 110 trust accounts for investigation. Most of these revealed only minor issues, and we directed the law practices to rectify the identified breaches. We usually refer these law practices to the LIV to receive further training and support to help ensure the breaches do not continue to occur.

Very few investigations revealed more significant issues. Where that occurred, we addressed the issues through our other regulatory powers, such as by issuing management systems directions or undertaking further investigations.

### Increase in reported breaches

Since introducing our online trust irregularity reporting form in 2023, we have received a steady increase in irregularity reports (see Figure 3). Most of these reports concern issues that are minor and are easily rectified, such as low-level accounting errors like mistakes in trust account statements, accidental intermixing of money and other minor reporting irregularities. Gathering this information allows us to communicate with law practices, banks and the public about the common issues that we see and how to avoid them.

**FIGURE 3: REPORTED BREACHES OF TRUST ACCOUNTING RULES**



03

# IMPROVING LEGAL PRACTICE AND ETHICS

An important part of our regulatory role is to assist Victorian lawyers to achieve and maintain high ethical and professional standards in legal practice. In turn, this helps to protect consumers by ensuring lawyers are competent and diligent in their work.

We engage with the legal profession, consumers of legal services, courts, other public and government organisations, and our Uniform Law partners to identify the issues that affect lawyers in their work. We develop and provide clear information and guidance to the profession to help lawyers understand and meet their professional obligations.

 <p>Developed a roadmap to improve lawyer wellbeing</p>	<p>400+</p> <p>Lawyers provided insights on supervision</p>	 <p>Launched our Costs Support program for lawyers</p>	 <p>Published new cybersecurity resources</p>
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## Demographics of the profession

### Demographics of the legal profession in Victoria for 2023-24

At 30 June 2024, there were 28,831 lawyers holding a practising certificate in Victoria. This was an increase of 4.2% on the previous year's numbers, which highlights the continuing trend of strong growth in Victoria's legal profession. Of the cohort, 92% were solicitors and 8% were barristers. This percentage split is relatively consistent with previous years.

### Newly admitted lawyers

There were 2,099 new lawyers admitted to the legal profession in Victoria during 2023-24, which represents a steady increase on previous years' numbers. Of all newly admitted lawyers, 67% had begun work with a law practice by 30 June 2024, which was a decline from last year's figure of 76%. Despite the drop, this result is still above the four-year average of 65% and does not necessarily represent a slowing of employment, given newly admitted lawyers are also employed in government and business in-house roles.

### Cultural diversity

Each year we collect a range of demographic information as part of the practising certificate renewal process, which provides valuable insights into the make-up of the Victorian profession. Beyond the standard demographic information we request (such as age, gender and area of legal practice), we ask lawyers to tell us about their country of birth, their cultural heritage, and the languages they speak other than English. Most lawyers (92%) volunteered this information.

This year, Victorian lawyers identified with 109 different ancestries. The top five countries of birth reported were Australia, the United Kingdom, New Zealand, Malaysia and China. The most common languages spoken other than English were Mandarin, Italian, Greek, French and Cantonese. This is consistent with survey results in previous years.

Of the lawyers who voluntarily provided their information this year, 129 identified as having Aboriginal and/or Torres Strait Islander ancestry. Of those, 44 have practised law for more than 10 years. Just under 0.5% of new lawyers in 2023-24 identified as Aboriginal and/or Torres Strait Islander.

### Gender balance

At 30 June, women outnumbered men in the Victorian profession. Across the whole profession, 54.9% of all lawyers were women, 45% were men and 0.1% were people identifying as non-binary. The prevalence of women in the profession remains relatively consistent across the years-in-practice profile up to 25 years. At that point, men outnumber women 54.1% to 45.8%. Of the new lawyers who received their first practising certificate in 2023-24, 64.8% were women, 35.1% were men and 0.15% were people identifying as non-binary.

### Types of employment

There were 12,303 legal entities registered in Victoria on 30 June 2024. Incorporated legal practices (ILPs) continued to be the fastest growing type of legal entity in Victoria, increasing by 7% on last year to 3,060 ILPs. Between them, they employed 29% of all Victorian lawyers (totalling 7,962), 55% of whom were women. This makes ILPs the largest employers of women across the profession, employing 28% of all female lawyers in Victoria.

The next largest employers of women were corporate and government bodies who each employed 17% of Victoria's female lawyers. By comparison, the 67 community legal centres (CLCs) in Victoria employed a total of 862 lawyers, 72% of whom were women.

Men remained the most common holders of a principal practising certificate, as 61% of the 7,074 principals were men and only 39% were women.

### Work hours

Most lawyers tend to work more than standard hours. In 2023-24, 53% of surveyed lawyers told us they expected to be working more than 40 hours per week. Among new lawyers who obtained their first practising certificate during the year, 29% expected to be working more than 40 hours a week, while 65% believed they would be working between 30-40 hours.

### Location of work

Most lawyers continued to work in the CBD (52.3%), followed by metropolitan Melbourne (35.7%) and regional Victoria (11.4%). The balance were located interstate and overseas. Of the regional lawyers, just over a quarter worked in Geelong, Ballarat and Bendigo.

The average age of all Victorian lawyers was 47.6 years. For lawyers in regional areas, 59% of whom are women, the average age across all lawyers climbs to 57.

## The story of the Victorian legal profession in 2023-24

28,831



registered lawyers  
in Victoria.

4.2%



increased growth on last year  
in the Victorian profession.

54.9%



of Victorian lawyers  
were women.

2,099



new lawyers were admitted  
to the profession.

12,303



legal entities registered as  
employing lawyers in Victoria.

52.3%



of lawyers work in the  
Melbourne CBD and 11.4%  
work in regional Victoria.

29%



of lawyers work for an  
incorporated legal practice.

18%



of lawyers work for  
a sole practice.

### Supporting lawyer wellbeing

This year we increased our focus on lawyer wellbeing, after appointing a dedicated manager in May 2023 to oversee our program of work. We identified four focus areas: research and measurement, collaboration and communications, pilots and practice, and regulatory processes. By 30 June 2024, we had begun work on several key projects that will continue into next year.

#### Workplace culture and wellbeing research

We supported a project jointly undertaken by researchers at The University of Melbourne and The Australian National University, which examined lawyer wellbeing, workplace culture and ethics. During the project's set-up phase, we expanded the reach of the research by facilitating the involvement of our Uniform Law partners in New South Wales and Western Australia.

In February 2024, lawyers across the three jurisdictions were invited to participate in the research. We collaborated with our stakeholders, including Victoria Legal Aid, the Bar and the LIV, to encourage Victorian lawyers to participate in the survey. This helped achieve a strong response rate of close to 950 completed surveys in Victoria. Overall, lawyers submitted approximately 1,900 valid responses.

The research report is due to be released in November 2024. We will use its findings to further inform our evidence-based interventions to support lawyer wellbeing in the profession.

#### Theory of Change project

One of our key priorities is that lawyers stay safe and well while delivering high-quality legal services. This is a shared goal across Victoria's legal system. However, research shows poor lawyer wellbeing persists, and that system-wide action is needed to create genuine and lasting change.

In response to this issue, we launched a new project to co-design a Theory of Change with the legal sector itself. The Theory of Change will provide a road map for the sector, showing where, how and why change can happen to improve lawyer wellbeing. This project responds to the need for, and the complexity of, bringing about systemic change in the profession.

We appointed a Melbourne-based social research and evaluation consulting firm to run the co-design process, which was strongly supported by stakeholders across the profession. The first stage of the project saw more than 1,000 people respond to a systems effect survey that will help inform the development of the Theory of Change. The project is continuing, and its findings will be available in late 2024.

### Improving information for lawyers

This year we continued to focus our efforts on improving our communication with lawyers using our various communications channels. Our bi-monthly *Commissioner Update* newsletter, which is delivered to the inbox of every registered lawyer in Victoria, highlighted our key areas of regulatory focus for the year and included important guidance and information on a wide variety of topics. Based on the analysis of our most-read articles, lawyers were particularly interested in our perspectives on topical issues, such as generative AI. As seen in the download data, lawyers also valued the practical resources we provide to assist them to meet their professional obligations.

We published guidance and advice on maintaining professional boundaries, the ethics of covering up mistakes, safeguarding against cybercrime, and sexual harassment confidentiality clauses. We also continued to refine our content offering to lawyers on our public-facing website, and grew our presence among, and engagement with, lawyers on social media platforms LinkedIn and X.

#### Presentations

Throughout the year our CEO and Commissioner, Fiona McLeay, presented at various legal industry events including:

- 2023 Minds Count Annual Lecture
- 2023 International Conference of Legal Regulators
- 2024 Legal Laneway Breakfast
- 2024 Wellness for Law Forum (keynote address).

### Regional law association visits

To further improve our engagement with lawyers, at the invitation of the LIV, we joined them on a tour of local law associations across regional Victoria. Between July and October 2023, our CEO and Commissioner, members of our executive leadership team and senior staff met with representatives of regional law associations and local lawyers in an informal setting.

These visits provided an opportunity for direct conversations with lawyers working within regional communities about issues of concern to them, including the realities of legal practice outside Melbourne, the business and personal pressures they experience, and the way legal regulation affects their practice. We visited:

- Colac, Hamilton and Warrnambool in the south-west region
- Ballarat, Geelong and Mornington in central Victoria
- Morwell, Traralgon, Bairnsdale and Sale in Gippsland
- Shepparton and Echuca in northern Victoria, and
- Mildura and Swan Hill in the Mallee region.

## Issuing guidance for lawyers

### Labour hire arrangements for lawyers

Labour hire arrangements are an increasingly popular way for lawyers to explore job opportunities. They involve a labour hire agency placing its employee lawyers with a third-party business, such as a law practice, government department or private company. Through this setup, the agency acts as the lawyer's direct employer and handles tasks like recruitment and payroll. This provides the hiring businesses' clients with flexibility and access to skilled legal professionals to meet their evolving short or long-term workforce needs.

With the growth in the number of labour hire agencies employing lawyers, we identified the need to ensure that these agencies were aware that they also had important regulatory obligations to maintain under the Uniform Law. In September 2023, we issued comprehensive guidance explaining their obligations as legal employers.

The guidance covered the following key compliance areas:

- registration – clarifying the types of labour hire agencies that must register with us as a law practice
- practising certificates – ensuring their employee lawyers obtain the correct type of practising certificate based on the type of work they are hired out to undertake
- supervision – clarifying the arrangements they must make for appropriate supervision of all lawyers who carry the supervision condition on their practising certificate, and
- insurance – ensuring they obtain appropriate professional indemnity insurance for the type of work being performed by their employees.

We publicised the launch of this new guidance to the profession through *Commissioner Update* and via our website. We also provided the guidance to existing labour hire agencies, and we will continue to proactively share it with new agencies that become involved in labour hire arrangements.

### Ethics self-assessment tools for continuing professional development

In July 2023, in line with the recommendations of our previous independent review into continuing professional development (CPD) in Victoria, we published a suite of CPD self-assessment tools dealing with ethics for lawyers. We tailored these resources to the different needs of lawyers in the early, middle and senior stages of their careers, to assist them to get more value from their ethics and professional responsibility CPD.

The resources provide a framework to help lawyers understand factors relevant to good ethical practice and to support them to reflect on their ethical development needs at specific stages in their career. The resources also suggest opportunities for ethics CPD relevant to each lawyer's needs. There has been a strong level of engagement with these tools since their publication.



BAY  
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### Confidentiality clauses in workplace sexual harassment complaints

Lawyers play a key role in drafting, negotiating and advising on confidentiality clauses to resolve workplace sexual harassment complaints. While these clauses can be beneficial in providing a complainant with privacy, finality and greater bargaining power in settling their complaint when used in a systematic way, they can facilitate repeat offending and inhibit oversight by executives and boards. They may also contribute to the under-reporting and systemic nature of sexual harassment by concealing its prevalence and the steps taken to address it.

Recognising these potential issues, in September 2023 we published advice for the Victorian profession on the professional and ethical obligations relevant to drafting, negotiating and advising on confidentiality clauses, and the regulatory consequences of breaching those obligations. We also provided links on our website to the new federal Respect@Work Council guidelines and fact sheets about confidentiality clauses.

### Addressing sexual harassment in the profession

We remain significantly concerned about sexual harassment and maintained our focus on the issue during 2023-24. We continued to receive reports through our online reporting portal, which allows people to provide details of alleged instances of sexual harassment and sexual impropriety by lawyers.

**While these reports are sometimes anonymous, they give us valuable information that we can use to begin to investigate a lawyer's conduct or take other regulatory action as appropriate.**

We also received complaints and other information from members of the public and the profession through our other contact avenues.

### Evaluating our online sexual harassment reporting tool

Last year we completed an evaluation of the first year of operation of our online sexual harassment reporting tool. Our independent evaluation team analysed data submitted via the tool from October 2021 through to September 2022, to determine how the reporting tool was performing. The evaluation process revealed we had received a 30% increase in sexual harassment reports compared to the 12 months before the online tool's launch. Nearly 70% of all reports we received in the tool's first year were made using it, mostly displacing emailed reports. These findings suggest that the potential to report harassment anonymously made it easier to report.

We detected an increase in anonymous reporting, and reports from people who witnessed sexual harassment, rather than from those who directly experienced it themselves. Despite this, the demographic profile of people submitting a report remained relatively similar before and after the tool's launch. Of the reporters, more than 80% were women and more than half were aged under 40 years at the time of the alleged harassment.

We continue to promote the online tool to the Victorian legal profession through *Commissioner Update*, social media posts and other communications channels. By its second year of operation (October 2022 to September 2023), there was a further 77% increase in reports of sexual harassment on the first year results. One-third of those reports were made using the online tool.

Through our evaluation, we identified several opportunities to further improve our reporting pathways. We will follow up the evaluation in the coming months to explore the outcomes that have resulted from these reports.

### Regulatory action

We progressed several sexual harassment matters through VCAT during the year. One case was heard and was awaiting a decision at 30 June, while two further prosecutions remained before VCAT pending a hearing.

We also took other regulatory action through our licensing functions where lawyers demonstrated a lack of fitness to practice, and through our compliance audit functions. Where required, we will continue to intervene through disciplinary matters and through our other regulatory powers to protect and empower consumers and to uphold the standards of the profession.

### Targeted discussions with law practices

This year we began proactively meeting with law practices to learn what has changed since publishing our 2019 report: *Sexual Harassment in the Victorian Legal Sector*. Our goal was to review the practices' sexual harassment policies, procedures and actions, and to learn how the sector was responding to the positive duty of all employers to take reasonable steps to eliminate sexual harassment in the workplace.

We selected five law practices based on the risk factors we identified in our 2019 report. Our review provided them with a tailored assessment of whether their policies and procedures were fit for purpose.

We found that most participants had a relatively nuanced and clear understanding of the behaviours that could constitute sexual harassment, however several issues became evident, including:

- smaller practices found it difficult to allocate resources and capacity to ensure staff are kept up to date on workplace legislation, standards and other obligations
- disparities existed in the understanding of sexual harassment between lawyers and non-legal staff
- there was limited awareness of the recent legislative change requiring the positive duty to take reasonable steps to eliminate sexual harassment, and
- there was a false confidence that because a law practice was small with an 'open door' approach and their principals and partners had a strong leadership style, that they would not have issues. We identified those same 'protective features' as risk factors in the 2019 report.

We will use these findings to continue to work with and educate the legal sector to help build a culture where all employees have a safe work environment and equal opportunities to succeed in their careers.

These targeted discussions will continue in 2024-25 with an expanded focus on lawyer supervision and how law practices that have principals assigned to more than one entity meet their obligations.

### Identifying risks for the profession

We continued the work we began last year in improving the way we communicate with lawyers about regulatory risks and the things we identify as posing the most harm to consumers of legal services and the profession.

Publishing a yearly *Risk Outlook* is one way that we demonstrate our commitment to clearly communicate our expectations to the legal profession, and help lawyers improve the quality of their services to consumers and avoid a complaint or investigation.

Our inaugural *Risk Outlook*, launched in early 2023, highlighted five key risks we wanted to make the profession aware of. Throughout the year, we emphasised these risks using *Commissioner Update*, our social media channels and our website.

**To assist the profession to mitigate these risks, we also published a range of information and resources, including our minimum cybersecurity expectations for law practices and detailed insights from our survey of early career lawyers and their experience of supervision.**

#### **Risk Outlook published for 2023-24**

In June 2024, we published a revised *Risk Outlook* to highlight the key risks we identified for the 2024-25 year.

Some risks remain areas of focus as they continue to be problems within the profession, including:

- cybersecurity breaches
- non-compliance with core legislative obligations
- unethical practice, and
- inadequate supervision in law practices.

This year, we also identified two new risks:

- improper use of artificial intelligence, and
- inadvertent involvement in money laundering.

Both of these risks are emerging as significant concerns within the profession, and are likely to be the subject of future legislative or regulatory requirements.

We will continue to highlight all of these risks and support lawyers in their efforts to minimise or avoid these problems manifesting.

### Enhancing cybersecurity

Cybersecurity in the legal profession is one of our key regulatory concerns, and appears as the top risk in both the 2023 and 2024 *Risk Outlook*. Cybercrime in Australia continues to increase year-on-year, and professional service providers (including lawyers) remain a key target for cyber criminals, particularly for the use of ransomware.

Many lawyers hold highly sensitive information that can be stolen and sold or ransomed, and they may handle large financial transactions on behalf of their clients. Lawyers are also trusted by their clients, other lawyers, financial institutions, government agencies and the court officers they work with. A gap in their cybersecurity could compromise the broader system that lawyers operate in.

#### Cybersecurity resources published

As part of our work to enhance cybersecurity, we published a set of cybersecurity resources in February 2024 that have two key components: a *Minimum Cybersecurity Expectations* resource; and a *Red Flags and Good Practices* resource.

Our *Minimum Cybersecurity Expectations* resource sets out the critical cybersecurity controls that all law practices in Victoria should implement immediately to keep their practices and their clients safe. The resource also sets out the basic system controls (technical measures) and behavioural controls (practices and policies) that law practices should implement to meet their existing obligations of confidentiality and diligence.

**As well as setting out our minimum expectations, the resource explains the kinds of poor cybersecurity practices that could be subject to disciplinary action.**

*Red Flags and Good Practices* is a practical guide for all Victorian lawyers and law practice staff. It sets out the warning signs of a potential cyberattack, good cybersecurity practices for their day-to-day work, and our expectation for lawyers to always 'sight or speak' to confirm financial transactions and important client instructions.

We developed these resources after extensive consultation with our professional association partners, the Legal Practitioners' Liability Committee and others throughout 2023. We continue to engage with the professional associations to help their members better understand how cybersecurity interacts with their obligations to their clients. Our regulatory officers are also continuing to engage directly with law practices to identify where improvements need to be made in their cybersecurity measures, and to monitor how the profession responds to cyberattacks.

### Costs Support program

Each year, lawyers receive more complaints about their legal costs than any other single issue. Costs disclosure non-compliance – a source of many complaints – was also identified in our 2023 *Risk Outlook*.

Many costs complaints are successfully resolved through our dispute resolution processes. We see a small number of lawyers regularly, and evidence shows they have persistent problems with their costs disclosure and business practices. In response, we launched a new, proactive Costs Support program in March 2024 to help those lawyers understand and meet their costs obligations under the Uniform Law.

The voluntary program involves us identifying lawyers who fit the target risk profile and inviting them to participate. During an initial face-to-face meeting, our specialist staff walk participating lawyers through their complaints history, unpack the mistakes they have made, and discuss how they could better communicate with their clients to create lasting improvements. We then scheduled a second meeting for a few months later to review the changes they have made to their business practices. The onus for making change rests with the lawyer, though an action plan and/or an undertaking may be used to assist them, if appropriate.

The first cohort of participants were positive about the assistance we provided, and several have begun implementing the changes we discussed. We have scheduled follow-up meetings early in the 2024-25 year.



### Undertaking research on supervised legal practice

The early years of legal practice are a crucial time in a lawyer's professional development. Despite this, we recognised that there was little contemporary Victorian research on the experiences of early career lawyers and their supervisors during the supervised legal practice (SLP) period. To address this, we started a multi-phased research project to look at the experiences of early career lawyers and their supervisors in 2023.

#### 2023 survey of supervised lawyers

During the 2023 practising certificate renewal period, 325 lawyers who were currently being supervised, or had been supervised in the previous five years, responded to our survey asking them about their experiences during SLP. The survey results provided us with invaluable insights on what supervision was like for those lawyers, including the relationships they had with their supervisors and the challenges they faced.

Positively, 67% told us that supervision helped them to develop the skills needed for their careers, and 67% also agreed that supervision helped with increasing confidence in their professional abilities. Additionally, 66% agreed that supervision helped them to avoid making mistakes.

The survey results uncovered some concerning trends about supervised lawyers' wellbeing and their experiences of challenging behaviours from supervisors. For example, 42% of all lawyers surveyed disagreed or strongly disagreed that supervision helped them to manage their wellbeing, and 44% of participants said that their supervisors rarely or never enquired about their wellbeing. Worryingly, 38% told us that they had experienced challenging behaviours from their supervisors, such as shouting, swearing and bullying.

**This had a strong gender bias; 41% of female respondents said they were more likely to have experienced challenging behaviours compared to 28% of their male counterparts.**

On average, participants scored their supervisory experience at 6/10. When asked how their experience could have been improved, most indicated they would have preferred a better understanding of the purpose of supervision and what they should be doing as part of SLP (42%), followed by their supervisor organising training or development opportunities in areas where they needed more support (40%).

A more detailed report of these survey results can be accessed on our website.

#### 2024 SLP survey of supervisors

This year we undertook a second survey about supervision, which targeted the lawyers who supervised an early career lawyer. Conducted during the 2024-25 renewal period, this survey gave us a balanced understanding of SLP from both sides of the supervision relationship.

More than 400 lawyers who were either currently a supervisor, or who had supervised someone within the last five years, told us about their most recent experience. Respondents provided insights on how they managed their most recent supervisee, including how regularly they met, the discussions they had, and the tasks they completed as part of their supervisory responsibilities. They also told us about the challenges they faced, and the level of support they received from their organisation to supervise effectively.

We are currently analysing the results of this survey and will publish our findings in 2025. Our research findings will be used to inform future resources to better assist early career lawyers and their supervisors.

### Continuing professional development compliance

Lawyers may be audited to ensure compliance with their annual CPD obligations. We consider their compliance with this to be a key indicator of their commitment to their broader professional obligations. We delegate certain CPD functions to the LIV and the Bar, including the power to conduct these audits on our behalf. The LIV conducts both general audits and a targeted, risk-based audit of solicitors, while the Bar undertakes audits of barristers.

### Targeted audits of solicitors

We identified inadequate supervision of law practices as a key area of concern in our *2024 Risk Outlook*.

**Lawyers who don't meet their CPD obligations, or who certify that they have done something that they have not, are likely to have other issues with their approach to legal practice. This is particularly concerning where they carry the serious responsibility of supervising a newly admitted lawyer, or someone in the early years of their career.**

In line with those concerns, this year we asked the LIV to focus its audit on principal solicitors who would likely be supervising employee lawyers with the supervised legal practice condition on their practising certificate. From a pool of principal solicitors, we randomly selected 296 to be audited. Encouragingly the LIV's results show that 92% had met their CPD obligations, and only 1% were required to complete a rectification plan to make up for missed CPD. Of concern to us were the five lawyers (2%) who failed to respond to the audit – although this was an improvement on last year's results. The LIV took further steps to address this non-compliance and required a further 15 lawyers (5%) to provide additional documentation.

### Self-identified non-compliance by solicitors

When lawyers apply to renew their practising certificate annually, they must declare whether they have met their CPD obligations. If solicitors fall short of their obligations, we task the LIV to follow them up to complete a rectification plan. This year 215 solicitors needed to complete a rectification plan, a 16% increase compared to last year. There was also a noticeable rise in the number of lawyers who had incorrectly declared they had not met their CPD requirements, which subsequently flagged them for recertification.

### Barrister compliance

The Bar selected 5% of all barristers for a random audit and found most had complied with their CPD obligations. This year only 11 barristers had not met their obligations, an improvement on the 34 from last year's audit. Ten barristers subsequently submitted rectification plans, and the Bar took follow-up action with one barrister who remained non-compliant at the end of the audit process.

## Strengthening policy and regulations

During the year we were involved in consultations on several different issues affecting the Victorian legal profession.

We made submissions to two Commonwealth Attorney-General's Department consultations on extending Australia's Anti-Money Laundering and Counter-Terrorism Financing (AML/CTF) regime to lawyers. We also participated in a roundtable discussion on how the AML/CTF regime would impact the regulation of the legal profession.

We made a submission to the Commonwealth Treasury in support of allowing the Australian Taxation Office and Tax Practitioners Board to disclose protected information to disciplinary bodies, such as ourselves.

We contributed to a Department of Justice and Community Safety review of the *Spent Convictions Act 2021*, explaining how we use convictions information to ensure that lawyers are fit and proper persons to practise. We also made a submission to the Victorian Parliament's Integrity and Oversight Committee's Inquiry into the *Freedom of Information Act 1982*, providing our perspective on the Act and how FOI requests are managed in our organisation. Our CEO and Commissioner, Fiona McLeay, also appeared at a public hearing to give evidence to the Committee.

We provided a submission in support of the Australian Bar Association's proposal to introduce an additional mandatory 'Equality and Wellbeing' CPD category for barristers, and highlighted our own program of work in lawyer wellbeing. We also made a submission to the Legal Services Council Admissions Committee, supporting its intention to reduce barriers to admission for foreign lawyers through Admission Rules amendments and a guideline on conditional admission.

Finally, we provided a detailed response to new costs disclosure forms proposed by the Legal Services Council, and provided feedback on proposals for reforming the *Legal Profession Uniform General Rules 2015* put forward by the Law Society of NSW.

04

# IMPROVING ACCESS

# TO JUSTICE

We play a vital role in funding organisations across the legal system to deliver legal services, improve and secure access to justice, and support legal education and legal regulation for Victorians.

Through the Public Purpose Fund (PPF), we provide essential funding to a range of organisations that work to improve access to justice for Victorians. Our long-standing Grants Program also provides support through organisational and project-based funding to community organisations to explore and address justice issues facing Victorians.



### PPF allocation strategy and collective impact

The PPF underpins all of our activities, including funding programs authorised by our legislation.

The statutory framework that governs how PPF funds are spent is complex, so this year we developed a new Allocation Strategy to provide greater transparency about how the PPF works, and how allocation decisions are made by our Board. The strategy explains the PPF structure and identifies themes, principles and funding constraints that guide our Board in its decision-making about the PPF.

The three main themes that inform the allocations made from the PPF are:

- Regulation: this captures the costs of regulating the legal profession in Victoria.
- Access to justice: this funding is aimed at improving the quality of legal services or public access to legal services, as well as exploring innovative improvements to access to justice.
- System improvement: while our role is mainly focused on regulating lawyers, we are also empowered through our funding remit to support wider improvements in the justice system’s operation, including law reform, education and research activities.

Funding allocations are also informed by our Corporate Plan’s strategic objectives, our Grants Strategy, our Access to Justice Policy and our financial and risk management strategies.

### Shared Outcomes Framework

We developed a new Shared Outcomes Framework for our funded organisations. The framework, which acknowledges that we work in collaboration with funded organisations to make a collective impact, specifies a set of activities and shared outcomes that we are seeking to fund. This framework enables us to monitor and evaluate the impact of PPF funding in the legal sector.

Each of the 14 organisations we fund through the PPF was asked to apply the framework by aligning its annual funding request to at least one activity and one shared outcome category. The funded organisations will report their progress and performance against the framework every six months. This will enable us to highlight the progress made against the desired outcomes and to identify areas for future funding.

### Our funding impact

An overview of the 14 legal and justice organisations we fund on an annual basis is provided below.

#### Djirra

Djirra is an Aboriginal family violence and prevention legal service. It provides telephone and face-to-face legal and non-legal support to Aboriginal people who are experiencing, or have experienced, family violence, and offers a range of other support services. Our funding supports Djirra to develop and deliver First Nations cultural safety training for the legal sector.

#### Federation of Community Legal Centres

Federation of Community Legal Centres (the Federation) is the peak body for Victoria's community legal centres. For 50 years, community legal centres have been part of social change and have reshaped how people access justice. They have also been involved in creating stronger and more equitable laws, and supporting more accountable government and democracy. Our funding assists the Federation to implement its 10-year plan for Community Legal Centres in Victoria.

#### Justice Connect

Justice Connect is an innovative community legal organisation working to increase public access to legal support and to progress social justice across Australia. It delivers services that assist both public and not-for-profit organisations and leverages the pro bono capacity of lawyers in its work. Justice Connect offers specialised legal services and works with priority groups and projects to respond to rising legal needs and matters in the public interest.

We allocate funding to support Justice Connect in administering the Bar's Pro Bono Scheme and the LIV's Legal Assistance Scheme, in collaboration with both professional associations. With this funding, Justice Connect can deliver critical legal services to people experiencing disadvantage who could not otherwise access help.

#### Law Library of Victoria

Law Library of Victoria is an integral resource for the courts, the legal profession and the community. The library provides access to authoritative legal information for all Victorian lawyers and judicial officers to assist with the accurate, effective and fair administration of justice and the practice of law. Our funding supports the library in continuing to provide lawyers with access to high-quality digital and hard-copy legal information.

#### Legal Services Council and Commissioner for Uniform Legal Services Regulation

The Legal Services Council and the Commissioner for Uniform Legal Services Regulation jointly oversee the operation of the Legal Profession Uniform Law regulatory scheme. The Legal Services Council is responsible for monitoring the overall operation of the Uniform Law Framework, as well as making Uniform Rules for the legal profession in the three participating states. The Commissioner for Uniform Legal Services Regulation ensures the Uniform Law's professional discipline arrangements are applied consistently. We provide funding to the Legal Services Council and the Commissioner for Uniform Legal Services Regulation to support the ongoing operation of the Uniform Law Framework.

#### Law Institute of Victoria

LIV is a not-for-profit professional association dedicated to its members and the development and maintenance of the rule of law for the benefit of the Victorian community. LIV represents more than 20,000 lawyers, legal professionals and law students in Victoria, interstate and overseas.

We provide funding to LIV to deliver education and engagement initiatives, including legal policy, practice support, wellbeing, referrals and ethics services that benefit the legal profession and community. LIV also undertakes auditing of lawyers' mandatory CPD on our behalf under statutory delegation.

#### Sentencing Advisory Council (SAC)

SAC is an independent statutory body that helps bridge the gap between the community, the courts and government by informing, educating and advising on sentencing issues.

Our funding supports the SAC to maintain databases on sentencing statistics, publish policy and research reports, and run the online community education program 'You Be the Judge'.

### **Victoria Law Foundation (VLF)**

VLF is a statutory authority and not-for-profit organisation that works to improve the public's understanding of the Victorian justice system, and supports better justice outcomes through research, education and grants. Its research seeks to uncover how people understand and navigate the law, assess services that support better justice, and identify community legal needs. The VLF also runs projects that benefit the legal profession and wider society, including Victorian Law Week, and manages a small grants program. We provide the VLF with funding to develop and provide resources for community legal education, and to conduct legal research.

### **Victorian Bar**

The Bar is a professional association representing more than 2,200 Victorian barristers. It provides resources and opportunities to its members, such as professional development, best practice training, wellness programs, social justice initiatives and community engagement.

Our funding supports the Bar to develop ethics and practice support resources for barristers who practise in the areas of civil, criminal and family law. We also fund the Bar to deliver mental health services through a counselling service, and improvements to the Bar's pro bono portal, which assists the courts to request pro bono assistance for people in civil or criminal matters. The Bar also issues practising certificates to barristers and considers some suitability matters concerning barristers on our behalf under statutory delegation.

### **Victorian Civil and Administrative Tribunal Legal Practice List**

VCAT provides fair, efficient and affordable justice for the Victorian community by making decisions about a wide range of cases and by helping people to resolve disputes. As a tribunal, it is less formal than a court setting.

VCAT is the busiest tribunal in Australia across many different areas of law and lists. We fund the Legal Practice List at VCAT to hear and decide on cases involving lawyers' conduct and disputes between lawyers and clients about legal services and costs.

### **Victorian Law Reform Commission**

VLRC is the central agency for law reform in Victoria. It contributes to developing a fair, just and inclusive legal system for all Victorians, and its major responsibility is to examine, report and make recommendations on law reform issues referred to it by the Attorney-General.

We provide funding towards VLRC's operational expenses and support its work in engaging with the community to request areas for potential law reform. The funding also enables VLRC to provide information to Victorian Certificate of Education legal studies students and community groups through in-person presentations and online resources.

### **Victorian Legal Admissions Board (VLAB)**

VLAB is a statutory body that governs the admission of Australian lawyers to the Supreme Court of Victoria. It also provides administrative support for admitting lawyers into legal practice. We provide funding to VLAB to assist it in performing its functions.

### **Victoria Legal Aid (VLA)**

VLA is an independent statutory authority that helps disadvantaged people with legal problems involving family breakdown, child protection, family violence, criminal matters, guardianship and administration, fines and tenancy. Working predominately with socially and economically disadvantaged clients, VLA provides free legal information and education to Victorians seeking to resolve legal issues.

We provide significant funding to VLA to help fund its regular operations, to support its digital transformation work and cyber security, and to enhance its First Nations services. Our funding to VLA is the largest single annual allocation made from the PPF.

### **Victorian Aboriginal Legal Service (VALS)**

VALS is an Aboriginal community-controlled co-operative society that provides referrals, advice, information, duty services and casework assistance to Aboriginal and Torres Strait Islander people. It is the only dedicated, full-service legal assistance service for Aboriginal and Torres Strait Islander people in Victoria. PPF funding enables VALS to undertake public policy, education and advocacy work, and supplements the government funding VALS receives for direct legal services.

## Funding through the Change Grants stream

Our Change Grants support not-for-profit organisations to deliver projects that aim to improve access to justice for Victorians. Over the past 17 years we have distributed almost \$60 million in grant funding.

In the 2023–24 financial year, we awarded a record \$8 million in funding to support 28 projects being delivered by legal and community organisations across Victoria (Table 1).

**TABLE 1: PROJECTS FUNDED IN THIS YEAR'S CHANGE GRANTS FUNDING ROUND**

Organisation and project	Description and aims	Funding and duration
South-eastern climate justice South-East Monash Legal Service	Helping disadvantaged communities in south-east Melbourne proactively address the emerging impacts of climate justice, with a focus on identifying, preventing and mitigating the causes. This project will demonstrate where these impacts intersect with other indicators of disadvantage.	\$500,000 over 2 years
Community restorative justice project Africause	Working with the Centre for Innovative Justice, Africause will design a practical, restorative justice model to promote healing between young African-Australian people who have been convicted of criminal offences, and those impacted by their actions.	\$120,000 over 1 year
Understanding and removing barriers to self-representation for renters in Victoria Anika Legal Ltd	Increasing the number of renters asserting their rights at VCAT, with a focus on helping the legal sector better understand self-represented renters' experiences. Encouraging graduate law student interns to play a more active role in social justice.	\$200,000 over 2 years
Safer systems, safer families: Addressing systemic disadvantage for Muslim communities during child protection interventions Australian Muslim Women's Centre for Human Rights Inc	Exploring child protection (CP) interventions from the perspective of Muslim mothers and adults, including those who experienced CP interventions as children. Providing legal and casework support for Muslim women to reduce the risk of CP cases progressing to court.	\$210,000 over 3 years
Restorative responses to young people engaging in harmful sexual behaviour Centre for Innovative Justice, RMIT University	Complementing Victoria's existing responses to harmful sexual behaviour among children and young people by helping develop a specialist restorative justice program that provides an avenue for children and young people who have been hurt by harmful sexual behaviour to experience justice.	\$350,000 over 2.5 years
Access to justice for First Nations artists Arts Law Centre of Australia	Promoting self-determination for First Nations artists, maximising their access to justice and increasing their financial sustainability. Providing information about artists' rights and fair commercial art practices, while connecting artists to legal advice and other resources.	\$280,000 over 2 years
Migration lawyer project Fitzroy Legal Service	Responding to recent changes to the Migration Act by improving holistic legal responses for people from migrant backgrounds. Building skills and expertise within community legal centres to integrate migration law with existing practice areas.	\$460,000 over 3 years
Mainstreaming climate change in legal education La Trobe University	Ensuring Australian law schools consider climate change implications for all areas of law and legal practice within their curricula. Developing resources and establishing a community of practice among legal academics.	\$55,000 over 1 year

Organisation and project	Description and aims	Funding and duration
<b>Painting new pathways to employment: A work integrated social entrepreneurship project</b> The Torch Project	Helping First Nations people recently released from prison to find culturally safe, meaningful, and ongoing employment while reintegrating into the community. Providing training to help participants expand their knowledge, skills, and confidence to be employed on publicly commissioned projects.	\$80,000 over 1 year
<b>Preparing for the legal impacts of climate disasters in Gippsland</b> Anglicare Victoria (Gippsland Community Legal Centre)	Demonstrating the value of community legal centres in preparing communities for future climate disasters. Providing legal services and education to Gippsland residents, and developing resources for use by other communities and the wider legal sector.	\$600,000 over 2 years
<b>Family reunion legal clinic program for holders of RoS visas</b> Refugee & Immigration Legal Centre Inc. (Refugee Legal)	Providing free and expert legal assistance to former temporary protection visa holders, who have since been granted a permanent resolution of status (RoS) visa.	\$400,000 over 2 years
<b>Beyond survival: The policing family violence project</b> Flat Out Inc.	Responding to family violence policing issues, including poor practice and failures of duty, which compound the risks faced by vulnerable women. Addressing harms such as 'misidentification', police-perpetrated family violence, and biased or discriminatory policing.	\$600,000 over 3 years
<b>Wallumatta Legal Victoria</b> Wallumatta Legal Ltd	Establishing a partnership between Wallumatta Legal and The University of Melbourne to deliver services across Victoria, increasing access to justice for low and middle-income earners who can't get Legal Aid or afford a private lawyer.	\$330,000 over 3 years
<b>From BARS to safety: Bail and release support for women exiting custody</b> Law and Advocacy Centre for Women Ltd	Providing immediate and intensive support to women leaving prison after a short period in custody. Assisting with transportation, clothing, emergency accommodation, food and mobile phones, to help them transition back into the community.	\$300,000 over 2 years
<b>Legal pathways to recovery</b> inTouch Multicultural Centre Against Family Violence	Empowering people from migrant and refugee backgrounds who experience family violence to better understand Australian laws and the pathways for legal help, with support from RMIT University law students.	\$300,000 over 2 years
<b>StreetLaw over coffee</b> Peninsula Community Legal Centre	Engaging isolated and disengaged communities across south-east Melbourne to improve their access to legal services. Addressing barriers like language, financial hardship, disability, mental health issues, family violence, and limited access to public transport and other services.	\$400,000 over 2 years
<b>Empowering women: Pregnancy and beyond</b> Job Watch Inc	Improving the experiences of pregnant women at work through a mix of education, early intervention, direct service delivery and advocacy, while building relationships with government, healthcare, legal and community service providers to inform a potential longer-term healthcare partnership.	\$240,000 over 2 years
<b>Safe journeys: Justice, health and home</b> Whittlesea Community Connections	Building on a health-justice partnership between Whittlesea Maternal and Child Service and Whittlesea Community Legal Service, with a second phase to add a migration law component.	\$185,000 over 1.5 years

## 04—Improving access to justice

Organisation and project	Description and aims	Funding and duration
<b>Transforming outcomes for youth in the west</b> WEstjustice	Spotlighting the critical system reforms needed to address the number of young people from Melbourne's western suburbs who are on remand, including the over-representation of First Nations, African and Pasifika young people.	\$480,000 over 3 years
<b>Cultural inclusion support services at Dandenong Children's Court</b> Court Network	Providing a culturally inclusive support service for Sudanese Australians using the new Dandenong Children's Court, enabling better participation in court processes. Working with local communities to help reduce the likelihood of young people reoffending.	\$150,000 over 1 year
<b>Justice dogs</b> Righteous Pups Australia Inc	Breeding and training four justice dogs to work full-time in legal and victim services in metropolitan and regional locations. Providing for the dogs' ongoing support.	\$200,000 over 1 year
<b>Developing good practice for a responsive, bi-cultural community legal workforce</b> Moonee Valley Legal Service	Developing guidance for the community legal centre sector on creating and sustaining a representative and bi-cultural workplace. Providing paid opportunities for a diverse range of young people to gain professional experience in law and social work.	\$270,000 over 1.5 years
<b>Improving the effectiveness of Victorian environmental law</b> Environmental Justice Australia	Supporting community and non-government organisations in using and testing the rights available to them under the <i>Environment Protection Act 2017 (Vic)</i> , to help ensure pollution laws achieve their full potential.	\$250,000 over 2 years
<b>Enhancing risk assessment practice at the Victorian Children's Court Clinic</b> Swinburne University of Technology	Assisting the Victorian Children's Court Clinic to apply an evidence-based framework when assessing risk among families experiencing child maltreatment and family violence. Examining how magistrates, judges and court clinicians use risk assessments in such cases.	\$100,000 over 2 years
<b>21Plus – a safe driving program for young people</b> Banksia Gardens Association Inc	Addressing barriers faced by young people who are ineligible for learner to P-plate driving programs, including those aged over 21 or from CALD backgrounds who often have problems verifying their identity.	\$140,000 over 1 year
<b>Reducing serious incidences of restrictive practices in aged care settings</b> Aged Care Justice	Educating aged care recipients and their families and friends on unlawful restrictive practices, and how they can access legal support and exercise their rights.	\$102,000 over 2 years
<b>African-Australian assistance project</b> commUnity+ Services Ltd (Brimbank Melton Community Legal Centre)	Providing legal assistance and delivering capacity-building activities, including outreach services and education sessions, to young African Australians in the Brimbank and Melton regions, to help them identify and respond to legal issues earlier.	\$400,000 over 3 years
<b>Young women's economic empowerment</b> Northern Community Legal Centre	Providing vulnerable young women with the legal support, confidence, knowledge and skills they need to achieve financial independence, and to safely transition to a life free from violence.	\$400,000 over 2 years



### Introduction of the Strong Foundations Grants stream

We launched our Strong Foundations funding stream in late 2023. A key element of our new Grants Strategy, this new, long-term organisational based funding stream will help organisations make a greater impact in improving access to justice for Victorians. By providing stable and flexible funding over three to five years, Strong Foundations Grants will enable funded organisations to achieve their strategic objectives.

Eight organisations shared in \$7 million in funding in this inaugural year. Below is an overview of each funded organisations. Further details can be found on our website.

#### **Law and Advocacy Centre for Women (LACW)** — \$1 million

LACW promotes justice for women involved in the legal system. It offers comprehensive social work and case management support for women, particularly those in vulnerable situations. Strong Foundations funding will allow LACW to hire a Policy and Advocacy Manager, expand its social work services, and embed processes to monitor and evaluate its work.

#### **Northern Community Legal Centre (NCLC)** — \$1 million

NCLC provides legal advice, education and advocacy to people in Melbourne's northern suburbs. It has a focus on family violence, immigration and youth justice issues. This funding will enable NCLC to expand its services to meet the significant legal need in the Lower Mitchell region.

#### **WEstjustice** — \$1 million

WEstjustice supports communities in Melbourne's western suburbs. It will use Strong Foundations funding to develop its WISED UP framework, which aims to better support its workforce. This will increase staff retention and performance, and, in turn, improve the support it offers to its communities.

#### **First Step Legal** — \$500,000

First Step Legal provides compassionate, integrated legal help to people with complex needs. Strong Foundations funding will be used to strengthen this unique practice model, build an evidence base, and advocate for the inclusion of legal help in a wider range of settings.

#### **Consumer Action Law Centre (CALC)** — \$1 million

CALC tackles consumer issues like debt, scams and disasters. This funding will be used to enhance CALC's legal advice and website accessibility for vulnerable groups, redesign its advice services to empower community workers, and improve its data collection.

#### **Eastern Community Legal Centre (ECLC)** — \$1 million

ECLC offers free legal help, outreach and strong community partnerships to people in Melbourne's eastern suburbs. This funding will help ECLC enhance its data use, train staff, and share knowledge across the legal sector.

#### **Southside Justice** — \$500,000

Southside Justice uses community lawyering principles to work with local partners in Melbourne's bayside suburbs. It addresses critical issues such as gender-based violence, homelessness and financial insecurity. Strong Foundations funding will allow Southside Justice to deepen its work in the key impact area of housing justice.

#### **ARC Justice** — \$1 million

ARC Justice supports the diverse needs of northern and central Victorian communities. This funding will help ARC Justice to establish and embed its climate justice program into its service model. This will enable ARC Justice to build community resilience and enhance the responsive support it provides when emergencies occur.

## Advancing Housing Justice report

As Victorians continue to feel the impacts of the state's growing housing crisis, we have observed an increase in applications to our Grants Program that relate to housing.

**Lack of stable housing underlies many of the justice challenges people experience, so in late 2023 we asked consumer rights advocate and lawyer, Gerard Brody, to explore the legal sector's role in improving housing security in Victoria.**

We published the final report in June 2024, which explored how legal services could work together to improve Victoria's housing crisis, and the potential for legal organisations to influence reform or systemic change.

One of the report's key recommendations was that we prioritise a future round of grants funding focussed on housing justice projects. This would enable the legal assistance sector to build collaborations that help more Victorians access and keep secure, safe housing and help prevent associated legal problems occurring. Acting on this recommendation, our 2024 Change Grants funding round will focus on housing justice projects.

## Sponsorships

We offer a limited number of sponsorships that support other organisations to run events that align with our corporate objectives – particularly to improve access to justice.

In 2023-24, we provided \$134,523 for sponsored activities and events that focused on raising awareness about systemic issues affecting the justice sector, and highlighting opportunities to make improvements. Events we sponsored included lawyer wellbeing, health justice partnerships, and First Nations focus events.

This year, we sponsored activities run by:

- The Wheeler Centre
- Heide Museum of Modern Art and The Torch Project
- Health Justice Australia
- The University of Melbourne and Monash University
- Ngalaya Indigenous Corporation, and
- The University of Melbourne and Australia National University.

In 2024-25 we will be focusing on our ability to measure and evaluate the impact that our sponsorships have across the sector.

### Wellness for Law Forum sponsorship

One of the events we sponsored this year was the 2024 Wellness for Law Forum, jointly hosted by The University of Melbourne Law School and the Monash University Faculty of Law. This gathering brought together academics, lawyers and law students from around Australia to share research and experiences related to mental health and wellness in legal education and practice. The two-day conference discussed deepening issues in lawyer wellbeing and presented emerging research about ways to support lawyers to prevent burnout, resignations and other stress-related fallouts.

In support of the conference, we sponsored two international experts in lawyer wellbeing to attend and present: Professor Nathalie Cadieux from the University of Sherbrooke in Canada and Dr Emma J. Jones from the University of Sheffield in the United Kingdom.

As part of this sponsorship arrangement, we hosted two additional events with the speakers: a session with our Lawyer Wellbeing Community of Practice and other wellbeing advocates; and a session for our own staff. We also recorded material to share the messages discussed at the Wellness in Law Forum.

05

# ENABLING OUR WORK

Our ability to achieve our strategic objectives depends on our people, technology and governance practices. We recognise the value our staff provide to our organisation, and support them with learning and development opportunities and wellbeing initiatives.

We also have a strong focus on continuously improving our organisational technological capabilities. This provides our staff with the best resources and the real-time data they need to undertake their work, and identify and respond to emerging issues within the legal profession. It also helps lawyers and the public have better experiences when they engage with us.



## People Matter survey results

In May 2024, we again took part in the Victorian Government's People Matter survey. This anonymous study helps us measure staff sentiment across different aspects of our workplace culture. Our scores were measured against a comparator group of similar public sector agencies and against the wider public sector.

This year's results showed we have maintained a healthy workplace with high levels of staff satisfaction and engagement. Our scores were higher than our comparator group by an average of 8%, and higher than the public sector by an average of 10%.

Among our standout results were the strong participation rate, with 94% of staff completing the survey. This was 25% higher than our comparator group. Staff rated their job satisfaction 8% higher than the comparator group, and 9% higher than the public sector. We also recorded our highest level of staff engagement with our organisational goals and values at 78.6%, which was 11% higher than the public sector.

Staff confidence in management has remained extremely high over the past few years, scoring 95%, and we also scored highly for job enrichment, which at 91% was 7% higher than both the comparator group and the public sector.

## Supporting our people

### Recruitment and on-boarding

In 2023-24, we had a busy recruitment period as we expanded to support our operational requirements. We recruited 79 new staff as Victorian Public Sector employees and engaged a further 26 temporary staff. We also managed many internal secondments to fill new roles within our Digital Transformation program. Our staff departure rate remained extremely low.

Our headcount at 30 June 2024 grew to 203, up from 148 a year earlier.

## 05—Enabling our work

We developed a proactive strategy to recruit high-calibre staff from across the employment market. Rather than relying on passive advertising alone, we expanded our use of LinkedIn to identify appropriate potential candidates for our available positions, which allowed us to promote the roles to them and their networks. This approach has proved extremely successful to date.

Our onboarding procedure is continually evolving to offer a seamless and supportive process to our new staff, as well as to their managers and teams.

### Staff wellbeing

Our proactive Social Club and Health & Wellbeing Committee organised many activities for our staff this year, which encouraged physical activity, social interaction and general wellbeing. These activities helped us to maintain a cohesive team environment, support strong staff morale, and improve levels of workplace satisfaction, participation and staff retention. We measure these cultural factors through the People Matter survey results.

## Diversity, inclusion and belonging

In 2023-24, we improved our accessibility by:

- embedding social procurement into our relevant policies and processes
- reviewing our complaint and feedback systems to include a disability-related category
- developing guidance for our staff on making reasonable adjustments to accommodate our customers' unique needs and circumstances
- improving our engagement and communication by developing a new Client Services Charter
- reviewing our Grants Program procedures to include access and inclusion requirements, and
- adding tools and resources to our website to create awareness of access to justice and help people find assistance.

We used our internal communications channels and social events to celebrate the diversity of our staff and raise their awareness about important issues, such as mental health and gender diversity, and to share information about significant events like Ramadan, Passover and National Reconciliation Week.

We also worked towards inclusive employment by modelling best practice employment outcomes to influence and educate lawyers on the benefits of employing people with disability. We also worked with our own staff to better understand how we can best support them.

We have begun developing a new Diversity, Inclusion and Belonging Plan for 2025. This shorter timeframe will allow us to align our work with the timing of our Gender Equality Action Plan (GEAP), which runs from 2022–2025. We are on track to deliver all GEAP actions before the plan is scheduled to be renewed.

### Scope Australia Communications Access Accreditation Program

We continued our work towards Scope Australia Communications Access Accreditation with the development of a new communications tool in September 2023. The 16-page tool supports our customer-facing staff to communicate more effectively with customers who experience communication difficulties. The tool includes topics on all our areas of work and is designed in a format that is easy to follow and use.

We are committed to supporting all customers when they interact with us, whether that is by making a complaint, seeking help with a case, or applying for, or renewing, their practising certificate. The new communication tool will help us deliver on this commitment.

## Reconciliation Action Plan

We recognise that Aboriginal and Torres Strait Islander people are disproportionately affected by a lack of access to, and unequal treatment within, the justice and legal system.

In recognition of the need to build First Nations cultural awareness and capability within our organisation, we started developing our first Reconciliation Action Plan (RAP) in 2023. We partnered with an Aboriginal-owned consultancy to help us devise our RAP, and deliver First Nations Truth Telling training to all our staff as a necessary first step in developing our RAP.

**We submitted our first RAP to Reconciliation Australia in late March 2024, and it was endorsed in early April. This first plan (called a Reflect RAP) will help us, as an organisation, move towards reconciliation in a meaningful way.**

Since the plan's endorsement, we have begun implementing its 47 actions as we steadily prepare for the next phase. We also continue to involve all new staff in First Nations Truth Telling training sessions that improved our shared understanding of Australia's history and its ongoing legacy for Aboriginal and Torres Strait Islander people.

## Learning and development

In response to our People Matter survey results, in October 2023 we introduced a new Charter of Human Rights training program to ensure our staff understood their obligations under the Charter when making statutory decisions that affect individuals.

We continued to run leadership masterclass sessions for our three leadership cohorts, which incorporates the Leadership Circle, which includes 360 feedback. Managers also completed the Thomas Killman conflict management instrument.

We continued to provide Hermann Brain Dominance Index (HBDI) thinking preference workshops to all levels, which provides an opportunity for staff to hone their communication and collaboration skills.

We also helped staff development by providing access to on-demand libraries of professional courses through LinkedIn Learning, the Australian Institute of Management, the Institute of Public Administration Australia (IPAA) and other specialist providers. We regularly communicated with staff about upcoming learning and development opportunities, and provided in-house training sessions and workshops for our staff covering specific legal issues of interest and relevance to our work.

We piloted a cultural safety training program which we will look to roll out to the whole organisation in 2024-25.

## Governance improvements

### Risk management

During the year we had a significant focus on reviewing our strategic risk environment and working with our executive leadership team and our Board to reframe our strategic risk register and develop a new Risk Appetite Statement. To facilitate this work, we held a series of risk workshops with our executive and Board. We also started work on identifying and implementing a new compliance, risk and audit management system. This system will be in place in the 2024–25 year to help our staff better manage risk and other audit and compliance-related activities.

### Contract lifecycle management

We introduced a contract lifecycle management system to help us better manage our contracts and ensure we continue to comply with Victorian Government procurement obligations. The system was procured and configured in the earlier part of the financial year and went live in December 2023. It helps us better manage contracts by automating activities, streamlining approval processes, and improving the data we capture about our contracts. We trained all staff with contract management responsibilities in the use of the new system.

### Delegations and Authorisations Policy and procedure

Our new Delegations and Authorisations Policy and its supporting procedure guide our internal delegates on how our delegations work and what their responsibilities are. The policy covers regulatory delegations, delegations made under the Standing Directions of the *Financial Management Act 1994* (FMA) and our financial authorisations.

We also introduced a new delegation for the Standing Directions under the FMA. This delegation assigned responsibility to our executive management for many of our day-to-day operations that come from our obligations under the Standing Directions, such as our financial authorisations.

### Consistency with developing policies

We developed an overarching policy to provide a framework and a consistent approach to how we develop our corporate policies and procedures. This work was supported by a set of new policy and procedure templates, and updated policy development guidance. Since introducing these resources in December 2023, we have improved the consistency and clarity of our policy development. Staff are now more aware of how regularly policies and procedures need to be reviewed and who can approve them.





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## Moving to a new office

Towards the end of our 10-year lease at 555 Bourke Street, we identified the need to explore new office accommodation. Our existing office had an aging layout and was no longer fit for our purposes, it did not meet key accessibility requirements and we needed more space to accommodate our staff.

After searching for an appropriate new office, we selected 500 Bourke Street, Melbourne. This building underwent a cutting-edge redevelopment that was completed in December 2023. It is close to the legal precinct, has good public transport connections, is accessible for people with disability, and has strong environmental credentials as it is one of only a few Melbourne buildings with a 6-star green rating.

The new office space was designed to meet the principles of activity-based working and to support hybrid working. The new office will support our staff to undertake their vital work, and be more welcoming and accessible for consumers and lawyers alike, providing them with a better overall experience.

We are scheduled to move into our new offices in August 2024.

## Evaluation of our work

In late 2022, we established our Evaluation and Impact function to support evidence-based decision-making and a culture of continuous improvement.

**This year, we undertook several measurement and evaluation projects to improve the efficiency and impact of our regulatory activities, including our practising certificate renewal process, our sexual harassment online reporting tool, and our early intervention strategy.**

We also measured our performance against our current Corporate Plan and established a cross-functional working group to review and refresh our organisational performance monitoring and reporting.

To help us better evaluate and report on our funding impact, we established a rigorous measurement framework for our Change Grants program. We implemented the framework in September 2023 to ensure grantees gather evidence and report on the outcomes we are seeking through our Grants Strategy. We also developed a Shared Outcomes Framework for our funded organisations and rolled this out in February 2024. This framework specifies a set of common outcomes that we are seeking from our funding through the Public Purpose Fund (see Chapter 4 for more information). The reporting from both frameworks will help us prepare an access to justice impact report in 2025.

We also held a series of evaluation training workshops to enhance our staff's capability to use evaluation processes, outputs and insights for planning, decision-making and learning.

## Data governance

We refreshed our Data Governance framework. The updated framework informs our Data Strategy by providing a roadmap to nurture a data culture among staff and strengthen their data capabilities.

The framework is implemented through a series of key enablers, which are made up of policies, people, processes and technologies. These enablers promote the 'data as an asset' vision in our strategy that advances our aim of being an effective data-driven regulator.

## Cybersecurity enhancements

To help secure ourselves against the growing threat of cyberattack, we continued to uplift and improve our cybersecurity defences. We invested in and improved our cybersecurity position and strengthened protections around our digital assets.

The first tranche of our Cybersecurity Improvement Program increased our security controls, vulnerability management tracking, filtering and network security. We prioritised improving our staff's awareness of risks to the organisation with regular communications and alerts for current and emerging issues. We also made cybersecurity awareness training mandatory for all staff.

## Digital Transformation Strategy

In line with our commitment to modernisation and improved service delivery, we progressively implemented our 2022 IT and Digital Transformation Strategy. This multi-phase initiative was designed to significantly upgrade our technological capabilities and operational efficiency, the first phase of which was completed last year. This involved foundational work, such as adopting cloud technologies and management systems.

### Phase 2 implementation

In 2023–24, we commenced the build component of the strategy's second phase, which emphasised transforming our organisational and IT operating model. This phase involves adopting cloud-based Infrastructure-as-a-Service and Software-as-a-Service solutions.

A major component of this phase is the planned procurement and implementation of a modern regulatory management system (RMS), which marks a significant upgrade from our legacy systems. To facilitate this transition, we engaged Accenture as our RMS implementation partner and leveraged its expertise to guide this complex transformation. We established a project team, comprising project managers, solutions architects and a wide range of skilled technical specialists, including subject matter experts from within our organisation.

### Looking ahead – the future of our digital transformation

The initial roll out of this second phase is scheduled for November 2024 when our staff will begin using cloud-based records management applications for document storage, collaboration and management.

**This milestone will provide the first tangible benefits of our cloud migration efforts. We anticipate finalising the complete implementation of the RMS in 2025–26.**

## Public administration values, and employment and conduct principles

Our staff uphold the Victorian public sector values, and the employment and conduct principles of managing and valuing diversity, managing underperformance, reviewing personal grievances, and selecting on merit.

We apply merit and equity principles when appointing staff. Our selection processes ensure that we assess and evaluate applicants fairly and equitably based on the key selection criteria and other accountabilities without discrimination.

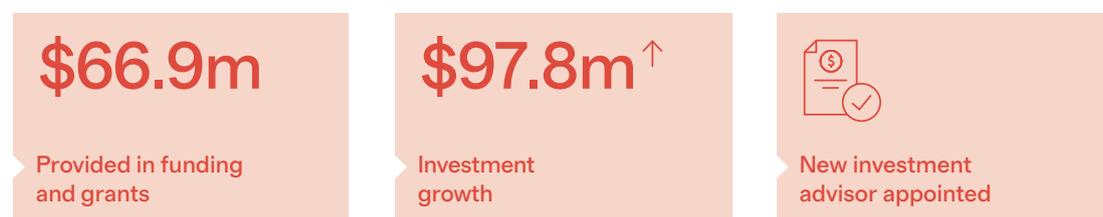
We also correctly classify our employees in workforce data collections.

06

# MANAGING OUR FUNDS

The Public Purpose Fund (PPF) is a vital source of funding for a range of public benefits, including legal regulation in Victoria. It is also a significant source of funding for Victoria Legal Aid, legal research and law reform, as well as a range of access to justice programs for the community.

As the regulator of the legal profession, we are responsible for managing the PPF through sound financial management practices and a strong, transparent governance framework.



## Our financial performance

The composite net result for 2023-24 was a surplus of \$217.9 million, which was \$22.3 million higher than last year's surplus of \$195.6 million. The net surplus combined a \$173.6 million net operating surplus and a \$44.3 million gain on other economic flows, which was predominantly achieved through capital gain on investments. This is attributable to continued high market interest rates, a positive return on our non-cash investments, and capital markets performing positively. Our total expenditure was \$133 million, which was higher than the expenditure of \$75.3 million in 2022-23. Table 2 provides an overview of our five-year financial performance and position.

## Revenue

Our total revenue for the year ending 30 June 2024 was \$306.5 million, which was \$65 million higher than the previous year. The increase is attributable to continued high interest rates and distribution revenue from our investment portfolio during 2023-24, which was \$290.8 million compared with \$226.6 million in the previous year. Other revenue, comprised mainly of practising certificate fees and Fidelity Fund contributions, increased to \$15.7 million, up from \$14.9 million in the previous year.

## Expenditure

Total expenditure for the year ending 30 June 2024 was \$133 million, which was an increase of \$57.7 million compared with \$75.3 million in 2022-23. This increase was mainly due to an increase in funding and grants paid out, combined with our increased expenditure on technology in line with our Corporate Plan, higher payout of Fidelity Fund claims related to outstanding legal claims, and costs associated with planning works on the new office.

TABLE 2: FINANCIAL PERFORMANCE AND POSITION OF THE BOARD AND COMMISSIONER

	2019-20	2020-21	2021-22	2022-23	2023-24
<b>FINANCIAL PERFORMANCE (\$'000)</b>					
Interest and distributions	53,878	68,224	51,333	226,586	290,790
Other revenue	12,942	13,069	14,797	14,984	15,741
Total revenue	66,820	81,292	66,130	241,480	306,531
Total expenditure	(72,804)	(63,788)	(64,310)	(75,339)	(132,911)
Net operating result	(5,984)	17,504	1,820	166,141	173,620
Net gain/(loss) on investments	(32,240)	92,822	(94,322)	29,496	44,315
<b>Net result from continuing operations</b>	<b>(38,224)</b>	<b>110,326</b>	<b>(92,502)</b>	<b>195,637</b>	<b>217,935</b>
<b>FINANCIAL POSITION (\$'000)</b>					
Total assets	2,101,353	3,110,127	4,199,805	3,701,196	3,304,166
Total liabilities	(1,816,927)	(2,715,375)	(3,897,555)	(3,203,309)	(2,588,344)
<b>Net assets</b>	<b>284,426</b>	<b>394,752</b>	<b>302,250</b>	<b>497,887</b>	<b>715,822</b>

## Public Purpose Fund

The PPF is made up of three separate accounts: the General Account, the Statutory Deposit Account (SDA) and the Distribution Account.

The General Account receives interest from law practices' general trust accounts, PPF investment earnings, lawyers' practising certificate fees and other ancillary funds. This account funds our contribution towards the Legal Profession Uniform Framework, the costs of running Victoria's legal profession regulatory regime, VCAT's Legal Practice List and the continuing legal education programs run by the Bar and the LIV.

A key component of the PPF is the SDA, which comprises a series of accounts linked to individual law practice trust accounts. Each quarter, law practices with a trust account transfer part of their trust account balance to the linked SDA. The collective balance of the SDA earns interest from deposits and returns from an investment portfolio in line with our Investment Policy Statement (explained in further detail on page 66 of this report). These earnings are paid into the General Account. All monies in the SDA are available at call to law practices.

The Distribution Account receives 50% of the surplus funds from the General Account at 30 June each year. This account provides funding to Victoria Legal Aid, the Victoria Law Foundation, the Victorian Law Reform Committee and other organisations that provide legal services and activities that benefit the public through our Grants Program.

**TABLE 3: FINANCIAL PERFORMANCE AND POSITION OF THE BOARD AND COMMISSIONER**

	Public Purpose Fund \$'000	Fidelity Fund \$'000	Total investments managed \$'000
<b>2024</b>			
Cash	0	30,020	30,020
Credit	240,852	9,336	250,188
Government bonds	160,860	1,020	161,880
Real assets	135,918	1,946	137,864
Equity – domestic	152,397	7,887	160,284
Equity – international	212,746	14,312	227,058
Uncorrelated strategies	11,751	-	11,751
<b>Total</b>	<b>914,524</b>	<b>64,521</b>	<b>979,045</b>
<b>2023</b>			
Australian equities	91,212	10,398	101,610
Australian small capitalisation equities	30,028	-	30,028
Australian fixed interest	72,414	8,414	80,828
Diversified growth funds	121,268	6,759	128,028
Global fixed interest	185,772	8,859	194,631
Overseas equities hedged	32,118	3,817	35,935
Overseas equities unhedged	128,948	7,842	136,790
Emerging market equities	26,849	-	26,849
Property and infrastructure managed funds	146,546	-	146,546
Cash	-	21,880	21,880
<b>Total</b>	<b>835,156</b>	<b>67,970</b>	<b>903,126</b>

**Our investments**

We may invest any money standing to the credit of the PPF that is not immediately required for the purposes of that Fund, in line with the requirements under the *Trustee Act 1958* (Vic). Consistent with our powers, we have established an offset account against the SDA account that is invested in non-cash investments. This allows us to generate income in a more diversified way. In the same way, we may also invest any money standing to the credit of the Fidelity Fund that is not immediately required for the purposes of that Fund.

On 1 August 2023, we appointed JBWere as our new investment advisor following an extensive tender process. Under this new arrangement, JBWere will manage our entire investment portfolio (both PPF and Fidelity Fund accounts) in line with the agreed Investment Policy Statement.

At 30 June 2024, the total value of the PPF was \$3.2 billion, of which \$914.5 million was invested in non-cash investments. In comparison, last year's total was \$3.6 billion, of which \$835.2 million was invested in non-cash investments. This gain in the capital value of the non-cash investments for the year ending 30 June 2024 is attributable to a positive return on capital markets during the year.

The total value of the Fidelity Fund at 30 June 2024 was \$87.8 million, of which \$34.5 million was invested in non-cash investments. In comparison, last year's total was \$83.6 million, of which \$46.1 million was invested in non-cash investments. Table 3 shows the types of investments we managed.

## Investment objectives

Our investment objectives for the PPF are to:

- restrict the frequency of negative returns, so they do not exceed one in every five years when modelling the PPF long-term asset allocation and risk/return objectives, and
- achieve capital growth of CPI + 3.0% per annum over a rolling five-year period.

Our investment objectives for the Fidelity Fund are to:

- restrict the frequency of negative returns, so they do not exceed one in every 10 years, and restrict capital losses, so they are not expected to exceed 10% for any 12-month period, when modelling the Fidelity Fund long-term asset allocation and risk/return objectives, and
- achieve capital growth of CPI + 2.0% per annum over a rolling five-year period.

We show the strategic asset allocations designed to achieve these objectives in Table 4.

## Our distributions

The 2023-24 financial year produced another notable increase in our operating surplus. This positive result is reflected in the General Account and will transfer into the Distribution Account for 2023-24.

A capital gain on the investment portfolio contributed to a surplus in the General Account of \$403.8 million, compared with \$254.9 million at 30 June 2023. We list the distributions we made from the General Account and the Distribution Account during 2023-24 in Table 5 and Appendix 2 of this report. We make all distributions with the Attorney-General's approval.

The distributions outlined in Table 5 include the funding we provide to the Bar and the LIV to perform regulatory functions on our behalf. These include the Bar's practising certificate licensing and CPD auditing administration activities, and the LIV's CPD auditing activities.

**TABLE 4: ASSET ALLOCATIONS FOR 2023-24**

	Public Purpose Fund		Fidelity Fund	
	Benchmark ranges	Actual 30/06/24	Benchmark ranges	Actual 30/06/24
<b>ASSET ALLOCATION</b>				
Cash	2%	0.00%	65%	46.53%
Credit	27%	26.34%	10%	14.47%
Government bonds	19%	17.59%	0%	1.58%
Real assets	12%	14.86%	2%	3.02%
Equity – domestic	18%	16.66%	8%	12.22%
Equity – international	18%	23.26%	15%	22.18%
Uncorrelated strategies	4%	1.28%	0%	0.00%
<b>Total</b>	<b>100%</b>	<b>100.00%</b>	<b>100%</b>	<b>100.00%</b>

**TABLE 5: PPF DISTRIBUTIONS — ACTUAL 2024, FORECAST 2025**

	Actual 2023-24	Forecast 2024-25
	\$'000	\$'000
<b>PPF GENERAL ACCOUNT BALANCE</b>		
General Account balance at 1 July 2023 and 1 July 2024	254,869	403,821
<b>Allocation of General Account funds</b>		
Funds allocated to the Distribution Account	(127,434)	(201,910)
Investment performance*	77,449	-
Income	274,172	248,868
<b>Funding allocated from the General Account</b>		
Operating expenditure (Board + Commissioner)	(66,254)	(72,477)
Law Institute of Victoria – payments to professional associations for programs	(3,924)	(6,541)
Victorian Bar	(554)	(735)
Victorian Civil and Administrative Tribunal – Legal Practice List	(1,290)	(1,336)
Victorian Legal Admissions Board	(1,810)	(2,103)
Delegated functions: Law Institute of Victoria	(429)	(399)
Delegated functions: Victorian Bar	(339)	(680)
Legal Services Council – Uniform Law Scheme	(635)	(658)
<b>Total General Account payments</b>	<b>(75,235)</b>	<b>(84,929)</b>
General Account balance at 30 June 2024 and 30 June 2025	403,821	365,849
<b>DISTRIBUTION ACCOUNT BALANCE</b>		
	\$'000	\$'000
Distribution Account balance at 1 July 2023 and 1 July 2024	177,106	236,802
Transfer from General Account	127,434	201,910
<b>Grants and funding paid from the Distribution Account</b>		
Major grants and projects	(7,274)	(15,000)
Victoria Legal Aid	(50,800)	(62,841)
Victorian Law Reform Commission	(2,338)	(2,937)
Victoria Law Foundation	(2,942)	(3,598)
Justice Connect	(1,622)	(1,982)
Law Library of Victoria	(812)	(768)
Federation of Community Legal Centres	(150)	(1,893)
Sentencing Advisory Council	(800)	(466)
Victorian Aboriginal Legal Service	(600)	(2,067)
Djirra	(400)	(1,792)
Department of Justice and Community Services (DJCS)	-	(9,760)
Court Services Victoria (CSV)	-	(350)
Cultural Capability Framework Fund	-	(1,500)
<b>Total funding grants</b>	<b>(67,738)</b>	<b>(104,954)</b>
Distribution Account balance at 30 June 2024 and 30 June 2025	236,802	333,758

Table 5 represents both the General Account and Distribution Account cash flows and includes accruals.

\*Investment performance for 2023-24 is not budgeted.

07

# CORPORATE GOVERNANCE

As statutory authorities, we are accountable to the Victorian Parliament. Our clear and robust internal governance processes enable us to comply with the Victorian Government’s rules, regulations and reporting standards. We aim to meet these standards in a transparent and efficient way, while fostering a culture of continuous improvement.



## Board and committee meetings

Our Board consists of a Chairperson, three lawyer members (one barrister and two solicitors), and three non-lawyer members. The Governor in Council appoints all Board members on the Attorney-General’s recommendation. All appointments are made for a four-year term.

Non-lawyer Board members are appointed for their extensive experience in fields relevant to the Board’s responsibilities, such as financial management, investment management, accounting, public sector administration, governance processes and consumer interests.

The Bar and the LIV call for expressions of interest from barristers and solicitors respectively, and make recommendations to the Attorney-General. Our three lawyer members are appointed from that pool.

### Meeting attendance

Our Board met six times in the reporting year.

**TABLE 6: BOARD MEMBERS AND MEETING ATTENDANCE IN 2023-24**

Ms Fiona Bennett (Chairperson)	6
Ms Liz Harris	5
Mr Sam Hay KC	6
Ms Jacinta Lewin	6
Mr Glen Noonan*	4
Dr Lynne Williams AM	5
Ms Catherine Wolthuizen	6

*\*Term commenced 19 September 2023*

### **Board committees**

Our Board operates two committees, each with a Board member appointed as Chair. We describe the responsibilities of these committees on our website.

Our Finance, Risk and Audit Committee met four times during the year. This committee is made up of the following members:

- Dr Lynne Williams AM – Chair
- Ms Liz Harris
- Mr Glen Noonan.

Our Investment and Funding Committee met five times during the year. This committee is made up of the following members:

- Mr Sam Hay KC – Chair
- Ms Catherine Wolthuizen
- Ms Jacinta Lewin
- Ms Sue Dahn AM (external advisor).

### **Consumer Panel**

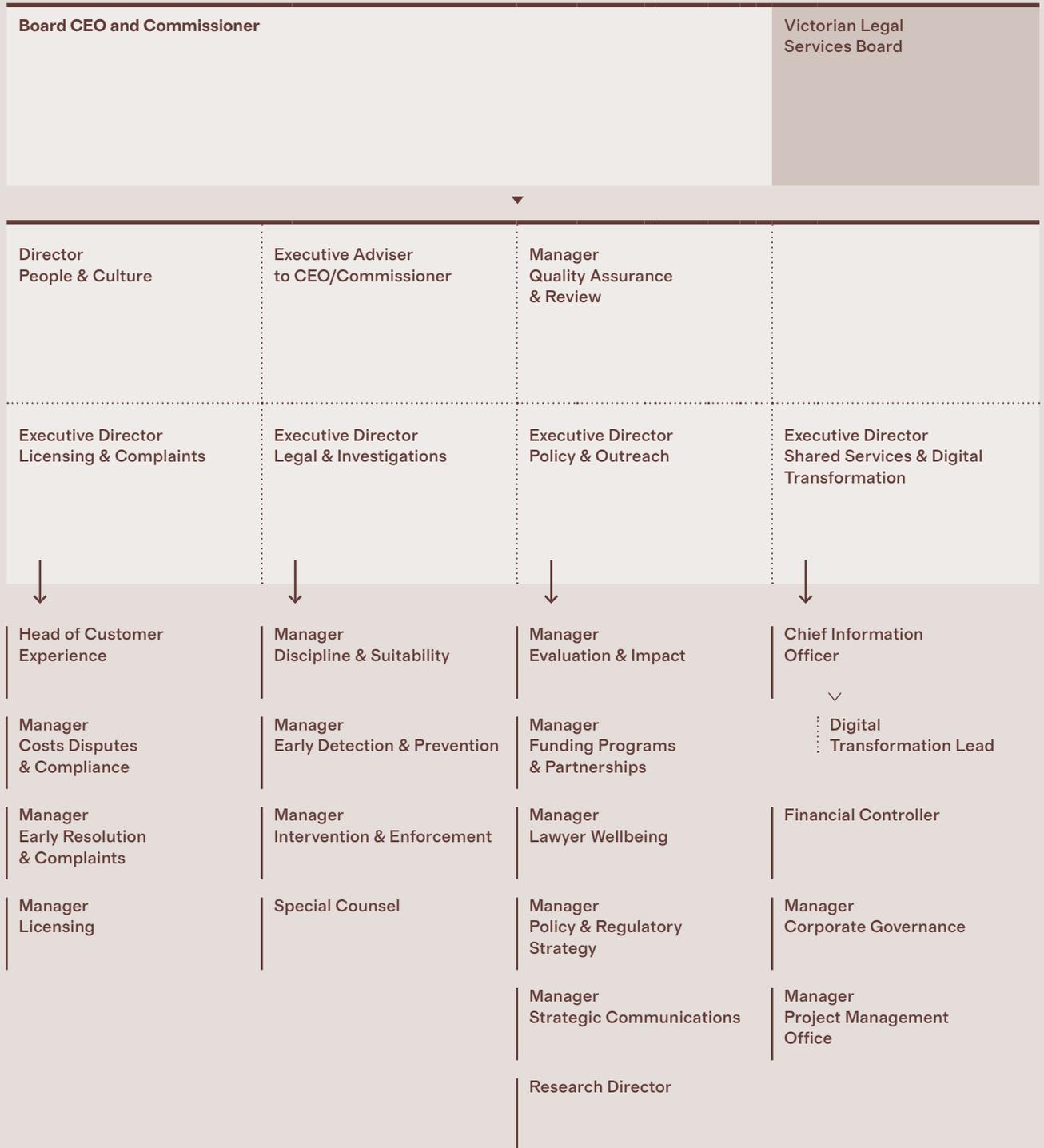
Our Consumer Panel is comprised of people with extensive knowledge about consumer research, advocacy and policy, as well as regulation. One Board member sits on the Consumer Panel, while all other members are independent of the Board and Commissioner.

At 30 June 2024, the Panel members were:

- Mr Gerard Brody – Chair
- Mr Ben Martin Hobbs
- Ms Lee Archer
- Ms Nicole McCutcheon
- Ms Lucy Idle
- Assoc. Prof. Genevieve Grant
- Ms Catherine Wolthuizen (Board member representative).

The Panel met four times during 2023–24. Its functions are detailed on our website.

OUR ORGANISATIONAL STRUCTURE AT 30 JUNE 2024



## Executive data

A member of the Senior Executive Service (SES) is defined as a person employed as an executive under Part 3 of the *Public Administration Act 2004* (Vic), or is a person to whom the Victorian Government's Policy on Executive Remuneration in Public Entities applies. Statutory office holders and accountable officers are not counted as SES officers. Accordingly, our SES officer disclosures do not include our Board Chairperson, Board members or the Board CEO and Commissioner, who were all appointed by the Governor in Council.

Table 7 shows the number of staff classified as SES. This reflects employment levels at the last full pay periods in June 2023 and June 2024 respectively.

**TABLE 7: NUMBER OF SES POSITIONS**

Classification	2022-23		2023-24	
	Male	Female	Male	Female
SES-3	0	0	0	0
SES-2	1	0	2	1
SES-1	4	1	3	1
<b>Total</b>	<b>5</b>	<b>1</b>	<b>5</b>	<b>2</b>

Table 8 discloses the total salaries in \$20,000 bands for our SES staff and Senior Technical Specialist (STS) staff.

**TABLE 8: ANNUALISED TOTAL SALARY FOR SES AND STS STAFF (EXCLUSIVE OF SUPERANNUATION)**

Income band (salary)	SES	STS
< \$160,000		1
\$160,000 – \$179,999		1
\$180,000 – \$199,999	1	1
\$200,000 – \$219,999	1	1
\$220,000 – \$239,999	2	1
\$240,000 – \$259,999	2	
\$340,000 – \$359,999	1	
<b>Total</b>	<b>7</b>	<b>5</b>

Table 9 shows our key management personnel, which does not include all SES staff. Further information on the key management personnel can be found in Note 9.5 in the consolidated financial statements (see Appendix 2).

This disclosure does not include our Board Chairperson, Board members or the Board CEO and Commissioner.

**TABLE 9: RECONCILIATION OF KEY MANAGEMENT PERSONNEL NUMBERS**

Category	2022-23	2023-24
Key management personnel (see Financial Report Note 9.5)	6	6
Less separations	0	0
<b>Total key management personnel numbers at 30 June</b>	<b>6</b>	<b>6</b>

## Workplace Health and Safety Committee and OHS incidents

In the past year, our Workplace Health and Safety Committee held two meetings. The focus in these meetings was on hazard assessments related to the move to our new office and a small number of other minor hazards.

The Committee also maintained oversight of related activities, such as emergency procedures, first aid officers and fire warden training.

**TABLE 10: OCCUPATIONAL HEALTH AND SAFETY INCIDENTS**

OHS indicator	2020-21	2021-22	2022-23	2023-24
Number of reported hazards per 100 FTE	1	0	1	2
Number of 'lost time' claims per 100 FTE	1	0	0	0
Average cost per claim	\$0	\$0	\$0	\$0



## Workforce data and staffing trends

TABLE 11: OUR STAFF AT 30 JUNE 2023

	All employees		Ongoing			Fixed-term & casual	
	Number (h/count)	FTE (rounded)	Full-time (h/count)	Part-time (h/count)	FTE (rounded)	Number (h/count)	FTE (rounded)
<b>Gender</b>							
Male	52	51	40	1	41	11	11
Female	96	91	70	17	82	9	9
Self-described	0	0	0	0	0	0	0
<b>Total</b>	<b>148</b>	<b>142</b>	<b>110</b>	<b>18</b>	<b>123</b>	<b>20</b>	<b>20</b>
<b>Age</b>							
Under 25	5	5	5	0	5	0	0
25–34	37	36	29	1	29	7	7
35–44	50	46	35	12	43	3	3
45–54	33	33	23	2	25	8	8
55–64	17	16	13	3	15	1	1
65+	6	6	5	0	5	1	1
<b>Total</b>	<b>148</b>	<b>142</b>	<b>110</b>	<b>18</b>	<b>123</b>	<b>20</b>	<b>20</b>
<b>Classification</b>							
VPS 1	0	0	0	0	0	0	0
VPS 2	2	2	1	0	1	1	1
VPS 3	23	22	18	2	19	3	3
VPS 4	38	37	30	4	33	4	4
VPS 5	39	38	32	5	36	2	2
VPS 6	37	35	27	7	32	3	3
STS	2	2	2	0	2	0	0
SES	6	6	0	0	0	6	6
Other <sup>#</sup>	1	1	0	0	0	1	1
<b>Total</b>	<b>148</b>	<b>142</b>	<b>110</b>	<b>18</b>	<b>123</b>	<b>20</b>	<b>20</b>

<sup>#</sup>This role is the Commissioner, Fiona McLeay, who is a statutory office holder.

**TABLE 12: OUR STAFF AT 30 JUNE 2024**

	All employees		Ongoing			Fixed-term & casual	
	Number (h/count)	FTE (rounded)	Full-time (h/count)	Part-time (h/count)	FTE (rounded)	Number (h/count)	FTE (rounded)
<b>Gender</b>							
Male	135	128.7	92	23	108.7	20	20.0
Female	68	66.5	50	5	53.7	13	12.8
Self-described	0	0	0	0	0	0	0
<b>Total</b>	<b>203</b>	<b>195.2</b>	<b>142</b>	<b>28</b>	<b>162.4</b>	<b>33</b>	<b>32.8</b>
<b>Age</b>							
Under 25	8	6.9	6	2	6.9	0	0
25–34	62	61.2	47	4	50.2	11	11.0
35–44	65	60.8	41	16	52.8	8	8.0
45–54	42	41.4	27	2	28.6	13	12.8
55–64	20	19.3	16	3	18.3	1	1.0
65+	6	5.6	5	1	5.6	0	0
<b>Total</b>	<b>203</b>	<b>195.2</b>	<b>142</b>	<b>28</b>	<b>162.4</b>	<b>33</b>	<b>32.8</b>
<b>Classification</b>							
VPS 1	0	0	0	0	0	0	0
VPS 2	4	2.9	2	2	2.9	0	0
VPS 3	26	25.7	19	3	21.7	4	4.0
VPS 4	43	41.4	34	5	37.4	4	4.0
VPS 5	62	60.7	48	5	51.7	9	9.0
VPS 6	55	51.7	36	13	45.7	6	6.0
STS	5	4.8	3	0	3.0	2	1.8
SES	7	7.0	0	0	0	7	7.0
Other <sup>#</sup>	1	1.0	0	0	0	1	1.0
<b>Total</b>	<b>203</b>	<b>195.2</b>	<b>142</b>	<b>28</b>	<b>162.4</b>	<b>33</b>	<b>32.8</b>

<sup>#</sup>This role is the Commissioner, Fiona McLeay, who is a statutory office holder.

## Governance and compliance statements

### ***Building Act 1993 (Vic)***

We do not own or control any government buildings. We are exempt from notifying our compliance with the building and maintenance provisions of the *Building Act 1993 (Vic)*.

### **Freedom of information**

We are subject to the *Freedom of Information Act 1982 (Vic)* (the FOI Act). This Act provides every person with a legally enforceable right to access documents in our possession, subject to certain exemptions.

During 2023–24, we received 20 new requests made under the FOI Act for access to documents we held. While 19 requests were finalised, one was yet to be determined at 30 June.

We granted partial access to documents sought in 11 applications. One applicant withdrew their application before we made a decision.

We can deny access to an application when the information requested is exempted under the FOI Act or the application isn't validly made. This year, seven applications were refused because of these reasons, and one was transferred to another agency.

Applicants have the right to appeal our decision to VCAT or make a request to review our decision to the Office of the Victorian Information Commissioner (OVIC). No appeals were made to VCAT this year, while three requests were made to OVIC to review our decisions. Two of these requests were yet to be determined at 30 June. For the third request, we accepted OVIC's view and processed the request.

### *Making a request*

A request for access to documents made under the FOI Act must:

- be in writing
- provide information that is reasonably necessary to enable us to identify the relevant documents, and
- be accompanied by the prescribed application fee.

You can send requests for documents in our possession to:

**Freedom of Information Officer  
Victorian Legal Services Board and  
Commissioner**  
Level 27, 500 Bourke Street  
Melbourne VIC 3000

You may also email your request to us at: [foi@lsbc.vic.gov.au](mailto:foi@lsbc.vic.gov.au)

We may charge access fees for photocopying, as well as search and retrieval charges. You can get a copy of our Freedom of Information Policy on our website or request it from our office.

You can find further information about Freedom of Information at FOI Online at [ovic.vic.gov.au/freedom-of-information/](http://ovic.vic.gov.au/freedom-of-information/)

### **Public interest disclosures**

As a government entity, we are subject to the *Public Interest Disclosures Act 2012 (Vic)*. This important legislation provides protection from detrimental action against people who make disclosures of improper conduct by public officers and public bodies.

We cannot receive disclosures under this legislation. You can make disclosures of improper conduct or detrimental action by our Board members, the Commissioner, our officers or employees to the Independent Broad-based Anti-corruption Commission.

### **Independent Broad-based Anti-corruption Commission**

Level 1, North Tower, 459 Collins Street  
Melbourne VIC 3000  
Tel: 1300 735 135  
Fax: 03 8635 6444  
Website: [www.ibac.vic.gov.au](http://www.ibac.vic.gov.au)

### **Competitive Neutrality Policy**

The government's Competitive Neutrality Policy ensures government-run services don't have a competitive advantage because of their public ownership if they are in competition with similar services offered by the private sector. As an independent regulator, our services don't fall within the scope of the Competitive Neutrality Policy.

### **Local Jobs First Policy**

Under the *Local Jobs First Act 2003 (Vic)*, government departments and public sector bodies are required to apply the government's Local Jobs First Policy to projects valued at \$3 million or more in metropolitan Melbourne or for state-wide activities, and \$1 million or more in regional Victoria. The Major Projects Skills Guarantee Policy applies to all construction projects of \$20 million or more in value.

Minimum local content requirements are set for government projects worth \$50 million or more, or for other projects as agreed.

We apply the Local Jobs First Policy to applicable procurements.

### **Disclosure of major contracts**

We did not engage in any major contracts with a value of greater than \$10 million during 2023–24.

## Consultancies

### Details of consultancies valued at \$10,000 or greater

In 2023–24, we engaged 18 consultants across 20 consultancies where the total fees payable to the consultants were \$10,000 or greater. Our total expenditure incurred on these consultancies during the reporting year was \$4,575,684 (excluding GST). Details of individual consultancies are outlined in Table 13.

### Details of consultancies under \$10,000

In 2023–24, we engaged three consultancies where the total fees payable to the consultants were less than \$10,000 per consultancy. Our total expenditure incurred during the year on these consultancies was \$19,090 (excluding GST).

**TABLE 13: CONSULTANCIES FOR 2023–24**

Consultant	Purpose of consultancy	Total approved fee (excl. GST) \$	Expenditure 2023-24 (excl. GST) \$	Future expenditure (excl. GST) \$
Accenture Australia Pty Ltd	Design and implementation of the RMS	7,100,000	2,130,000	4,970,000
am actuaries	Actuarial services	84,600	84,600	-
Ashurst Risk Advisory	Facilitation of risk management workshops	48,000	24,000	24,000
Bevington Consulting Pty Ltd	RMS commercial review	43,260	40,865	2,395
Bevington Consulting Pty Ltd	RMS business case development	296,000	66,370	229,630
Bevington Consulting Pty Ltd	Business process improvement project	175,920	9,200	166,720
Customer Service Benchmarking Australia Pty Ltd	Customer experience survey pilot	96,190	67,428	28,763
First Person Consulting Pty Ltd	Theory of change project - Lawyer Wellbeing	64,500	12,900	51,600
Human Ethos	Wellbeing guidelines and resources	45,000	27,750	17,250
JBWere	Investment management and advisory	1,268,000	1,268,000	2,963,000
Jones Lang LaSalle Corporate Property (VIC) Pty Ltd	Office space review and accommodation strategy	83,438	88,373	-
Kate Fazio Consulting	Consulting on impact investing service	not fixed	30,625	-
Living Collaborations	Collaboration principles evaluation	86,818	22,000	64,818
Meena Thuraisingham Pty Ltd	Board effectiveness review	15,300	15,300	-
Phoenix Australia	Vicarious trauma environmental scan	82,500	25,000	57,500
Rivers Economic Consulting	Review and evaluation of Legal Profession Uniform Law Application (Practising Certificate Fees) Regulations 2018	72,000	72,000	-
RSM Australia Pty Ltd	Data governance review	90,534	90,534	-
Untangld	Lawyer portal customer experience project	361,600	361,600	-
Untangld	Investigations project - Operation Hermes & Intake Logic	87,870	87,870	-
Worklogic	Consulting on Sexual Harassment in the Victorian Legal Sector	38,385	38,385	-
WT Partnership	Assessment for new accommodation premises	12,885	12,885	-
<b>Total</b>		<b>10,152,799</b>	<b>4,575,684</b>	<b>8,575,675</b>

### Disclosure of reviews and studies

We are a reflective regulator with a focus on continuous improvement. We undertook a large number of reviews and studies during 2023-24 – both internally and externally focussed – to provide us with information necessary to deliver on our corporate objectives (Table 14). Where possible, our staff undertake our reviews and studies.

**TABLE 14: REVIEWS AND STUDIES IN 2024**

Name of review/study	Reason	Scope	Anticipated outcomes	Est. cost for the year (ex. GST)	Final cost if completed (ex. GST)	Publicly available?
Pilot Legal Understanding and Lawyer Use (LULU) – surveys	To provide an empirical evidence base that supports efforts to improve consumer access to justice	Surveys of 5,500 adults across Victoria and Australia	Detailed insight into the public's experience of justiciable issues, and of choosing and using legal services	\$220,259	\$220,259	Yes. Reports will be released towards the end of 2024
Pilot Legal Understanding and Lawyer Use (LULU) – analysis	To undertake analysis of LULU survey data	Analysis of survey data	Detailed insight into the public's experience of justiciable issues, and of choosing and using legal services	\$48,350	\$48,350	Yes. Reports will be released towards the end of 2024
Mid-term review of practising certificate fees	To conduct a mid-term review of the Legal Profession Uniform Law Application (Practising Certificate Fees) Regulations 2018	The regulatory costs for practising certificate fees.	To ascertain the level of subsidisation in current practising certificate fees and whether any adjustments are required, as well as to gather evidence relevant to the making of new practising certificate fees in 2028	\$91,200	\$91,200	Yes. Results will be available in a paper for the profession
Advancing housing justice	To understand how the legal sector can help tackle housing stress and insecurity	Victoria-wide study	Report identifying the most pressing housing problems from a legal perspective and ways to advance housing justice	\$18,400	\$18,400	Yes. Report published on our website in June 2024
RSM Australia Pty Ltd	Data governance review	Internal data governance	Report on data governance practices	\$90,534	\$90,534	No. For internal policy development
Environmental scan – impact investing for access to justice	To conduct a feasibility assessment of impact investing with potential to develop an implementation strategy, if appropriate	Review of impact investing in Australia and overseas	An understanding of the scale and potential benefits of impact investing	\$30,625	\$30,625	No. For internal use and stakeholder information
Office space review and workplace strategy	To determine future office space needs	Assessment of current and future office space needs	Identification of operational needs	\$39,188	\$43,106.80	No. Used in a design and fit-out tender process
Regulatory Management System (RMS) assurance review	To provide a health check on the set-up of the RMS project	Documentation review and stakeholder consultations	Advice on RMS project	\$69,913.67	\$69,913.67	No. For internal use
Workplace culture and lawyer wellbeing	To study ethics, culture and wellbeing in legal workplaces	Victoria, New South Wales and Western Australia	A greater understanding of lawyer wellbeing, workplace culture and ethics across the three Uniform Law jurisdictions	\$9,023	\$9,023	Yes. A report is due for release in November 2024

## Information and communications technology expenditure

**TABLE 15: INFORMATION AND COMMUNICATIONS TECHNOLOGY (ICT) EXPENDITURE FOR 2023–24**

Total operational expenditure	Total capital expenditure (net book value)	Business as usual (BAU)		Projects (non-BAU)	
		OPEX	CAPEX	OPEX	CAPEX
\$000	\$000	\$000	\$000	\$000	\$000
11,826	–	6,391	–	5,435	–

### Government advertising expenditure

We did not undertake any Victorian Government advertising campaigns in the 2023–24 year.

### Procurement

#### *Social Procurement Strategy*

We finalised our Social Procurement Strategy in September 2023. It sets out our intention to use our purchasing power in a strategic way to promote positive social impacts that align with our broader corporate objectives. The strategy prioritises supporting opportunities for Victorian social enterprises, First Nations people and businesses, and women’s equality and safety.

During the year we implemented our strategy to increase the portion of our spending on social benefit suppliers. We have also strengthened our social procurement clauses in our contracts with third parties, which enables us to broaden our purchasing power to create positive social impacts.

### *Emergency procurement*

We did not need to make any emergency procurements within the scope of the Victorian Government Purchasing Board procurement framework during 2023–24.

### *Procurement complaints*

We did not receive any complaints about our procurement processes or activities during 2023–24.

**Asset Management Accountability Framework maturity assessment**

The following sections summarise our assessment of maturity against the Asset Management Accountability Framework (AMAF) requirements. The AMAF is a non-prescriptive, devolved accountability model of asset management that involves compliance with 41 mandatory requirements. The list of these requirements is on the Department of Treasury and Finance website.

Our target maturity rating is ‘competence’, which means we have our systems and processes fully in place, we consistently apply them, and we systematically meet the AMAF requirements, including a continuous improvement process to expand system performance above the AMAF minimum.

**Leadership and accountability (requirements 1–19)**

We met or exceeded our target maturity level in this category. Three measures were not applicable for our organisation, so we did not assess them.

**Planning (requirements 20–23)**

We met our target maturity level against all measures in this category.

**Acquisition (requirements 24 and 25)**

We met our target maturity level in this category.

**Operation (requirements 26–40)**

We met our target maturity level against all measures in this category. One measure was not applicable for our organisation, so we did not assess it.

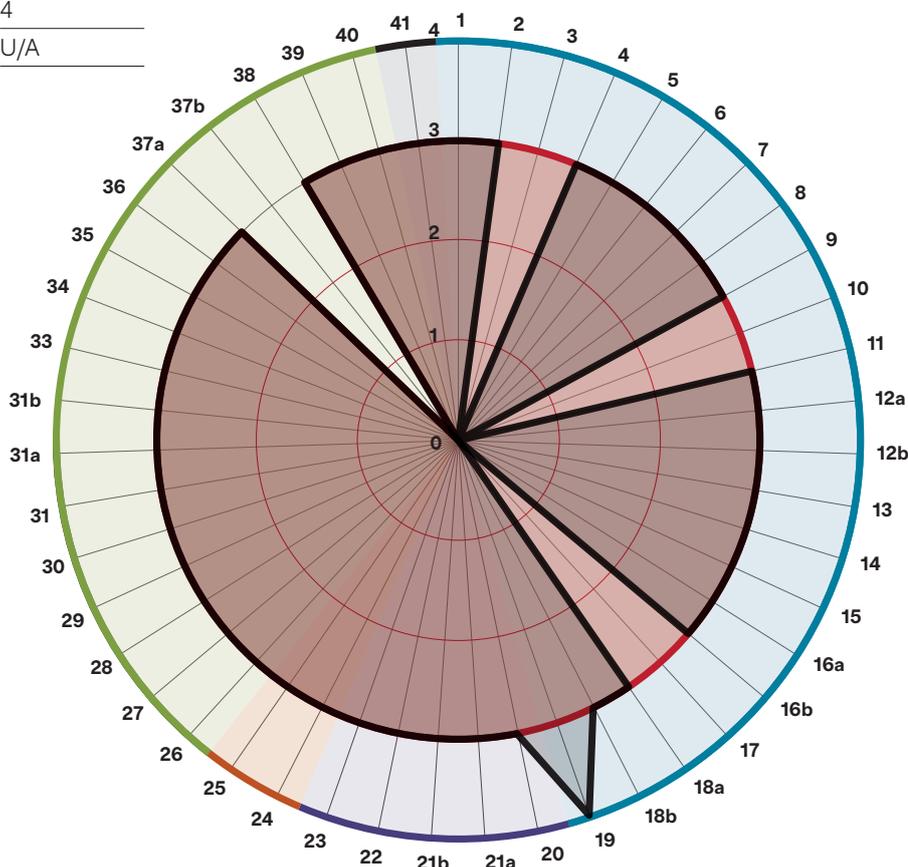
**Disposal (requirement 41)**

We met our target maturity level in this category.

**FIGURE 4: AMAF MATURITY ASSESSMENT**

Status	Scale
Not applicable	N/A
Innocence	0
Awareness	1
Developing	2
Competence	3
Optimising	4
Unassessed	U/A

● TARGET  
 OVERALL



## Office-based environmental impacts

### Total electricity consumption

This year, our office's total electricity use was 130.15 megawatt hours (MWh), an increase of 4% energy use above the previous year. This increase is explained by the growth in our staff levels, from 148 FTE in 2022-23 to 203 in 2023-24. Despite the increase in overall electricity use, the amount of energy used per FTE decreased by 18% this year, to 0.7 MWh per FTE.

We purchase 100% of our office electricity supply from renewable energy sources, resulting in no greenhouse gas emissions from our energy use. This allowed us to avoid emitting 119.1 tonnes of greenhouse gas based on our electricity use for the year.

### Vehicle use

We do not operate a fleet of vehicles. If a car is required for staff transport, we use taxis for short trips and have access to the State Government Shared Services vehicle pool for longer journeys outside the metropolitan area.

### NABERS energy ratings

The National Australian Built Environment Rating System (NABERS) energy rating is a measurement that allows building owners and managers to determine the environmental performance of a building. We lease our office space from a commercial landlord. In May 2024, the building was assessed as achieving a 3.5-star NABERS Water rating and a 3-star base building NABERS Energy rating, with 9% of energy used by the base building coming from renewable sources.

### Additional information available on request

We hold other information that is available on request to the Attorney-General, Members of Parliament and the public (subject to Freedom of Information requirements, if applicable).

You can request:

- a statement confirming that all relevant officers have completed declarations of pecuniary interests
- details of shares held by a senior officer as nominee, or held beneficially in a statutory authority or subsidiary
- details of our corporate publications, and how these can be obtained
- details of changes in prices, fees, charges, rates or levies charged
- details of any major external reviews carried out on our operations
- details of major research and development activities we have undertaken
- details of any staff or Board members' overseas visits, including a summary of the objectives and outcomes of each visit
- details of any major promotional, public relations and marketing activities we have undertaken to develop community awareness of our services
- details of assessments and measures we have undertaken to improve the occupational health and safety of our staff
- a general statement on industrial relations within our organisation, and details of any time lost through industrial accidents and disputes
- a list of major committees we have sponsored, the purposes of each committee and the extent to which the purposes have been achieved, and
- details of all consultancies and contractors.

To request any of this information, contact:

**Victorian Legal Services Board and  
Commissioner**

**Tel: 03 9679 8001**

**Website: [www.lsb.vic.gov.au/contact-us](http://www.lsb.vic.gov.au/contact-us)**

### Victorian Legal Services Board Financial Management Compliance Attestation Statement

I, Fiona Bennett, on behalf of the Responsible Body, certify that the Victorian Legal Services Board has no Material Compliance Deficiency with respect to the applicable Standing Directions under the *Financial Management Act 1994* and Instructions.



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Fiona Bennett  
Chairperson, Victorian Legal Services Board  
3 September 2024

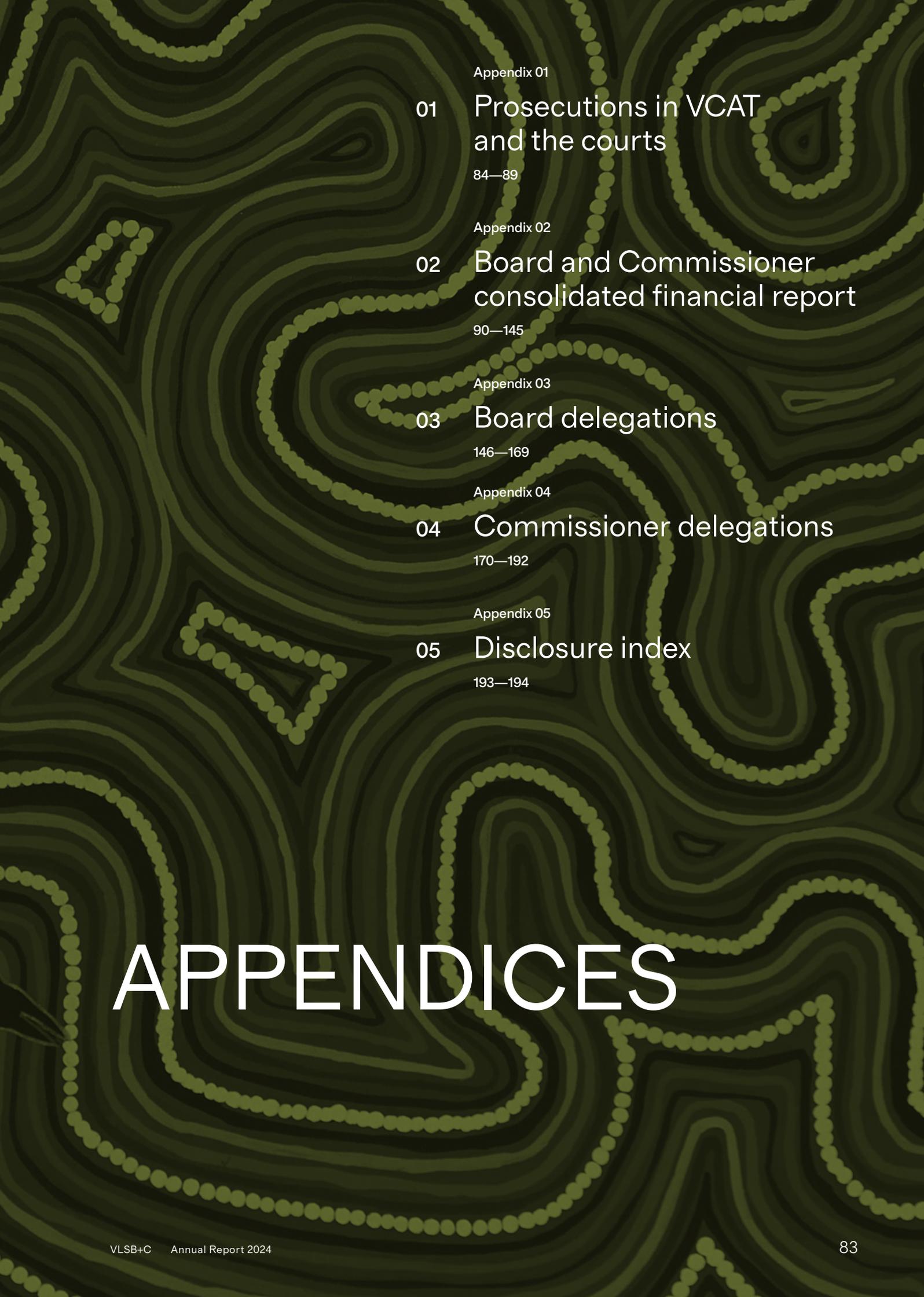
### Victorian Legal Services Commissioner Financial Management Compliance Attestation Statement

I, Fiona McLeay, certify that the Victorian Legal Services Commissioner has no Material Compliance Deficiency with respect to the applicable Standing Directions under the *Financial Management Act 1994* and Instructions.



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Fiona McLeay  
Victorian Legal Services Commissioner  
3 September 2024

- 
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# APPENDICES

## Appendix 01—Prosecutions in VCAT and the courts

**TABLE 16: DISCIPLINARY APPLICATIONS MADE BY THE COMMISSIONER WHICH WERE HEARD AND DETERMINED AT VCAT IN 2023-24 (BY DATE OF APPLICATION)**

No.	Matter identification	Summary of VCAT findings	Date and summary of Orders made
1	<p><b>Name:</b> Melissa WADUGE aka SEREMELIS</p> <p><b>VCAT reference:</b> J90/2021</p> <p><b>Application date:</b> 21/12/2021</p> <p><b>Hearing date (on penalty):</b> 24/01/2023 &amp; 17/02/2023</p>	<p>Misconduct at common law: Dishonestly caused and/or allowed the creation and execution of a false document; Dishonestly produced a false document to the Supreme Court.</p> <p>Unsatisfactory professional conduct: Relied on a personal power of attorney to sign and execute an agreement on behalf of a company; Failed to record file notes of oral instructions purportedly received from clients.</p>	<p>04/08/2023 – Reprimanded; prohibited from applying for a practising certificate (PC) until 01/07/2027; any PC obtained thereafter subject to condition that Respondent practice as employee only and be subject to supervision for 2 years; 6 continuing professional development (CPD) units in ethics and professional responsibility, 2 CPD units in substantive law relating to powers of attorney (POAs) and 1 CPD unit in substantive law on execution of company documents; pay costs fixed at \$26,000.</p>
2	<p><b>Name:</b> Hubert FONG</p> <p><b>VCAT Reference:</b> J23/2022</p> <p><b>Application Date:</b> 17/3/2022</p> <p><b>Hearing date (on penalty):</b> 21/5/2024</p>	<p>Unsatisfactory professional conduct: Lodged caveats without a proper basis (x3).</p>	<p>21/5/2024: Reprimanded; fine of \$3,000; pay costs fixed at \$5,000.</p>
3	<p><b>Name:</b> Withheld</p> <p><b>VCAT reference:</b> Withheld</p> <p><b>Application date:</b> 25/05/2022</p> <p><b>Hearing date:</b> N/A</p>	<p>Application withdrawn.</p>	<p>04/10/2023 – Application withdrawn and no costs order.</p>
4	<p><b>Name:</b> Salih TUNCER</p> <p><b>VCAT reference:</b> J47/2022</p> <p><b>Application date:</b> 29/06/2023</p> <p><b>Hearing date (on penalty):</b> 13/09/2023</p>	<p>Professional misconduct: Failed to comply with undertaking to pay invoice; Failed to give an open and frank account to VLSC.</p>	<p>18/09/2023 – Reprimanded; fined \$1,000; 3 units of CPD in the area of ethics and professional responsibility as it pertains to family law practice; pay costs fixed at \$5,500.</p>
5	<p><b>Name:</b> Kristy Anne BURROWS</p> <p><b>VCAT reference:</b> J62/2023</p> <p><b>Application date:</b> 29/06/2023</p> <p><b>Hearing date (on penalty):</b> 08/05/2024</p>	<p>Professional misconduct: Dishonestly created or directed a lawyer under her supervision to create a false document and directed a lawyer under her supervision to send false and misleading information accompanied by a false document to the State Revenue Office (SRO) with the intention of misleading the SRO; Recklessly provided false and misleading information to VLSC.</p> <p>Unsatisfactory professional conduct: Failed to provide client with advice, or any adequate advice; Acted for both sides in a property sale and loan agreement but failed to advise each of them as to the potential for a conflict of the duties to act in the best interests of each of them and obtain informed consent to act for each of them.</p>	<p>23/05/2024 – Reprimanded; PC cancelled; PC not to be granted before the end of 2 years from the date of PC cancellation; 2 units of CPD in the field of ethics and professional responsibility and 1 unit of CPD in the field of substantive law; pay costs fixed at \$20,000.</p>

**TABLE 17: DISCIPLINARY APPLICATIONS TO VCAT MADE BY THE COMMISSIONER, WHERE APPLICATION IS AWAITING HEARING AND/OR DETERMINATION (AS AT 30 JUNE 2024)**

No.	Date application made	Type of charges	Status at 30 June 2024
1	29/06/2017	Professional misconduct: Conferred with a witness under cross-examination; Deliberately or recklessly provided false or misleading information to VLSC.	Findings of substantive hearing quashed by the Supreme Court on 02/03/2023. Applicant granted leave to withdraw application. Matter listed for hearing on costs.
2	25/03/2022	<p>Professional misconduct: Drafted a will and codicil and witnessed the client sign them in circumstances where the client may have lacked testamentary capacity; Engaged in conduct that was likely to bring the profession into disrepute; Dishonestly and knowingly made false statements; Incurred expenses on behalf of the estate and sought reimbursement without authorisation; Threatened to not distribute money from the estate; Discourteous correspondence with VLSC; Failed to be open and frank with VLSC; Failed to comply with VLSC requests for information; Made written statements which demonstrate a disrespect, lack of regard for and contempt towards the legal profession (alternatively misconduct at common law).</p> <p>Professional misconduct: Dishonestly and knowingly made false statements; Conflict of interest; Received money into trust account without instructions or authority.</p> <p>Unsatisfactory professional conduct: Failed to comply with a written undertaking; Drafted and had the client sign a will without certainty as to the will's legal effect and validity; Commenced a guardianship application without client instructions; Failed to inform client in writing about entitlements for executor's commission and charged legal costs for administration of estate before the signing of the will; Failed to advise client to seek independent legal advice before signing the will and codicil; Failed to give the client an accurate report of what had transpired at a hearing; Appeared on behalf of a client at a hearing without the client's instructions to do so; Discourtesy; Sent correspondence likely to bring the profession into disrepute.</p>	Contested liability hearing on 23 and 24/01/2024, decision awaited.
3	06/04/2022	<p>Professional misconduct: Failed to appear at a final family law hearing and/or failed to arrange alternative representation; Provided misleading information to the Court and VLSC (alternatively misconduct at common law).</p> <p>Professional misconduct: Withdrew trust money without waiting 7 days after sending a bill.</p> <p>Unsatisfactory professional conduct: Failed to keep appropriate records.</p>	Contested liability hearing complete. Awaiting decision.
4	14/04/2022	<p>Professional misconduct: Receipt of trust monies without authorisation (x2); Failed to respond to VLSC; Failed to perform work and failed to return funds; Acted as material witness in proceeding in breach of rules.</p> <p>Misconduct at common law: Supplied false invoice and attempted to mislead VLSC; Swore false statutory declaration.</p> <p>Unsatisfactory professional conduct: Breached mortgage financing rule.</p>	Part heard - Listed for resumption of hearing on liability.

## Appendix 01—Prosecutions in VCAT and the courts

No.	Date application made	Type of charges	Status at 30 June 2024
5	26/05/2022	Professional misconduct: Substance use affecting practise; Sexual harassment and/or workplace bullying; Failed to adequately supervise employees (alternatively misconduct at common law).	Contested liability hearing complete. Awaiting decision.
6	27/05/2022	Misconduct at common law: Issued a bill when a win had not been achieved under the conditional cost agreement (alternatively professional misconduct).  Professional misconduct: Applied trust funds without authority; Gross overcharging; Made false representations to VLSC.  Unsatisfactory professional conduct: Failed to provide written costs update.	Procedural orders made to ready the matter for hearing.
7	05/10/2022	Professional misconduct: Published an advertisement for sexual services which contained a former employees contact details; Dishonesty with VLSC (x3); Intentionally making a false statutory declaration and engaging in a dishonest course of conduct.	Contested liability hearing complete. Awaiting decision.
8	4/05/2023	Professional misconduct: Appropriated money to which she was not entitled.  Professional misconduct: Compromised integrity and professional independence by involving client in a dispute that did not involve them; Appropriated money to which she was not entitled.  Professional misconduct: Failed to act in client's best interest by exposing them to ongoing financial liability and/or legal and financial consequences of failure to pay.	Listed for hearing on liability.
9	15/05/2023	Professional misconduct: Sexual harassment of client (x2 with alternatives); Intimidated/ bullied/ harassed client (with alternatives).  Unsatisfactory professional conduct: Issued non-compliant bill (with alternative).	Listed for contested liability hearing.
10	29/05/2023	Professional misconduct: Threatened witness (with alternatives); Disreputable conduct.	Listed for liability hearing.
11	19/06/2023	Professional misconduct: Failed to perform work in accordance with client's instructions; Deliberately made misrepresentations to client as to status of appeal.	Listed for liability hearing.
12	20/06/2023	Professional misconduct: Failed to properly advise or represent clients; Made false or misleading statements to clients; Made false or misleading statements to other party; Failed to respond to VLSC.	Application and witness statements filed. Awaiting directions hearing.
13	27/06/2023	Professional misconduct: Sent emails to court which were inappropriate, discourteous, gratuitous, or offensive; Failed to comply in a timely manner with court orders; Failed to avoid any compromise to integrity and professional independence by sending emails to the court concerning scandalous and/or seriously inappropriate comments; Failed to honour an undertaking made to the court in the course of legal practice; Sent inappropriate emails to VLSC.  Unsatisfactory professional conduct: Used tactics that went beyond legitimate advocacy and which were primarily designed to embarrass or frustrate another person.	Liability hearing 23/01/2024, charges not contested. Four charges of professional misconduct proven. Matter heard and determined together with other application under section 82(1)(b) of the <i>Victorian Civil and Administrative Tribunal Act 1998</i> . Awaiting written decision on joined matter and listing of subsequent penalty hearing.

No.	Date application made	Type of charges	Status at 30 June 2024
14	27/06/2023	<p>Professional misconduct: Failed to disclose association with, or interest in, a company to clients and the Court.</p> <p>Professional misconduct: Failed to disclose association with, or interest in, a company and/or obtain the informed consent of clients before referring them to the company.</p> <p>Professional misconduct: Failed to disclose association with, or interest in, a company to VOCAT.</p>	Listed for plea hearing.
15	29/06/2023	<p>Professional misconduct: Failed to act in the client's interests, or to demonstrate reasonable competence or professional judgement; Continued to act for client despite a potential or actual conflict; Substantially and consistently failed to maintain client file to a reasonable competent and diligent standard; Engaged in misleading or dishonest conduct; Failed to comply with VLSC's requests for information.</p> <p>Unsatisfactory professional conduct: Sought payment of trust money despite the law practice having ceased to operate and closed its trust account.</p>	Matter listed for hearing on liability.
16	30/06/2023	<p>Professional misconduct: Withdrew funds from trust without authorisation; Withdrew funds from trust within 7 days; Withdrew funds prior to issuing invoice; Engaged in workplace bullying; Engaged in sexual harassment and workplace bullying; Engaged in sexual harassment; Failed to respond to statutory request; Failure of competence and diligence; Withdrew funds from trust contrary to purpose in which they could be used; Made payments from trust where recorded reason was false.</p> <p>Unsatisfactory professional conduct: Made payment from trust account to pay for rent; Failed to record trust payments in cash book.</p>	Listed for directions hearing
17	10/05/2024	<p>Professional misconduct: Failed to notify VLSB of being charged with a serious offence; Failed to provide specified information and documents pursuant to a request made by VLSC; Made false and misleading statements to VLSC.</p>	Listed for directions hearing
18	24/06/2024	<p>Professional misconduct: Made offer to settle family law matter contingent on withdrawal of allegations to police.</p>	Listed for directions hearing.
19	25/06/2024	<p>Professional misconduct: Forged the signature of another practitioner on a document, thereby creating a false document (x2).</p> <p>Professional misconduct: Allowed another practitioner to file a document with a government body, knowing the document to be false.</p> <p>Professional misconduct: Failed to notify government body that the document filed was a false document.</p>	Awaiting directions hearing.
20	27/06/2024	<p>Professional misconduct: Took commission without entitlement; Took an unfair and unreasonable amount of commission; Caused a deficiency in the trust account; Charged unfair and unreasonable professional fees; Party and privy to creation and execution of 'My Final Wishes' and 'Agreement' documents; Acted in a conflict of interest.</p>	Awaiting directions hearing.

## Appendix 01—Prosecutions in VCAT and the courts

No.	Date application made	Type of charges	Status at 30 June 2024
21	27/06/2024	Professional misconduct: Failed to conduct a proper review of a file and to properly supervise an employee solicitor; Caused/ allowed the legal practice to fail to follow client instructions, engage in settlement correspondence following instructions to discontinue proceedings, fail to provide the client with proper advice, consent to judgment against the client without client instructions; Caused or allowed an employee solicitor or the law practice to send misleading correspondence to the Court; Caused or allowed an employee solicitor or the law practice to take instructions from a non-client; Caused or allowed the law practice to try to convince one client to act in the interests of another in breach of the conduct rules (or in a failure to reach a reasonable standard of competence and diligence); Acted in a conflict of interest.	Awaiting directions hearing
22	28/06/2024	Professional misconduct: Facilitated the appointment of a 'dummy director' (x2); Failed to act in client's best interests by facilitating appointment of client as a director of a likely insolvent company without proper advice (x2); Prepared or arranged the preparation of false and misleading documents; Knowingly presented a false document as a genuine record; Failed to make or retain contemporaneous records.  Unsatisfactory professional conduct: Failed to make or retain contemporaneous records (x2 with alternatives).	Awaiting directions hearing.
23	28/06/2024	Professional misconduct: Made and filed incorrectly made affidavit with an Associate Judge of the Court (x2 with alternatives).	Awaiting directions hearing.
24	28/06/2024	Professional misconduct: Created a demeaning, humiliating and/ or offensive and discriminatory notice which was placed in public.  Professional misconduct: Created a demeaning, humiliating and/ or offensive and discriminatory notice and being reckless as to whether this conduct enabled the public display of the notice.	Awaiting directions hearing.
25	28/06/2024	Professional misconduct: placing a demeaning, humiliating and/ or offensive and discriminatory notice in Chambers lifts.	Awaiting directions hearing.

**TABLE 18: APPEALS / REVIEWS TO VCAT AGAINST THE COMMISSIONER'S INTERNAL DETERMINATIONS IN 2023-24**

No.	Date of Instrument of Determination	Date of appeal / review application	Status at 30 June 2024
1	31/03/2023	10/04/2023	Matter listed for hearing in March 2025

**TABLE 19: APPEALS HEARD AND DETERMINED IN THE SUPREME COURT (INCLUDING COURT OF APPEAL) IN 2023-24**

No.	Name of lawyer	Appealed grounds	Summary of Orders made
1	Joel BELING (Plaintiff/ Applicant)  Supreme Court, Court of Appeal	S EAPCI 2023 0047 – Various grounds  S EAPCI 2023 0050 – Various grounds	In relation to each of appeals in SEAPCI 2023 0047 and S EAPCI 2023 0050:  27/03/2024 – Application for leave to appeal dismissed and Applicant ordered to pay VLSC's costs on an indemnity basis.
2	Alan Walter SANDBACH (Plaintiff/Applicant)  Supreme Court, Court of Appeal	S EAPCI 2023 0039 – Various grounds	27/06/2024 - Leave to appeal granted on proposed grounds 2, 3 and 6, but appeal dismissed. Leave to appeal refused on proposed grounds 4, 5 and 7 to 13.  Appeal dismissed. Plaintiff to pay VLSC's costs of the application for leave to appeal and the appeal on the standard basis.

**TABLE 20: STRIKE-OFF DECISIONS MADE BY THE SUPREME COURT OF VICTORIA DURING 2023-24**

No.	Name	Date originating motion filed	Status at 30 June 2024
1	Alex ELLIOTT	N/A	Order made on 31 July 2023 that the name and other particulars of Mr Elliott be removed from the Supreme Court roll of Australian lawyers.
2	Peter MERICKA	29/08/2023	Order made on 12 January 2024 that the name and other particulars of Mr Mericka be removed from the Supreme Court roll of Australian lawyers.
3	Yasemin OZER	N/A	Order made on 19 March 2024 that the name and other particulars of Ms Ozer be removed from the Supreme Court roll of Australian lawyers.

## Appendix 02—Board and Commissioner consolidated financial report

Victorian Legal Services Board and Victorian Legal Services Commissioner Financial Statements for the year ended 30 June 2024.

### How this report is structured

The Victorian Legal Services Board and Victorian Legal Services Commissioner has presented its audited general purpose financial statements for the financial year ended 30 June 2024 in the following structure to provide users with information about the stewardship of resources entrusted to it.

#### Declarations

- 91 Declaration of financial statements
- 92 Independent Auditor's Report

#### Financial statements

- 94 Comprehensive operating statement
- 95 Balance sheet
- 96 Statement of changes in equity
- 97 Cash flow statement
- 98 Notes to the financial statements

# Victorian Legal Services BOARD + COMMISSIONER

## FINANCIAL STATEMENTS DECLARATION

The attached consolidated financial statements for the Victorian Legal Services Board and Victorian Legal Services Commissioner have been prepared in accordance with Standing Direction 5.2 of the Standing Directions of the Assistant Treasurer under the *Financial Management Act 1994 (FMA)*, applicable Financial Reporting Directions, Australian Accounting Standards including interpretations, and other mandatory professional reporting requirements.

We further state that, in our opinion, the information set out in the comprehensive operating statement, balance sheet, statement of changes in equity, cash flow statement and accompanying notes, presents fairly the financial transactions during the year ended 30 June 2024 and financial position of the Victorian Legal Services Board and Victorian Legal Services Commissioner at 30 June 2024.

At the time of signing, we are not aware of any circumstance which would render any particulars included in the financial statements to be misleading or inaccurate.

We authorise the attached financial statements for issue on 26 September 2024.



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F Bennett  
Chairperson,  
Victorian Legal Services Board  
Melbourne  
26 September 2024



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F McLeay  
CEO,  
Victorian Legal Services Board and Victorian Legal Services Commissioner  
Melbourne  
26 September 2024



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N Diss  
Chief Finance Officer,  
Victorian Legal Services Board and Victorian Legal Services Commissioner  
Melbourne  
26 September 2024

## Independent Auditor’s Report

*To the Board members of the Victorian Legal Services Board and the Victorian Legal Services Commissioner*

**Opinion** I have audited the financial report of the Victorian Legal Services Board (the Board) and the Victorian Legal Services Commissioner (the Commissioner), which comprises the:

- balance sheet as at 30 June 2024
- comprehensive operating statement for the year then ended
- statement of changes in equity for the year then ended
- cash flow statement for the year then ended
- notes to the financial statements, including material accounting policy information
- financial statements declaration.

In my opinion the financial report presents fairly, in all material respects, the financial position of the Board and the Commissioner as at 30 June 2024 and their financial performance and cash flows for the year then ended in accordance with the financial reporting requirements of Part 7 of the *Financial Management Act 1994* and applicable Australian Accounting Standards.

**Basis for opinion** I have conducted my audit in accordance with the *Audit Act 1994* which incorporates the Australian Auditing Standards. I further describe my responsibilities under that Act and those standards in the *Auditor’s Responsibilities for the Audit of the Financial Report* section of my report.

My independence is established by the *Constitution Act 1975*. My staff and I are independent of the Board and the Commissioner in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board’s APES 110 *Code of Ethics for Professional Accountants (including Independence Standards)* (the Code) that are relevant to my audit of the financial report in Victoria. My staff and I have also fulfilled our other ethical responsibilities in accordance with the Code.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

**The Board’s responsibilities for the financial report** The Board is responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards and the *Financial Management Act 1994*, and for such internal control as the Board determine is necessary to enable the preparation and fair presentation of a financial report that is free from material misstatement, whether due to fraud or error.

In preparing the financial report, the Board is responsible for assessing the Board’s and Commissioner’s ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless it is inappropriate to do so.

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**Auditor's responsibilities for the audit of the financial report**

As required by the *Audit Act 1994*, my responsibility is to express an opinion on the financial report based on the audit. My objectives for the audit are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

As part of an audit in accordance with the Australian Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Board's and Commissioner's internal control.
- evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Board.
- conclude on the appropriateness of the Board's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Board's and the Commissioner's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause the Board and the Commissioner to cease to continue as a going concern.
- evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.

I communicate with the Board regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

---

MELBOURNE  
30 September 2024



Timothy Maxfield  
*as delegate for the Auditor-General of Victoria*

## Comprehensive operating statement

For the financial year ended 30 June 2024

	Notes	2024 \$'000	2023 \$'000
<b>CONTINUING OPERATIONS</b>			
<b>REVENUE AND INCOME FROM TRANSACTIONS</b>			
Interest and distributions	3.1	290,790	226,586
Practising certificate fees and Fidelity Fund contributions	3.2	15,444	14,614
Other income	3.3	297	280
<b>Revenue and income from transactions</b>		<b>306,531</b>	<b>241,480</b>
<b>EXPENSES FROM TRANSACTIONS</b>			
Employee expenses incl Board/Committee member fees	4.1	(29,851)	(20,788)
Funding and grants	4.2	(76,719)	(40,749)
Legal expenses	4.3	(6,389)	(4,283)
Fidelity Fund claims		(5,146)	(1,616)
Depreciation	5.1.2	(2,259)	(2,008)
Other operating expenses	4.4	(12,547)	(5,895)
<b>Total expenses from transactions</b>		<b>(132,911)</b>	<b>(75,339)</b>
<b>Net result from transactions</b>		<b>173,620</b>	<b>166,141</b>
<b>OTHER ECONOMIC FLOWS INCLUDED IN NET RESULT</b>			
Net gain/(loss) on financial instruments	9.1	44,359	30,679
Net gain/(loss) on non-financial assets		18	(30)
Other gain/(loss) from other economic flows	9.1	(62)	(1,153)
<b>Total other economic flows included in net result</b>		<b>44,315</b>	<b>29,496</b>
<b>Net result</b>		<b>217,935</b>	<b>195,637</b>
Other economic flows - other comprehensive income	9.1	-	-
<b>Comprehensive result</b>		<b>217,935</b>	<b>195,637</b>

The accompanying notes form part of these financial statements.

Net gain/(loss) on financial instruments includes unrealised and realised gains/(losses) from revaluations, gains/(losses) from disposals of financial instruments, except when these are taken through other comprehensive income reserve.

## Balance sheet

As at 30 June 2024

	Notes	2024 \$'000	2023 \$'000
<b>ASSETS</b>			
<b>FINANCIAL ASSETS</b>			
Cash and cash equivalents	7.1.1	2,153,947	2,716,167
Receivables	6.1	39,490	34,893
Investments and other financial assets	5.2	1,094,045	946,244
<b>Total financial assets</b>		<b>3,287,482</b>	<b>3,697,304</b>
<b>NON-FINANCIAL ASSETS</b>			
Property, plant and equipment	5.1	14,726	1,803
Intangible assets		541	1,089
Other non-financial assets		1,417	983
Non-financial assets classified as held for sale		-	17
<b>Total non-financial assets</b>		<b>16,684</b>	<b>3,892</b>
<b>Total assets</b>		<b>3,304,166</b>	<b>3,701,196</b>
<b>LIABILITIES</b>			
Payables	6.2	6,238	1,364
Lease liabilities	7.3	9,538	1,430
Provisions	6.4	16,500	16,350
Employee related provisions	4.1.2	4,701	3,660
Income received in advance	6.3	16,296	15,121
Statutory deposit account	7.2	2,535,071	3,165,384
<b>Total liabilities</b>		<b>2,588,344</b>	<b>3,203,309</b>
<b>Net assets</b>		<b>715,822</b>	<b>497,887</b>
<b>EQUITY</b>			
Contributed capital		29	29
Accumulated surplus/(deficit)		715,793	497,858
<b>Net worth</b>		<b>715,822</b>	<b>497,887</b>

The accompanying notes form part of these financial statements.

## Statement of changes in equity

For the financial year ended 30 June 2024

	Contributed capital \$'000	Accumulated surplus/ (deficit) \$'000	Total \$'000
Balance at 30 June 2022	29	302,221	302,250
Net result for the year	-	195,637	195,637
Other comprehensive income for the year	-	-	-
<b>Balance at 30 June 2023</b>	<b>29</b>	<b>497,858</b>	<b>497,887</b>
Net result for the year	-	217,935	217,935
Other comprehensive income for the year	-	-	-
<b>Balance at 30 June 2024</b>	<b>29</b>	<b>715,793</b>	<b>715,822</b>

*The accompanying notes form part of these financial statements.*

## Cash flow statement

For the financial year ended 30 June 2024

	Notes	2024 \$'000	2023 \$'000
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>			
<b>RECEIPTS</b>			
Interest and distributions received		286,444	209,035
Practising certificate fees and Fidelity Fund contributions		16,519	15,583
Other receipts		357	5,295
<b>Total receipts</b>		<b>303,320</b>	<b>229,913</b>
<b>PAYMENTS</b>			
Payments to suppliers and employees		(43,565)	(32,426)
Goods and Services Tax paid to the ATO <sup>(i)</sup>		(317)	42
Payments of Fidelity Fund claims, costs and other expenses		(5,174)	(1,612)
Payments of grants		(75,951)	(40,697)
<b>Total payments</b>		<b>(125,007)</b>	<b>(74,693)</b>
<b>Net cash flows provided by/(used in) operating activities</b>	7.1.2	<b>178,313</b>	<b>155,220</b>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>			
Purchases of non-financial assets		(5,703)	(158)
Payments for intangible assets		-	(1)
Purchases of financial assets		(103,439)	(59,611)
<b>Net cash flows used in investing activities</b>		<b>(109,142)</b>	<b>(59,770)</b>
<b>CASH FLOWS FROM FINANCING ACTIVITIES</b>			
Repayment of leasing liabilities		(1,078)	(1,042)
Deposits into statutory deposit accounts by solicitors		1,760,353	2,011,909
Withdrawals from statutory deposit accounts by solicitors		(2,390,666)	(2,706,168)
<b>Net cash flows from financing activities</b>		<b>(631,391)</b>	<b>(695,301)</b>
<b>Net decrease in cash and cash equivalents</b>		<b>(562,220)</b>	<b>(599,851)</b>
Cash and cash equivalents at the beginning of the financial year		2,716,167	3,316,018
<b>Cash and cash equivalents at the end of the financial year</b>	7.1.1	<b>2,153,947</b>	<b>2,716,167</b>

(i) GST paid to the Australian Tax Office is presented on a net basis.  
The accompanying notes form part of these financial statements.

# Notes to the financial statements

For the financial year ended 30 June 2024

## 1 ABOUT THIS REPORT

These annual financial statements represent the audited general-purpose financial statements for the Victorian Legal Services Board (Board) and the Victorian Legal Services Commissioner (Commissioner) as consolidated entities (collectively VLSB+C) for the period ended 30 June 2024.

The Board and Commissioner are not-for-profit government agencies of the State of Victoria. The Board and Commissioner were originally established under the *Legal Profession Act 2004* (the former Act) on 12 December 2005. Both agencies' roles and functions now come under the *Legal Profession Uniform Law Application Act 2014* (the Act) which repeals the former Act, effective from 1 July 2015.

At the time of signing, we are not aware of any circumstance which would render any particulars included in the financial statements to be misleading or inaccurate.

The principal address is:

Level 27, 500 Bourke Street Melbourne VIC 3000

A description of the nature of the operations of the Board and Commissioner and their principal activities is included in the annual report which does not form part of these financial statements. Further information on the roles of the Board and Commissioner and funds administered are provided in Note 2.

### 1.1 Basis of preparation

#### Reporting entity

These consolidated financial statements cover the Board and the Commissioner as consolidated entities following the Minister for Finance making a determination pursuant to section 53(1)(b) of the *Financial Management Act 1994* (FMA) on 25 May 2013. The Board is comprised of the Public Purpose Fund (Note 2.1) and Legal Practitioners' Fidelity Fund (Note 2.2).

The consolidated report presents an aggregation of the transactions and balances of the Board and Commissioner as a single reporting entity with all inter-group transactions eliminated. Additional disclosure has been included in the notes to the financial statements, where applicable, for the Public Purpose Fund, Legal Practitioners' Fidelity Fund and the Commissioner.

#### Currency and Rounding

These financial statements are in Australian dollars and have been rounded to the nearest \$1,000 unless otherwise stated. Figures in the financial statements may not equate due to rounding.

#### Measurement and accounting basis

The historical cost convention is used unless a different measurement basis is specifically disclosed in the note. Items not recorded at historical cost include:

- Fidelity Fund claims provision that is calculated at fair value with regard to actuarial assessments and employee long-service leave provisions; and
- financial instruments including funds under management after initial recognition, which are measured at fair value with movements reflected in 'other economic flows included in net result' (refer to Note 9.1 for further detail).

The accrual basis of accounting has been applied in the preparation of these financial statements whereby assets, liabilities, equity, income and expenses are recognised in the reporting period to which they relate, regardless of when cash is received or paid.

#### Judgements, estimates and assumptions

Judgements, estimates and assumptions are required to be made about financial information being presented. The significant judgements made in the preparation of these financial statements are disclosed in the notes.

Estimates and associated assumptions are based on professional judgements derived from historical experience and various other factors that are believed to be reasonable under the circumstances. Actual results may differ from these estimates.

Revisions to accounting estimates are recognised in the period in which the estimate is revised and also in future periods that are affected by the revision.

#### Comparatives

Where applicable, comparative figures have been updated to reflect more current information, including changes in accounting policy. The nature, amount, class and reason for reclassification is shown in relevant notes.

#### Changes in accounting policy

No new accounting standards have come into effect for the 2023-24 financial year that are applicable to the Board and the Commissioner.

Accounting standards changes not yet in effect but applicable to future years are presented at Note 9.9.

## Compliance information

These general purpose financial statements have been prepared in accordance with the Financial Management Act 1994 (FMA) and applicable Australian Accounting Standards (AAS) which include interpretations, issued by the Australian Accounting Standards Board (AASB). In particular, they are presented in a manner consistent with the requirements of AASB 1049 Whole of Government and General Government Sector Financial Reporting.

Where appropriate, those paragraphs of the AAS applicable to not-for-profit entities have been applied. Accounting policies are selected and applied in a manner which ensures that the resulting financial information satisfies the concepts of relevance and reliability, thereby ensuring that the substance of the underlying transactions or other events is reported.

## 2 FUNDS ADMINISTERED

### The Board

The Board is an independent statutory authority; a public entity but it does not represent the Crown. Ms Fiona McLeay is the Chief Executive Officer of the Board. The Attorney-General, The Hon. Jaclyn Symes, MP is the responsible Minister.

The Board's statutory objectives as stated in section 30 of the Act are to:

- ensure the effective regulation of the legal profession and the maintenance of professional standards;
- address the concerns of clients of law practices and legal practitioners through the regulatory system and provide for the protection of consumers of legal services;
- ensure the adequate management of trust accounts; and
- contribute to the effective administration of a Legal Profession Uniform Law Framework through cooperation with other involved entities.

The Board is established as a body corporate with perpetual succession under section 28 of the Act. Under the provisions of the Act it is required to maintain two funds:

- the Public Purpose Fund (section 133); and
- the Legal Practitioners Fidelity Fund (section 121)

## 2.1 Public Purpose Fund

The Board must maintain a fund called the Public Purpose Fund under section 133 of the Act. The Public Purpose Fund is comprised of three separate accounts below:

### General Account – section 136

The General Account derives income from the following:

- fines imposed by an order of VCAT;
- money transferred to the Public Purpose Fund from the Fidelity Fund under section 147;
- money derived from any investment of the Public Purpose Fund;
- any profits arising on the realisation or revaluation of any investment of the Public Purpose Fund; and
- any fees that are paid to the Board in relation to an application for, or the grant or renewal of an Australian practising certificate; and any other money received by the Board that is not required to be credited to another account in the Public Purpose Fund or to the Fidelity Fund, including (but not limited to) interest amounts received in accordance with arrangements made with Approved Deposit Institutions (from Law Practices Residual Trust Accounts) and interest earned from cash held in the Statutory Deposit Account not invested.

Under section 87 the Board can make arrangements with banks for the keeping of trust accounts. Under the arrangements in place, interest earned on law practices' trust accounts is received by the Board and paid to the General Account of the Public Purpose Fund.

Funding for the Board, VCAT Legal Practice List, the Victorian Legal Admissions Board, the Commissioner, and payments to professional associations for continuing legal education programs and other programs are debited to this account.

The Board has two operating bank accounts for administration purposes:

- Practising certificate fees – for the receipt of practising certificate fees; and
- General Account – for the payment of expenses incurred in carrying out its functions other than grants made from the Distribution Account and receipt of income.

## Notes to the financial statements

For the financial year ended 30 June 2024

### Statutory Deposit Account – section 137

Each law practice or approved clerk with trust accounts has an individual Statutory Deposit Account (SDA) held in their name by the Board; the balance in this account is linked to their trust account. The SDA balance in the Board's financial statements is the sum of the individual SDAs.

Law practices or approved clerks with trust accounts must deposit the "required deposit amount" (if any) into the SDA on a quarterly basis. The required deposit amount is 70% of the sum of the lowest daily balance in their trust account at any time during the quarter plus the SDA balance on the last day of the previous quarter (section 79(1)) unless the calculated figure using that formula in respect of any quarter is less than \$10,000, in which case the required deposit amount in respect of that quarter is zero (section 79(2)).

### Distribution Account – section 138

The Act requires that 50% of the amount standing to the credit of the General Account at 30 June is transferred to the Distribution Account during the following year.

Funding and grants made under sections 143 and 146 for Victoria Legal Aid and section 144 for law-related services and activities are paid from the Distribution Account. Grants are approved by the Board and amounts are decided with consideration given to available resources.

## 2.2 Legal Practitioners' Fidelity Fund

The Board must maintain a fund called the Fidelity Fund under section 121 of the Act. All monies held in the Fidelity Fund are kept separate from any other money held by the Board and are in trust.

Receipts include Fidelity Fund contributions and levies, income from investments of the Fidelity Fund, monies transferred from the Public Purpose Fund (General Account), and monies received as a result of the exercise of any right or remedy arising from the claim.

Payments include any claim including interest, costs and disbursements allowed against the Fund, and legal and other expenses incurred by the Board in investigating or defending claims against the Fund.

### The Commissioner

The Commissioner is an independent statutory office holder accountable to the Victorian Parliament. Ms Fiona McLeay is the Commissioner.

The Commissioner is responsible for the following objectives as specified in Chapter 5 of the Act:

- to provide a framework for the timely and effective resolution of disputes or issues between clients and lawyers or law practices;
- to provide a scheme for the discipline of the Australian legal profession, in the interests of the administration of justice and for the protection of clients of law practices and the public generally; and
- to monitor, promote and enforce the professional standards, competence and honesty of the Australian legal profession.

In addition to this, the Commissioner has an important educative role which involves:

- educating lawyers about issues of concern to the legal profession and consumers of legal services, and
- educating the community about legal issues and the rights and obligations that flow from the client-lawyer relationship.

## 3 FUNDING DELIVERY OF OUR SERVICES – INCOME FROM TRANSACTIONS

The Board predominantly earns interest income from Law Practice Residual Trust Accounts and Statutory Deposit Accounts, as well as investment distribution income from the investment portfolios of the Public Purpose Fund and Fidelity Fund. In addition, the Board receives income from practising certificate fees and Fidelity Fund contributions as it is responsible for the registration of all lawyers in Victoria.

All income received by the Board is generally required to be paid into the Public Purpose Fund, with the exception of Fidelity Fund contributions which is paid into the Legal Practitioners' Fidelity Fund.

Other income of the Board and Commissioner includes other interest, fines and cost recoveries.

### 3.1 Interest and distribution income

	2024	2023
	\$'000	\$'000
<b>PUBLIC PURPOSE FUND</b>		
Distributions from investments	30,023	21,367
Interest on Statutory Deposit Account	109,944	102,430
Interest on Law Practice Residual Trust Accounts	137,592	96,903
Interest on operating accounts	10,164	3,953
<b>Total Public Purpose Fund interest and distributions</b>	<b>287,723</b>	<b>224,653</b>
<b>FIDELITY FUND</b>		
Distributions from investments	2,381	1,504
Interest on operating account	686	429
<b>Total Fidelity Fund interest and distributions</b>	<b>3,067</b>	<b>1,933</b>
<b>Total interest and distributions</b>	<b>290,790</b>	<b>226,586</b>

Interest income includes interest received on bank accounts, bank term deposits and other investments. Interest income is recognised using the effective interest method which allocates interest over the relevant period.

Distribution income is recognised when the right to receive payment is established. Distributions represent the income arising from the entity's investments in financial assets, net of any applicable management fees.

Distribution income should be considered in conjunction with the net gains/(losses) on financial instruments arising from changes in fair value to assess total investment returns for the year (refer to Note 9.1).

### 3.2 Practising certificate fees and Fidelity Fund contributions

	2024	2023
	\$'000	\$'000
<b>PUBLIC PURPOSE FUND</b>		
Practising certificate fees	11,589	11,043
<b>FIDELITY FUND</b>		
Fidelity Fund contributions	3,855	3,571
<b>Total Practising certificate fees and Fidelity Fund contributions</b>	<b>15,444</b>	<b>14,614</b>

Practising certificate fees are prescribed under section 73 of the Act in order to engage in legal practice in Australia. The fees for an application for the grant or renewal of an Australian practising certificate are payable by practitioners where their principal place of practice is Victoria. The practicing year runs from 1 July to 30 June, with fees payable annually in advance. Practising certificate fees attributable to the current financial year are recognised as revenue. Fees relating to future periods are accounted for as income received in advance (refer to Note 6.3).

Fidelity Fund contributions are determined by the Board pursuant to section 128 of the Act. Practising certificate fees are to be accompanied by a contribution to the Fidelity Fund pursuant to section 73 of the Act for certain classes of practitioners. Fidelity Fund contributions for the financial year 1 July 2024 to 30 June 2025 are payable prior to 30 June 2024. This income has been accounted for as income received in advance (refer to Note 6.3).

## Notes to the financial statements

For the financial year ended 30 June 2024

### 3.3 Other income

	2024	2023
	\$'000	\$'000
<b>PUBLIC PURPOSE FUND</b>		
Income from fines	6	30
Income from Commissioner - asset usage	902	756
Sundry income	228	140
<b>Total Public Purpose Fund other income</b>	<b>1,136</b>	<b>926</b>
<b>FIDELITY FUND</b>		
Fidelity Fund recoveries	4	3
<b>Total Fidelity Fund other income</b>	<b>4</b>	<b>3</b>
<b>VICTORIAN LEGAL SERVICES COMMISSIONER</b>		
Board funding to the Commissioner	19,844	14,572
Employee benefits recharged	12,027	9,235
Income from the Board - asset usage	7	6
Costs recoveries	58	95
Sundry income	-	12
<b>Total Commissioner other income</b>	<b>31,936</b>	<b>23,920</b>
<b>Elimination of inter-entity income</b>	<b>(32,779)</b>	<b>(24,569)</b>
<b>Total other income</b>	<b>297</b>	<b>280</b>

The Board receives income from fines and the Commissioner receives income from cost order recoveries. Fines and cost orders granted are recognised when the amount of revenue can be measured reliably, the settlement date is determined or agreed and it is probable that the economic benefits associated with the transaction will flow to the Board or the Commissioner.

Fidelity Fund recoveries are received by the Board as a result of the exercise of a right and remedy. The recoveries are recognised when received.

Income for asset usage relates to inter-entity charges between the Commissioner and the Board for use of assets i.e. recharge of depreciation. These charges are eliminated upon consolidation.

Board funding to the Commissioner and the employee benefit recharged are inter-entity recoveries from the Board and these are eliminated upon consolidation.

#### 4 COST OF DELIVERING SERVICES – EXPENSES FROM TRANSACTIONS

This section provides an account of the expenses incurred by the Board and the Commissioner in carrying out their responsibilities. The Board is responsible for regulating the legal profession in Victoria while the Commissioner is responsible for handling complaints about lawyers and educating lawyers and the community about legal issues.

##### Recharges of services between the Board and the Commissioner

Where expenses for costs such as occupancy, depreciation and other relevant operating costs have been incurred in the normal course of operations by either the Board or the Commissioner, on behalf of the other, these costs have been apportioned and expenses recovered.

#### 4.1 Employee benefits in the comprehensive operating statement

	2024	2023
	\$'000	\$'000
<b>VICTORIAN LEGAL SERVICES COMMISSIONER</b>		
Salaries and wages, annual leave, long service leave	(25,116)	(17,471)
Superannuation contributions	(2,373)	(1,564)
Other employee on-costs and training	(1,962)	(1,281)
Termination benefits	(34)	(144)
Board and Committee member fees	(366)	(328)
<b>Total employee benefits expense</b>	<b>(29,851)</b>	<b>(20,788)</b>

Employee expenses include all costs related to employment including wages and salaries, leave entitlements, superannuation contributions, fringe benefits tax, payroll tax, Workcover premiums, staff training and development and termination benefits.

Termination benefits are payable when employment is terminated before normal retirement date, or when an employee accepts an offer of benefits in exchange for the termination of employment. Termination benefits are recognised when the Commissioner is demonstrably committed to terminating the employment of current employees according to a detailed formal plan without possibility of withdrawal or providing termination benefits as a result of an offer made to encourage voluntary redundancy.

Under section 59 of the Act, staff supporting the activities of the Board are classified as employees of the Commissioner, who employs all staff under Part 3 of the *Public Administration Act 2004*. The Commissioner recharges staff costs to the Board for those staff undertaking Board functions.

## Notes to the financial statements

For the financial year ended 30 June 2024

### 4.1.2 Employee benefits in the balance sheet

Provision is made for benefits accruing to employees in respect of wages and salaries, annual leave and long service leave (LSL) for services rendered to the reporting date and recorded as an expense during the period the services are delivered.

	2024	2023
	\$'000	\$'000
<b>CURRENT EMPLOYEE PROVISIONS</b>		
<b>ANNUAL LEAVE</b>		
Unconditional and expected to settle within 12 months	1,584	1,283
<b>LONG SERVICE LEAVE</b>		
Unconditional and expected to settle within 12 months	1,650	1,285
<b>PROVISIONS FOR ON-COSTS</b>		
Unconditional and expected to settle within 12 months	651	519
<b>Total current provisions for employee benefits</b>	<b>3,886</b>	<b>3,087</b>
<b>NON-CURRENT PROVISIONS</b>		
Employee benefits	689	484
On-costs	126	89
<b>Total non-current provisions</b>	<b>815</b>	<b>573</b>
<b>Total employee benefits and related on-costs</b>	<b>4,701</b>	<b>3,660</b>

	2024	2023
	\$'000	\$'000
<b>RECONCILIATION OF MOVEMENT IN ON-COST PROVISION</b>		
Opening balance	608	488
Additional provisions recognised	222	172
Unwind of discount and effect of changes in the discount rate	(52)	(52)
<b>Closing balance</b>	<b>778</b>	<b>608</b>

### ***Wages and salaries, annual leave and sick leave***

Liabilities for salaries and wages (including non-monetary benefits and annual leave) are recognised as part of the provision for employee benefits as current liabilities.

The liability for salaries and wages is recognised in the balance sheet at remuneration rates which are current at the reporting date. As the Board and the Commissioner expects the liabilities to be wholly settled within 12 months of reporting date, they are measured at undiscounted amounts.

The annual leave liability is classified as a current liability and measured at the undiscounted amount expected to be paid, as the Board and Commissioner do not have an unconditional right to defer settlement of the liability for at least 12 months after the end of the reporting period.

No provision has been made for sick leave as all sick leave is non-vesting and it is not considered probable that the average sick leave taken in the future will be greater than the benefits accrued in the future. As sick leave is non-vesting, an expense is recognised in the comprehensive operating statement as it is taken.

### ***Long service leave***

Unconditional LSL is disclosed as a current liability; even where the Commissioner does not expect to settle the liability within 12 months because it will not have the unconditional right to defer the settlement of the entitlement should an employee take leave within 12 months.

- undiscounted value – if the Board or Commissioner expects to settle within 12 months;
- present value – if the Board or Commissioner does not expect to settle within 12 months.

Conditional LSL is disclosed as a non-current liability. There is a conditional right to defer the settlement of the entitlement until the employee has completed the requisite years of service. This non-current LSL liability is measured at present value.

Any gain or loss following revaluation of the present value of non-current LSL liability is recognised as a transaction, except to the extent that a gain or loss arises due to changes in bond interest rates for which it is then recognised as an 'other economic flow' (refer to Note 9.1) in the net result.

### ***Employee on-costs***

Employee on-costs such as payroll tax, workers compensation and superannuation are not employee benefits. They are disclosed separately as a component of the provision for employee benefits when the employment to which they relate has occurred.

### ***Superannuation***

Employees are entitled to receive superannuation benefits. Superannuation contributions paid or payable for the reporting period are included as part of employee benefits in the comprehensive operating statement.

## Notes to the financial statements

For the financial year ended 30 June 2024

### 4.2 Funding and grants expenses

	2024	2023
	\$'000	\$'000
<b>PUBLIC PURPOSE FUND</b>		
<b>FUNDING AND GRANTS ALLOCATED FROM THE DISTRIBUTION ACCOUNT</b>		
<b>Other funding</b>		
Victoria Legal Aid	50,800	24,273
Victorian Law Reform Commission	2,338	2,040
Victoria Law Foundation	2,942	2,643
Justice Connect	1,622	1,242
<b>Grants</b>		
Major grants and projects	9,224	1,996
<b>Total funding and grants allocated from the Distribution Account</b>	<b>66,926</b>	<b>32,194</b>
<b>FUNDING ALLOCATED FROM THE GENERAL ACCOUNT</b>		
<b>Funding to perform functions under the Act</b>		
Victorian Civil and Administration Tribunal - Legal Practice List	1,290	1,204
Victorian Legal Admissions Board	1,810	1,847
<b>Other funding</b>		
Professional association programs to the Law Institute and Victorian Bar	5,246	4,362
Law Library of Victoria	812	513
Legal Profession Uniform Framework	635	629
<b>Total funding allocated from the General Account</b>	<b>9,793</b>	<b>8,555</b>
<b>Total funding and grants</b>	<b>76,719</b>	<b>40,749</b>

Funding and grants are paid from either the Distribution Account or General Account of the Board's Public Purpose Fund (refer to Note 2) as follows:

**Funding** represents payments made to law-related entities in performing functions under the Act or other funding allowed for under the Act. Other payments are recognised in the reporting period in which they are paid or payable.

**Grant expenses** are discretionary contributions of the Board's resources to another party for specific or general purposes where there is no expectation that the amount will be repaid in equal value (either by money, goods or services). Amounts granted from year to year vary depending on the level of discretionary resources available.

Grants can either be operating or capital in nature. Grants can be paid as general purpose grants, which refer to grants that are not subject to conditions regarding their use. Alternatively, they may be paid as specific purpose grants which are paid for a particular purpose and/or have conditions attached regarding their use.

Grant expenses are recognised in the reporting period in which they are paid or payable. All grants take the form of monetary payments.

### 4.3 Legal expenses

	2024	2023
	\$'000	\$'000
<b>LEGAL EXPENSES</b>		
Investigations	2,100	670
Litigation and other legal expenses	1,501	1,876
External interventions	2,331	1,334
Compliance audits	457	403
<b>Total legal expenses</b>	<b>6,389</b>	<b>4,283</b>

Legal expenses are legal fees and associated costs incurred by the Board and the Commissioner in regulating the legal profession in Victoria and handling complaints about lawyers. Legal fees are recognised in the reporting period in which they are paid or payable.

### 4.4 Other operating expenses

	2024	2023
	\$'000	\$'000
<b>OTHER OPERATING EXPENSES</b>		
Information technology	2,831	2,487
Occupancy	824	526
Administration	1,202	938
External audit fees	86	78
Internal audit fees	139	58
Investment advice <sup>(i)</sup>	2,034	185
Consultants <sup>(ii)</sup>	5,171	1,536
Other staff costs	72	57
Community and education	23	30
Sponsorships	165	-
<b>Total other operating expenses</b>	<b>12,547</b>	<b>5,895</b>

(i) VLSB+C appointed JBWere as their new investment advisor in August 2023. Fees represent their annual investment management and performance fees (pro-rated) plus performance fees of the International Infrastructure Wholesale Fund.

(ii) Consultancy costs increased from \$1.5m to \$5.1m predominantly due to the implementation of the new regulatory management system (\$3.2m) and Customer First project costs (\$220k).

Other operating expenses generally represent the day to day running costs incurred in normal operations. Operating expenses are recognised as an expense in the reporting period in which they are incurred.

The following lease payments are recognised on a straight-line basis:

- Short-term leases – leases with a term 12 months or less; and
- Low value leases – leases where the underlying asset's fair value (when new, regardless of the age of the asset being leased) is no more than \$10,000.

Variable lease payments that are not included in the measurement of the lease liability (i.e. variable lease payments that do not depend on an index or a rate and which are not, in substance fixed), are recognised in the comprehensive operating statement in the period in which the event or condition triggers those payments.

## Notes to the financial statements

For the financial year ended 30 June 2024

### 5 ASSETS TO SUPPORT THE DELIVERY OF SERVICES

The Board and Commissioner controls infrastructure and investments that are utilised in conducting its activities and fulfilling its objectives.

#### Fair value measurement

Where the assets included in this section are carried at fair value, additional information is disclosed in Note 8.3 in connection with how those fair values were determined.

The Board and Commissioner entered into a 10 year accommodation lease in February 2024. The right-of-use asset is presented in the below notes and associated right-of-use liability is presented in note 7.3.1.

#### 5.1 Plant and equipment

Public Administration	Gross carrying amount		Accumulated depreciation		Net carrying amount	
	2024	2023	2024	2023	2024	2023
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Computer equipment at fair value	949	1,810	(940)	(1,791)	9	19
Office equipment at fair value	135	135	(57)	(36)	78	99
Right-of-use assets at fair value	13,874	4,979	(5,012)	(3,732)	8,862	1,247
Leasehold improvements at fair value	3,106	3,106	(3,047)	(2,668)	59	438
Office furniture and fittings at fair value	55	31	(33)	(31)	22	-
Assets under construction at cost <sup>(i)</sup>	5,696	-	-	-	5,696	-
<b>Total plant and equipment</b>	<b>23,815</b>	<b>10,061</b>	<b>(9,089)</b>	<b>(8,258)</b>	<b>14,726</b>	<b>1,803</b>

(i) Costs relate to the fit out of the new accommodation premises

Public Administration	Computer equipment at fair value	Office equipment at fair value	Right-of-use assets at fair value	Leasehold improvements at fair value	Office furniture and fittings at fair value	Assets under construction at cost
2024	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Opening balance	19	99	1,247	438	-	-
Additions	-	-	8,934	-	24	5,696
Disposals	-	-	(22)	-	-	-
Depreciation	(10)	(21)	(1,297)	(379)	(2)	-
<b>Closing balance</b>	<b>9</b>	<b>78</b>	<b>8,862</b>	<b>59</b>	<b>22</b>	<b>5,696</b>
<b>2023</b>						
Opening balance	65	2	2,150	810	31	-
Additions	22	106	60	9	-	-
Depreciation	(68)	(9)	(946)	(381)	(31)	-
Transfer to disposal group held for sale	-	-	(17)	-	-	-
<b>Closing balance</b>	<b>19</b>	<b>99</b>	<b>1,247</b>	<b>438</b>	<b>-</b>	<b>-</b>

The following tables are subsets of buildings, plant, equipment and vehicles by right-of-use assets.

#### 5.1.1 Total right-of-use assets: buildings, plant, equipment and vehicles

Public Administration	Gross carrying amount		Accumulated depreciation		Net carrying amount	
	2024	2023	2024	2023	2024	2023
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Buildings at fair value	13,774	4,882	(4,995)	(3,716)	8,779	1,166
Plant, equipment and vehicles at fair value	101	97	(18)	(16)	83	82
<b>Net carrying amount</b>	<b>13,875</b>	<b>4,979</b>	<b>(5,013)</b>	<b>(3,732)</b>	<b>8,862</b>	<b>1,247</b>

Public Administration	Buildings at fair value		Plant, equipment and vehicles at fair value	
	2024	2023	2024	2023
	\$'000	\$'000	\$'000	\$'000
Opening balance	1,166	2,095	82	55
Additions	8,892	-	42	60
Disposals	-	-	(23)	-
Depreciation	(1,279)	(929)	(18)	(17)
Transfer to disposal group held for sale	-	-	-	(17)
<b>Closing balance</b>	<b>8,779</b>	<b>1,166</b>	<b>83</b>	<b>82</b>

## Notes to the financial statements

For the financial year ended 30 June 2024

### **Initial recognition**

Items of plant and equipment are measured initially at cost. Where an asset is acquired for no or nominal cost, the cost is its fair value at the date of acquisition.

The cost of a leasehold improvement is capitalised as an asset and depreciated over the shorter of the remaining term of the lease or the estimated useful life of the improvements.

The costs of property, plant and equipment under construction includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.

Where the assets included in this section are carried at fair value, additional information is disclosed in Note 8.3 in connection with how those fair values were determined.

The initial cost of property, plant and equipment under a lease that is recognised as a right-of-use asset is measured at amounts equal to the present value of the unpaid lease payments at the commencement date, adjusted for any lease payments made at or before the commencement date less any lease incentive received

The Board and the Commissioner have adopted a policy of only capitalising both physical and intangible assets with a cost exceeding \$5,000. All assets with a value of \$5,000 or less are expensed on acquisition.

### **Subsequent measurement**

Property, plant and equipment (PPE) as well as right-of-use assets under leases are subsequently measured at fair value less accumulated depreciation and impairment. Fair value is determined with regard to the asset's highest and best use (considering legal or physical restrictions imposed on the asset, public announcements or commitments made in relation to the intended use of the asset) and is summarised on the following pages by asset category. In addition, for right-of-use assets the net present value of the remaining lease payments is often the appropriate proxy for fair value of relevant right-of-use assets.

Right-of-use assets under leases are subsequently measured at fair value. The Board and the Commissioner depreciate right-of-use assets on a straight line basis from the lease commencement date to the earlier of the end of the useful life of the right-of-use asset or the end of the lease term. The estimated useful life of right-of-use assets are determined on the same basis as PPE and also subject to revaluation. As at 30 June 2024, The Board and the Commissioner right-of-use assets did not require an adjustment to their values.

In addition, the right-of-use asset is periodically reduced by impairment losses, if any and adjusted for certain re-measurements of the lease liability.

Vehicles are valued using the current replacement cost method.

### **Impairment of non-financial assets**

Non-financial physical assets, including items of plant and equipment, are tested for impairment whenever there is an indication that the asset may be impaired.

The assets concerned are tested as to whether their carrying value exceeds their recoverable amount. Where an asset's carrying value exceeds its recoverable amount, the difference is written off as an 'other economic flow – included in net result', except to the extent that the write-down can be debited to an asset revaluation surplus account applicable to that class of asset.

## 5.1.2 Depreciation and amortisation

	2024	2023
	\$'000	\$'000
<b>PUBLIC PURPOSE FUND</b>		
Leasehold improvements	379	380
Right-of-use assets	1,279	929
Office equipment	21	9
Office furniture and fittings	2	-
Computer equipment	10	68
Intangible assets	550	605
<b>Total Public Purpose Fund depreciation and amortisation</b>	<b>2,241</b>	<b>1,991</b>
<b>VICTORIAN LEGAL SERVICES COMMISSIONER</b>		
Motor vehicles	18	17
<b>Total Commissioner depreciation</b>	<b>18</b>	<b>17</b>
<b>Total depreciation and amortisation</b>	<b>2,259</b>	<b>2,008</b>

All plant and equipment and other non-financial physical assets that have finite useful lives are depreciated and intangible produced assets with finite useful lives are amortised. Depreciation is calculated on a straight-line basis over its estimated useful life.

Right-of-use assets are generally depreciated over the shorter of the asset's useful life and the lease term.

The estimated useful lives, residual values and depreciation method are reviewed at the end of each annual reporting period, and adjustments made where appropriate.

### **Useful life**

Typical estimated useful lives for the different asset classes for current and prior years are included in the table below:

	Useful life 2024	Useful life 2023
<b>CLASS OF ASSET</b>		
Leasehold asset and improvements	10 years	10 years
Right-of-use assets	5 to 10 years	5 to 10 years
Office equipment	5 to 10 years	5 to 10 years
Office furniture and fittings	5 to 10 years	5 to 10 years
Computer equipment	3 to 5 years	3 to 5 years
Motor vehicles	3 years	3 years
Intangible assets (capitalised software development costs)	5 years	5 years

## Notes to the financial statements

For the financial year ended 30 June 2024

### 5.2 Investments and other financial assets

Investments are categorised as financial assets at fair value through net result and include investments in equities and funds under management that are managed externally by independent investment advisers. Investments are held in the Public Purpose Fund and the Fidelity Fund in line with the Board's investment policy and objectives.

	Public Purpose Fund	Fidelity Fund	Total
	\$'000	\$'000	\$'000
<b>2024 CURRENT — INVESTMENTS</b>			
Cash	-	30,020	30,020
Credit	240,852	9,336	250,188
Government bonds	160,860	1,020	161,880
Real assets	135,918	1,946	137,864
Equity - domestic	152,397	7,887	160,284
Equity - international	212,746	14,312	227,058
Uncorrelated strategies	11,751	-	11,751
<b>Total investments</b>	<b>914,524</b>	<b>64,521</b>	<b>979,045</b>
<b>CURRENT — OTHER FINANCIAL ASSETS</b>			
Term deposits - Operating cash	-	10,000	10,000
Term deposits - Distribution account	105,000	-	105,000
<b>Total investments and other financial assets</b>	<b>1,019,524</b>	<b>74,521</b>	<b>1,094,045</b>
<b>2023 CURRENT — INVESTMENTS</b>			
Australian fixed interest	72,414	8,414	80,828
Global fixed interest	185,772	8,859	194,631
Diversified growth funds	121,268	6,759	128,027
Australian equities	91,212	10,398	101,610
Australian small capitalisation equities	30,028	-	30,028
Overseas equities - unhedged	128,948	7,842	136,790
Overseas equities - hedged (i)	32,118	3,817	35,935
Emerging market equities	26,849	-	26,849
Property and infrastructure managed funds	146,546	-	146,546
<b>Total investments</b>	<b>835,155</b>	<b>46,089</b>	<b>881,244</b>
<b>NON-CURRENT — OTHER FINANCIAL ASSETS</b>			
Term deposits - Operating cash	55,000	10,000	65,000
<b>Total investments and other financial assets</b>	<b>890,155</b>	<b>56,089</b>	<b>946,244</b>

(i) The VLSB+C does not engage in active hedging. Hedging is performed by the managed investment.

VLSB+C appointed a new investment advisor in August 2023. The FY2024 balances represent the strategic asset allocation in line with a revised investment strategy. Prior year asset classes and balances are presented in a separate table.

Investments and other contractual financial assets are not past due and not impaired as at 30 June 2024 (and 30 June 2023).

## 6 OTHER ASSETS AND LIABILITIES

### 6.1 Receivables

	2024	2023
	\$'000	\$'000
<b>PUBLIC PURPOSE FUND</b>		
<b>Contractual receivables</b>		
Trade receivables	29	52
Allowance for impairment losses of contractual receivables	(16)	(17)
Accrued investment distributions	15,869	11,387
Accrued interest - Residual Trust Accounts	11,481	11,256
Accrued interest - Statutory Deposit Accounts	8,095	9,937
Accrued other interest and income	2,095	1,189
<b>Total contractual receivables</b>	<b>37,553</b>	<b>33,804</b>
<b>Statutory receivables</b>		
GST recoverable	575	258
<b>Total statutory receivables</b>	<b>575</b>	<b>258</b>
<b>Total Public Purpose Fund receivables</b>	<b>38,128</b>	<b>34,062</b>
<b>FIDELITY FUND</b>		
<b>Contractual receivables</b>		
Accrued investment distributions	929	282
Accrued interest	93	166
<b>Total Fidelity Fund receivables</b>	<b>1,022</b>	<b>448</b>
<b>VICTORIAN LEGAL SERVICES COMMISSIONER</b>		
<b>Contractual receivables</b>		
Trade receivables	523	601
Provision for impairment of receivables	(183)	(218)
<b>Total Victorian Legal Services Commissioner receivables</b>	<b>340</b>	<b>383</b>
<b>Total receivables</b>	<b>39,490</b>	<b>34,893</b>

Receivables consist of:

**Contractual receivables** are classified as financial instruments and categorised as 'financial assets at amortised cost', e.g. debtors in relation to goods and services. They are initially recognised at fair value plus any directly attributable transaction costs. Subsequent to initial measurement, they are measured at amortised cost using the effective interest method, less any impairment.

**Statutory receivables** do not arise from contracts and are recognised and measured similarly to contractual receivables (except for impairment) but are not classified as financial instruments for disclosure purposes. They are accounted for in accordance with AASB 9, as if they are financial assets when statutory requirements establish a right to receive cash or another financial asset as a result of a past event. Therefore, statutory receivables are initially recognised at fair value plus any directly attributable transaction costs.

Details about the Board and Commissioner's impairment policies, exposure to credit risk, and calculations of the provision for expected credit losses for contractual receivables are set out in note 8.1.3.

## Notes to the financial statements

For the financial year ended 30 June 2024

### 6.2 Payables

	2024	2023
	\$'000	\$'000
<b>CURRENT PAYABLES</b>		
<b>Public Purpose Fund</b>		
Contractual payables and accrued expenses	4,548	900
<b>Total Public Purpose Fund current payables</b>	<b>4,548</b>	<b>900</b>
<b>FIDELITY FUND</b>		
Contractual payables and accrued expenses	25	7
<b>Total Fidelity Fund current payables</b>	<b>25</b>	<b>7</b>
<b>VICTORIAN LEGAL SERVICES COMMISSIONER</b>		
Contractual payables and accrued expenses	1,665	457
<b>Total Victorian Legal Services Commissioner current payables</b>	<b>1,665</b>	<b>457</b>
<b>Total current payables</b>	<b>6,238</b>	<b>1,364</b>
<b>NON-CURRENT PAYABLES</b>		
<b>Public Purpose Fund</b>		
<b>Total non-current payables Public Purpose Fund</b>	-	-
<b>Total payables</b>	<b>6,238</b>	<b>1,364</b>

Contractual payables are classified as financial instruments and measured at amortised cost. Accounts payable represent liabilities for goods and services provided to the Board and the Commissioner prior to the end of the financial year that are unpaid, and arise when the Board or the Commissioner become obliged to make future payments in respect of the purchase of those goods and services.

Statutory payables are recognised and measured similarly to contractual payables, but are not classified as financial instruments and not included in the category of financial liabilities at amortised cost, because they do not arise from a contract.

### 6.2.1 Maturity analysis of contractual liabilities

Payables for supplies and services have an average credit period of 30 days. The terms and conditions of amounts payable for other liabilities vary according to the particular agreements.

Further information on the nature and extent of risks arising from contractual payables is disclosed in Note 8.1.3.

All contractual payables and statutory deposit account balances have a maturity period of 30 days or less.

### 6.3 Income in advance

	2024	2023
	\$'000	\$'000
<b>PUBLIC PURPOSE FUND</b>		
Practising certificate fees	12,585	11,625
<b>FIDELITY FUND</b>		
Fidelity Fund contributions	3,711	3,496
<b>Total income received in advance</b>	<b>16,296</b>	<b>15,121</b>

Income received in advance (contract liabilities under AASB 15) includes practising certificate fees and Fidelity Fund contributions for the financial year 1 July 2024 to 30 June 2025 that are payable prior to 30 June 2024.

### 6.4 Other Provisions

	Note	2024	2023
		\$'000	\$'000
<b>CURRENT PROVISIONS</b>			
<b>Fidelity Fund claims provision</b>			
Fidelity Fund current provision for claims lodged and anticipated	6.4.1	2,350	3,790
<b>Total current Fidelity Fund claims provision</b>		<b>2,350</b>	<b>3,790</b>
<b>NON-CURRENT PROVISIONS</b>			
Fidelity Fund non-current provision for claims lodged and anticipated	6.4.1	14,150	12,560
<b>Total non-current provisions</b>		<b>14,150</b>	<b>12,560</b>
<b>Total provisions</b>		<b>16,500</b>	<b>16,350</b>

Provisions are recognised when the Board or the Commissioner has a present obligation, the future sacrifice of economic benefits is probable, and the amount of the provision can be measured reliably. 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.

Where 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, using the discount rate that reflects the time value of money and risks specific to the provision.

## Notes to the financial statements

For the financial year ended 30 June 2024

### 6.4.1 Fidelity Fund claims provision

The Board appoints actuaries to independently determine the liability of the Legal Practitioners Fidelity Fund as at 30 June 2024. The Board has recognised a provision for Fidelity Fund liabilities based on the actuarial assessment.

The assessment considers outstanding claims in respect of claims incurred but not yet paid, claims incurred but not yet lodged (IBNL), and the anticipated direct and indirect costs of settling those claims.

IBNL claims are incidents where a defalcation has occurred but the claim amount has not yet been lodged. IBNL claims arise from solicitors in respect of whom some claims amounts have already been lodged as well as solicitors whose defalcations have yet to be discovered.

The following discount rates were used in estimating the liability for outstanding claims. No explicit rate of defalcation is adopted. Defalcations are assumed to increase at the same rate as experienced in the past.

CLAIMS EXPECTED TO BE PAID	2024	2023
Later than one year discount rate <sup>(i)</sup>	4.27%	4.08%

*(i) The discount rate shown above for the discounting of the outstanding defalcations liability as at 30 June 2024 is a term structure of rates based on current yields for medium term dated Commonwealth Government bonds.*

### Estimated outstanding defalcation liability as at 30 June

	2024	2023
	\$'000	\$'000
Undiscounted liability of lodged claims	3,690	4,730
Plus: Estimated liability for claims incurred but not lodged	9,520	8,140
<b>Estimated undiscounted liability for incurred defalcations</b>	<b>13,210</b>	<b>12,870</b>
<b>PLUS/(MINUS) ADJUSTMENTS</b>		
Less: Discounted to net present value	(2,250)	(1,930)
Plus: Internal management expenditure	1,740	1,640
Plus: Risk margin (30%) (2023: 30%)	3,800	3,770
<b>Net provision per actuarial report</b>	<b>16,500</b>	<b>16,350</b>
<b>Net provision including allowance for costs</b>	<b>16,500</b>	<b>16,350</b>

### Reconciliation of movements in provision

	2024	2023
	\$'000	\$'000
Opening balance	16,350	15,190
(Reductions) / additions in provisions recognised	150	1,160
<b>Closing balance</b>	<b>16,500</b>	<b>16,350</b>

## 7 HOW WE FINANCE OUR OPERATIONS

This note provides information on the sources of finance utilised by The Board and the Commissioner during its operations, along with other information related to financing activities of The Board and Commissioner.

This note includes disclosures of balances that are financial instruments (such as cash balances). Note 8.1.3 provides additional, specific financial instrument disclosures.

### 7.1 Cash flow information and balances

#### 7.1.1 Reconciliation of cash and cash equivalents

	2024	2023
	\$'000	\$'000
<b>CASH AND CASH EQUIVALENTS</b>		
<b>PUBLIC PURPOSE FUND</b>		
<b>General Account</b>		
General operating account	52,012	120,661
Practising Certificate Fees account	2,109	1,219
Term Deposits - Current	30,000	-
Investment cash account	53,258	-
Inter-entity balance - Fidelity Fund	(1,887)	-
<b>Total General Account</b>	<b>135,492</b>	<b>121,880</b>
<b>Distribution Account</b>	<b>67,172</b>	<b>262</b>
<b>Statutory Deposit Account - cash trust accounts</b>	<b>1,936,166</b>	<b>2,566,480</b>
<b>Total Public Purpose Fund - cash and cash equivalents</b>	<b>2,138,830</b>	<b>2,688,622</b>
<b>FIDELITY FUND</b>		
Fidelity Fund operating account	5,048	5,665
Investment cash account	8,182	-
Managed cash	-	21,880
<b>Total Fidelity Fund - cash and cash equivalents</b>	<b>13,230</b>	<b>27,545</b>
<b>VICTORIAN LEGAL SERVICES COMMISSIONER</b>		
Inter-entity balance - Board	1,887	-
<b>Total amounts eliminated</b>	<b>1,887</b>	<b>-</b>
<b>Balances per cash flow statement and balance sheet</b>	<b>2,153,947</b>	<b>2,716,167</b>

Cash and deposits, including cash equivalents, comprise cash on hand and cash at bank, deposits at call and those highly liquid investments with an original maturity of three months or less, which are held for the purpose of meeting short-term cash commitments rather than for investment purposes, and are readily convertible to known amounts of cash and are subject to an insignificant risk of changes in value.

## Notes to the financial statements

For the financial year ended 30 June 2024

### 7.1.2 Reconciliation of net result for the period to cash flows from operating activities

	2024	2023
	\$'000	\$'000
Net result for the year	217,935	195,637
<b>Non-cash movements</b>		
Depreciation of non-current assets	2,259	2,008
Net (gain)/loss on financial instruments	(44,359)	(30,679)
Net (gain)/loss on non-financial instruments	(18)	30
Other non-cash movements	287	33
<b>Movements in assets and liabilities</b>		
Decrease/(increase) in receivables	(4,597)	(12,490)
Increase in prepayments	(434)	(276)
Increase/(decrease) in payables	4,874	(1,796)
Increase/(decrease) in provisions	1,191	1,682
Increase in income received in advance	1,175	1,071
<b>Net cash flows from/(used in) operating activities</b>	<b>178,313</b>	<b>155,220</b>

### 7.1.3 Funds Administered

	Cash and cash equivalents (Note 7.1.1) \$'000	Investments and other assets and liabilities \$'000	Total \$'000
<b>2024 PUBLIC PURPOSE FUND</b>			
General Account	54,121	330,148	384,269
Investment Cash Account	53,258	-	53,258
Term Deposits - Current	30,000	-	30,000
Less: Inter-entity - due to Commissioner	-	(4,142)	(4,142)
<b>Net General Account</b>	<b>137,379</b>	<b>326,006</b>	<b>463,385</b>
<b>Distribution Account</b>	<b>67,172</b>	<b>105,000</b>	<b>172,172</b>
<b>Statutory Deposit Account</b>	<b>1,936,166</b>	<b>598,904</b>	<b>2,535,070</b>
<b>Total Public Purpose Fund</b>	<b>2,140,717</b>	<b>1,029,910</b>	<b>3,170,627</b>
<b>FIDELITY FUND</b>			
<b>Total Fidelity Fund</b>	<b>13,230</b>	<b>74,521</b>	<b>87,751</b>
<b>Total Board and Commissioner funds administered</b>	<b>2,153,947</b>	<b>1,104,431</b>	<b>3,258,378</b>
<b>2023 PUBLIC PURPOSE FUND</b>			
General Account <sup>(i)</sup>	121,879	138,136	260,015
Less: Inter-entity - due to Commissioner <sup>(ii)</sup>	-	(5,147)	(5,147)
<b>Net General Account</b>	<b>121,879</b>	<b>132,989</b>	<b>254,868</b>
<b>Distribution Account <sup>(i)</sup></b>	<b>262</b>	<b>176,844</b>	<b>177,106</b>
<b>Statutory Deposit Account</b>	<b>2,566,480</b>	<b>598,904</b>	<b>3,165,384</b>
<b>Total Public Purpose Fund</b>	<b>2,688,621</b>	<b>908,737</b>	<b>3,597,358</b>
<b>FIDELITY FUND</b>			
<b>Total Fidelity Fund</b>	<b>27,546</b>	<b>56,090</b>	<b>83,636</b>
<b>Total Board and Commissioner funds administered</b>	<b>2,716,167</b>	<b>964,827</b>	<b>3,680,994</b>

(i) The General account and Distribution account fund balances are presented on an accrual basis effective 30 June 2023.

(ii) The inter-entity balance is re-classed as a non-cash item effective 30 June 2023.

## Notes to the financial statements

For the financial year ended 30 June 2024

### 7.2 Statutory deposit account balances

Each law practice or approved clerk with Trust Accounts has an individual Statutory Deposit Account (SDA) held in their name by the Board; the balance in this account is linked to their Trust Account. The liability represents the total sum of their individual SDA balances. Refer to Note 2.1 for further detail on the SDA.

	2024 \$'000	2023 \$'000
<b>PUBLIC PURPOSE FUND</b>		
<b>Current</b>		
Bank - Statutory Deposit Account	2,535,071	3,165,384
<b>Total Statutory Deposit Account balances</b>	<b>2,535,071</b>	<b>3,165,384</b>

Accounts held by the Board in individual law practices' names totalled and were represented by the following investments which are all categorised as funds under management:

	2024 \$'000	2023 \$'000
<b>PUBLIC PURPOSE FUND</b>		
Cash trust accounts	1,936,167	2,566,480
Australian fixed interest	-	57,632
Global fixed interest	-	149,800
Diversified growth funds	-	97,349
Australian equities	-	43,794
Australian small capitalisation equities	-	20,000
Overseas equities - unhedged	-	74,990
Overseas equities - hedged	-	24,622
Emerging market equities	-	20,000
Property and infrastructure managed funds	-	110,717
Credit	167,963	-
Government bonds	120,961	-
Real assets	110,717	-
Equity - domestic	62,385	-
Equity - international	136,878	-
<b>Total Statutory Deposit Account balances</b>	<b>2,535,071</b>	<b>3,165,384</b>

*VLSB+C appointed a new investment advisor in August 2023. The FY2024 balances represent the strategic asset allocation in line with a revised investment strategy.*

### 7.3 Leases

The Board and Commissioner's leases comprise of the office premises and motor vehicles.

The Board and Commissioner's property lease term includes the term stated in the contract adjusted for any options period (i.e. extension options) if the options are reasonably certain of being exercised.

Leases related to motor vehicles are leased through the VicFleet lease facility. The lease term is the period over which the vehicle is to be leased.

Right-of-use assets are presented in note 5.1.1.

#### 7.3.1 Lease liabilities payable

	Minimum future lease payments		Present value of minimum future lease payments	
	2024	2023	2024	2023
	\$'000	\$'000	\$'000	\$'000
<b>LEASE LIABILITIES PAYABLE</b>				
Not longer than 1 year	1,176	1,012	496	1,005
Longer than 1 year but not longer than 5 years	4,874	426	2,536	425
Longer than 5 years	7,878	-	6,506	-
<b>Minimum future lease payments</b>	<b>13,928</b>	<b>1,438</b>	<b>9,538</b>	<b>1,430</b>
<b>Less future finance charges</b>	<b>(4,390)</b>	<b>(8)</b>		
<b>Present value of minimum lease payments</b>	<b>9,538</b>	<b>1,430</b>	<b>9,538</b>	<b>1,430</b>
Included in the financial statements as:				
Current lease liabilities			563	1,005
Non-current lease liabilities			8,975	425
<b>Total lease liabilities</b>			<b>9,538</b>	<b>1,430</b>

#### Interest Expense

Interest expense includes the interest component on lease repayments. The Board and Commissioner's interest expense at 30 June 2024 was \$288K (2023: \$33K). Interest expense is recognised as an expense in the period in which it is incurred.

#### Recognition and measurement of leases as a lessee

##### Lease liability – initial measurement

The lease liability is initially measured at the present value of the lease payments unpaid at the commencement date, discounted using the interest rate implicit in the lease if that rate is readily determinable.

Lease payments included in the measurement of the lease liability comprise the following:

- fixed payments (including in-substance fixed payments) less any lease incentive receivable;
- variable payments based on an index or rate, initially measured using the index or rate as at the commencement date;
- amounts expected to be payable under a residual value guarantee;
- payments arising from purchase and termination options reasonably certain to be exercised.

##### Lease liability – subsequent measurement

Subsequent to initial measurement, the liability will be reduced for payments made and increased for interest. It is remeasured to reflect any reassessment or modification, or if there are changes in-substance fixed payments.

When the lease liability is remeasured, the corresponding adjustment is reflected in the right-of-use asset, or profit and loss if the right-of-use asset is already reduced to zero.

##### Presentation of right-of-use assets and lease liabilities

The VLSB+C presents right-of-use assets as 'property plant and equipment' unless they meet the definition of investment property, in which case they are disclosed as 'investment property' in the balance sheet.

## Notes to the financial statements

For the financial year ended 30 June 2024

### 7.4 Commitments for expenditure

Commitments for future expenditure include operating and capital commitments arising from contracts. These commitments are disclosed by way of a note at their nominal value and inclusive of the goods and services tax (GST).

Where it is considered appropriate and provides additional relevant information to users, the net present values of significant individual projects are stated. These future expenditures cease to be disclosed as commitments once the related liabilities are recognised in the balance sheet.

	Less than 1 Year	Between 1 and 5 years	Over 5 years	Total
	\$'000	\$'000	\$'000	\$'000
<b>2024</b>				
Operating commitments	5,274	4,134	-	9,408
Capital commitments	1,827	-	-	1,827
Other commitments(i)	6,136	4,263	-	10,399
<b>Total commitments (inclusive of GST)</b>	<b>13,237</b>	<b>8,397</b>	<b>-</b>	<b>21,634</b>
Less GST recoverable	645	376	-	1,021
<b>Total commitments (exclusive of GST)</b>	<b>12,592</b>	<b>8,021</b>	<b>-</b>	<b>20,613</b>

(i) Other commitments represent major project, regulatory, non-regulatory, and distribution grants

	Less than 1 Year	Between 1 and 5 years	Over 5 years	Total
	\$'000	\$'000	\$'000	\$'000
<b>2023</b>				
Operating commitments	315	11	-	326
Other commitments <sup>(i)</sup>	3,767	677	-	4,444
<b>Total commitments (inclusive of GST)</b>	<b>4,082</b>	<b>688</b>	<b>-</b>	<b>4,770</b>
Less GST recoverable	371	62	-	433
<b>Total commitments (exclusive of GST)</b>	<b>3,711</b>	<b>626</b>	<b>-</b>	<b>4,337</b>

*(i) Other commitments represent major project, regulatory, non-regulatory, and distribution grants*

### Statutory commitments

The Act requires that 50% of the Public Purpose Fund General Account balance as at 30 June each year is to be transferred to the Distribution Account in the following year.

The amount transferred from the 2023 General Account balance to the Distribution Account in 2024 was \$201.9m (2023: \$18.3m).

Funding under sections 143, 144 and 146 are paid to recipients from the Distribution Account as per section 138 of the Act. Recipients include Victoria Legal Aid, Victorian Law Reform Commission, Victoria Law Foundation and successful project and major grants applicants. For further details, refer to page 206.

## Notes to the financial statements

For the financial year ended 30 June 2024

### 8 RISKS, CONTINGENCIES AND VALUATION JUDGEMENTS

The Board and Commissioner are exposed to risk from its activities and outside factors. In certain circumstances it is necessary to make reasonable judgements and estimates associated with recognition and measurement of items in the financial statements. This section sets out specific information on financial instruments (including exposure to financial risks), items that are contingent in nature and valuation judgements associated with fair valuation determination.

#### 8.1 Financial instruments specific disclosures

Financial instruments arise out of contractual agreements that give rise to a financial asset of one entity and a financial liability or equity instrument of another entity. Due to the nature of the Board and Commissioner's activities, certain financial assets and financial liabilities arise under statute rather than a contract (for example taxes, fines and penalties). Such financial assets and financial liabilities do not meet the definition of financial instruments in AASB 132 Financial Instruments: Presentation.

Movements in the fair value of financial instruments will continue to be accounted for through net result.

##### 8.1.1 Categories of financial instruments

###### *Financial assets at amortised cost*

Financial assets are measured at amortised cost if both of the following criteria are met and the assets are not designated as fair value through net result:

- the assets are held by the organisation to collect the contractual cash flows; and
- the assets' contractual terms give rise to cash flows that are solely payments of principal and interest.

These assets are initially recognised at fair value plus any directly attributable transaction costs and subsequently measured at amortised cost using the effective interest method less any impairment.

The Board and Commissioner recognise the following assets in this category:

- cash and deposits;
- receivables (excluding statutory receivables);
- term deposits; and
- certain debt securities

Financial assets and liabilities at fair value through net result are categorised as such at trade date, or if they are classified as held for trading or designated as such upon initial recognition. Financial instrument assets are designated at fair value through net result on the basis that the financial assets form part of a group of financial assets that are managed by the entity concerned based on their fair values, and have their performance evaluated in accordance with documented risk management and investment strategies.

Financial instruments at fair value through net result are initially measured at fair value and attributable transaction costs are expensed as incurred. Subsequently, any changes in fair value are recognised in the net result as other economic flows. Any distributions or interest on a financial asset is recognised in the net result from transactions. The Board recognises investments in equities and funds under management in this category.

Financial instrument liabilities at amortised cost are initially recognised on the date they are originated. They are initially measured at fair value plus any directly attributable transaction costs. Subsequent to initial recognition, these financial instruments are measured at amortised cost with any difference between the initial recognised amount and the redemption value being recognised in profit and loss over the period of the interest-bearing liability, using the effective interest rate method.

Financial instrument liabilities measured at amortised cost include all payables (excluding statutory payables), deposits held and advances received, and interest-bearing arrangements (including lease liabilities).

###### *Derecognition of financial assets*

A financial asset (or, where applicable, a part of a financial asset or part of a group of similar financial assets) is derecognised when:

- the rights to receive cash flows from the assets have expired; or
- the Board and Commissioner retains the right to receive cash flows from the asset, but have assumed an obligation to pay them in full without material delay to a third party under a 'pass through' arrangement; or
- the Board and Commissioner have transferred their rights to receive cash flows from the asset and either:
  - › have transferred substantially all the risks and rewards of the asset, or
  - › have neither transferred nor retained substantially all the risks and rewards of the asset, but have transferred control of the asset

Where the Board and Commissioner have neither transferred nor retained substantially all the risks and rewards or transferred control, the asset is recognised to the extent of the Board and Commissioner's continuing involvement in the asset.

###### *Derecognition of financial liabilities*

A financial liability is derecognised when the obligation under the liability is discharged, cancelled or expires.

When an existing financial liability is replaced by another from the same lender on substantially different terms, or the terms of an existing liability are substantially modified, such an exchange or modification is treated as a derecognition of the original liability and the recognition of a new liability. The difference in the respective carrying amounts is recognised as an 'other economic flow' in the consolidated comprehensive operating statement. The carrying amounts of contractual financial assets and financial liabilities are disclosed below with loans between the Board and the Commissioner eliminated:

## 8.1.2 Financial instruments categorisation

	Cash and Deposits	Contractual financial assets/liabilities at fair value	Contractual financial assets at amortised cost	Total
2024	\$'000	\$'000	\$'000	\$'000
<b>CONTRACTUAL FINANCIAL ASSETS</b>				
<b>Cash and deposits</b>				
Cash and deposits	2,153,947	-	-	2,153,947
<b>Receivables</b>				
Receivables	-	-	38,915	38,915
<b>Investments and other contractual financial assets</b>				
Funds under management	-	979,045	-	979,045
Term deposits	-	-	115,000	115,000
<b>Total contractual financial assets</b>	<b>2,153,947</b>	<b>979,045</b>	<b>153,915</b>	<b>3,286,907</b>
<b>CONTRACTUAL FINANCIAL LIABILITIES</b>				
<b>Payables</b>				
Contractual payables and accrued expenses	-	-	6,238	6,238
<b>Lease liabilities and deposits at call</b>				
Lease liabilities	-	-	9,538	9,538
Statutory Deposit Account balances	-	-	2,535,071	2,535,071
<b>Total contractual financial liabilities</b>	<b>-</b>	<b>-</b>	<b>2,550,847</b>	<b>2,550,847</b>

## Notes to the financial statements

For the financial year ended 30 June 2024

### 8.1.2 Financial instruments categorisation (continued)

	Cash and Deposits	Contractual financial assets/liabilities at fair value through profit/loss	Contractual financial assets at amortised cost	Total
2023	\$'000	\$'000	\$'000	\$'000
<b>CONTRACTUAL FINANCIAL ASSETS</b>				
<b>Cash and deposits</b>				
Cash and deposits	2,716,167	-	-	2,716,167
<b>Receivables</b>				
Receivables	-	-	34,635	34,635
<b>Investments and other contractual financial assets</b>				
Funds under management	-	881,246	-	881,246
Term deposits	-	-	65,000	65,000
<b>Total contractual financial assets</b>	<b>2,716,167</b>	<b>881,246</b>	<b>99,635</b>	<b>3,697,048</b>
<b>CONTRACTUAL FINANCIAL LIABILITIES</b>				
<b>Payables</b>				
Contractual payables and accrued expenses	-	-	1,364	1,364
<b>Lease liabilities and deposits at call</b>				
Lease liabilities	-	-	1,430	1,430
Statutory Deposit Account balances	-	-	3,165,384	3,165,384
<b>Total contractual financial liabilities</b>	<b>-</b>	<b>-</b>	<b>3,168,178</b>	<b>3,168,178</b>

### Net holding gain/(loss) on financial instruments by category

	Net holding gain/(loss)	Total interest income	Total
	\$'000	\$'000	\$'000
<b>2024</b>			
Financial assets designated at fair value through net result	42,924	32,404	75,328
<b>Total contractual financial assets</b>	<b>42,924</b>	<b>32,404</b>	<b>75,328</b>
<b>2023</b>			
Financial assets designated at fair value through net result	27,609	22,871	50,480
<b>Total contractual financial assets</b>	<b>27,609</b>	<b>22,871</b>	<b>50,480</b>

### 8.1.3 Financial risk management objectives and policies

The net holding gains or losses disclosed above are determined as follows:

- for cash and cash equivalents and financial assets at amortised cost, the net gain or loss is calculated by taking the movement in the fair value of the asset, the interest income, minus any impairment recognised in the net result.
- for financial liabilities measured at amortised cost, the net gain or loss is calculated by taking the interest expense, plus or minus foreign exchange gains or losses arising from the revaluation of financial liabilities measured at amortised cost.
- for financial asset and liabilities that are measured at fair value through net result, the net gain or loss is calculated by taking the movement in the fair value of the financial asset or liability.

The Board and Commissioner's principal financial instruments comprise:

- cash assets;
- term deposits;
- receivables (excluding statutory receivables);
- investments in equities and funds under management;
- payables (excluding statutory payables);
- lease liability; and
- statutory deposit account balances.

The Board and Commissioner use different methods to measure and manage the different risks to which it is exposed. Primary responsibility for identification and management of financial risks rests with the Finance, Risk and Audit Committee.

Details of the significant accounting policies and methods adopted, including the criteria for recognition, the basis of measurement, and the basis on which income and expenses are recognised, with respect to each class of financial asset, financial liability and equity instrument above are disclosed in the relevant notes to the financial statements.

The main purpose in holding financial instruments is to prudentially manage the VLSB+C's financial risks within the government policy parameters.

The VLSB+C's main financial risks include credit risk, liquidity risk, interest rate risk, foreign currency risk and equity price risk. The VLSB+C manages these financial risks in accordance with its financial risk management policy.

VLSB+C uses different methods to measure and manage the different risks to which it is exposed. Primary responsibility for the identification and management of financial risks rests with the Responsible Persons of the VLSB+C.

#### **Financial Instruments: Credit risk**

Credit risk refers to the possibility that a borrower will default on its financial obligations as and when they fall due. The Board and Commissioner's exposure to credit risk arises from the potential default of a counter party on their contractual obligations resulting in financial loss to the Board or Commissioner. Credit risk is measured at fair value and is monitored on a regular basis.

Credit risk associated with the Board and the Commissioner's contractual financial assets is minimal because the main assets are cash at bank and other investments. The Board's policy is to deal with banks and other financial institutions with high credit ratings. A bank must be an approved deposit-taking institution. For the Commissioner, management has assessed the risk associated with receivables as minimal.

## Notes to the financial statements

For the financial year ended 30 June 2024

### 8.1.3 Financial risk management objectives and policies (continued)

#### Credit quality of financial assets

Credit rating	AA-	A			B+			Total		
		A	A (T)	A (W)	B+	B+ (T)(W)	B+ (W)	Other	Equities and managed funds	
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000		\$'000
<b>2024</b>										
Cash and cash equivalents	2,153,947	-	-	-	-	-	-	-	-	2,153,947
Receivables <sup>(i)</sup>	21,764	-	-	-	-	-	-	353	16,798	38,915
Investments and other financial assets	115,000	-	-	-	-	-	-	-	979,045	1,094,045
<b>Total contractual financial assets</b>	<b>2,290,711</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>353</b>	<b>995,843</b>	<b>3,286,907</b>
<b>2023</b>										
Cash and cash equivalents	2,694,287	21,880	-	-	-	-	-	-	-	2,716,167
Receivables <sup>(i)</sup>	22,548	-	-	-	-	-	11,387	700	-	34,635
Investments and other financial assets <sup>(ii)</sup>	65,000	649,353	30,028	24,530	133,366	43,967	-	-	-	946,244
<b>Total contractual financial assets</b>	<b>2,781,835</b>	<b>671,233</b>	<b>30,028</b>	<b>24,530</b>	<b>133,366</b>	<b>43,967</b>	<b>11,387</b>	<b>700</b>	<b>-</b>	<b>3,697,046</b>

(i) Amounts disclosed excludes statutory financial assets

(ii) 2023 credit ratings were sourced from VLSB+C's previous investment advisor Mercer.

#### Impairment of financial assets under AASB 9

VLSB+C records a provision for the relevant financial instruments by applying AASB 9's expected credit loss approach. Subject to AASB 9, impairment assessment includes contractual receivables and statutory receivables.

Equity instruments are not subject to impairment under AASB 9. Other financial assets measured at fair value through net result are not subject to impairment assessment under AASB 9. While cash and cash equivalents are also subject to the impairment requirements of AASB 9, no impairment loss was identified.

**Contractual receivables at amortised cost**

VLSB+C applies a simplified approach to measure expected credit losses for all contractual receivables using a lifetime expected loss allowance based on the assumptions about risk of default and expected loss rates.

On this basis, VLSB+C determined the provision for expected credit losses as follows:

	Current	Less than 1 month	1 - 3 months	Over 3 months	Total
<b>2024</b>					
Expected loss rate (%)	0%	0%	0%	36%	
Gross carrying amount of contractual receivables (\$'000)	-	-	0	553	553
<b>Loss allowance (\$'000)</b>	-	-	0	199	199
<b>2023</b>					
Expected loss rate (%)	0%	0%	98%	32%	
Gross carrying amount of contractual receivables (\$'000)	-	-	42	611	653
<b>Loss allowance (\$'000)</b>	-	-	41	193	234

Credit loss allowance is classified as other economic flows in the net result.

Contractual receivables are written off when there is no reasonable expectation of recovery and impairment losses are classified as either a transaction expense or other economic flow in the net result.

**Statutory receivables at amortised cost**

VLSB+C's non-contractual receivables arising from statutory requirements are not financial instruments. However, they are nevertheless recognised and measured in accordance with AASB 9 requirements as if those receivables are financial instruments.

Statutory receivables are considered to have low credit risk, taking into account the counterparty's credit rating, risk of default and capacity to meet contractual cash flow obligations in the near term. As a result, the loss allowance recognised for these financial assets during the period was limited to 12 months of expected losses. No loss allowance has been recognised.

## Notes to the financial statements

For the financial year ended 30 June 2024

### 8.1.3 Financial risk management objectives and policies (continued)

#### *Financial instruments: liquidity risk*

Liquidity risk arises from being unable to meet financial obligations as they fall due. Both the Board and the Commissioner operate under the Government's fair payment policy of settling financial obligations within 30 days and in the event of a dispute, making payments within 30 days from the date of resolution.

The maximum exposure to liquidity risk is the carrying amounts of financial liabilities as disclosed on the face of the balance sheet. The Board and the Commissioner manage their liquidity risk by:

- maintaining an adequate level of uncommitted funds that can be drawn at short notice to meet its short-term obligation, including honouring all Statutory Deposit Account withdrawal requests.
- holding investments and other contractual financial assets that are readily tradable in the financial markets.
- careful maturity planning of its financial obligations based on forecasts of future cash flows; and
- close monitoring of its short-term and long-term borrowings by senior management, including monthly reviews on current and future borrowing levels and requirements.

The Board and Commissioner's exposure to liquidity risk is deemed insignificant based on prior periods' data and current assessment of risk. Cash for unexpected events if required would be sourced from liquidation of financial investments held at fair value through net result (profit or loss).

#### *Financial instruments: market risk*

The Board is exposed to market risk which includes interest rate risk, equity price risk and foreign currency risk. The Commissioner is exposed to interest rate risk. Objectives, policies and processes used to manage each of these risks are disclosed below:

#### *Financial instruments: interest rate risk*

Fair value interest rate risk is the risk that the fair value of a financial instrument will fluctuate because of changes in market interest rates.

The Board has significant exposure to both Australian and global fixed interest investments through funds under management.

The Board also has significant exposure to cash flow interest rate risk through its cash, term deposits and deposits that are at floating rates. Interest rate sensitivity analysis in the following section illustrates the potential impact of 25 basis points movement on the Board's revenue.

The Board manages this interest rate risk through:

- a diversified asset allocation strategy;
- the establishment and maintenance of Deeds of Arrangement with Approved Deposit Institutions; and
- SDA management contracts in place with Commonwealth Bank of Australia.

The diversified asset allocation strategy is reviewed at least annually and the banking arrangements are subject to periodic review and re-negotiation. Management monitors movement in interest rates on a daily basis.

The Commissioner does not hold any interest bearing instruments that are measured at fair value and therefore has no exposure to fair value interest rate risk.

The inter-entity loan balance owed by the Board to the Commissioner (which has been eliminated on consolidation) attracts no interest as, under the Act, the Board must only pay out of the Public Purpose Fund each year an amount determined by the Board to meet the expenses of, and discharge the liabilities incurred by, the Commissioner in performing functions under the Act during the year (section 141 of the Act).

The Board and Commissioner have no financial liabilities subject to movements in market rates and prices.

Interest rate exposure of financial instruments for the year ended 30 June 2024

	Interest rate exposure				
	Weighted average interest rate	Carrying amount	Fixed interest rate	Variable interest rate	Non-interest bearing
	%	\$'000	\$'000	\$'000	\$'000
<b>2024</b>					
<b>FINANCIAL ASSETS <sup>(i)</sup></b>					
<b>Cash and cash equivalents</b>	<b>4.79%</b>	<b>2,153,947</b>	30,000	2,123,947	-
<b>Receivables</b>					
Trade receivables		353	-	-	353
Accrued investment distributions		16,798	-	-	16,798
Accrued interest - Statutory Deposit Account		8,095	-	-	8,095
Accrued interest - Residual Trust Account		11,481	-	-	11,481
Accrued other income		2,188	-	-	2,188
<b>Investments and other contractual financial assets</b>					
Funds under management	4.75%	979,045	62,989	379,099	536,957
Term deposits - operating cash	4.98%	115,000	115,000	-	-
<b>Total financial assets</b>		<b>3,286,907</b>	<b>207,989</b>	<b>2,503,046</b>	<b>575,872</b>
<b>FINANCIAL LIABILITIES <sup>(i)</sup></b>					
<b>Payables</b>					
Payables and accrued expenses		6,238	-	-	6,238
<b>Borrowings and deposits</b>					
Lease liabilities	1.25%	9,538	9,538	-	-
Statutory Deposit Account balances		2,535,071			2,535,071
<b>Total financial liabilities</b>		<b>2,550,847</b>	<b>9,538</b>	<b>-</b>	<b>2,541,309</b>

(i) Excludes statutory financial assets and liabilities.

## Notes to the financial statements

For the financial year ended 30 June 2024

### 8.1.3 Financial risk management objectives and policies (continued)

#### Interest rate exposure of financial instruments for the year ended 30 June 2023

	Weighted average interest rate %	Interest rate exposure			
		Carrying amount \$'000	Fixed interest rate \$'000	Variable interest rate \$'000	Non-interest bearing \$'000
<b>2023</b>					
<b>FINANCIAL ASSETS <sup>(i)</sup></b>					
<b>Cash and cash equivalents</b>	<b>3.43%</b>	<b>2,716,167</b>	-	2,716,167	-
<b>Receivables</b>					
Trade receivables		418			418
Accrued investment distributions		11,670	-	-	11,670
Accrued interest - Statutory Deposit Account		9,937	-	-	9,937
Accrued interest - Residual Trust Account		11,256	-	-	11,256
Accrued other income		1,355	-	-	1,355
<b>Investments and other contractual financial assets</b>					
Funds under management	1.31%	881,246	275,459	-	605,787
Term deposits - operating cash	4.02%	65,000		65,000	
<b>Total financial assets</b>		<b>3,697,049</b>	<b>-</b>	<b>2,781,167</b>	<b>640,423</b>
<b>FINANCIAL LIABILITIES <sup>(i)</sup></b>					
<b>Payables</b>					
Payables and accrued expenses		1,364	-	-	1,364
<b>Borrowings and deposits</b>					
Lease liabilities	1.87%	1,430	1,430	-	-
Statutory Deposit Account balances		3,165,384	-	-	3,165,384
<b>Total financial liabilities</b>		<b>3,168,178</b>	<b>1,430</b>	<b>-</b>	<b>3,166,748</b>

(i) Excludes statutory financial assets and liabilities.

### Interest rate sensitivity analysis

The Board and Commissioner's sensitivity to market risk is determined based on the observed range of actual historical data for the preceding five-year period, with all variables other than the primary risk variable held

constant. The Board's fund managers cannot be expected to predict movements in market rates and prices. Sensitivity analyses shown are for illustrative purposes only.

Sensitivity analysis is presented in the table below for a movement of 25 basis points up and down

	Carrying amount \$'000	Interest rate risk			
		-25 basis points (2023: -25 basis points)		+25 basis points (2023: +25 basis points)	
		Net result \$'000	Equity \$'000	Net result \$'000	Equity \$'000
<b>2024</b>					
<b>CONTRACTUAL FINANCIAL ASSETS</b>					
Cash and cash equivalents	2,153,947	(5,385)	(5,385)	5,385	5,385
Term deposits - operating cash	115,000	(288)	(288)	288	288
Investments	979,045	(1,105)	(1,105)	1,105	1,105
<b>Total impact</b>		<b>(6,778)</b>	<b>(6,778)</b>	<b>6,778</b>	<b>6,778</b>
<b>2023</b>					
<b>CONTRACTUAL FINANCIAL ASSETS</b>					
Cash and cash equivalents	2,716,167	(6,790)	(6,790)	6,790	6,790
Term deposits - operating cash	65,000	(163)	(163)	163	163
Investments	881,246	-	-	-	-
<b>Total impact</b>		<b>(6,953)</b>	<b>(6,953)</b>	<b>6,953</b>	<b>6,953</b>

### Residual Trust accounts

The above analysis does not reflect the impact on the Board's revenue from interest rate changes on returns from Residual Trust accounts. Under the provisions of the Act, the Board receives interest from Approved Deposit Institutions for funds deposited in non-SDA Residual Trust accounts held by legal practitioners or approved clerks.

The quantum of interest received on residual trust funds for the year ended 30 June 2024 was \$137.6m (2023: \$96.9m). Based on a rolling average balance in Residual Trust Funds as at 30 June 2024 of \$3.69bn (2023: \$4.21bn), a 25 basis point movement would impact the revenue attributable to the Board by \$9.22m (2023: \$10.52m).

### Equity price risk

The Board is exposed to equity price risk through its investments in listed and unlisted funds under management. Such investments are allocated and traded to match the approved investment objectives appropriate for the Board's liabilities.

The Board oversees the management of equity price risk throughout the year. The Board's objective of managing other price risk is to minimise negative impacts on investment value due to the volatility of financial markets.

The Board has appointed JBWere as its external, independent investment advisor to review and provide recommendations on its investment strategies, asset allocation and fund managers. Management and JBWere closely monitor investment performance and provide reporting to the Funding and Investment Committee at each meeting.

The investment advisor is expected to manage this risk with parameters set by the Board and with appropriate oversight by management and the Board. The risk is managed through the appropriate diversification of funds under management as outlined in VLSB+C's Investment Policy Statement.

## Notes to the financial statements

For the financial year ended 30 June 2024

### 8.1.3 Financial risk management objectives and policies continued

#### Equity price risk sensitivity analysis

JBWere estimates that movements in equity price risk will be from negative 20% to positive 20% in the next 12 months. Management does not believe that it is possible to reasonably estimate the variables used further than for 12 months.

	Carrying amount \$'000	Equity price risk			
		20%		20%	
		Net result \$'000	Equity \$'000	Net result \$'000	Equity \$'000
<b>2024</b>					
<b>FINANCIAL ASSETS</b>					
Investments at fair value through profit or loss	979,045	(107,391)	(107,391)	107,391	107,391
<b>Total impact</b>		<b>(107,391)</b>	<b>(107,391)</b>	<b>107,391</b>	<b>107,391</b>
<b>2023</b>					
<b>FINANCIAL ASSETS</b>					
Investments at fair value through profit or loss	881,246	(176,249)	(176,249)	176,249	176,249
<b>Total impact</b>		<b>(176,249)</b>	<b>(176,249)</b>	<b>176,249</b>	<b>176,249</b>

#### Foreign currency risk

The Board's exposure to foreign currency risk is through the below investment streams:

- Global equities;
- Government bonds

The Commissioner is not exposed to direct foreign currency risk as it does not hold any foreign financial instruments.

### 8.2 Contingent Assets and Liabilities

Contingent assets and contingent liabilities are not recognised in the balance sheet, but are disclosed and, if quantifiable, are measured at nominal value.

Contingent assets and liabilities are presented inclusive of GST receivable or payable respectively.

**Contingent assets** are possible assets that arise from past events, whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the entity. These are classified as either quantifiable, where the potential economic benefit is known, or non-quantifiable. At 30 June 2024 there were no contingent assets (2023: nil).

Contingent liabilities are also classified as either quantifiable or non-quantifiable and include:

- possible obligations that arise from past events, whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the entity; or
- present obligations that arise from past events but are not recognised because:
  - › it is not probable that an outflow of resources embodying economic benefits will be required to settle the obligations; or
  - › the amount of the obligations cannot be measured with sufficient reliability.

Contingent liabilities are also classified as either quantifiable or non-quantifiable.

#### Quantifiable contingent liabilities

As at 30 June 2024, The Board's and Commissioner has no quantifiable liabilities (2023: nil).

#### Non-quantifiable contingent liabilities

Other potential obligations that are non-quantifiable at this time arise from unclaimed monies, which may be subject to future claims by the general public against the State.

### 8.3 Fair value determination

#### Significant judgement: fair value measurements of assets and liabilities

Fair value determination requires judgement and the use of assumptions. This section discloses the most significant assumptions used in determining fair values. Changes to assumptions could have a material impact on the results and financial position of the Board and Commissioner.

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.

The following assets and liabilities are carried at fair value:

- financial assets and liabilities at fair value through profit or loss
- plant and equipment.

The Board and Commissioner determine the policies and procedures for determining fair values for both financial and non-financial assets and liabilities as required.

#### Fair value hierarchy

In determining fair values, a number of inputs are used. To increase consistency and comparability in the financial statements, these inputs are categorised into three levels, also known as the fair value hierarchy. The three levels of the fair value hierarchy and fair value determination are as follows:

- Level 1 - the fair value of financial instruments with standard terms and conditions and traded in active liquid markets are determined with reference to quoted market prices;
- Level 2 - the fair value is determined using inputs other than quoted prices that are observable for the financial asset or liability, either directly or indirectly; and
- Level 3 - the fair value is determined in accordance with generally accepted pricing models based on discounted cash flow analysis using unobservable market inputs.

The Board and Commissioner determine whether transfers have occurred between levels in the hierarchy by reassessing categorisation (based on the lowest level input that is significant to the fair value measurement as a whole) at the end of each reporting period.

#### How fair value disclosures are structured

For those assets and liabilities for which fair values are determined, the following disclosures are provided:

- carrying amount and the fair value (which would be the same for those assets measured at fair value)
- which level of the fair value hierarchy was used to determine the fair value
- in respect of those assets and liabilities subject to fair value determination using Level 3 inputs:
  - › a reconciliation of the movements in fair values from the beginning of the year to the end; and
  - › details of significant unobservable inputs used in the fair value determination

#### 8.3.1 Fair value determination of financial assets and liabilities

The Board and Commissioner currently holds a range of financial instruments that are recorded in the financial statements where the carrying amounts are a reasonable approximation of fair value, either due to the short-term nature of the financial instruments or with the expectation that they will be paid in full by the end of the reporting period. These financial instruments include:

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#### Financial assets

Cash deposits

Receivables

- Sale of goods and services
- Accrued investment income
- Other receivables

Investments and other contractual financial assets

- Term deposits
- Investments at fair value through profit or loss

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#### Financial liabilities

Payables

- For supplies and services
- Amounts payable to government and agencies
- Other payables
- Statutory Deposit Account Balances
- Lease liability

#### 8.3.2 Fair value of financial assets and liabilities at amortised costs

The carrying amounts of the Board and Commissioner's cash and deposits, receivables (excluding statutory receivables), payables (excluding statutory payables) are reasonable approximations of their fair values as at 30 June 2024.

## Notes to the financial statements

For the financial year ended 30 June 2024

### 8.3.3 Fair value determination for financial assets at fair value through net result

The Board and Commissioner's managed investment schemes are carried at their fair values and are categorised within the following table:

#### Financial assets measured at fair value

	Carrying amount	Fair value measurement at end of reporting period using:		
		Level 1	Level 2 <sup>(i)</sup>	Level 3 <sup>(ii)</sup>
		\$'000	\$'000	\$'000
<b>2024</b>				
Investments at fair value through profit or loss	979,045	169,538	673,589	135,918
<b>Total</b>	<b>979,045</b>	<b>169,538</b>	<b>673,589</b>	<b>135,918</b>

	Carrying amount	Fair value measurement at end of reporting period using:		
		Level 1	Level 2 <sup>(iii)</sup>	Level 3 <sup>(ii)</sup>
		\$'000	\$'000	\$'000
<b>2023</b>				
Investments at fair value through profit or loss	881,246	734,700	146,546	-
<b>Total</b>	<b>881,246</b>	<b>734,700</b>	<b>146,546</b>	<b>-</b>

(i) Level 2 assets relate to managed funds and corporate bonds

(ii) Level 3 assets relate to illiquid investments, with their assets valued occasionally

(iii) Prior year figures have been restated due to reclassification of unlisted infrastructure fund holdings.

### 8.3.4 Fair value determination of non-financial assets

Capitalised plant and equipment, including right-of-use assets, of \$14.7m at 30 June 2024 (2023: \$1.8m) is measured at level 3 of the fair value hierarchy. There have been no transfers between levels during the period.

**Motor vehicles** are valued using the depreciated replacement cost method.

**Plant and equipment** is held at fair value. When plant and equipment is specialised in use, such that it is rarely sold other than as part of a going concern, fair value is determined using the depreciated replacement cost method.

There were no changes in valuation techniques throughout the period to 30 June 2024. For all assets measured at fair value, the current use is considered the highest and best use.

## 9 OTHER DISCLOSURES

### 9.1 Other economic flows included in net result

Other economic flows are changes in the volume or value of an asset or liability that do not result from transactions. Other gains/(losses) from other economic flows include the gains or losses from:

- the revaluation of the present value of the long service leave liability due to changes in the bond interest rates; and
- reclassified amounts relating to available-for-sale financial instruments from the reserves to net result due to a disposal or derecognition of the financial instrument.

#### Other economic flows – by entity

	2024	2023
	\$'000	\$'000
<b>PUBLIC PURPOSE FUND</b>		
Net gain/(loss) on financial instruments arising from changes in fair value	39,923	25,110
Net gain/(loss) on disposal of financial instruments through net result	1,435	3,070
Bad debts written off unilaterally and doubtful debts	1	(14)
<b>Total net gain/(loss) on financial instruments</b>	<b>41,359</b>	<b>28,166</b>
Net gain/(loss) on disposal of property, plant and equipment	18	(30)
<b>Total net gain/(loss) on non-financial instruments</b>	<b>18</b>	<b>(30)</b>
<b>FIDELITY FUND</b>		
Net gain/(loss) on financial instruments arising from changes in fair value	3,001	2,499
Change due to actuarial valuations	(150)	(1,160)
<b>Total net gain/(loss) on financial instruments</b>	<b>2,851</b>	<b>1,339</b>
<b>VICTORIAN LEGAL SERVICES COMMISSIONER</b>		
Bad debts written off unilaterally and doubtful debts	35	(31)
Net gain from the revaluation of present value of long service leave	52	52
<b>Total net gain on financial instruments</b>	<b>87</b>	<b>21</b>
<b>Total other economic flows included in net result</b>	<b>44,315</b>	<b>29,496</b>

## Notes to the financial statements

For the financial year ended 30 June 2024

### Other economic flows – by type

	2024	2023
	\$'000	\$'000
<b>NET GAIN/(LOSS) ON FINANCIAL INSTRUMENTS</b>		
Net gain/(loss) on financial instruments arising from changes in fair value	42,924	27,609
Net gain/(loss) on disposal of financial instruments through net result	1,435	3,070
<b>Total net gain/(loss) on financial instruments</b>	<b>44,359</b>	<b>30,679</b>
<b>NET GAIN/(LOSS) ON NON-FINANCIAL INSTRUMENTS</b>		
Net gains/(loss) on disposal of property, plant and equipment	18	(30)
<b>Total net gain/(loss) on non-financial instruments</b>	<b>18</b>	<b>(30)</b>
<b>OTHER GAINS/(LOSS) FROM OTHER ECONOMIC FLOWS</b>		
Bad debts written off unilaterally and doubtful debts	36	(45)
Change due to actuarial valuations	(150)	(1,160)
Net gain/(loss) from the revaluation of present value of long service leave	52	52
<b>Total other gains/(loss) from other economic flows</b>	<b>(62)</b>	<b>(1,153)</b>
<b>Total other economic flows included in net result</b>	<b>44,315</b>	<b>29,496</b>

### 9.2 Responsible persons

In accordance with the Ministerial Directions issued by the Assistant Treasurer under the *Financial Management Act 1994* (FMA), the following disclosures are made regarding responsible persons for the reporting period.

#### 9.2.1 Names of responsible persons

The persons who held the positions of Responsible Minister, Board Member and Accountable Officer in the Victorian Legal Services Board and Victorian Legal Services Commissioner are as follows:

Position	Responsible person	Period
Attorney-General	The Hon. Jaclyn Symes MP	1 July 2023 to 30 June 2024
Acting Attorney-General	The Hon. Enver Erdogan, MP	1 April 2024 to 13 April 2024
	The Hon. Anthony Richard Carbines, MP	22 March 2024 to 31 March 2024
	The Hon. Anthony Richard Carbines, MP	1 July 2023 to 21 July 2023
Accountable Officer	Ms Fiona McLeay	1 July 2023 to 30 June 2024
Chairperson	Ms Fiona Bennett	1 July 2023 to 30 June 2024
Board Member	Ms Liz Harris	1 July 2023 to 30 June 2024
Board Member	Dr Lynne Williams AM	1 July 2023 to 30 June 2024
Board Member	Ms Catherine Wolthuizen	1 July 2023 to 30 June 2024
Board Member	Mr Sam Hay KC	1 July 2023 to 30 June 2024
Board Member	Ms Jacinta Lewin	1 July 2023 to 30 June 2024
Board Member	Mr Glen Noonan	19 September 2023 to 30 June 2024

### 9.2.2 Remuneration of responsible persons

Remuneration received or receivable by the responsible persons in connection with the management of the Board and Commissioner (excluding the responsible Minister) during the reporting period are as follows:

	2024 No.	2023 No.
<b>INCOME BAND</b>		
less than \$9,999		2
\$10,000 to \$19,999		1
\$30,000 to \$39,999	1	2
\$40,000 to \$49,999	5	3
\$90,000 to \$99,999	1	1
\$450,000 to \$459,999		1
\$460,000 to \$469,999	1	
<b>Total numbers</b>	<b>8</b>	<b>10</b>
<b>Total amount (\$)</b>	<b>830,957</b>	<b>782,674</b>

### 9.3 Remuneration of executives

The number of Senior Executive Service (SES) personnel, other than the responsible Minister and Accountable Officer, and their total remuneration during the reporting period are shown in the table below. Total annualised employee equivalents provides a measure of full time equivalent executive officers over the reporting period.

Remuneration comprises employee benefits in all forms of consideration paid, payable or provided by or on behalf of the Commissioner, in exchange for services rendered, and is disclosed in the following categories.

**Short-term employee benefits** include amounts such as wages, salaries, annual leave or sick leave that are usually paid or payable on a regular basis, as well as non-monetary benefits such as allowances and free or subsidised goods or services.

**Post-employment benefits** include pensions and other retirement benefits paid or payable on a discrete basis when employment has ceased.

**Other long-term benefits** include long service leave, other long service benefits or deferred compensation.

	Compensation 2024	Compensation 2023
<b>REMUNERATION OF EXECUTIVE OFFICERS</b>		
Short-term employee benefits	1,450,224	1,327,458
Post-employment benefits	145,088	127,361
Other long-term benefits	36,782	31,284
<b>Total remuneration</b>	<b>1,632,094</b>	<b>1,486,103</b>
<b>Total number of executives<sup>(i)</sup></b>	<b>6</b>	<b>6</b>
<b>Total annualised employee equivalents<sup>(ii)</sup></b>	<b>6</b>	<b>6</b>

(i) The total number of executive officers includes persons who meet the definition of Key Management Personnel (KMP) of the entity under AASB 124 Related Party Disclosures.

(ii) Annualised employee equivalent is based on the time fraction worked over the reporting period. The total annualised employee equivalent provides a measure of full-time equivalent executive officers over the reporting period.

## Notes to the financial statements

For the financial year ended 30 June 2024

### 9.4 Related parties

Related parties of the Board and Commissioner include:

- all key management personnel and their close family members and personal business interests (controlled entities, joint ventures and entities they have significant influence over);
- all cabinet ministers and their close family members; and
- all departments and public sector entities that are controlled and consolidated into the whole of state consolidated financial statements.

All related party transactions have been entered into on an arm's length basis.

#### Significant transactions with government-related entities

During the year, the Board had the following government-related entity transactions:

- Funding to Victoria Legal Aid of \$50.8m (2023: \$24.27m) under Sections 143 and 146 of the *Legal Profession Uniform Law Application Act 2014*;

- Funding to Victorian Law Reform Commission of \$2.33m (2023: \$2.04m) to continue performing functions under the *Victorian Law Reform Commission Act 2000*;
- Funding to Victorian Law Foundation of \$2.94m (2023: \$2.64m) to continue performing functions under the *Victoria Law Foundation Act 2009 (Vic)*;
- Funding to Victorian Civil and Administrative Tribunal of \$1.29m (2023: \$1.20m) for the Legal Practice List; and
- Funding to Victorian Legal Admissions Board of \$1.810m (2023: \$1.847m) to perform functions under the *Legal Profession Uniform Law Application Act 2014* – primarily to regulate entry to the legal profession in Victoria.

### 9.5 Key management personnel

Key management personnel of the Board and Commissioner includes responsible Minister MP, members of the Board and Senior Executive Team as follows:

Position	Key management personnel	Period
Attorney-General	The Hon. Jaclyn Symes MP	1 July 2023 to 30 June 2024
Accountable Officer	Ms Fiona McLeay	1 July 2023 to 30 June 2024
Chairperson	Ms Fiona Bennett	1 July 2023 to 30 June 2024
Board Member	Ms Liz Harris	1 July 2023 to 30 June 2024
Board Member	Dr Lynne Williams AM	1 July 2023 to 30 June 2024
Board Member	Ms Catherine Wolthuizen	1 July 2023 to 30 June 2024
Board Member	Mr Sam Hay KC	1 July 2023 to 30 June 2024
Board Member	Ms Jacinta Lewin	1 July 2023 to 30 June 2024
Board Member	Mr Glen Noonan	19 September 2023 to 30 June 2024
Executive Director, Shared Services & Digital Transformation	Nicholas Diss	1 July 2023 to 30 June 2024
Executive Director, Investigations	Matthew Anstee	1 July 2023 to 30 June 2024
Executive Director, Policy & Outreach	Kerri-anne Millard	1 July 2023 to 30 June 2024
Executive Director, Enquiries & Complaints	Danny Whelan	1 July 2023 to 30 June 2024
Director, People and Culture	Simon Dally	1 July 2023 to 30 June 2024
Executive Adviser to the CEO/Commissioner	Kelly Spiteri	1 July 2023 to 30 June 2024

## Remuneration of key management personnel

The compensation detailed below excludes the salaries and benefits the Portfolio Minister receives. The Minister's remuneration and allowances are set by the *Parliamentary Salaries and Superannuation Act 1968* and is reported within the State's Annual Financial Report.

	Compensation 2024	Compensation 2023
<b>COMPENSATION OF KEY MANAGEMENT PERSONNEL</b>		
Short-term employee benefits	2,207,548	2,044,211
Post-employment benefits	208,780	183,730
Other long-term benefits	46,722	40,835
<b>Total</b>	<b>2,463,050</b>	<b>2,268,776</b>

### Transactions and balances with key management personnel and other related parties

Given the breadth and depth of State government activities, related parties transact with the Victorian public sector in a manner consistent with other members of the public e.g. stamp duty and other government fees and charges. Further employment of processes within the Victorian Public sector occur on terms and conditions consistent with the *Public Administration Act 2004* and Codes of Conduct and Standards issued by the Victorian Public Sector Commission. Procurement processes occur on terms and conditions consistent with the Victorian Government Procurement Board requirements.

Outside of normal citizen type transactions with the Board and Commissioner, the following related party transactions occurred during the year:

- (a) Ms Liz Harris is a current member of the Legal Services Council (LSC) with a commencement date October 2020.
- LSC received \$634,721 for Victoria's contribution to the national Uniform Law Scheme. The payment is allowed under s139 of the Uniform Law.
- (b) Sam Hay KC was President of Victorian Bar Council (VBC) until November 2023.
- VBC received \$893,011 for Victoria's contribution to the national Uniform Law Scheme. The payment is allowed under s139 of the Uniform Law Act.

- (c) Fiona McLeay is the current Board Chair of Health Justice Australia (HJA) with a commencement date of 2016.

HJA received \$60,000 for sponsorship initiatives. The payment is allowed under s144(1) of the Uniform Law Act.

- (d) Catherine Wolthuizen's spouse is a current Board member of the Consumer Action Legal Centre (CALC) and he commenced in the role in 2017.

CALC received a \$136,500 grant for the "Lemon Cars" Project. The payment is allowed under s144(1) of the Uniform Law Act.

All amounts are GST exclusive and there is no outstanding amount payable as at 30 June 2024.

All other transactions that have occurred with Key Management Personnel and their related parties have not been considered material for disclosure. In this context, transactions are only disclosed when they are considered necessary to draw attention to the possibility that the Board and Commissioner's financial position and profit or loss may have been affected by the existence of related parties, and by transactions and outstanding balances, including commitments, with such parties.

No provision has been required, nor any expense recognised, for impairment of receivables from related parties.

## 9.6 Remuneration of auditors

	2024 \$'000	2023 \$'000
<b>VICTORIAN AUDITOR-GENERAL'S OFFICE<sup>(i)</sup></b>		
Audit of financial statements	86	78
<b>Total remuneration of auditors</b>	<b>86</b>	<b>78</b>

(i) The Victorian Auditor-General's Office is not allowed to provide non-audit services.

## Notes to the financial statements

For the financial year ended 30 June 2024

### 9.7 Entities consolidated pursuant to section 53(1)(b) of the FMA

The following entities have been consolidated into the VLSB+C's financial statements pursuant to a determination made by the Assistant Treasurer under section 53(1)(b) of the FMA:

- Victorian Legal Services Board
- Victorian Legal Services Commissioner.

	Victorian Legal Services Board		Victorian Legal Services Commissioner		Eliminations and adjustments		VLSB+C consolidated group	
	2024 \$'000	2023 \$'000	2024 \$'000	2023 \$'000	2024 \$'000	2023 \$'000	2024 \$'000	2023 \$'000
Total income from transactions	306,473	241,372	19,902	14,680	(19,844)	(14,572)	306,531	241,480
Net result from transactions	187,645	175,241	(14,025)	(9,100)	-	-	173,620	166,141
Total assets	3,302,943	3,700,291	5,365	6,124	(4,142)	(5,219)	3,304,166	3,701,196
Total liabilities	2,586,034	3,204,313	6,452	4,215	(4,142)	(5,219)	2,588,344	3,203,309

### 9.8 Subsequent events

No material subsequent events occurred after the reporting date.

The policy in connection with recognising subsequent events for events that occur between the end of the reporting period and the date when the financial statements are authorised for issue is as follows:

- Adjustments are made to amounts recognised in the financial statements for events where those events provide information about conditions which existed at the reporting date; and/or
- Note disclosure is made where the events relate to conditions that arose after the end of the reporting period that are considered to be of material interest.

### 9.9 Australian Accounting Standards issued that are not yet effective

Certain new Australian Accounting Standards (AASs) have been issued but are not effective for the 2023-24 reporting period. The Department of Treasury and Finance assesses the impact of these new standards and advises the Board and the Commissioner of their applicability and early adoption where applicable.

As at 30 June 2024, the following standards have been issued by the AASB but are not yet effective. They become effective for the first financial statements for the reporting periods commencing on or after the stated operative dates as follows:

- *AASB 2022-10 Amendments to Australian Accounting Standards – Fair Value Measurement of Non-Financial Assets of Not-for-Profit Public Sector Entities.*

This Standard amends AASB 13 *Fair Value Measurement* by adding authoritative implementation guidance and illustrative examples for fair value measurements of non-financial assets of not-for-profit public sector entities not held primarily for their ability to generate net cash inflows. This Standard applies prospectively to annual periods beginning on or after 1 January 2024.

- *AASB 2022-9 Amendments to Australian Accounting Standards – Insurance Contracts in the Public Sector AASB 17 Insurance Contracts*

AASB 17 replaces AASB 4 *Insurance Contracts*, AASB 1023 *General Insurance Contracts* and AASB 1038 *Life Insurance Contracts* for not-for-profit public sector entities for annual reporting periods beginning on or after 1 July 2026.

VLSB+C is in the process of analysing the amendments to these standards. However, it is not anticipated to have a material impact.

A number of other standards and amendments have also been issued that apply to future reporting periods, however, they are not expected to have any significant impact on the financial statements in the period of initial application.

## 10 GLOSSARY OF TERMS AND STYLE CONVENTIONS

The following is a summary of major technical terms used in this report.

### Act

*Legal Profession Uniform Law Application Act 2014*  
(replaces the former *Legal Profession Act 2004*)

### Administered item

Administered item generally refers to a department or entity lacking the capacity to benefit from that item in the pursuit of the entity's objectives and to deny or regulate the access of others to that benefit.

### Amortisation

Amortisation is the expense which results from the consumption, extraction or use over time of a non-produced physical or intangible asset.

### Commitments

Commitments include those operating, capital and other outsourcing commitments arising from non-cancellable contractual or statutory sources.

### Comprehensive result

The net result of all items of income and expense recognised for the period. It is the aggregate of operating result and other comprehensive income, representing total change in net worth other than transactions with owners as owners.

### Depreciation

Depreciation is an expense that arises from the consumption through wear and tear or time of a produced physical or intangible asset. This expense is classified as a 'transaction' and so reduces the 'net result from transaction'.

### Effective interest method

The effective interest method is used to calculate the amortised cost of a financial asset or liability and of allocating interest income over the relevant period. The effective interest rate is the rate that exactly discounts estimated future cash receipts through the expected life of the financial instrument, or, where appropriate, a shorter period.

### Employee benefits expenses

Employee benefits expenses include all costs related to employment including wages and salaries, fringe benefits tax, leave entitlements, redundancy payments and superannuation contributions.

### Fidelity Fund

The Fidelity Fund is maintained under section 121 of the Act. The purpose of the Fidelity Fund is to compensate clients for losses arising out of defaults by law practices arising from acts or omissions of associates and defaults by approved clerks. The amount in the Fidelity Fund must be kept separate from any other money held by the Board and be held in trust. The Board may invest any money in the Fidelity Fund that is not immediately required for the purposes of the Fidelity Fund in the manner in which money may be invested under the *Trustee Act 1958*.

### Financial asset

A financial asset is any asset that is:

- (a) cash;
- (b) an equity instrument of another entity;
- (c) a contractual or statutory right:
  - to receive cash or another financial asset from another entity; or
  - to exchange financial assets or financial liabilities with another entity under conditions that are potentially favourable to the entity; or
- (d) a contract that will or may be settled in the entity's own equity instruments and is:
  - a non-derivative for which the entity is or may be obliged to receive a variable number of the entity's own equity instruments; or
  - a derivative that will or may be settled other than by the exchange of a fixed amount of cash or another financial asset for a fixed number of the entity's own equity instruments.

### Financial instrument

A financial instrument is any contract that gives rise to a financial asset of one entity and a financial liability or equity instrument of another entity. Financial assets or liabilities that are not contractual are not financial instruments.

## Notes to the financial statements

For the financial year ended 30 June 2024

### Financial liability

A financial liability is any liability that is:

- (a) a contractual obligation:
  - to deliver cash or another financial asset to another entity; or
  - to exchange financial assets or financial liabilities with another entity under conditions that are potentially unfavourable to the entity; or
- (b) a contract that will or may be settled in the entity's own equity instrument and is:
  - a non-derivative for which the entity is or may be obliged to deliver a variable number of the entity's own equity instruments; or
  - a derivative that will or may be settled other than by the exchange of a fixed amount of cash or another financial asset for a fixed number of the entity's own equity instruments. For this purpose the entity's own equity instruments do not include instruments that are themselves contracts for the future receipt or delivery of the entity's own instruments.

### Financial statements

Financial statements comprise:

- (a) a balance sheet as at the end of the period;
- (b) a comprehensive operating statement for the period;
- (c) a statement of changes in equity for the period;
- (d) a cash flow statement for the period;
- (e) notes, comprising a summary of significant accounting policies and other explanatory information;
- (f) comparative information in respect of the preceding period as specified in paragraph 38 of *AASB 101 Presentation of Financial Statements*; and
- (g) a statement of financial position as at the beginning of the preceding period when an entity applies an accounting policy retrospectively or makes a retrospective restatement of items in its financial statements, or when it reclassifies items in its financial statements in accordance with paragraphs 41 of AASB 101.

### Grants

Transactions in which one unit provides goods, services, assets (or extinguishes a liability) or labour to another unit without receiving approximately equal value in return. Grants can either be operating or capital in nature.

While grants to governments may result in the provision of some goods or services to the transferor, they do not give the transferor a claim to receive directly benefits of approximately equal value. Receipt and sacrifice of approximately equal value may occur, but only by coincidence. For example, governments are not obliged to provide commensurate benefits, in the form of goods and services, to particular taxpayers in return for their taxes. For this reason, grants are referred to by the AASB as involuntary transfers and are termed nonreciprocal transfers.

The Board provide grants for any of the following purposes under s 144 of the Act:

- (a) law reform;
- (b) legal education;
- (c) judicial education;
- (d) legal research; and
- (e) any purpose relating to the legal profession or the law that the Board considers appropriate.

The conditions of the grant payments are provided in the Act.

Grants can be paid as general purpose grants which refer to grants that are not subject to conditions regarding their use. Alternatively, they may be paid as specific purpose grants which are paid for a particular purpose and/or have conditions attached regarding their use.

### Intangible assets

Intangible assets represent identifiable non-monetary assets without physical substance.

### Interest expense

Represents costs incurred in connection with borrowings. It includes interest on advances, loans, overdrafts, deposits, interest components of finance lease repayments, and amortisation of discounts or premiums in relation to borrowings.

### Interest income

Interest income includes interest received on bank term deposits, interest from investments, and other interest received.

### Law Practice Residual Trust Accounts

Trust accounts held by law practices that receive trust money held on behalf of a client or other people in the course of, or in connection with, the provision of legal services.

### Leases

Leases are rights conveyed in a contract, or part of a contract, to use an asset (the underlying asset) for a period of time in exchange for consideration.

### Managed funds

Refers to funds managed on behalf of the VLSB+C by investment fund managers.

### Net result

Net result is a measure of financial performance of the operations for the period. It is the net result of items of revenue, gains and expenses (including losses) recognised for the period, excluding those that are classified as 'other non-owner movements in equity'.

### Net result from transactions/net operating balance

A net result from transactions or net operating balance is a key fiscal aggregate and is revenue from transactions minus expenses from transactions. It is a summary measure of the ongoing sustainability of operations. It excludes gains or losses resulting from changes in price levels and other changes in the volume of assets. It is the component of the change in net worth that is due to transactions and can be attributed directly to government policies.

### Net worth

Is calculated as assets less liabilities, which is an economic measure of wealth.

### Non-financial assets

Non-financial assets are all assets that are not 'financial assets'. It includes plant and equipment and intangible assets.

### Other economic flows included in net result

Other economic flows are changes in the volume or value of an asset or liability that do not result from transactions. It includes gains and losses from disposals, revaluations and impairments of non-current physical and intangible assets, fair value changes in financial instruments and depletion of natural assets (non-produced) from their use or removal. In simple terms, other economic flows are changes arising from market re-measurements.

### Payables

Includes short and long-term trade debt and accounts payable, grants and interest payable.

### Public Purpose Fund

The Public Purpose Fund is maintained under section 133 of the Act. The Fund is comprised of three separate accounts – the General Account, Statutory Deposit Account and the Distribution Account. The funding and expenditure requirements of each of the accounts are detailed in the Act. The amount in the Public Purpose Fund must be kept separate from any other money held by the Board and be held in trust. The Board may invest any money standing to the credit of the Fund that is not immediately required for the purposes of the Public Purpose Fund in the manner in which money may be invested under the *Trustee Act 1958*.

### Receivables

Includes short and long-term credit and accounts receivable, grants, taxes and interest receivable.

### Statutory Deposit Account balances (SDA)

Each law practice with Trust Accounts has an individual SDA held in their name by the Board; the balance in this account is linked to their Trust Account. The liability represents the total sum of the individual SDA balances.

### Supplies and services

Supplies and services generally represent cost of goods sold and the day to day running costs, including maintenance costs, incurred in the normal operations of the Board or the Commissioner.

### Transactions

Transactions are those economic flows that are considered to arise as a result of policy decisions, usually an interaction between two entities by mutual agreement. They also include flows within an entity such as depreciation where the owner is simultaneously acting as the owner of the depreciating asset and as the consumer of the service provided by the asset. Transactions can be in kind (e.g. assets provided/given free of charge or for nominal consideration) or where the final consideration is cash. In simple terms, transactions arise from the policy decisions of the Board or the Commissioner.

### Style conventions

The notation used in the tables is as follows:

-	zero, or rounded to zero
(xxx.x)	negative numbers
200x	year period
200x-0x	year period

The financial statements and notes are presented based on the illustration for a government department in the 2023-24 Model Report for Victorian Government Departments. The presentation of other disclosures is generally consistent with the other disclosures made in earlier publications of the Board or the Commissioner's annual reports.

## Appendix 03—Board delegations

Under section 44 of the Application Act, the Victorian Legal Services Board may delegate certain functions to a Board member, an employee, the Victorian Legal Services Commissioner, a local professional association, or a prescribed person. Copies of all instruments of delegation in force can be viewed on our website.

### Current delegations

Table 21 lists all of the internal delegations and Table 22 lists all of the external Board delegations in force at 30 June 2024.

**TABLE 21: INTERNAL DELEGATIONS IN FORCE AT 30 JUNE 2024**

#### *Legal Profession Act 2004*

<b>Part 3.6 Division 3 – Claims about defaults</b>	s 3.6.8(1) – Allow further period to lodge fidelity fund claim	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Manager, Intervention and Enforcement (26 Jun 23)
	s 3.6.9 – Advertise for claims	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Manager, Intervention and Enforcement (26 Jun 23)
	s 3.6.10 – Extension of period for making claims	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Manager, Intervention and Enforcement (26 Jun 23)
	s 3.6.12(1) – Investigate fidelity fund claims	Victorian Legal Services Commissioner (26 Jun 23)
	s 3.6.12(2) – Require fidelity fund claimant to produce security, document or statement of evidence	Victorian Legal Services Commissioner (26 Jun 23)
	s 3.6.12(3) – Disallow claim if requirement for security or document etc. under s 3.6.12(2) is not met	Victorian Legal Services Commissioner (26 Jun 23)
<b>Part 3.6 Division 4 – Determination of claims</b>	s 3.6.14 – Determination of claims but only in respect of claims up to \$250,000 and shortfall claims resulting from Supreme Court orders for pari passu distribution to clients of the balance of funds from the trust account of a defunct law practice	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Manager, Intervention and Enforcement (26 Jun 23)
	s 3.6.15 – Set maximum amount allowable	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Manager, Intervention and Enforcement (26 Jun 23)
	s 3.6.16 – Order payment of reasonable legal costs	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Manager, Intervention and Enforcement (26 Jun 23)
	s 3.6.17 – Determine interest payable	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Manager, Intervention and Enforcement (26 Jun 23)
	s 3.6.18 – Reduce claim because of other benefits	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Manager, Intervention and Enforcement (26 Jun 23)
	s 3.6.19 – Subrogation on payment of fidelity fund claim	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Manager, Intervention and Enforcement (26 Jun 23)

### Legal Profession Uniform Law Application Act 2014

<b>Part 2 – Application of Uniform Law</b>	s 13(2) – Approve terms and conditions of a policy of professional indemnity insurance	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Licensing and Complaints (25 Jun 24) Manager, Early Resolution and Complaints (26 Jun 23) Manager, Licensing (26 Jun 23) Assistant Manager, Early Resolution and Complaints (26 Jun 23) Assistant Manager, Licensing (26 Jun 23)
<b>Part 4 – Admission, practising certificates and registration certificates</b>	s 73(4) – Refund all or part of a surcharge paid in relation to a grant of a practising certificate	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Licensing and Complaints (25 Jun 24) Manager, Early Resolution and Complaints (26 Jun 23) Manager, Licensing (26 Jun 23) Assistant Manager, Early Resolution and Complaints (26 Jun 23) Assistant Manager, Licensing (26 Jun 23) Team Lead (27 Feb 24) Senior Licensing Advisor (23 Aug 22) Senior Resolution Advisor (23 Aug 22)
	s 75(2) – Refund all or any part of a surcharge payable for late application for renewal	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Licensing and Complaints (25 Jun 24) Manager, Early Resolution and Complaints (26 Jun 23) Manager, Licensing (26 Jun 23) Assistant Manager, Early Resolution and Complaints (26 Jun 23) Assistant Manager, Licensing (26 Jun 23) Team Lead (27 Feb 24) Senior Licensing Advisor (23 Aug 22) Senior Resolution Advisor (23 Aug 22)
<b>Part 5 – Trust accounts</b>	s 80 – Determine required quarterly deposit amounts for a law practice or approved clerk to deposit into the Statutory Deposit Account and notification to law practices/approved clerks	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Manager, Early Detection and Prevention (26 Jun 23) Assistant Manager, Early Detection and Prevention (25 Jun 24)
	s 85 – Exempt law practice or approved clerk from SDA deposit requirements	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Manager, Early Detection and Prevention (26 Jun 23) Assistant Manager, Early Detection and Prevention (25 Jun 24) Trust Account Analyst (19 Mar 21)
<b>Part 10 – General</b>	s 153(1) – Appoint a person to investigate an offence or contravention	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Special Counsel (25 Jun 24)
	s 154 – Filing of a charge-sheet charging a person with an offence under the Act, the Legal Profession Uniform Law or the regulations	Victorian Legal Services Commissioner (26 Jun 23)

## Appendix 03—Board delegations

### Legal Profession Uniform Law (Victoria)

<b>Part 2.1 – Unqualified Legal Practice</b>	s 14(b) – Institute prosecutions and other proceedings	Victorian Legal Services Commissioner (26 Jun 23)
<b>Part 2.2 – Admission to the Australian Legal Profession</b>	s 23 – Make recommendation to the Supreme Court	Victorian Legal Services Commissioner (26 Jun 23)
<b>Part 3.3 – Australian Legal Practitioners</b>	s 44 – Grant or renewal of an Australian practising certificate	<p>Victorian Legal Services Commissioner (26 Jun 23)</p> <p>Executive Director, Legal and Investigations (25 Jun 24)</p> <p>Executive Director, Licensing and Complaints (25 Jun 24)</p> <p>Director, Discipline and Suitability (25 Jun 24)</p> <p>Manager, Early Detection and Prevention (26 Jun 23)</p> <p>Manager, Licensing (26 Jun 23)</p> <p>Manager, Early Resolution and Complaints (26 Jun 23)</p> <p>Manager, Discipline and Suitability (25 Jun 24)</p> <p>Assistant Manager, Discipline and Suitability (excluding the function of refusing to grant and renew practising certificates) (25 Jun 24)</p> <p>Assistant Manager, Early Detection and Prevention (excluding the function of refusing to grant and renew practising certificates) (25 Jun 24)</p> <p>Assistant Manager, Early Resolution and Complaints (excluding the function of refusing to grant and renew practising certificates) (26 Jun 23)</p> <p>Assistant Manager, Licensing (excluding the function of refusing to grant and renew practising certificates) (26 Jun 23)</p> <p>Team Lead (27 Feb 24)</p> <p>Senior Licensing Advisor (23 Aug 22)</p> <p>Senior Resolution Advisor (23 Aug 22)</p> <p>Principal Advisory Lawyer and Investigator (excluding the function of refusing to grant and renew practising certificates) (25 Jun 24)</p> <p>Trust Account Analyst (19 Mar 21)</p>
	s 45 – Consideration of prerequisites for grant or renewal of practising certificate	<p>Victorian Legal Services Commissioner (26 Jun 23)</p> <p>Executive Director, Legal and Investigations (25 Jun 24)</p> <p>Executive Director, Licensing and Complaints (25 Jun 24)</p> <p>Director, Discipline and Suitability (25 Jun 24)</p> <p>Manager, Discipline and Suitability (s 45(1), (3) and (4)) (25 Jun 24)</p> <p>Manager, Early Detection and Prevention (26 Jun 23)</p> <p>Manager, Licensing (26 Jun 23)</p> <p>Manager, Early Resolution and Complaints (26 Jun 23)</p> <p>Assistant Manager, Discipline and Suitability (s 45(1), (3) and (4)) excluding the power to refuse certificates) (25 Jun 24)</p> <p>Assistant Manager, Early Detection and Prevention (25 Jun 24)</p> <p>Assistant Manager, Early Resolution and Complaints (s 45(1), (3) and (4) excluding power to refuse certificates (26 Jun 23)</p> <p>Assistant Manager, Licensing (s 45(1), (3) and (4) excluding the power to refuse certificates) (26 Jun 23)</p> <p>Team Lead (s 45(1), (3) and (4)) (27 Feb 24)</p> <p>Senior Resolution Advisor (s 45(1), (3) and (4)) (23 Aug 22)</p> <p>Senior Licensing Advisor (s 45(1), (3) and (4)) (23 Aug 22)</p> <p>Principal Advisory Lawyer and Investigator (s 45(1), (3) and (4)) excluding the power to refuse certificates) (25 Jun 24)</p> <p>Trust Account Analyst (19 Mar 21)</p>

s 46(2) – Rejection of notification of principal place of practice	<p>Victorian Legal Services Commissioner (26 Jun 23)</p> <p>Executive Director, Licensing and Complaints (25 Jun 24)</p> <p>Manager, Early Resolution and Complaints (26 Jun 23)</p> <p>Manager, Licensing (26 Jun 23)</p> <p>Assistant Manager, Early Resolution and Complaints (26 Jun 23)</p> <p>Assistant Manager, Licensing (26 Jun 23)</p>
s 47 – Grant of practising certificate subject to conditions	<p>Victorian Legal Services Commissioner (26 Jun 23)</p> <p>Executive Director, Legal and Investigations (25 Jun 24)</p> <p>Executive Director, Licensing and Complaints (25 Jun 24)</p> <p>Director, Discipline and Suitability (25 Jun 24)</p> <p>Manager, Discipline and Suitability (25 Jun 24)</p> <p>Manager, Early Resolution and Complaints (26 Jun 23)</p> <p>Manager, Licensing (26 Jun 23)</p> <p>Assistant Manager, Discipline and Suitability (25 Jun 24)</p> <p>Assistant Manager, Early Resolution and Complaints (26 Jun 23)</p> <p>Assistant Manager, Licensing (26 Jun 23)</p> <p>Principal Advisory Lawyer and Investigator (25 Jun 24)</p>
s 49(4) – Exempt a person or class of persons from the requirement to engage in supervised legal practice or reduce the period for a person or class of persons	<p>Victorian Legal Services Commissioner (26 Jun 23)</p> <p>Executive Director, Legal and Investigations (25 Jun 24)</p> <p>Executive Director, Licensing and Complaints (25 Jun 24)</p> <p>Director, Discipline and Suitability (25 Jun 24)</p> <p>Manager, Discipline and Suitability (25 Jun 24)</p> <p>Manager, Early Resolution and Complaints (26 Jun 23)</p> <p>Manager, Licensing (26 Jun 23)</p> <p>Assistant Manager, Discipline and Suitability (25 Jun 24)</p> <p>Assistant Manager, Early Resolution and Complaints (26 Jun 23)</p> <p>Assistant Manager, Licensing (26 Jun 23)</p> <p>Team Lead (27 Feb 24)</p> <p>Principal Advisory Lawyer and Investigator (25 Jun 24)</p> <p>Senior Licensing Advisor (23 Aug 22)</p> <p>Senior Resolution Advisor (23 Aug 22)</p> <p>Licensing Advisor (26 Jun 23)</p> <p>Resolution Advisor (23 Aug 22)</p>
s 49(5) – Ability to place conditions on the exemption	<p>Victorian Legal Services Commissioner (26 Jun 23)</p> <p>Executive Director, Legal and Investigations (25 Jun 24)</p> <p>Executive Director, Licensing and Complaints (25 Jun 24)</p> <p>Director, Discipline and Suitability (25 Jun 24)</p> <p>Manager, Discipline and Suitability (25 Jun 24)</p> <p>Manager, Early Resolution and Complaints (26 Jun 23)</p> <p>Manager, Licensing (26 Jun 23)</p> <p>Assistant Manager, Discipline and Suitability (25 Jun 24)</p> <p>Assistant Manager, Early Resolution and Complaints (26 Jun 23)</p> <p>Assistant Manager, Licensing (26 Jun 23)</p> <p>Team Lead (27 Feb 24)</p> <p>Principal Advisory Lawyer and Investigator (25 Jun 24)</p> <p>Senior Licensing Advisor (23 Aug 22)</p> <p>Senior Resolution Advisor (23 Aug 22)</p> <p>Licensing Advisor (26 Jun 23)</p> <p>Resolution Advisor (23 Aug 22)</p>
s 50(2) – (5) – Impose conditions or exempt a barrister from the statutory condition to undertake the reading program	<p>Victorian Legal Services Commissioner (26 Jun 23)</p>

## Appendix 03—Board delegations

	<p>s 53 – Impose discretionary conditions on practising certificates</p>	<p>Victorian Legal Services Commissioner (26 Jun 23)            Executive Director, Legal and Investigations (25 Jun 24)            Executive Director, Licensing and Complaints (25 Jun 24)            Director, Discipline and Suitability (25 Jun 24)            Manager, Discipline and Suitability (25 Jun 24)            Manager, Early Resolution and Complaints (26 Jun 23)            Manager, Licensing (26 Jun 23)            Assistant Manager, Discipline and Suitability (25 Jun 24)            Assistant Manager, Early Resolution and Complaints (26 Jun 23)            Assistant Manager, Licensing (26 Jun 23)            Principal Advisory Lawyer and Investigator (25 Jun 24)</p>
	<p>s 55 – Alteration or substitution of varied certificate</p>	<p>Victorian Legal Services Commissioner (26 Jun 23)            Executive Director, Licensing and Complaints (25 Jun 24)            Manager, Early Resolution and Complaints (26 Jun 23)            Manager, Licensing (26 Jun 23)</p>
<p><b>Part 3.4 – Foreign Lawyers</b></p>	<p>s 62 – Grant or renew Australian registration certificate</p>	<p>Victorian Legal Services Commissioner (26 Jun 23)            Executive Director, Legal and Investigations (25 Jun 24)            Executive Director, Licensing and Complaints (25 Jun 24)            Director, Discipline and Suitability (25 Jun 24)            Manager, Discipline and Suitability (25 Jun 24)            Manager, Early Resolution and Complaints (26 Jun 23)            Manager, Licensing (26 Jun 23)            Assistant Manager, Discipline and Suitability (s (1), (3) and (6)) (25 Jun 24)            Assistant Manager, Early Resolution and Complaints (26 Jun 23)            Assistant Manager, Licensing (26 Jun 23)            Team Lead (27 Feb 24)            Principal Advisory Lawyer and Investigator (only s 62(1), (3) and (6) 25 Jun 24)            Senior Lawyer and Investigator (s 62(6) (25 Jun 24)            Senior Licensing Advisor (23 Aug 22)            Senior Resolution Advisor (23 Aug 22)            Lawyer and Investigator (s 62(6) 25 Jun 24)</p>
	<p>s 63(2) – Reject notification of principal place of practice for foreign lawyer</p>	<p>Victorian Legal Services Commissioner (26 Jun 23)            Executive Director, Legal and Investigations (25 Jun 24)            Executive Director, Licensing and Complaints (25 Jun 24)            Director, Discipline and Suitability (25 Jun 24)            Manager, Discipline and Suitability (25 Jun 24)            Manager, Early Resolution and Complaints (26 Jun 23)            Manager, Licensing (26 Jun 23)            Assistant Manager, Early Resolution and Complaints (26 Jun 23)            Assistant Manager, Licensing (26 Jun 23)</p>
	<p>s 64 – Determination whether foreign lawyer can receive trust money as part of registration certificate</p>	<p>Victorian Legal Services Commissioner (26 Jun 23)            Executive Director, Legal and Investigations (25 Jun 24)            Executive Director, Licensing and Complaints (25 Jun 24)            Director, Discipline and Suitability (25 Jun 24)            Manager, Discipline and Suitability (25 Jun 24)            Manager, Early Resolution and Complaints (26 Jun 23)            Manager, Licensing (26 Jun 23)            Assistant Manager, Discipline and Suitability (25 Jun 24)            Assistant Manager, Early Resolution and Complaints (26 Jun 23)            Assistant Manager, Licensing (26 Jun 23)            Principal Advisory Lawyer and Investigator (25 Jun 24)</p>
	<p>s 67 – Impose discretionary conditions on foreign lawyer</p>	<p>Victorian Legal Services Commissioner (26 Jun 23)            Executive Director, Legal and Investigations (25 Jun 24)            Executive Director, Licensing and Complaints (25 Jun 24)            Director, Discipline and Suitability (25 Jun 24)            Manager, Discipline and Suitability (25 Jun 24)            Manager, Licensing (26 Jun 23)            Manager, Early Resolution and Complaints (26 Jun 23)            Assistant Manager, Discipline and Suitability (25 Jun 24)            Principal Advisory Lawyer and Investigator (25 Jun 24)</p>

<b>Part 3.5 – Variation, Suspension and Cancellation of, and refusal to renew certificates</b>	s 74 – Vary a practising certificate for formal or clerical reasons. Vary suspend or cancel at the request or with the concurrence of the holder	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Executive Director, Licensing and Complaints (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (25 Jun 24) Manager, Early Resolution and Complaints (26 Jun 23) Manager, Licensing (26 Jun 23) Assistant Manager, Discipline and Suitability (25 Jun 24) Assistant Manager, Early Resolution and Complaints (26 Jun 23) Assistant Manager, Licensing (26 Jun 23) Team Lead (27 Feb 24) Principal Advisory Lawyer and Investigator (25 Jun 24) Senior Licensing Advisor (23 Aug 22) Senior Resolution Advisor (23 Aug 22)
	s 76 – Vary, suspend, or cancel in accordance with certain grounds under Division 3 or Division 4 in relation to show cause events	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Executive Director, Licensing and Complaints (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (25 Jun 24) Manager, Licensing (26 Jun 23) Manager, Early Resolution and Complaints (26 Jun 23)
	s 77 – Immediate variation or suspension before or during consideration of proposed action	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24)
	s 78 – Ability to lift a suspension and power to renew a certificate while it is suspended until the it is cancelled or the suspension is lifted	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (25 Jun 24)
	s 82 – Power to vary, suspend or cancel a certificate on specific grounds: – Contravention of a condition – Failure without reasonable excuse to comply with a requirement under Chapter 7 or has committed an offence under Chapter 7 in connection with an investigation – Recommendation from the Commissioner for immediate suspension – Unable to fulfil the inherent requirements. Also power to vary or suspend on public interest grounds where a holder has been charged with certain offences	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Executive Director, Licensing and Complaints (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (25 Jun 24) Manager, Early Resolution and Complaints (26 Jun 23) Manager, Licensing (26 Jun 23)
	s 83 – Giving practising certificate holder notice of intention to take action under section 82 and inviting a response	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Executive Director, Licensing and Complaints (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (25 Jun 24) Manager, Early Resolution and Complaints (26 Jun 23) Manager, Licensing (26 Jun 23)

## Appendix 03—Board delegations

s 84 – Power to take action following consideration of response under section 83	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Executive Director, Licensing and Complaints (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (25 Jun 24) Manager, Early Resolution and Complaints (26 Jun 23) Manager, Licensing (26 Jun 23)
s 88(4) – Enable receipt of a statement about an automatic show cause event out of time	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (25 Jun 24) Assistant Manager, Discipline and Suitability (25 Jun 24) Principal Advisory Lawyer and Investigator (25 Jun 24)
s 89 – Determine fitness following receipt of notice of automatic show cause event	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Executive Director, Licensing and Complaints (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (25 Jun 24) Manager, Early Resolution and Complaints (26 Jun 23) Manager, Licensing (26 Jun 23) Assistant Manager, Discipline and Suitability (25 Jun 24) Assistant Manager, Early Resolution and Complaints (26 Jun 23) Assistant Manager, Licensing (26 Jun 23) Principal Advisory Lawyer and Investigator (25 Jun 24)
s 90 – Service of designated show cause event	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (25 Jun 24) Manager, Licensing (26 Jun 23) Assistant Manager, Discipline and Suitability (25 Jun 24) Assistant Manager, Licensing (26 Jun 23) Principal Advisory Lawyer and Investigator (25 Jun 24) Senior Lawyer and Investigator (25 Jun 24) Senior Investigator (26 Jun 23) Lawyer and Investigator (25 Jun 24) Investigator (26 Jun 23)
s 91(3) – Accept a statement regarding a designated show cause event out of time	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (25 Jun 24) Assistant Manager, Discipline and Suitability (25 Jun 24) Manager, Early Resolution and Complaints (26 Jun 23) Manager, Licensing (26 Jun 23) Assistant Manager, Early Resolution and Complaints (26 Jun 23) Assistant Manager, Licensing (26 Jun 23) Principal Advisory Lawyer and Investigator (25 Jun 24)
s 92 – Determine fitness following receipt of notice of designated show cause event	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Executive Director, Licensing and Complaints (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (25 Jun 24) Assistant Manager, Discipline and Suitability (25 Jun 24) Manager, Early Resolution and Complaints (26 Jun 23) Manager, Licensing (26 Jun 23) Assistant Manager, Early Resolution and Complaints (26 Jun 23) Assistant Manager, Licensing (26 Jun 23) Principal Advisory Lawyer and Investigator (25 Jun 24)

	s 93 – Power to take no action in relation to events that occurred before a person was admitted to the profession or first registered as a foreign lawyer	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Executive Director, Licensing and Complaints (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (25 Jun 24) Manager, Early Resolution and Complaints (26 Jun 23) Manager, Licensing (26 Jun 23) Assistant Manager, Discipline and Suitability (25 Jun 24) Assistant Manager, Early Resolution and Complaints (26 Jun 23) Assistant Manager, Licensing (26 Jun 23) Team Lead (27 Feb 24) Principal Advisory Lawyer and Investigator (25 Jun 24) Senior Licensing Advisor (23 Aug 22) Senior Resolution Advisor (23 Aug 22)
	s 94 – Apply restriction on making further applications for a practising certificate as part of decision to refuse to grant, renew or cancel a certificate	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (25 Jun 24)
	s 95 – Give notice to applicant or holder requiring provision of further information as part of consideration and investigation of licensing decisions	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Executive Director, Licensing and Complaints (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (25 Jun 24) Manager, Early Resolution and Complaints (26 Jun 23) Manager, Licensing (26 Jun 23) Assistant Manager, Discipline and Suitability (25 Jun 24) Assistant Manager, Early Resolution and Complaints (26 Jun 23) Assistant Manager, Licensing (26 Jun 23) Special Counsel (25 Jun 24) Principal Advisory Lawyer and Investigator (25 Jun 24) Senior Lawyer and Investigator (s 95(1) 25 Jun 24) Senior Investigator (26 Jun 23) Lawyer and Investigator (s 95(1)(a) 25 Jun 24) Investigator (26 Jun 23)
	s 96 – Deferral of action or temporary renewal for limited purposes	Victorian Legal Services Commissioner (26 Jun 23)
<b>Part 3.7 – Incorporated and Unincorporated Legal Practices</b>	s 106 – Appoint a practitioner to exercise the responsibilities of a principal where law practice does not have a principal	Victorian Legal Services Commissioner (26 Jun 23)
<b>Part 3.9 – Disqualifications</b>	s 119 – Apply for an order for disqualification of individuals	Victorian Legal Services Commissioner (26 Jun 23)
	s 120 – Apply for an order for disqualification of an entity	Victorian Legal Services Commissioner (26 Jun 23)
	s 121(2) – Approve a person as a lay associate	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Licensing and Complaints (25 Jun 24) Manager, Licensing (26 Jun 23) Manager, Early Resolution and Complaints (26 Jun 23)

## Appendix 03—Board delegations

<b>Part 4.2 – Trust Money and Trust Accounts</b>	s 130(4) – Exempt a particular law practice from complying with the trust account provisions of Part 4.2 – exemption may be subject to conditions	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Executive Director, Licensing and Complaints (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Early Detection and Prevention (26 Jun 23) Manager, Early Resolution and Complaints (26 Jun 23) Manager, Licensing (26 Jun 23) Assistant Manager, Early Detection and Prevention (25 Jun 24)
	s 146 – Authorisation of intermixing trust money – may be subject to conditions	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Early Detection and Prevention (26 Jun 23) Assistant Manager, Early Detection and Prevention (25 Jun 24)
	s 151(3) – Set manner for notification of details of its trust accounts	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Early Detection and Prevention (26 Jun 23) Assistant Manager, Early Detection and Prevention (25 Jun 24)
	s 152 – Make determinations about status of trust money	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Early Detection and Prevention (26 Jun 23) Assistant Manager, Early Detection and Prevention (25 Jun 24)
	s 155 – Appointment of external examiner to conduct external examination of trust records	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Early Detection and Prevention (26 Jun 23) Assistant Manager, Early Detection and Prevention (25 Jun 24)
	s 160(2) and (3) – Recover costs of external examinations from law practice	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Manager, Early Detection and Prevention (26 Jun 23) Assistant Manager, Early Detection and Prevention (25 Jun 24)
	s 162 – Investigate or appoint external investigator to investigate the affairs of a law practice	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Early Detection and Prevention (26 Jun 23) Manager, Intervention and Enforcement (26 Jun 23) Assistant Manager, Early Detection and Prevention (25 Jun 24) Special Counsel (25 Jun 24) Early Intervention Strategic Advisor (25 Jun 24) Early Intervention Lead (25 Jun 24)

	s 163 – Authorise external investigator to undertake external investigations in relation to particular allegations or suspicions	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Early Detection and Prevention (26 Jun 23) Manager, Intervention and Enforcement (26 Jun 23) Assistant Manager, Early Detection and Prevention (25 Jun 24) Special Counsel (25 Jun 24)
	s 166 – Recover costs of external investigation as a debt payable to the law practice	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Early Detection and Prevention (26 Jun 23) Manager, Intervention and Enforcement (26 Jun 23) Assistant Manager, Early Detection and Prevention (25 Jun 24) Special Counsel (25 Jun 24)
<b>Part 4.4 – Professional indemnity insurance</b>	s 215(2), (4) and (6) – Exemptions from the requirement to obtain an approved insurance policy	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Licensing and Complaints (25 Jun 24) Manager, Licensing (26 Jun 23) Assistant Manager, Licensing (26 Jun 23) Senior Licensing Advisor (23 Aug 22) Licensing Advisor (s 215(2) and (4)) (26 Jun 23) Manager, Early Resolution and Complaints (26 Jun 23) Assistant Manager, Early Resolution and Complaints (26 Jun 23) Senior Resolution Advisor (23 Aug 22) Resolution Advisor (s 215(2) and (4)) (23 Aug 22) Team Lead (27 Feb 24)
<b>Part 4.5 – Fidelity cover</b>	s 235 – Publish notice inviting claims about a default	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Manager, Intervention and Enforcement (26 Jun 23)
	s 236(1) and (2) – Extension of period for making claims	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Manager, Intervention and Enforcement (26 Jun 23)
	s 238 – Making advance payments to a claimant in advance of a determination	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Manager, Intervention and Enforcement (26 Jun 23)
	s 240 – Determination of claims up to \$250,000 and shortfall claims resulting from Supreme Court orders for pari passu distribution to clients of the balance of funds from the trust account of a defunct law practice	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Manager, Intervention and Enforcement (26 Jun 23)
	s 242 – Order payment of reasonable legal costs	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Manager, Intervention and Enforcement (26 Jun 23)
	s 243 – Determine interest payment on a claim	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Manager, Intervention and Enforcement (26 Jun 23)
	s 244 – Reduce claim because of other benefits	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Manager, Intervention and Enforcement (26 Jun 23)

## Appendix 03—Board delegations

	s 246 – Exercising rights of subrogation	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Manager, Intervention and Enforcement (26 Jun 23)
	s 250 – Treatment of claims involving interjurisdictional elements where there is more than one associate involved in the default	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Manager, Intervention and Enforcement (26 Jun 23)
	s 251 – Treatment of claims involving interjurisdictional elements where default was committed by only one associate	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Manager, Intervention and Enforcement (26 Jun 23)
	s 252(1) and (2) – Request a fidelity authority of another jurisdiction to act as its agent in processing or investigating a claim in another jurisdiction	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Manager, Intervention and Enforcement (26 Jun 23)
<b>Part 4.6 – Business management and control</b>	s 256 – Conducting or appointing a suitably qualified person to conduct a compliance audit	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Early Detection and Prevention (26 Jun 23) Assistant Manager, Early Detection and Prevention (25 Jun 24) Special Counsel (25 Jun 24) Early Intervention Strategic Advisor (25 Jun 24) Early Intervention Lead (25 Jun 24)
	s 257 – Giving a management system direction to a law practice	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Executive Director, Licensing and Complaints (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Costs Disputes and Compliance (s 257(1)) (26 Jun 23) Manager, Discipline and Suitability (25 Jun 24) Manager, Early Detection and Prevention (26 Jun 23) Assistant Manager, Costs Disputes and Compliance (s 257(1)) (26 Jun 23) Assistant Manager, Early Detection and Prevention (25 Jun 24) Special Counsel (25 Jun 24)
<b>Part 7.3 – Entry and search of premises</b>	s 374(2)(c)(ii) – Authorise an investigator to enter non-residential premises without consent or a warrant (in writing or orally)	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Special Counsel (25 Jun 24)

<b>Part 7.4 – Additional powers in relation to incorporated legal practices</b>	s 383(2)(d) – Approved form for examination of persons	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Special Counsel (25 Jun 24)
	s 385(2)(c) – Approved form for hearings	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Special Counsel (25 Jun 24)
<b>Part 9.4 – Cooperative and Other Arrangements</b>	s 441 – Allow cooperation with other bodies	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (25 Jun 24) Manager, Early Detection and Prevention (26 Jun 23) Manager, Intervention and Enforcement (26 Jun 23) Assistant Manager, Discipline and Suitability (25 Jun 24) Assistant Manager, Early Detection and Prevention (25 Jun 24) Assistant Manager, Intervention and Enforcement (15 Mar 23) Principal Advisory Lawyer and Investigator (25 Jun 24) Special Counsel (25 Jun 24) Senior Lawyer and Investigator (25 Jun 24) Senior Investigator (26 Jun 23) Lawyer and Investigator (25 Jun 24) Investigator (26 Jun 23)
<b>Part 9.6 – Injunctions</b>	s 447 – Apply to Supreme Court for an injunction	Victorian Legal Services Commissioner (26 Jun 23)
<b>Part 9.7 – Criminal and Civil Penalties</b>	s 453(1) and (4) – Apply for pecuniary penalty in respect of breaches of civil penalty provision	Victorian Legal Services Commissioner (26 Jun 23)
<b>Part 9.9 – General</b>	s 473(2) – Approval of forms	Victorian Legal Services Commissioner (26 Jun 23)

## Appendix 03—Board delegations

### Legal Profession Uniform General Rules 2015

r 20(3) and (4) – Application for an Australian registration certificate	Victorian Legal Services Commissioner (26 Jun 23)
r 54 – Statements regarding receipt or holding of trust money	Victorian Legal Services Commissioner (26 Jun 23)
r 65A – Power to revoke external examiner appointment	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Manager, Early Detection and Prevention (26 Jun 23) Assistant Manager, Early Detection and Prevention (25 Jun 24)
r 66(4) & (5) – Approve termination of appointment and require evidence	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Manager, Early Detection and Prevention (26 Jun 23) Assistant Manager, Early Detection and Prevention (25 Jun 24)
r 67 – Exempt examiner from requirement to report using standard form	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Manager, Early Detection and Prevention (26 Jun 23) Assistant Manager, Early Detection and Prevention (25 Jun 24)
r 81 – Regulatory authority may inspect policies	Victorian Legal Services Commissioner (26 Jun 23)
r 82(1)(d) – Exempt community legal service from requirement to hold or be covered by approved insurance policy	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Licensing and Complaints (25 Jun 24) Manager, Early Resolution and Complaints (26 Jun 23) Manager, Licensing (26 Jun 23) Assistant Manager, Early Resolution and Complaints (26 Jun 23) Assistant Manager, Licensing (26 Jun 23)
r 86(1) – Receive claim against Fidelity Fund in specified form	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Manager, Intervention and Enforcement (26 Jun 23)
r 87 – Require information and/or security related to claim	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Manager, Intervention and Enforcement (26 Jun 23)
r 90 – Notify claimant of delay in determination of claim	Victorian Legal Services Commissioner (26 Jun 23) Executive Director, Legal and Investigations (25 Jun 24) Director, Detection and Intervention (25 Jun 24) Manager, Intervention and Enforcement (26 Jun 23)

**TABLE 22: EXTERNAL BOARD DELEGATIONS IN FORCE AT 30 JUNE 2024**

<b>Legal Profession Uniform Law Application Act 2014</b>		
<b>Part 4, Division 2 – Australian practising certificates</b>	s 73(4) – Refund all or part of a surcharge	Victorian Bar (29 May 18)
	s 75(2) – Refund all or part of a surcharge	Victorian Bar (29 May 18)
<b>Part 5, Division 3 – Approved Clerks</b>	s 88(1) – Approve barristers' clerks receiving trust money on account of legal costs of one or more barristers	Victorian Bar (29 May 18)
<b>Part 10 – General</b>	s 153(1) – Appoint person to investigate offence	Victorian Bar (29 May 18)
	s 154 – File charge sheet	Victorian Bar (29 May 18)
<b>Legal Profession Uniform Law (Victoria)</b>		
<b>Part 3.3, Division 2 – Australian practising certificates</b>	s 44 – Grant or renew Australian practising certificate	Victorian Bar (29 May 18)
	s 45 – Determine prerequisites for grant or renewal of Australian practising certificate	Victorian Bar (29 May 18)
<b>Part 3.3, Division 3 – Conditions of Australian practising certificates</b>	s 47 – Grant Australian practising certificate subject to conditions	Victorian Bar (29 May 18)
	s 50(2)-(5) – Impose conditions and grant exemptions in respect of the reading condition	Victorian Bar (29 May 18)
	s 53 – Impose discretionary conditions on Australian practising certificates	Victorian Bar (29 May 18)
<b>Part 3.5, Division 2 – Variation, suspension or cancellation of certificates</b>	s 74 – Vary a certificate	Victorian Bar (29 May 18)
	s 76 – Vary, suspend or cancel certificate	Victorian Bar (29 May 18)
	s 77 – Vary or suspend certificate	Victorian Bar (29 May 18)
	s 78 – Lift suspension of a certificate and renew certificate while suspended	Victorian Bar (29 May 18)
<b>Part 3.5, Division 3 – Variation, suspension or cancellation on specific grounds</b>	s 82 – Vary, suspend or cancel certificate	Victorian Bar (29 May 18)
	s 83 – Give certificate holder notice of variation, suspension or cancellation	Victorian Bar (29 May 18)
	s 84 – Take proposed action after giving notice	Victorian Bar (29 May 18)
<b>Part 3.5, Division 4 – Show cause procedure for variation, suspension or cancellation or, or refusal to renew, certificates</b>	s 87 – Receive notice of show cause event	Victorian Bar (29 May 18)
	s 88 – Receive notice of show cause event	Victorian Bar (29 May 18)
	s 89 – Determine fitness following receipt of notice of show cause event	Victorian Bar (29 May 18)
	s 91 – Receive statement from certificate holder	Victorian Bar (29 May 18)
	s 92 – Determine fitness following receipt of notice of show cause event	Victorian Bar (29 May 18)
	s 93 – Take no action on disclosed event that occurred before admission	Victorian Bar (29 May 18)
	s 94 – Apply restriction on making practising certificate applications	Victorian Bar (29 May 18)

## Appendix 03—Board delegations

<b>Part 3.5, Division 5 – Miscellaneous</b>	s 95 – Require further information	Victorian Bar (29 May 18)
<b>Part 3.9, Division 1 – Making of disqualification orders</b>	s 119 – Apply for an order for disqualifications of individuals	Victorian Bar (29 May 18)
<b>Part 4.2, Division 2 – Trust money and trust accounts</b>	s 151 – Receive notice of accounts	Law Institute of Victoria (1 Aug 16) Victorian Bar (29 May 18)
	s 152 – Determine whether money is trust money	Law Institute of Victoria (1 Aug 16) Victorian Bar (29 May 18)
<b>Part 4.2, Division 3 – External examination of trust records</b>	s 159 – Receive written report from external examiners	Law Institute of Victoria (1 Aug 16)
<b>Part 4.2, Division 4 – External Investigations</b>	s 162 – Investigate or appoint external investigator	Law Institute of Victoria (1 Aug 16)
	s 163 – Undertake or authorise external investigations	Law Institute of Victoria (1 Aug 16)
	s 165 – Receive written report on investigation	Law Institute of Victoria (1 Aug 16)
<b>Part 4.5, Division 4 – Claims about defaults</b>	s 237 – Process and investigate claims	Law Institute of Victoria (1 Aug 16)
<b>Part 4.6 – Business Management and Control</b>	s 256 – Conduct compliance audits	Law Institute of Victoria (1 Aug 16)
<b>Part 9.5 – Notices and Evidentiary Matters</b>	s 446 – Seal or sign certificate confirming a person held an Australian practising certificate	Law Institute of Victoria (1 Aug 16) Victorian Bar (29 May 18)
	<b>Part 9.6 – Injunctions</b>	s 447 – Apply to Supreme Court for injunction

### *Legal Profession Uniform General Rules 2015*

<b>Chapter 4, Division 2 – Trust Money and Trust Accounts</b>	r 54 – Require statement on trust money	Law Institute of Victoria (1 Aug 16)
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### *Legal Profession Uniform Continuing Professional Development (Solicitors) Rules 2015*

	r 13 – Receive certification of CPD compliance	Law Institute of Victoria (1 Aug 16)
	r 14 – Require verification of compliance	Law Institute of Victoria (1 Aug 16)
	r 15 – Give written notice requiring rectification plan	Law Institute of Victoria (1 Aug 16)
	r 16 – Exempt from requirement to undertake CPD activities	Law Institute of Victoria (1 Aug 16)

### *Legal Profession Uniform Continuing Professional Development (Barristers) Rules 2015*

	r 13 – Receive certification of CPD compliance	Victorian Bar (29 May 18)
	r 14 – Require verification of compliance	Victorian Bar (29 May 18)
	r 15 – Give written notice requiring rectification plan	Victorian Bar (29 May 18)
	r 16 – Exempt from requirement to undertake CPD activities	Victorian Bar (29 May 18)

## Revoked delegations

All Board delegations that were revoked during 2023-24 are listed in Tables 23–28, along with the reasons for their revocation.

In 2023-24 the Board revoked all delegations to the Director, Licensing and Complaints as the position title was renamed to Executive Director, Licensing and Complaints.

**TABLE 23: BOARD DELEGATIONS TO THE DIRECTOR, LICENSING AND COMPLAINTS REVOKED IN 2023-24**

### *Legal Profession Uniform Law Application Act 2014*

<b>Part 2 – Application of Uniform Law</b>	s 13(2) – Approve terms and conditions of a policy of professional indemnity insurance
<b>Part 4 – Admission, practising certificates and registration certificates</b>	s 73(4) – Refund all or part of a surcharge paid in relation to a grant of a practising certificate
	s 75(2) – Refund all or any part of a surcharge payable for late application for renewal

### *Legal Profession Uniform Law (Victoria)*

<b>Part 3.3 – Australian Legal Practitioners</b>	s 46(2) – Rejection of notification of principal place of practice
	s 55 – Alteration or substitution of varied certificate
	s 44 – Grant or renewal of an Australian practising certificate
	s 45 – Consideration of prerequisites for grant or renewal of practising certificate
	s 47 – Grant of practising certificate subject to conditions
	s 49(4) – Exempt a person or class of persons from the requirement to engage in supervised legal practice or reduce the period for a person or class of persons
	s 49(5) – Ability to place conditions on the exemption
	s 53 – Impose discretionary conditions on practising certificates
<b>Part 3.4 – Foreign Lawyers</b>	s 62 – Grant or renew Australian registration certificate
	s 63(2) – Reject notification of principal place of practice for foreign lawyer
	s 64 – Determination whether foreign lawyer can receive trust money as part of registration certificate
	s 67 – Impose discretionary conditions on foreign lawyer

## Appendix 03—Board delegations

<b>Part 3.5 – Variation, Suspension and Cancellation of, and refusal to renew certificates</b>	s 74 – Vary a practising certificate for formal or clerical reasons. Vary suspend or cancel at the request or with the concurrence of the holder
	s 76 – Vary, suspend or cancel in accordance with certain grounds under Division 3 or Division 4 in relation to show cause events
	s 82 – Power to vary, suspend or cancel a certificate on specific grounds: <ul style="list-style-type: none"> <li>– Contravention of a condition</li> <li>– Failure without reasonable excuse to comply with a requirement under Chapter 7 or has committed an offence under Chapter 7 in connection with an investigation</li> <li>– Recommendation from the Commissioner for immediate suspension</li> <li>– Unable to fulfil the inherent requirements.</li> </ul> Also power to vary or suspend on public interest grounds where a holder has been charged with certain offences
	s 83 – Giving practising certificate holder notice of intention to take action under section 82 and inviting a response
	s 84 – Power to take action following consideration of response under section 83
	s 89 – Determine fitness following receipt of notice of automatic show cause event
	s 92 – Determine fitness following receipt of notice of designated show cause event
	s 93 – Power to take no action in relation to events that occurred before a person was admitted to the profession or first registered as a foreign lawyer
s 95 – Give notice to applicant or holder requiring provision of further information as part of consideration and investigation of licensing decisions	
<b>Part 3.9 – Disqualifications</b>	s 121(2) – Approve a person as a lay associate
<b>Part 4.2 – Trust Money and Trust Accounts</b>	s 130(4) – Exempt a particular law practice from complying with the trust account provisions of Part 4.2 – exemption may be subject to conditions
<b>Part 4.4 – Professional indemnity insurance</b>	s 215(2), (4) and (6) – Exemptions from the requirement to obtain an approved insurance policy
<b>Part 4.6 – Business management and control</b>	s 257 – Giving a management system direction to a law practice

### *Legal Profession Uniform General Rules 2015*

r 82(1)(d) – Exempt community legal service from requirement to hold or be covered by approved insurance policy

In 2023-24 the Board revoked all previous delegations to the Director, Investigations as the position title was renamed to Executive Director, Legal and Investigations.

**TABLE 24: BOARD DELEGATIONS TO THE DIRECTOR, INVESTIGATIONS REVOKED IN 2023-24**

<b>Legal Profession Act 2004</b>	
<b>Part 3.6 Division 3 – Claims about defaults</b>	s 3.6.8(1) – Allow further period to lodge fidelity fund claim
	s 3.6.9 – Advertise for claims
	s 3.6.10 – Extension of period for making claims
<b>Part 3.6 Division 4 – Determination of claims</b>	s 3.6.14 – Determination of claims but only in respect of claims up to \$250,000 and shortfall claims resulting from Supreme Court orders for pari passu distribution to clients of the balance of funds from the trust account of a defunct law practice
	s 3.6.15 – Set maximum amount allowable
	s 3.6.16 – Order payment of reasonable legal costs
	s 3.6.17 – Determine interest payable
	s 3.6.18 – Reduce claim because of other benefits
	s 3.6.19 – Subrogation on payment of fidelity fund claim
<b>Legal Profession Uniform Law Application Act 2014</b>	
<b>Part 5 – Trust accounts</b>	s 80 – Determine required quarterly deposit amounts for a law practice or approved clerk to deposit into the Statutory Deposit Account and notification to law practices/approved clerks
	s 85 – Exempt law practice or approved clerk from SDA deposit requirements
<b>Part 10 – General</b>	s 153(1) – Appoint a person to investigate an offence or contravention
<b>Legal Profession Uniform Law (Victoria)</b>	
<b>Part 3.3 – Australian Legal Practitioners</b>	s 44 – Grant or renewal of an Australian practising certificate
	s 45 – Consideration of prerequisites for grant or renewal of practising certificate
	s 47 – Grant of practising certificate subject to conditions
	s 49(4) – Exempt a person or class of persons from the requirement to engage in supervised legal practice or reduce the period for a person or class of persons
	s 49(5) – Ability to place conditions on the exemption
	s 53 – Impose discretionary conditions on practising certificates

## Appendix 03—Board delegations

<b>Part 3.5 – Variation, Suspension and Cancellation of, and refusal to renew certificates</b>	s 74 – Vary a practising certificate for formal or clerical reasons. Vary suspend or cancel at the request or with the concurrence of the holder
	s 76 – Vary, suspend or cancel in accordance with certain grounds under Division 3 or Division 4 in relation to show cause events
	s 77 – Immediate variation or suspension before or during consideration of proposed action
	s 78 – Ability to lift a suspension and power to renew a certificate while it is suspended until the it is cancelled or the suspension is lifted
	s 82 – Power to vary, suspend or cancel a certificate on specific grounds: <ul style="list-style-type: none"> <li>– Contravention of a condition</li> <li>– Failure without reasonable excuse to comply with a requirement under Chapter 7 or has committed an offence under Chapter 7 in connection with an investigation</li> <li>– Recommendation from the Commissioner for immediate suspension</li> <li>– Unable to fulfil the inherent requirements.</li> </ul> Also power to vary or suspend on public interest grounds where a holder has been charged with certain offences
	s 83 – Giving practising certificate holder notice of intention to take action under section 82 and inviting a response
	s 84 – Power to take action following consideration of response under section 83
	s 88(4) – Enable receipt of a statement about an automatic show cause event out of time
	s 89 – Determine fitness following receipt of notice of automatic show cause event
	s 90 – Service of designated show cause event
	s 91(3) – Accept a statement regarding a designated show cause event out of time
	s 92 – Determine fitness following receipt of notice of designated show cause event
	s 93 – Power to take no action in relation to events that occurred before a person was admitted to the profession or first registered as a foreign lawyer
	s 94 – Apply restriction on making further applications for a practising certificate as part of decision to refuse to grant, renew or cancel a certificate
	s 95 – Give notice to applicant or holder requiring provision of further information as part of consideration and investigation of licensing decisions
	<b>Part 4.2 – Trust Money and Trust Accounts</b>
s 146 – Authorisation of intermixing trust money – may be subject to conditions	
s 151(3) – Set manner for notification of details of its trust accounts	
s 152 – Make determinations about status of trust money	
s 155 – Appointment of external examiner to conduct external examination of trust records	
s 160(2) and (3) – Recover costs of external examinations from law practice	
s 162 – Investigate or appoint external investigator to investigate the affairs of a law practice	
s 163 – Authorise external investigator to undertake external investigations in relation to particular allegations or suspicions	
s 166 – Recover costs of external investigation as a debt payable to the law practice	

<b>Part 4.5 – Fidelity cover</b>	s 235 – Publish notice inviting claims about a default
	s 236(1) and (2) – Extension of period for making claims
	s 238 – Making advance payments to a claimant in advance of a determination
	s 240 – But only in respect of claims up to \$250,000 and shortfall claims resulting from Supreme Court orders for pari passu distribution to clients of the balance of funds from the trust account of a defunct law practice
	s 242 – Order payment of reasonable legal costs
	s 243 – Determine interest payment on a claim
	s 244 – Reduce claim because of other benefits
	s 246 – Exercising rights of subrogation
	s 250 – Treatment of claims involving interjurisdictional elements where there is more than one associate involved in the default
	s 251 – Treatment of claims involving interjurisdictional elements where default was committed by only one associate
s 252(1) and (2) – Request a fidelity authority of another jurisdiction to act as its agent in processing or investigating a claim in another jurisdiction	
<b>Part 4.6 – Business management and control</b>	s 256 – Conducting or appointing a suitably qualified person to conduct a compliance audit
	s 257 – Giving a management system direction to a law practice
<b>Part 7.3 – Entry and search of premises</b>	s 374(2)(c)(ii) – Authorise an investigator to enter non-residential premises without consent or a warrant (in writing or orally) - in respect of trust records investigations and compliance audits
<b>Part 7.4 – Additional powers in relation to incorporated legal practices</b>	s 383(2)(d) – Approved form for examination of persons
	s 385(2)(c) – Approved form for hearings
<b>Part 9.4 – Cooperative and Other Arrangements</b>	s 441 – Allow cooperation with other bodies

#### **Legal Profession Uniform General Rules 2015**

	r 65A – Power to revoke external examiner appointment
	r 66(4) & (5) – Approve termination of appointment and require evidence
	r 67 – Exempt examiner from requirement to report using standard form
	r 86(1) – Receive claim against Fidelity Fund in specified form
	r 87 – Require information and/or security related to claim
	r 90 – Notify claimant of delay in determination of claim

## Appendix 03—Board delegations

In 2023-24 the Board revoked all previous delegations to the Manager, Discipline and Suitability and issued new delegations.

**TABLE 25: BOARD DELEGATIONS TO THE MANAGER, DISCIPLINE AND SUITABILITY REVOKED IN 2023-24**

<b>Legal Profession Uniform Law (Victoria)</b>	
<b>Part 3.3 – Australian Legal Practitioners</b>	s 44 – Grant or renewal of an Australian practising certificate
	s 45 (1), (3) and (4) – Consideration of prerequisites for grant or renewal of practising certificate
	s 47 – Grant of practising certificate subject to conditions
	s 49(4) – Exempt a person or class of persons from the requirement to engage in supervised legal practice or reduce the period for a person or class of persons
	s 49(5) – Ability to place conditions on the exemption
	s 53 – Impose discretionary conditions on practising certificates
<b>Part 3.5 – Variation, Suspension and Cancellation of, and refusal to renew certificates</b>	s 74 – Vary a practising certificate for formal or clerical reasons. Vary suspend or cancel at the request or with the concurrence of the holder
	s 76 – Vary, suspend or cancel in accordance with certain grounds under Division 3 or Division 4 in relation to show cause events
	s 78 – Ability to lift a suspension and power to renew a certificate while it is suspended until the it is cancelled or the suspension is lifted
	s 82 – Power to vary, suspend or cancel a certificate on specific grounds: <ul style="list-style-type: none"> <li>– Contravention of a condition</li> <li>– Failure without reasonable excuse to comply with a requirement under Chapter 7 or has committed an offence under Chapter 7 in connection with an investigation</li> <li>– Recommendation from the Commissioner for immediate suspension</li> <li>– Unable to fulfil the inherent requirements.</li> </ul> Also power to vary or suspend on public interest grounds where a holder has been charged with certain offences
	s 83 – Giving practising certificate holder notice of intention to take action under section 82 and inviting a response
	s 84 – Power to take action following consideration of response under section 83
	s 88(4) – Enable receipt of a statement about an automatic show cause event out of time
	s 89 – Determine fitness following receipt of notice of automatic show cause event
	s 90 – Service of designated show cause event
	s 91 – Accept a statement regarding a designated show cause event out of time
	s 92 – Determine fitness following receipt of notice of designated show cause event
	s 93 – Power to take no action in relation to events that occurred before a person was admitted to the profession or first registered as a foreign lawyer
	s 94 – Apply restriction on making further applications for a practising certificate as part of decision to refuse to grant, renew or cancel a certificate
	s 95 – Give notice to applicant or holder requiring provision of further information as part of consideration and investigation of licensing decisions
	<b>Part 4.6 – Business management and control</b>
<b>Part 9.4 – Cooperative and Other Arrangements</b>	s 441 – Allow cooperation with other bodies

In 2023-24 the Board revoked all previous delegations to the Assistant Manager, Discipline and Suitability and issued new delegations.

**TABLE 26: BOARD DELEGATIONS TO THE ASSISTANT MANAGER, DISCIPLINE AND SUITABILITY REVOKED IN 2023-24**

<b>Legal Profession Uniform Law (Victoria)</b>	
<b>Part 3.3 – Australian Legal Practitioners</b>	s 44 – Grant or renewal of an Australian practising certificate
	s 45 (1), (3) and (4) – Consideration of prerequisites for grant or renewal of practising certificate
	s 47 – Grant of practising certificate subject to conditions
	s 49(4) – Exempt a person or class of persons from the requirement to engage in supervised legal practice or reduce the period for a person or class of persons
	s 49(5) – Ability to place conditions on the exemption
	s 53 – Impose discretionary conditions on practising certificates
<b>Part 3.5 – Variation, Suspension and Cancellation of, and refusal to renew certificates</b>	s 74 – Vary a practising certificate for formal or clerical reasons. Vary suspend or cancel at the request or with the concurrence of the holder
	s 88(4) – Enable receipt of a statement about an automatic show cause event out of time
	s 89 – Determine fitness following receipt of notice of automatic show cause event
	s 90 – Service of designated show cause event
	s 91(3) – Accept a statement regarding a designated show cause event out of time
	s 92 – Determine fitness following receipt of notice of designated show cause event
	s 93 – Power to take no action in relation to events that occurred before a person was admitted to the profession or first registered as a foreign lawyer
	s 95 – Give notice to applicant or holder requiring provision of further information as part of consideration and investigation of licensing decisions
<b>Part 9.4 – Cooperative and Other Arrangements</b>	s 441 – Allow cooperation with other bodies

## Appendix 03—Board delegations

In 2023-24 the Board revoked all previous delegations to the Senior Investigator and Advisory Lawyer as the position was renamed to Principal Advisory Lawyer and Investigator.

**TABLE 27: BOARD DELEGATIONS TO THE SENIOR INVESTIGATOR AND ADVISORY LAWYER REVOKED IN 2023-24**

<b>Legal Profession Uniform Law (Victoria)</b>	
<b>Part 3.3 – Australian Legal Practitioners</b>	s 44 – Grant or renewal of an Australian practising certificate
	s 45 (1),(3) and (4) – Consideration of prerequisites for grant or renewal of practising certificate
	s 47 – Grant of practising certificate subject to conditions
	s 49(4) – Exempt a person or class of persons from the requirement to engage in supervised legal practice or reduce the period for a person or class of persons
	s 49(5) – Ability to place conditions on the exemption
	s 53 – Impose discretionary conditions on practising certificates
<b>Part 3.5 – Variation, Suspension and Cancellation of, and refusal to renew certificates</b>	s 74 – Vary a practising certificate for formal or clerical reasons. Vary suspend or cancel at the request or with the concurrence of the holder
	s 88(4) – Enable receipt of a statement about an automatic show cause event out of time
	s 89 – Determine fitness following receipt of notice of automatic show cause event
	s 90 – Service of designated show cause event
	s 91(3) – Accept a statement regarding a designated show cause event out of time
	s 92 – Determine fitness following receipt of notice of designated show cause event
	s 93 – Power to take no action in relation to events that occurred before a person was admitted to the profession or first registered as a foreign lawyer
	s 95 – Give notice to applicant or holder requiring provision of further information as part of consideration and investigation of licensing decisions
<b>Part 9.4 – Cooperative and Other Arrangements</b>	s 441 – Allow cooperation with other bodies

In 2023-24 the Board revoked the delegation conferred by instrument dated 20 August 2021 to the Law Institute of Victoria in respect of one solicitor, as their role had concluded.

**TABLE 28: EXTERNAL BOARD DELEGATIONS TO LAW INSTITUTE OF VICTORIA (IN RESPECT OF ONE SOLICITOR) REVOKED IN 2023-24**

<b>Legal Profession Uniform Law (Victoria)</b>	
<b>Part 3.3, Division 2 – Australian practising certificates</b>	s 44 – Grant or renew Australian practising certificate in respect of a particular solicitor only
	s 45 – Determine prerequisites for grant or renewal of Australian practising certificate in respect of a particular solicitor only
<b>Part 3.3, Division 3 – Conditions of Australian practising certificates</b>	s 47 – Grant Australian practising certificate subject to conditions in respect of a particular solicitor only
	s 53 – Impose discretionary conditions on Australian practising certificates in respect of a particular solicitor only
<b>Part 3.5 – Variation, suspension or cancellation of certificates</b>	s 74 – Vary a certificate in respect of a particular solicitor only
	s 76 – Vary, suspend or cancel certificate in respect of a particular solicitor only
	s 77 – Vary or suspend certificate in respect of a particular solicitor only
	s 78 – Lift suspension of a certificate and renew certificate while suspended in respect of a particular solicitor only
	s 82 – Vary, suspend or cancel certificate in respect of a particular solicitor only
	s 83 – Give certificate holder notice of variation, suspension or cancellation in respect of a particular solicitor only
	s 84 – Take proposed action after giving notice in respect of a particular solicitor only
<b>Part 3.5, Division 4 – Show cause procedure for variation, suspension or cancellation or, or refusal to renew, certificates</b>	s 87 – Receive notice of show cause event in respect of a particular solicitor only
	s 88 – Receive notice of show cause event in respect of a particular solicitor only
	s 89 – Determine fitness following receipt of notice of show cause event in respect of a particular solicitor only
	s 91 – Receive statement from certificate holder in respect of a particular solicitor only
	s 92 – Determine fitness following receipt of notice of show cause event in respect of a particular solicitor only
	s 93 – Take no action on disclosed event that occurred before admission in respect of a particular solicitor only
	s 94 – Apply restriction on making practising certificate applications in respect of a particular solicitor only
<b>Part 3.5, Division 5 – Miscellaneous</b>	s 95 – Require further information in respect of a particular solicitor only
	s 96 – Deferral of action or temporary renewal for limited purposes

## Appendix 04—Commissioner delegations

Under section 56 of the Application Act, the Victorian Legal Services Commissioner may delegate certain functions to an employee, a local professional association, or a prescribed person.

Copies of all instruments of delegation in force can be viewed on our website.

### Current delegations

Table 29 lists all of the internal Commissioner delegations in force at 30 June 2024. There were no external Commissioner delegations in force at 30 June 2024.

**TABLE 29: INTERNAL COMMISSIONER DELEGATIONS IN FORCE AT 30 JUNE 2024**

<i>Legal Profession Act 2004</i>		
<b>Part 3.3 Division 3 – Investigations</b>	s 3.3.44(2) – Obtain information from financial institutions and other specified bodies	Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (16 Oct 20) Assistant Manager, Discipline and Suitability (16 Oct 20) Principal Advisory Lawyer and Investigator (25 Jun 24)
<b>Part 4.1, Division 2 – Application of Chapter</b>	s 4.1.4(3) – Consent to deal with issue under corresponding law	Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (16 Oct 20)
	s 4.1.4(5) – Consent to deal with issue under corresponding law	Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (16 Oct 20)
<b>Part 4.2 – Making a complaint</b>	s 4.2.7 – Vary time limit for complaint	Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (16 Oct 20) Assistant Manager, Discipline and Suitability (16 Oct 20) Principal Advisory Lawyer and Investigator (25 Jun 24)
	s 4.2.8 – Give written notification of a complaint	Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (16 Oct 20) Assistant Manager, Discipline and Suitability (16 Oct 20) Principal Advisory Lawyer and Investigator (25 Jun 24)
	s 4.2.9 – Require further information from complainant	Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (16 Oct 20) Assistant Manager, Discipline and Suitability (16 Oct 20) Principal Advisory Lawyer and Investigator (25 Jun 24)
	s 4.2.10 – Summarily dismiss complaint	Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (16 Oct 20)
<b>Part 4.3, Division 2 – Dealing with civil complaints</b>	s 4.3.3 – Lodgement of disputed legal costs	Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (16 Oct 20) Assistant Manager, Discipline and Suitability (16 Oct 20) Principal Advisory Lawyer and Investigator (25 Jun 24)
	s 4.3.4 – Deposit disputed legal costs in ADI	Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (16 Oct 20)
	s 4.3.5 – Attempt to resolve civil dispute	Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (16 Oct 20) Assistant Manager, Discipline and Suitability (16 Oct 20) Principal Advisory Lawyer and Investigator (25 Jun 24)

	s 4.3.5A(1) – Prepare written agreement	Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (16 Oct 20) Assistant Manager, Discipline and Suitability (16 Oct 20) Principal Advisory Lawyer and Investigator (25 Jun 24)
	s 4.3.6 – Give written notice dispute	Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (16 Oct 20)
	s 4.3.7 – Give written notice dispute unable to be resolved	Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (16 Oct 20) Assistant Manager, Discipline and Suitability (16 Oct 20) Principal Advisory Lawyer and Investigator (25 Jun 24)
<b>Part 4.3, Division 3 – Mediation</b>	s 4.3.9 – Appoint a mediator	Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (16 Oct 20)
	s 4.3.13 – Dismiss complaint or give rights to apply to VCAT	Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (16 Oct 20)
<b>Part 4.3, Division 4 – Resolution of civil disputes by the Tribunal</b>	s 4.3.15 – Make application to the Tribunal	Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (16 Oct 20)
<b>Part 4.4 – Division 3 – Investigations</b>	s 4.4.7 – Investigate complaint	Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (16 Oct 20) Assistant Manager, Discipline and Suitability (16 Oct 20) Principal Advisory Lawyer and Investigator (25 Jun 24)
	s 4.4.8 – Investigate without complaint	Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (16 Oct 20)
	s 4.4.9 – Refer complaint to prescribed investigatory body	Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (16 Oct 20) Assistant Manager, Discipline and Suitability (16 Oct 20) Principal Advisory Lawyer and Investigator (25 Jun 24)
	s 4.4.10(3) – Deal with complaint	Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (16 Oct 20)
	s 4.4.11 – Require further information and documents	Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (16 Oct 20) Assistant Manager, Discipline and Suitability (16 Oct 20) Principal Advisory Lawyer and Investigator (25 Jun 24)
	s 4.4.12 – Investigate expeditiously	Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (16 Oct 20)
	s 4.4.12A – Suspend investigation	Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24)
	s 4.4.12B – Take no further action	Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24)
	s 4.4.12C – Notify practitioner of decision	Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24)

## Appendix 04—Commissioner delegations

	s 4.4.13 – Take appropriate action	Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24)
	s 4.4.13(1), (3)(b), (3)(c), (4), (5) and (6) – Take appropriate action	Manager, Discipline and Suitability (16 Oct 20)
	s 4.4.14 – Give notice of decision	Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (16 Oct 20)
<b>Part 4.4, Division 7 – Inter-jurisdictional provisions</b>	s 4.4.33 – Request another jurisdiction to investigate	Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (16 Oct 20)
	s 4.4.34 – Receive request from another jurisdiction to investigate	Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (16 Oct 20)
	s 4.4.36 – Cooperate with corresponding authorities	Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (16 Oct 20)
<b>Part 7.2 – General provisions</b>	s 7.2.14 – Disclose information	Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (16 Oct 20) Assistant Manager, Discipline and Suitability (16 Oct 20) Principal Advisory Lawyer and Investigator (25 Jun 24)
<b>Schedule 2, Part 6 – Disputes and discipline</b>	Clause 6.1 – Handle disputes lodged under old Act	Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (16 Oct 20)
	Clause 6.2 – Handle disputes lodged under old Act	Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (16 Oct 20)
	Clause 6.3 – Handle disputes lodged under old Act	Executive Director, Legal and Investigations (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (16 Oct 20)
<b>Legal Profession Uniform Law Application Act 2014</b>		
<b>Part 3, Division 4 – General provisions for the Victorian Legal Services Board and Victorian Commissioner</b>	s 60 – Appoint a panel of mediators	Executive Director, Legal and Investigations (25 Jun 24) Executive Director, Licensing and Complaints (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Special Counsel (25 Jun 24)

**Legal Profession Uniform Law (Victoria)**

<b>Part 5.2, Division 1 – Making complaints and other matters about complaints</b>	s 266(2) – Initiate a complaint containing a disciplinary matter	Executive Director, Legal and Investigations (25 Jun 24) Executive Director, Licensing and Complaints (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Costs Disputes and Compliance (29 Aug 22) Manager, Discipline and Suitability (16 Oct 20) Manager, Early Resolution and Complaints (26 Jun 23) Manager, Licensing (26 Jun 23) Manager, Quality Assurance and Review (26 Jun 23) Assistant Manager, Costs Disputes and Compliance (29 Aug 22) Assistant Manager, Discipline and Suitability (16 Oct 20) Assistant Manager, Early Resolution and Complaints (26 Jun 23) Assistant Manager, Licensing (26 Jun 23) Assistant Manager, Quality Assurance and Review (25 Jun 24) Special Counsel (25 Jun 24) Principal Advisory Lawyer and Investigator (25 Jun 24)
	s 267 – Making a complaint	Executive Director, Legal and Investigations (25 Jun 24) Executive Director, Licensing and Complaints (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Costs Disputes and Compliance (29 Aug 22) Manager, Discipline and Suitability (16 Oct 20) Manager, Early Resolution and Complaints (26 Jun 23) Manager, Licensing (26 Jun 23) Manager, Quality Assurance and Review (26 Jun 23) Assistant Manager, Costs Disputes and Compliance (29 Aug 22) Assistant Manager, Discipline and Suitability (16 Oct 20) Assistant Manager, Quality Assurance and Review (25 Jun 24) Special Counsel (25 Jun 24) Principal Advisory Lawyer and Investigator (25 Jun 24)
	s 269 – Definition of consumer matters (including costs disputes)	Senior Advisor (29 Aug 22) Costs Resolutions Specialist (29 Aug 22) Resolutions Advisor (29 Aug 22) Resolutions Liaison Officer (29 Aug 22)
	s 269(1) – Definition of consumer matter	Executive Director, Legal and Investigations (25 Jun 24) Executive Director, Licensing and Complaints (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Costs Disputes and Compliance (29 Aug 22) Manager, Discipline and Suitability (16 Oct 20) Manager, Early Resolution and Complaints (26 Jun 23) Manager, Licensing (26 Jun 23) Manager, Quality Assurance and Review (26 Jun 23) Assistant Manager, Costs Disputes and Compliance (29 Aug 22) Assistant Manager, Discipline and Suitability (16 Oct 20) Assistant Manager, Early Resolution and Complaints (26 Jun 23) Assistant Manager, Licensing (26 Jun 23) Assistant Manager, Quality Assurance and Review (25 Jun 24) Special Counsel (25 Jun 24) Principal Advisory Lawyer and Investigator (25 Jun 24) Senior Investigator (26 Jun 23) Senior Lawyer and Investigator (25 Jun 24) Senior Licensing Advisor (29 Aug 22) Senior Resolution Advisor (29 Aug 22) Licensing Advisor (26 Jun 23) Resolution Advisor (29 Aug 22)

## Appendix 04—Commissioner delegations

<p>s 271 – Priority given to resolving consumer matter where there is a mixed complaint</p>	<p>Executive Director, Legal and Investigations (25 Jun 24)  Executive Director, Licensing and Complaints (25 Jun 24)  Director, Discipline and Suitability (25 Jun 24)  Manager, Costs Disputes and Compliance (29 Aug 22)  Manager, Discipline and Suitability (16 Oct 20)  Manager, Early Resolution and Complaints (26 Jun 23)  Manager, Licensing (26 Jun 23)  Manager, Quality Assurance and Review (26 Jun 23)  Assistant Manager, Costs Disputes and Compliance (29 Aug 22)  Assistant Manager, Discipline and Suitability (16 Oct 20)  Assistant Manager, Early Resolution and Complaints (26 Jun 23)  Assistant Manager, Licensing (26 Jun 23)  Assistant Manager, Quality Assurance and Review (25 Jun 24)  Special Counsel (25 Jun 24)  Principal Advisory Lawyer and Investigator (25 Jun 24)  Senior Lawyer and Investigator (25 Jun 24)  Senior Investigator (26 Jun 23)  Costs Resolutions Specialist (29 Aug 22)  Resolutions Advisor (29 Aug 22)  Resolutions Liaison Officer (29 Aug 22)</p>
<p>s 272 – Making complaint within 3-year time limit</p>	<p>Executive Director, Legal and Investigations (25 Jun 24)  Executive Director, Licensing and Complaints (25 Jun 24)  Director, Discipline and Suitability (25 Jun 24)  Manager, Costs Disputes and Compliance (29 Aug 22)  Manager, Discipline and Suitability (16 Oct 20)  Manager, Early Resolution and Complaints (26 Jun 23)  Manager, Licensing (26 Jun 23)  Manager, Quality Assurance and Review (26 Jun 23)  Assistant Manager, Costs Disputes and Compliance (29 Aug 22)  Assistant Manager, Discipline and Suitability (16 Oct 20)  Assistant Manager, Early Resolution and Complaints (26 Jun 23)  Assistant Manager, Licensing (26 Jun 23)  Assistant Manager, Quality Assurance and Review (25 Jun 24)  Special Counsel (25 Jun 24)  Principal Advisory Lawyer and Investigator (25 Jun 24)  Senior Lawyer and Investigator (25 Jun 24)  Senior Investigator (26 Jun 23)  Senior Advisor (29 Aug 22)  Senior Licensing Advisor (29 Aug 22)  Senior Resolutions Advisor (29 Aug 22)  Lawyer and Investigator (25 Jun 24)  Costs Resolutions Specialist (29 Aug 22)  Investigator (26 Jun 23)  Resolutions Liaison Officer (29 Aug 22)</p>
<p>s 273(2) – Ability to continue investigation even where complaint is withdrawn</p>	<p>Executive Director, Legal and Investigations (25 Jun 24)  Executive Director, Licensing and Complaints (25 Jun 24)  Director, Discipline and Suitability (25 Jun 24)  Manager, Costs Disputes and Compliance (29 Aug 22)  Manager, Discipline and Suitability (16 Oct 20)  Manager, Early Resolution and Complaints (26 Jun 23)  Manager, Licensing (26 Jun 23)  Manager, Quality Assurance and Review (26 Jun 23)  Assistant Manager, Costs Disputes and Compliance (29 Aug 22)  Assistant Manager, Discipline and Suitability (16 Oct 20)  Assistant Manager, Early Resolution and Complaints (26 Jun 23)  Assistant Manager, Licensing (26 Jun 23)  Assistant Manager, Quality Assurance and Review (25 Jun 24)  Special Counsel (25 Jun 24)  Principal Advisory Lawyer and Investigator (25 Jun 24)</p>

<b>Part 5.2, Division 2 – Preliminary assessment of complaints</b>	s 276 – Conduct preliminary complaint	<p>Executive Director, Legal and Investigations (25 Jun 24)</p> <p>Executive Director, Licensing and Complaints (25 Jun 24)</p> <p>Director, Discipline and Suitability (25 Jun 24)</p> <p>Manager, Costs Disputes and Compliance (29 Aug 22)</p> <p>Manager, Discipline and Suitability (16 Oct 20)</p> <p>Manager, Early Resolution and Complaints (26 Jun 23)</p> <p>Manager, Licensing (26 Jun 23)</p> <p>Manager, Quality Assurance and Review (26 Jun 23)</p> <p>Assistant Manager, Costs Disputes and Compliance (29 Aug 22)</p> <p>Assistant Manager, Discipline and Suitability (16 Oct 20)</p> <p>Assistant Manager, Early Resolution and Complaints (26 Jun 23)</p> <p>Assistant Manager, Licensing (26 Jun 23)</p> <p>Assistant Manager, Quality Assurance and Review (25 Jun 24)</p> <p>Special Counsel (25 Jun 24)</p> <p>Principal Advisory Lawyer and Investigator (25 Jun 24)</p> <p>Senior Lawyer and Investigator (25 Jun 24)</p> <p>Senior Investigator (26 Jun 23)</p> <p>Senior Advisor (29 Aug 22)</p> <p>Senior Licensing Advisor (29 Aug 22)</p> <p>Senior Resolution Advisor (29 Aug 22)</p> <p>Lawyer and Investigator (25 Jun 24)</p> <p>Costs Resolutions Specialist (29 Aug 22)</p> <p>Investigator (26 Jun 23)</p> <p>Paralegal (16 Oct 20)</p> <p>Licensing Advisor (26 Aug 23)</p> <p>Resolution Advisor (29 Aug 22)</p> <p>Resolutions Advisor (29 Aug 22)</p> <p>Resolutions Liaison Officer (29 Aug 22)</p> <p>Trust Account Analyst (21 Aug 15)</p>
	s 277 – Ability to close complaint after conducting preliminary assessment	<p>Executive Director, Legal and Investigations (25 Jun 24)</p> <p>Executive Director, Licensing and Complaints (25 Jun 24)</p> <p>Director, Discipline and Suitability (25 Jun 24)</p> <p>Manager, Costs Disputes and Compliance (29 Aug 22)</p> <p>Manager, Discipline and Suitability (16 Oct 20)</p> <p>Manager, Early Resolution and Complaints (26 Jun 23)</p> <p>Manager, Licensing (26 Jun 23)</p> <p>Manager, Quality Assurance and Review (26 Jun 23)</p> <p>Assistant Manager, Costs Disputes and Compliance (29 Aug 22)</p> <p>Assistant Manager, Discipline and Suitability (16 Oct 20)</p> <p>Assistant Manager, Early Resolution and Complaints (26 Jun 23)</p> <p>Assistant Manager, Licensing (26 Jun 23)</p> <p>Assistant Manager, Quality Assurance and Review (25 Jun 24)</p> <p>Special Counsel (25 Jun 24)</p> <p>Principal Advisory Lawyer and Investigator (25 Jun 24)</p> <p>Senior Lawyer and Investigator (25 Jun 24)</p> <p>Senior Investigator (26 Jun 23)</p> <p>Lawyer and Investigator (25 Jun 24)</p> <p>Investigator (26 Jun 23)</p>
	s 278 – Ability to make recommendation that a practising certificate be suspended	<p>Executive Director, Legal and Investigations (25 Jun 24)</p> <p>Executive Director, Licensing and Complaints (25 Jun 24)</p> <p>Director, Discipline and Suitability (25 Jun 24)</p> <p>Manager, Costs Disputes and Compliance (29 Aug 22)</p> <p>Manager, Discipline and Suitability (16 Oct 20)</p> <p>Manager, Early Resolution and Complaints (26 Jun 23)</p> <p>Manager, Licensing (26 Jun 23)</p> <p>Manager, Quality Assurance and Review (26 Jun 23)</p> <p>Assistant Manager, Costs Disputes and Compliance (29 Aug 22)</p> <p>Assistant Manager, Discipline and Suitability (16 Oct 20)</p> <p>Assistant Manager, Early Resolution and Complaints (26 Jun 23)</p> <p>Assistant Manager, Licensing (26 Jun 23)</p> <p>Assistant Manager, Quality Assurance and Review (25 Jun 24)</p> <p>Special Counsel (25 Jun 24)</p> <p>Principal Advisory Lawyer and Investigator (25 Jun 24)</p> <p>Senior Lawyer and Investigator (25 Jun 24)</p> <p>Senior Investigator (26 Jun 23)</p> <p>Lawyer and Investigator (25 Jun 24)</p> <p>Investigator (26 Jun 23)</p>

## Appendix 04—Commissioner delegations

<p><b>Part 5.2, Division 3 – Notifications to and submissions by respondents</b></p>	<p>s 279 – Notify respondent of complaint as soon as practicable</p>	<p>Executive Director, Legal and Investigations (25 Jun 24)          Executive Director, Licensing and Complaints (25 Jun 24)          Director, Discipline and Suitability (25 Jun 24)          Manager, Costs Disputes and Compliance (29 Aug 22)          Manager, Discipline and Suitability (16 Oct 20)          Manager, Early Resolution and Complaints (26 Jun 23)          Manager, Licensing (26 Jun 23)          Manager, Quality Assurance and Review (26 Jun 23)          Assistant Manager, Costs Disputes and Compliance (29 Aug 22)          Assistant Manager, Discipline and Suitability (16 Oct 20)          Assistant Manager, Early Resolution and Complaints (26 Jun 23)          Assistant Manager, Licensing (26 Jun 23)          Assistant Manager, Quality Assurance and Review (25 Jun 24)          Special Counsel (25 Jun 24)          Principal Advisory Lawyer and Investigator (25 Jun 24)          Senior Lawyer and Investigator (25 Jun 24)          Senior Investigator (26 Jun 23)          Senior Advisor (29 Aug 22)          Senior Licensing Advisor (29 Aug 22)          Senior Resolution Advisor (29 Aug 22)          Lawyer and Investigator (25 Jun 24)          Costs Resolutions Specialist (29 Aug 22)          Investigator (26 Jun 23)          Licensing Advisor (26 Aug 23)          Resolution Advisor (29 Aug 22)          Resolutions Advisor (29 Aug 22)          Resolutions Liaison Officer (29 Aug 22)</p>
	<p>s 280 – Response to complaint by respondent</p>	<p>Executive Director, Legal and Investigations (25 Jun 24)          Executive Director, Licensing and Complaints (25 Jun 24)          Director, Discipline and Suitability (25 Jun 24)          Manager, Costs Disputes and Compliance (29 Aug 22)          Manager, Discipline and Suitability (16 Oct 20)          Manager, Early Resolution and Complaints (26 Jun 23)          Manager, Licensing (26 Jun 23)          Manager, Quality Assurance and Review (26 Jun 23)          Assistant Manager, Costs Disputes and Compliance (29 Aug 22)          Assistant Manager, Discipline and Suitability (16 Oct 20)          Assistant Manager, Early Resolution and Complaints (26 Jun 23)          Assistant Manager, Licensing (26 Jun 23)          Assistant Manager, Quality Assurance and Review (25 Jun 24)          Special Counsel (25 Jun 24)          Principal Advisory Lawyer and Investigator (25 Jun 24)          Senior Lawyer and Investigator (25 Jun 24)          Senior Investigator (26 Jun 23)          Senior Advisor (29 Aug 22)          Senior Licensing Advisor (29 Aug 22)          Senior Resolution Advisor (29 Aug 22)          Lawyer and Investigator (25 Jun 24)          Costs Resolutions Specialist (29 Aug 22)          Investigator (26 Jun 23)          Licensing Advisor (26 Aug 23)          Resolution Advisor (29 Aug 22)          Resolutions Advisor (29 Aug 22)          Resolutions Liaison Officer (29 Aug 22)          Trust Account Analyst (21 Aug 15)</p>

	s 281 – Ability to not notify a respondent of a complaint under certain circumstances	<p>Executive Director, Legal and Investigations (25 Jun 24)  Executive Director, Licensing and Complaints (25 Jun 24)  Director, Discipline and Suitability (25 Jun 24)  Manager, Costs Disputes and Compliance (29 Aug 22)  Manager, Discipline and Suitability (16 Oct 20)  Manager, Early Resolution and Complaints (26 Jun 23)  Manager, Licensing (26 Jun 23)  Manager, Quality Assurance and Review (26 Jun 23)  Assistant Manager, Costs Disputes and Compliance (29 Aug 22)  Assistant Manager, Discipline and Suitability (16 Oct 20)  Assistant Manager, Early Resolution and Complaints (26 Jun 23)  Assistant Manager, Licensing (26 Jun 23)  Assistant Manager, Quality Assurance and Review (25 Jun 24)  Special Counsel (25 Jun 24)  Principal Advisory Lawyer and Investigator (25 Jun 24)</p>
<b>Part 5.2, Division 4 – Investigation of complaints</b>	s 282 – Investigate internally or appoint externally	<p>Executive Director, Legal and Investigations (25 Jun 24)  Executive Director, Licensing and Complaints (25 Jun 24)  Director, Discipline and Suitability (25 Jun 24)  Manager, Costs Disputes and Compliance (29 Aug 22)  Manager, Discipline and Suitability (16 Oct 20)  Manager, Early Resolution and Complaints (26 Jun 23)  Manager, Licensing (26 Jun 23)  Manager, Quality Assurance and Review (26 Jun 23)  Assistant Manager, Costs Disputes and Compliance (29 Aug 22)  Assistant Manager, Discipline and Suitability (16 Oct 20)  Assistant Manager, Early Resolution and Complaints (26 Jun 23)  Assistant Manager, Licensing (26 Jun 23)  Assistant Manager, Quality Assurance and Review (25 Jun 24)  Special Counsel (25 Jun 24)  Principal Advisory Lawyer and Investigator (25 Jun 24)  Senior Lawyer and Investigator (25 Jun 24)  Senior Investigator (26 Jun 23)  Senior Licensing Advisor (29 Aug 22)  Senior Resolution Advisor (29 Aug 22)  Lawyer and Investigator (25 Jun 24)  Investigator (26 Jun 23)  Licensing Advisor (26 Aug 23)  Resolution Advisor (29 Aug 22)  Paralegal (16 Oct 20)</p>
	s 282(1) – Investigate internally or appoint externally	<p>Costs Resolutions Specialist (29 Aug 22)  Resolutions Liaison Officer (29 Aug 22)  Trust Account Analyst (21 Aug 15)  Senior Advisor (29 Aug 22)  Resolutions Advisor (29 Aug 22)</p>

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	<p>s 283 – Extend scope of investigation</p>	<p>Executive Director, Legal and Investigations (25 Jun 24)  Executive Director, Licensing and Complaints (25 Jun 24)  Director, Discipline and Suitability (25 Jun 24)  Manager, Costs Disputes and Compliance (29 Aug 22)  Manager, Discipline and Suitability (16 Oct 20)  Manager, Early Resolution and Complaints (26 Jun 23)  Manager, Licensing (26 Jun 23)  Manager, Quality Assurance and Review (26 Jun 23)  Assistant Manager, Costs Disputes and Compliance (29 Aug 22)  Assistant Manager, Discipline and Suitability (16 Oct 20)  Assistant Manager, Early Resolution and Complaints (26 Jun 23)  Assistant Manager, Licensing (26 Jun 23)  Assistant Manager, Quality Assurance and Review (25 Jun 24)  Special Counsel (25 Jun 24)  Principal Advisory Lawyer and Investigator (25 Jun 24)  Senior Lawyer and Investigator (25 Jun 24)  Senior Investigator (26 Jun 23)  Senior Advisor (29 Aug 22)  Senior Licensing Advisor (29 Aug 22)  Senior Resolution Advisor (29 Aug 22)  Lawyer and Investigator (25 Jun 24)  Costs Resolutions Specialist (29 Aug 22)  Investigator (26 Jun 23)</p>
	<p>s 284 – Arrange assessment of costs charged or claimed by respondent</p>	<p>Executive Director, Legal and Investigations (25 Jun 24)  Executive Director, Licensing and Complaints (25 Jun 24)  Director, Discipline and Suitability (25 Jun 24)  Manager, Costs Disputes and Compliance (29 Aug 22)  Manager, Discipline and Suitability (16 Oct 20)  Manager, Early Resolution and Complaints (26 Jun 23)  Manager, Licensing (26 Jun 23)  Manager, Quality Assurance and Review (26 Jun 23)  Assistant Manager, Quality Assurance and Review (25 Jun 24)  Special Counsel (25 Jun 24)</p>
<p><b>Part 5.3, Division 2 – Provisions applicable to all consumer matters</b></p>	<p>s 286 – Not to take action resolving consumer matter unless parties have made reasonable attempt to resolve matter, or it would be unreasonable to expect complainant to be involved in such attempt</p>	<p>Executive Director, Legal and Investigations (25 Jun 24)  Executive Director, Licensing and Complaints (25 Jun 24)  Director, Discipline and Suitability (25 Jun 24)  Manager, Costs Disputes and Compliance (29 Aug 22)  Manager, Discipline and Suitability (16 Oct 20)  Manager, Early Resolution and Complaints (26 Jun 23)  Manager, Licensing (26 Jun 23)  Manager, Quality Assurance and Review (26 Jun 23)  Assistant Manager, Costs Disputes and Compliance (29 Aug 22)  Assistant Manager, Discipline and Suitability (16 Oct 20)  Assistant Manager, Early Resolution and Complaints (26 Jun 23)  Assistant Manager, Licensing (26 Jun 23)  Assistant Manager, Quality Assurance and Review (25 Jun 24)  Special Counsel (25 Jun 24)  Principal Advisory Lawyer and Investigator (25 Jun 24)  Senior Lawyer and Investigator (25 Jun 24)  Senior Investigator (26 Jun 23)  Senior Advisor (29 Aug 22)  Senior Licensing Advisor (29 Aug 22)  Senior Resolution Advisor (29 Aug 22)  Lawyer and Investigator (25 Jun 24)  Costs Resolutions Specialist (29 Aug 22)  Investigator (26 Jun 23)  Licensing Advisor (26 Aug 23)  Resolution Advisor (29 Aug 22)  Resolutions Advisor (29 Aug 22)  Resolutions Liaison Officer (29 Aug 22)  Trust Account Analyst (21 Aug 15)</p>

	<p>s 287 – Resolve consumer matter by informal means as soon as practicable</p>	<p>Executive Director, Legal and Investigations (25 Jun 24)  Executive Director, Licensing and Complaints (25 Jun 24)  Director, Discipline and Suitability (25 Jun 24)  Manager, Costs Disputes and Compliance (29 Aug 22)  Manager, Discipline and Suitability (16 Oct 20)  Manager, Early Resolution and Complaints (26 Jun 23)  Manager, Licensing (26 Jun 23)  Manager, Quality Assurance and Review (26 Jun 23)  Assistant Manager, Costs Disputes and Compliance (29 Aug 22)  Assistant Manager, Discipline and Suitability (16 Oct 20)  Assistant Manager, Early Resolution and Complaints (26 Jun 23)  Assistant Manager, Licensing (26 Jun 23)  Assistant Manager, Quality Assurance and Review (25 Jun 24)  Special Counsel (25 Jun 24)  Principal Advisory Lawyer and Investigator (25 Jun 24)  Senior Lawyer and Investigator (25 Jun 24)  Senior Investigator (26 Jun 23)  Senior Advisor (29 Aug 22)  Senior Licensing Advisor (29 Aug 22)  Senior Resolution Advisor (29 Aug 22)  Lawyer and Investigator (25 Jun 24)  Costs Resolutions Specialist (29 Aug 22)  Investigator (26 Jun 23)  Licensing Advisor (26 Aug 23)  Resolution Advisor (29 Aug 22)  Resolutions Advisor (29 Aug 22)  Resolutions Liaison Officer (29 Aug 22)  Trust Account Analyst (21 Aug 15)</p>
	<p>s 288 – Order parties to the complaint attend mediation</p>	<p>Executive Director, Legal and Investigations (25 Jun 24)  Executive Director, Licensing and Complaints (25 Jun 24)  Director, Discipline and Suitability (25 Jun 24)  Manager, Costs Disputes and Compliance (29 Aug 22)  Manager, Discipline and Suitability (16 Oct 20)  Manager, Early Resolution and Complaints (26 Jun 23)  Manager, Licensing (26 Jun 23)  Manager, Quality Assurance and Review (26 Jun 23)  Assistant Manager, Costs Disputes and Compliance (29 Aug 22)  Assistant Manager, Discipline and Suitability (16 Oct 20)  Assistant Manager, Early Resolution and Complaints (26 Jun 23)  Assistant Manager, Licensing (26 Jun 23)  Assistant Manager, Quality Assurance and Review (25 Jun 24)  Special Counsel (25 Jun 24)  Principal Advisory Lawyer and Investigator (25 Jun 24)  Senior Lawyer and Investigator (25 Jun 24)  Senior Investigator (26 Jun 23)  Senior Advisor (29 Aug 22)  Senior Licensing Advisor (29 Aug 22)  Senior Resolution Advisor (29 Aug 22)  Lawyer and Investigator (25 Jun 24)  Costs Resolutions Specialist (29 Aug 22)  Investigator (26 Jun 23)  Resolutions Advisor (29 Aug 22)</p>

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	<p>s 289 – Prepare written record of agreement to mediation</p>	<p>Executive Director, Legal and Investigations (25 Jun 24)  Executive Director, Licensing and Complaints (25 Jun 24)  Director, Discipline and Suitability (25 Jun 24)  Manager, Costs Disputes and Compliance (29 Aug 22)  Manager, Discipline and Suitability (16 Oct 20)  Manager, Early Resolution and Complaints (26 Jun 23)  Manager, Licensing (26 Jun 23)  Manager, Quality Assurance and Review (26 Jun 23)  Assistant Manager, Costs Disputes and Compliance (29 Aug 22)  Assistant Manager, Discipline and Suitability (16 Oct 20)  Assistant Manager, Early Resolution and Complaints (26 Jun 23)  Assistant Manager, Licensing (26 Jun 23)  Assistant Manager, Quality Assurance and Review (25 Jun 24)  Special Counsel (25 Jun 24)  Principal Advisory Lawyer and Investigator (25 Jun 24)  Senior Lawyer and Investigator (25 Jun 24)  Senior Investigator (26 Jun 23)  Senior Advisor (29 Aug 22)  Senior Licensing Advisor (29 Aug 22)  Senior Resolution Advisor (29 Aug 22)  Lawyer and Investigator (25 Jun 24)  Costs Resolutions Specialist (29 Aug 22)  Investigator (26 Jun 23)  Resolutions Advisor (29 Aug 22)</p>
	<p>s 290 – Resolve consumer matter by making determination</p>	<p>Executive Director, Legal and Investigations (25 Jun 24)  Executive Director, Licensing and Complaints (25 Jun 24)  Director, Discipline and Suitability (25 Jun 24)  Manager, Costs Disputes and Compliance (29 Aug 22)  Manager, Discipline and Suitability (16 Oct 20)  Manager, Early Resolution and Complaints (26 Jun 23)  Manager, Licensing (26 Jun 23)  Manager, Quality Assurance and Review (26 Jun 23)  Assistant Manager, Costs Disputes and Compliance (29 Aug 22)  Assistant Manager, Discipline and Suitability (16 Oct 20)  Assistant Manager, Quality Assurance and Review (25 Jun 24)  Special Counsel (25 Jun 24)  Principal Advisory Lawyer and Investigator (25 Jun 24)</p>
<p><b>Part 5.3, Division 3 – Further provisions applicable to costs disputes</b></p>	<p>s 291 – Deal with costs disputes the same way as consumer matters or inform parties of right to apply for costs assessment or to VCAT if total bill is over \$100,000 or the amount in dispute is over \$10,000 where the bill is over \$100,000</p>	<p>Executive Director, Legal and Investigations (25 Jun 24)  Executive Director, Licensing and Complaints (25 Jun 24)  Director, Discipline and Suitability (25 Jun 24)  Manager, Costs Disputes and Compliance (29 Aug 22)  Manager, Discipline and Suitability (16 Oct 20)  Manager, Early Resolution and Complaints (26 Jun 23)  Manager, Licensing (26 Jun 23)  Manager, Quality Assurance and Review (26 Jun 23)  Assistant Manager, Costs Disputes and Compliance (29 Aug 22)  Assistant Manager, Discipline and Suitability (16 Oct 20)  Assistant Manager, Early Resolution and Complaints (26 Jun 23)  Assistant Manager, Licensing (26 Jun 23)  Assistant Manager, Quality Assurance and Review (25 Jun 24)  Special Counsel (25 Jun 24)  Principal Advisory Lawyer and Investigator (25 Jun 24)  Senior Licensing Advisor (29 Aug 22)  Senior Resolution Advisor (29 Aug 22)  Resolution Advisor (29 Aug 22)  Licensing Advisor (26 Jun 23)</p>
	<p>s 291(1) – Deal with costs disputes the same way as consumer matters</p>	<p>Senior Lawyer and Investigator (25 Jun 24)  Lawyer and Investigator (25 Jun 24)  Senior Advisor (29 Aug 22)  Senior Investigator (26 Jun 23)  Costs Resolutions Specialist (29 Aug 22)  Investigator (26 Jun 23)  Resolutions Advisor (29 Aug 22)  Resolutions Liaison Officer (29 Aug 22)  Trust Account Analyst (21 Aug 15)</p>

	<p>s 292 – Make a binding determination about costs</p>	<p>Executive Director, Legal and Investigations (25 Jun 24)  Executive Director, Licensing and Complaints (25 Jun 24)  Director, Discipline and Suitability (25 Jun 24)  Manager, Costs Disputes and Compliance (29 Aug 22)  Manager, Discipline and Suitability (16 Oct 20)  Manager, Early Resolution and Complaints (26 Jun 23)  Manager, Licensing (26 Jun 23)  Manager, Quality Assurance and Review (26 Jun 23)  Assistant Manager, Costs Disputes and Compliance (29 Aug 22)  Assistant Manager, Discipline and Suitability (16 Oct 20)  Assistant Manager, Early Resolution and Complaints (26 Jun 23)  Assistant Manager, Licensing (26 Jun 23)  Assistant Manager, Quality Assurance and Review (25 Jun 24)  Special Counsel (25 Jun 24)  Principal Advisory Lawyer and Investigator (25 Jun 24)</p>
	<p>s 293 – Cease to act where dispute is less than \$10,000</p>	<p>Executive Director, Legal and Investigations (25 Jun 24)  Executive Director, Licensing and Complaints (25 Jun 24)  Director, Discipline and Suitability (25 Jun 24)  Manager, Costs Disputes and Compliance (29 Aug 22)  Manager, Discipline and Suitability (16 Oct 20)  Manager, Early Resolution and Complaints (26 Jun 23)  Manager, Licensing (26 Jun 23)  Manager, Quality Assurance and Review (26 Jun 23)  Assistant Manager, Costs Disputes and Compliance (29 Aug 22)  Assistant Manager, Discipline and Suitability (16 Oct 20)  Assistant Manager, Early Resolution and Complaints (26 Jun 23)  Assistant Manager, Licensing (26 Jun 23)  Assistant Manager, Quality Assurance and Review (25 Jun 24)  Special Counsel (25 Jun 24)  Principal Advisory Lawyer and Investigator (25 Jun 24)  Senior Lawyer and Investigator (25 Jun 24)  Senior Investigator (26 Jun 23)  Senior Licensing Advisor (29 Aug 22)  Senior Resolution Advisor (29 Aug 22)</p>
<p><b>Part 5.4, Division 1 – Preliminary</b></p>	<p>s 297(2) – Consider matters that would be taken into account in terms of admission when deciding if a lawyer is a fit and proper person in terms of professional misconduct</p>	<p>Executive Director, Legal and Investigations (25 Jun 24)  Executive Director, Licensing and Complaints (25 Jun 24)  Director, Discipline and Suitability (25 Jun 24)  Manager, Costs Disputes and Compliance (29 Aug 22)  Manager, Discipline and Suitability (16 Oct 20)  Manager, Quality Assurance and Review (26 Jun 23)  Assistant Manager, Discipline and Suitability (16 Oct 20)  Assistant Manager, Quality Assurance and Review (25 Jun 24)  Special Counsel (25 Jun 24)  Principal Advisory Lawyer and Investigator (25 Jun 24)  Trust Account Analyst (21 Aug 15)</p>
<p><b>Part 5.4, Division 2 – Determination by local regulatory authority</b></p>	<p>s 299 – Determine unsatisfactory professional conduct and make orders to rectify that conduct</p>	<p>Executive Director, Legal and Investigations (25 Jun 24)  Executive Director, Licensing and Complaints (25 Jun 24)  Director, Discipline and Suitability (25 Jun 24)  Manager, Costs Disputes and Compliance (29 Aug 22)  Manager, Discipline and Suitability (16 Oct 20)  Manager, Early Resolution and Complaints (26 Jun 23)  Manager, Licensing (26 Jun 23)  Manager, Quality Assurance and Review (26 Jun 23)  Assistant Manager, Costs Disputes and Compliance (29 Aug 22)  Assistant Manager, Discipline and Suitability (16 Oct 20)  Assistant Manager, Early Resolution and Complaints (26 Jun 23)  Assistant Manager, Licensing (26 Jun 23)  Assistant Manager, Quality Assurance and Review (25 Jun 24)  Special Counsel (25 Jun 24)  Principal Advisory Lawyer and Investigator (25 Jun 24)  Senior Lawyer and Investigator (25 Jun 24)  Lawyer and Investigator (25 Jun 24)  Senior Investigator (26 Jun 23)  Investigator (26 Jun 23)</p>

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<p><b>Part 5.4, Division 3 – Role of designated tribunal</b></p>	<p>s 300 – Initiate and prosecute proceedings against respondent lawyer in the designated tribunal</p>	<p>Executive Director, Legal and Investigations (25 Jun 24) Executive Director, Licensing and Complaints (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Discipline and Suitability (16 Oct 20) Manager, Quality Assurance and Review (26 Jun 23) Assistant Manager, Discipline and Suitability (16 Oct 20) Assistant Manager, Quality Assurance and Review (25 Jun 24) Special Counsel (25 Jun 24) Principal Advisory Lawyer and Investigator (25 Jun 24)</p>
<p><b>Part 5.5 – Compensation Orders</b></p>	<p>s 306 – Make compensation order</p>	<p>Executive Director, Legal and Investigations (25 Jun 24) Executive Director, Licensing and Complaints (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Costs Disputes and Compliance (29 Aug 22) Manager, Discipline and Suitability (16 Oct 20) Manager, Early Resolution and Complaints (26 Jun 23) Manager, Licensing (26 Jun 23) Manager, Quality Assurance and Review (26 Jun 23) Assistant Manager, Costs Disputes and Compliance (29 Aug 22) Assistant Manager, Discipline and Suitability (16 Oct 20) Assistant Manager, Early Resolution and Complaints (26 Jun 23) Assistant Manager, Licensing (26 Jun 23) Assistant Manager, Quality Assurance and Review (25 Jun 24) Special Counsel (25 Jun 24) Principal Advisory Lawyer and Investigator (25 Jun 24)</p>
	<p>s 307(4) – Request may be made at any time after complaint made</p>	<p>Senior Lawyer and Investigator (25 Jun 24) Senior Investigator (26 Jun 23) Trust Account Analyst (21 Aug 15)</p>
	<p>s 308 – Order to compensate aggrieved person</p>	<p>Executive Director, Legal and Investigations (25 Jun 24) Executive Director, Licensing and Complaints (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Costs Disputes and Compliance (29 Aug 22) Manager, Discipline and Suitability (16 Oct 20) Manager, Early Resolution and Complaints (26 Jun 23) Manager, Licensing (26 Jun 23) Manager, Quality Assurance and Review (26 Jun 23) Assistant Manager, Costs Disputes and Compliance (29 Aug 22) Assistant Manager, Discipline and Suitability (16 Oct 20) Assistant Manager, Early Resolution and Complaints (26 Jun 23) Assistant Manager, Licensing (26 Jun 23) Assistant Manager, Quality Assurance and Review (25 Jun 24) Special Counsel (25 Jun 24) Principal Advisory Lawyer and Investigator (25 Jun 24)</p>
	<p>s 309 – Order not to be made unless the designated authority or tribunal is satisfied of a loss or that it be in the interest of justice or if compensation has been made by court or paid from a fidelity fund</p>	<p>Executive Director, Legal and Investigations (25 Jun 24) Executive Director, Licensing and Complaints (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Costs Disputes and Compliance (29 Aug 22) Manager, Discipline and Suitability (16 Oct 20) Manager, Early Resolution and Complaints (26 Jun 23) Manager, Licensing (26 Jun 23) Manager, Quality Assurance and Review (26 Jun 23) Assistant Manager, Costs Disputes and Compliance (29 Aug 22) Assistant Manager, Discipline and Suitability (16 Oct 20) Assistant Manager, Early Resolution and Complaints (26 Jun 23) Assistant Manager, Licensing (26 Jun 23) Assistant Manager, Quality Assurance and Review (25 Jun 24) Special Counsel (25 Jun 24) Principal Advisory Lawyer and Investigator (25 Jun 24)</p>

<b>Part 5.6 – Appeal or Review</b>	s 313 – Conduct an internal review	Executive Director, Legal and Investigations (25 Jun 24) Executive Director, Licensing and Complaints (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Costs Disputes and Compliance (29 Aug 22) Manager, Discipline and Suitability (16 Oct 20) Manager, Early Resolution and Complaints (26 Jun 23) Manager, Licensing (26 Jun 23) Manager, Quality Assurance and Review (26 Jun 23) Assistant Manager, Costs Disputes and Compliance (29 Aug 22) Assistant Manager, Discipline and Suitability (16 Oct 20) Assistant Manager, Early Resolution and Complaints (26 Jun 23) Assistant Manager, Licensing (26 Jun 23) Assistant Manager, Quality Assurance and Review (25 Jun 24) Special Counsel (25 Jun 24) Principal Advisory Lawyer and Investigator (25 Jun 24) Senior Lawyer and Investigator (25 Jun 24) Senior Investigator (26 Jun 23) Senior Advisor (29 Aug 22) Senior Licensing Advisor (29 Aug 22) Senior Resolution Advisor (29 Aug 22) Lawyer and Investigator (25 Jun 24) Costs Resolutions Specialist (29 Aug 22)
	s 313(2) – Conduct an internal review	Trust Account Analyst (21 Aug 15)
<b>Part 5.7 – General Duties of Local Regulatory Authorities</b>	s 318 – Provide the complainant and respondent written notice of decisions or determinations	Executive Director, Legal and Investigations (25 Jun 24) Executive Director, Licensing and Complaints (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Costs Disputes and Compliance (29 Aug 22) Manager, Discipline and Suitability (16 Oct 20) Manager, Early Resolution and Complaints (26 Jun 23) Manager, Licensing (26 Jun 23) Manager, Quality Assurance and Review (26 Jun 23) Assistant Manager, Costs Disputes and Compliance (29 Aug 22) Assistant Manager, Discipline and Suitability (16 Oct 20) Assistant Manager, Early Resolution and Complaints (26 Jun 23) Assistant Manager, Licensing (26 Jun 23) Assistant Manager, Quality Assurance and Review (25 Jun 24) Special Counsel (25 Jun 24) Principal Advisory Lawyer and Investigator (25 Jun 24)
	s 320 – Make order directing or refraining action	Executive Director, Legal and Investigations (25 Jun 24) Executive Director, Licensing and Complaints (25 Jun 24) Director, Discipline and Suitability (25 Jun 24) Manager, Costs Disputes and Compliance (29 Aug 22) Manager, Discipline and Suitability (16 Oct 20) Manager, Early Resolution and Complaints (26 Jun 23) Manager, Licensing (26 Jun 23) Manager, Quality Assurance and Review (26 Jun 23) Assistant Manager, Costs Disputes and Compliance (29 Aug 22) Assistant Manager, Discipline and Suitability (16 Oct 20) Assistant Manager, Early Resolution and Complaints (26 Jun 23) Assistant Manager, Licensing (26 Jun 23) Assistant Manager, Quality Assurance and Review (25 Jun 24) Special Counsel (25 Jun 24) Principal Advisory Lawyer and Investigator (25 Jun 24)

## Appendix 04—Commissioner delegations

<p><b>Part 9.9 – General</b></p>	<p>s 466(7) – Recommend practising certificate or registration certificate be suspended</p>	<p>Executive Director, Legal and Investigations (25 Jun 24)          Executive Director, Licensing and Complaints (25 Jun 24)          Director, Discipline and Suitability (25 Jun 24)          Director, Detection and Intervention (25 Jun 24)          Manager, Costs Disputes and Compliance (29 Aug 22)          Manager, Discipline and Suitability (16 Oct 20)          Manager, Early Resolution and Complaints (26 Jun 23)          Manager, Intervention and Enforcement (16 Oct 20)          Manager, Licensing (26 Jun 23)          Manager, Quality Assurance and Review (26 Jun 23)          Assistant Manager, Costs Disputes and Compliance (29 Aug 22)          Assistant Manager, Discipline and Suitability (16 Oct 20)          Assistant Manager, Early Resolution and Complaints (26 Jun 23)          Assistant Manager, Intervention and Enforcement (16 Oct 20)          Assistant Manager, Licensing (26 Jun 23)          Assistant Manager, Quality Assurance and Review (25 Jun 24)          Special Counsel (25 Jun 24)          Principal Advisory Lawyer and Investigator (25 Jun 24)</p>
<p><b>Schedule 3, Part 4 – Dispute Resolution and Professional Discipline</b></p>	<p>Clause 14 – Conduct of lawyer does not apply if it is being dealt with under a corresponding law</p>	<p>Executive Director, Legal and Investigations (25 Jun 24)          Executive Director, Licensing and Complaints (25 Jun 24)          Director, Discipline and Suitability (25 Jun 24)          Manager, Costs Disputes and Compliance (29 Aug 22)          Manager, Discipline and Suitability (16 Oct 20)          Manager, Early Resolution and Complaints (26 Jun 23)          Manager, Licensing (26 Jun 23)          Manager, Quality Assurance and Review (26 Jun 23)          Assistant Manager, Costs Disputes and Compliance (29 Aug 22)          Assistant Manager, Discipline and Suitability (16 Oct 20)          Assistant Manager, Early Resolution and Complaints (26 Jun 23)          Assistant Manager, Licensing (26 Jun 23)          Assistant Manager, Quality Assurance and Review (25 Jun 24)          Special Counsel (25 Jun 24)          Principal Advisory Lawyer and Investigator (25 Jun 24)          Senior Lawyer and Investigator (25 Jun 24)          Senior Investigator (26 Jun 23)          Senior Advisor (29 Aug 22)          Senior Licensing Advisor (29 Aug 22)          Senior Resolution Advisor (29 Aug 22)          Costs Resolutions Specialist (29 Aug 22)</p>

<p><b>Schedule 4, Division 7 – Dispute resolution and professional discipline</b></p>	<p>Clause 26 – Complaint made under the old Chapter 4 is to be investigated with the provisions of the old legislation</p>	<p>Executive Director, Legal and Investigations (25 Jun 24)  Executive Director, Licensing and Complaints (25 Jun 24)  Director, Discipline and Suitability (25 Jun 24)  Manager, Costs Disputes and Compliance (29 Aug 22)  Manager, Discipline and Suitability (16 Oct 20)  Manager, Early Resolution and Complaints (26 Jun 23)  Manager, Licensing (26 Jun 23)  Manager, Quality Assurance and Review (26 Jun 23)  Assistant Manager, Costs Disputes and Compliance (29 Aug 22)  Assistant Manager, Discipline and Suitability (16 Oct 20)  Assistant Manager, Early Resolution and Complaints (26 Jun 23)  Assistant Manager, Licensing (26 Jun 23)  Assistant Manager, Quality Assurance and Review (25 Jun 24)  Special Counsel (25 Jun 24)  Principal Advisory Lawyer and Investigator (25 Jun 24)  Senior Lawyer and Investigator (25 Jun 24)  Lawyer and Investigator (25 Jun 24)  Senior Investigator (26 Jun 23)  Senior Advisor (29 Aug 22)  Senior Licensing Advisor (29 Aug 22)  Senior Resolution Advisor (29 Aug 22)  Costs Resolutions Specialist (29 Aug 22)  Investigator (26 Jun 23)  Licensing Advisor (26 Jun 23)  Resolution Advisor (29 Aug 22)  Resolutions Advisor (29 Aug 22)  Trust Account Analyst (21 Aug 15)</p>
	<p>Clause 27 – Investigation may be commenced under the new law as long as conduct was not investigated before that day under the old legislation</p>	<p>Executive Director, Legal and Investigations (25 Jun 24)  Executive Director, Licensing and Complaints (25 Jun 24)  Director, Discipline and Suitability (25 Jun 24)  Manager, Costs Disputes and Compliance (29 Aug 22)  Manager, Discipline and Suitability (16 Oct 20)  Manager, Early Resolution and Complaints (26 Jun 23)  Manager, Licensing (26 Jun 23)  Manager, Quality Assurance and Review (26 Jun 23)  Assistant Manager, Costs Disputes and Compliance (29 Aug 22)  Assistant Manager, Discipline and Suitability (16 Oct 20)  Assistant Manager, Early Resolution and Complaints (26 Jun 23)  Assistant Manager, Licensing (26 Jun 23)  Assistant Manager, Quality Assurance and Review (25 Jun 24)  Special Counsel (25 Jun 24)  Principal Advisory Lawyer and Investigator (25 Jun 24)  Senior Lawyer and Investigator (25 Jun 24)  Lawyer and Investigator (25 Jun 24)  Senior Investigator (26 Jun 23)  Senior Advisor (29 Aug 22)  Senior Licensing Advisor (29 Aug 22)  Senior Resolution Advisor (29 Aug 22)  Costs Resolutions Specialist (29 Aug 22)  Investigator (26 Jun 23)  Licensing Advisor (26 Jun 23)  Resolution Advisor (29 Aug 22)  Resolutions Advisor (29 Aug 22)  Trust Account Analyst (21 Aug 15)</p>

## Appendix 04—Commissioner delegations

### Commissioner revoked delegations

Tables 30-32 list all Commissioner delegations revoked during 2023-24 and the reasons for their revocation. No external delegations were revoked during the year.

In 2023-24 the Commissioner revoked all delegations to the Director, Licensing and Complaints as the position title was renamed to Executive Director, Licensing and Complaints.

**TABLE 30: COMMISSIONER DELEGATIONS TO THE DIRECTOR, LICENSING AND COMPLAINTS REVOKED IN 2023-24**

<i>Legal Profession Uniform Law Application Act 2014</i>	
<b>Part 3, Division 4 – General provisions for the Victorian Legal Services Board and Victorian Commissioner</b>	s 60 – Appoint a panel of mediators
<b>Legal Profession Uniform Law (Victoria)</b>	
<b>Part 5.2, Division 1 – Making complaints and other matters about complaints</b>	s 266(2) – Initiate a complaint containing a disciplinary matter
	s 267 – Making a complaint
	s 269(1) – Definition of consumer matter
	s 271 – Priority given to resolving consumer matter where there is a mixed complaint
	s 272 – Making complaint within 3-year time limit
	s 273(2) – Ability to continue investigation even where complaint is withdrawn
<b>Part 5.2, Division 2 – Preliminary assessment of complaints</b>	s 276 – Conduct preliminary complaint
	s 277 – Ability to close complaint after conducting preliminary assessment
	s 278 – Ability to make recommendation that a practising certificate be suspended
<b>Part 5.2, Division 3 – Notifications to and submissions by respondents</b>	s 279 – Notify respondent of complaint as soon as practicable
	s 280 – Response to complaint by respondent
	s 281 – Ability to not notify a respondent of a complaint under certain circumstances
<b>Part 5.2, Division 4 – Investigation of complaints</b>	s 282 – Investigate internally or appoint externally
	s 283 – Extend scope of investigation
	s 284 – Arrange assessment of costs charged or claimed by respondent
<b>Part 5.3, Division 2 – Provisions applicable to all consumer matters</b>	s 286 – Not to take action resolving consumer matter unless parties have made reasonable attempt to resolve matter, or it would be unreasonable to expect complainant to be involved in such attempt
	s 287 – Resolve consumer matter by informal means as soon as practicable
	s 288 – Order parties to the complaint attend mediation
	s 289 – Prepare written record of agreement to mediation
	s 290 – Resolve consumer matter by making determination

<b>Part 5.3, Division 3 – Further provisions applicable to costs disputes</b>	s 291 – Deal with costs disputes the same way as consumer matters or inform parties of right to apply for costs assessment or to VCAT if total bill is over \$100,000 or the amount in dispute is over \$10,000 where the bill is over \$100,000.
	s 292 – Make a binding determination about costs
	s 293 – Cease to act where dispute is less than \$10,000
<b>Part 5.4, Division 1 – Preliminary</b>	s 297(2) – Consider matters that would be taken into account in terms of admission when deciding if a lawyer is a fit and proper person in terms of professional misconduct
<b>Part 5.4, Division 2 – Determination by local regulatory authority</b>	s 299 – Determine unsatisfactory professional conduct and make orders to rectify that conduct
<b>Part 5.4, Division 3 – Role of designated tribunal</b>	s 300 – Initiate and prosecute proceedings against respondent lawyer in the designated tribunal
<b>Part 5.5 – Compensation Orders</b>	s 306 – Make compensation order
	s 308 – Order to compensate aggrieved person
	s 309 – Order not to be made unless the designated authority or tribunal is satisfied of a loss or that it be in the interest of justice or if compensation has been made by court or paid from a fidelity fund
<b>Part 5.6 – Appeal or Review</b>	s 313 – Conduct an internal review
<b>Part 5.7 – General Duties of Local Regulatory Authorities</b>	s 318 – Provide the complainant and respondent written notice of decisions or determinations
	s 320 – Make order directing or refraining action
<b>Part 9.9 – General</b>	s 466(7) – Recommend practising certificate or registration certificate be suspended
<b>Schedule 3, Part 4 – Dispute Resolution and Professional Discipline</b>	Clause 14 – Conduct of lawyer does not apply if it is being dealt with under a corresponding law
<b>Schedule 4, Division 7 – Dispute resolution and professional discipline</b>	Clause 26 – Complaint made under the old Chapter 4 is to be investigated with the provisions of the old legislation
	Clause 27 – Investigation may be commenced under the new law as long as conduct was not investigated before that day under the old legislation

## Appendix 04—Commissioner delegations

In 2023-24 the Commissioner revoked all delegations to the Director, Investigations as the position title was renamed to Executive Director, Legal and Investigations.

**TABLE 31: COMMISSIONER DELEGATIONS TO THE DIRECTOR, INVESTIGATIONS REVOKED IN 2023-24**

<i>Legal Profession Act 2004</i>	
<b>Part 3.3, Division 3 – Investigations</b>	s 3.3.44(2) – Obtain information from financial institutions and other specified bodies
<b>Part 4.1, Division 2 – Application of Chapter</b>	s 4.1.4(3) – Consent to deal with issue under corresponding law
	s 4.1.4(5) – Consent to deal with issue under corresponding law
<b>Part 4.2 – Making a complaint</b>	s 4.2.10 – Summarily dismiss complaint
	s 4.2.7 – Vary time limit for complaint
	s 4.2.8 – Give written notification of a complaint
	s 4.2.9 – Require further information from complainant
<b>Part 4.3, Division 2 – Dealing with civil complaints</b>	s 4.3.3 – Lodgement of disputed legal costs
	s 4.3.4 – Deposit disputed legal costs in ADI
	s 4.3.5 – Attempt to resolve civil dispute
	s 4.3.5A(1) – Prepare written agreement
	s 4.3.6 – Give written notice dispute
	s 4.3.7 – Give written notice dispute unable to be resolved
<b>Part 4.3, Division 3 – Mediation</b>	s 4.3.13 – Dismiss complaint or give rights to apply to VCAT
	s 4.3.9 – Appoint a mediator
<b>Part 4.3, Division 4 – Resolution of civil disputes by the Tribunal</b>	s 4.3.15 – Make application to the Tribunal
<b>Part 4.4, Division 3 – Investigations</b>	s 4.4.7 – Investigate complaint
	s 4.4.8 – Investigate without complaint
	s 4.4.9 – Refer complaint to prescribed investigatory body
	s 4.4.10(3) – Deal with complaint
	s 4.4.11 – Require further information and documents
	s 4.4.12 – Investigate expeditiously
	s 4.4.12A – Suspend investigation
	s 4.4.12B – Take no further action
	s 4.4.12C – Notify practitioner of decision
	s 4.4.13 – Take appropriate action
	s 4.4.14 – Give notice of decision

<b>Part 4.4, Division 7 – Inter-jurisdictional provisions</b>	s 4.4.33 – Request another jurisdiction to investigate
	s 4.4.34 – Receive request from another jurisdiction to investigate
	s 4.4.36 – Cooperate with corresponding authorities
<b>Part 7.2 – General provisions</b>	s 7.2.14 – Disclose information
<b>Schedule 2, Part 6 – Disputes and discipline</b>	Clause 6.1 – Handle disputes lodged under old Act
	Clause 6.2 – Handle disputes lodged under old Act
	Clause 6.3 – Handle disputes lodged under old Act

#### **Legal Profession Uniform Law Application Act 2014**

<b>Part 3, Division 4 – General provisions for the Victorian Legal Services Board and Victorian Commissioner</b>	s 60 – Appoint a panel of mediators
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#### **Legal Profession Uniform Law (Victoria)**

<b>Part 5.2, Division 1 – Making complaints and other matters about complaints</b>	s 266(2) – Initiate a complaint containing a disciplinary matter
	s 267 – Making a complaint
	s 269(1) – Definition of consumer matter
	s 271 – Priority given to resolving consumer matter where there is a mixed complaint
	s 272 – Making complaint within 3-year time limit
	s 273(2) – Ability to continue investigation even where complaint is withdrawn
<b>Part 5.2, Division 2 – Preliminary assessment of complaints</b>	s 276 – Conduct preliminary complaint
	s 277 – Ability to close complaint after conducting preliminary assessment
	s 278 – Ability to make recommendation that a practising certificate be suspended
<b>Part 5.2, Division 3 – Notifications to and submissions by respondents</b>	s 279 – Notify respondent of complaint as soon as practicable
	s 280 – Response to complaint by respondent
	s 281 – Ability to not notify a respondent of a complaint under certain circumstances
<b>Part 5.2, Division 4 – Investigation of complaints</b>	s 282 – Investigate internally or appoint externally
	s 283 – Extend scope of investigation
	s 284 – Arrange assessment of costs charged or claimed by respondent
<b>Part 5.3, Division 2 – Provisions applicable to all consumer matters</b>	s 286 – Not to take action resolving consumer matter unless parties have made reasonable attempt to resolve matter, or it would be unreasonable to expect complainant to be involved in such attempt
	s 287 – Resolve consumer matter by informal means as soon as practicable
	s 288 – Order parties to the complaint attend mediation
	s 289 – Prepare written record of agreement to mediation
	s 290 – Resolve consumer matter by making determination

## Appendix 04—Commissioner delegations

<b>Part 5.3, Division 3 – Further provisions applicable to costs disputes</b>	s 291 – Deal with costs disputes the same way as consumer matters or inform parties of right to apply for costs assessment or to VCAT if total bill is over \$100,000 or the amount in dispute is over \$10,000 where the bill is over \$100,000.
	s 292 – Make a binding determination about costs
<b>Part 5.3, Division 3 – Further provisions applicable to costs disputes</b>	s 293 – Cease to act where dispute is less than \$10,000
<b>Part 5.4, Division 1 – Preliminary</b>	s 297(2) – Consider matters that would be taken into account in terms of admission when deciding if a lawyer is a fit and proper person in terms of professional misconduct
<b>Part 5.4, Division 2 – Determination by local regulatory authority</b>	s 299 – Determine unsatisfactory professional conduct and make orders to rectify that conduct
<b>Part 5.4, Division 3 – Role of designated tribunal</b>	s 300 – Initiate and prosecute proceedings against respondent lawyer in the designated tribunal
<b>Part 5.5 – Compensation Orders</b>	s 306 – Make compensation order
	s 308 – Order to compensate aggrieved person
<b>Part 5.5 – Compensation Orders</b>	s 309 – Order not to be made unless the designated authority or tribunal is satisfied of a loss or that it be in the interest of justice or if compensation has been made by court or paid from a fidelity fund
<b>Part 5.6 – Appeal or Review</b>	s 313 – Conduct an internal review
<b>Part 5.7 – General Duties of Local Regulatory Authorities</b>	s 318 – Provide the complainant and respondent written notice of decisions or determinations
	s 320 – Make order directing or refraining action
<b>Part 9.9 – General</b>	s 466(7) – Recommend practising certificate or registration certificate be suspended
<b>Schedule 3, Part 4 – Dispute Resolution and Professional Discipline</b>	Clause 14 – Conduct of lawyer does not apply if it is being dealt with under a corresponding law
<b>Schedule 4, Division 7 – Dispute resolution and professional discipline</b>	Clause 26 – Complaint made under the old Chapter 4 is to be investigated with the provisions of the old legislation
	Clause 27 – Investigation may be commenced under the new law as long as conduct was not investigated before that day under the old legislation

In 2023-24 the Commissioner revoked all delegations to the Senior Investigator & Advisory Lawyer as the position title was renamed to Principal Advisory Lawyer and Investigator.

**TABLE 32: COMMISSIONER DELEGATIONS TO THE SENIOR INVESTIGATOR & ADVISORY LAWYER REVOKED IN 2023-24**

<b>Legal Profession Act 2004</b>	
<b>Part 3.3, Division 3 – Investigations</b>	s 3.3.44(2) – Obtain information from financial institutions and other specified bodies
<b>Part 4.2 – Making a complaint</b>	s 4.2.7 – Vary time limit for complaint
	s 4.2.8 – Give written notification of a complaint
	s 4.2.9 – Require further information from complainant
<b>Part 4.3, Division 2 – Dealing with civil complaints</b>	s 4.3.3 – Lodgement of disputed legal costs
	s 4.3.5 – Attempt to resolve civil dispute
	s 4.3.5A(1) – Prepare written agreement
	s 4.3.7 – Give written notice dispute unable to be resolved
<b>Part 7.2 – General provisions</b>	s 7.2.14 – Disclose information
<b>Schedule 2, Part 6 – Disputes and discipline</b>	Clause 6.1 – Handle disputes lodged under old Act
	Clause 6.2 – Handle disputes lodged under old Act
	Clause 6.3 – Handle disputes lodged under old Act
<b>Legal Profession Uniform Law (Victoria)</b>	
<b>Part 5.2, Division 1 – Making complaints and other matters about complaints</b>	s 266(2) – Initiate a complaint containing a disciplinary matter
	s 267 – Making a complaint
	s 269(1) – Definition of consumer matter
	s 271 – Priority given to resolving consumer matter where there is a mixed complaint
	s 272 – Making complaint within 3-year time limit
	s 273(2) – Ability to continue investigation even where complaint is withdrawn
<b>Part 5.2, Division 2 – Preliminary assessment of complaints</b>	s 276 – Conduct preliminary complaint
	s 277 – Ability to close complaint after conducting preliminary assessment
	s 278 – Ability to make recommendation that a practising certificate be suspended
<b>Part 5.2, Division 3 – Notifications to and submissions by respondents</b>	s 279 – Notify respondent of complaint as soon as practicable
	s 280 – Response to complaint by respondent
	s 281 – Ability to not notify a respondent of a complaint under certain circumstances
<b>Part 5.2, Division 4 – Investigation of complaints</b>	s 282 – Investigate internally or appoint externally
	s 283 – Extend scope of investigation

## Appendix 04—Commissioner delegations

<b>Part 5.3, Division 2 – Provisions applicable to all consumer matters</b>	s 286 – Not to take action resolving consumer matter unless parties have made reasonable attempt to resolve matter, or it would be unreasonable to expect complainant to be involved in such attempt
	s 287 – Resolve consumer matter by informal means as soon as practicable
	s 288 – Order parties to the complaint attend mediation
	s 289 – Prepare written record of agreement to mediation
	s 290 – Resolve consumer matter by making determination
<b>Part 5.3, Division 3 – Further provisions applicable to costs disputes</b>	s 291 – Deal with costs disputes the same way as consumer matters or inform parties of right to apply for costs assessment or to VCAT if total bill is over \$100,000 or the amount in dispute is over \$10,000 where the bill is over \$100,000.
	s 292 – Make a binding determination about costs
	s 293 – Cease to act where dispute is less than \$10,000
<b>Part 5.4, Division 1 – Preliminary</b>	s 297(2) – Consider matters that would be taken into account in terms of admission when deciding if a lawyer is a fit and proper person in terms of professional misconduct
<b>Part 5.4, Division 2 – Determination by local regulatory authority</b>	s 299 – Determine unsatisfactory professional conduct and make orders to rectify that conduct
<b>Part 5.4, Division 3 – Role of designated tribunal</b>	s 300 – Initiate and prosecute proceedings against respondent lawyer in the designated tribunal
<b>Part 5.5 – Compensation Orders</b>	s 306 – Make compensation order
	s 308 – Order to compensate aggrieved person
	s 309 – Order not to be made unless the designated authority or tribunal is satisfied of a loss or that it be in the interest of justice or if compensation has been made by court or paid from a fidelity fund
<b>Part 5.6 – Appeal or Review</b>	s 313 – Conduct an internal review
<b>Part 5.7 – General Duties of Local Regulatory Authorities</b>	s 318 – Provide the complainant and respondent written notice of decisions or determinations
	s 320 – Make order directing or refraining action
<b>Part 9.9 – General</b>	s 466(7) – Recommend practising certificate or registration certificate be suspended
<b>Schedule 3, Part 4 – Dispute Resolution and Professional Discipline</b>	Clause 14 – Conduct of lawyer does not apply if it is being dealt with under a corresponding law
<b>Schedule 4, Division 7 – Dispute resolution and professional discipline</b>	Clause 26 – Complaint made under the old Chapter 4 is to be investigated with the provisions of the old legislation
	Clause 27 – Investigation may be commenced under the new law as long as conduct was not investigated before that day under the old legislation

## Appendix 05—Disclosure index

The Annual Report of the Board and Commissioner is prepared in accordance with all relevant Victorian legislation and pronouncements. This index has been prepared to facilitate identification of the Board and Commissioner's compliance with the statutory disclosure requirements.

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## COMPLIANCE WITH LEGISLATIVE REQUIREMENTS

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