



# MODERN SLAVERY STATEMENT

Reporting Period: 1 July 2022 to 30 June 2023

Prepared: December 2023



THE LAW SOCIETY  
OF NEW SOUTH WALES



The Law Society of New South Wales (ACN 000 000 699) ('the Law Society') has developed this Modern Slavery Statement ('Statement') in line with the *Modern Slavery Act 2018* (Cth) ('the Act'). This Statement outlines the action the Law Society has taken to identify and address modern slavery risks in the Law Society's operations and supply chains during the reporting period 1 July 2022 to 30 June 2023.

This is the fourth Statement prepared by the Law Society. Our earlier statements are available on our website. The Law Society has continued to improve our modern slavery risk management framework during the reporting period.



## OUR COMMITMENT AND VALUE

The Law Society is committed to responsibly assessing and addressing modern slavery risks in our operations and supply chains. We have improved, and continue to improve, our processes with the aim of taking appropriate steps to address (if required) and prevent any modern slavery in connection with our operations and supply chains.

This work is aligned with the values of the Law Society: Integrity, Teamwork and Service, which strives to enable a just and accessible legal system, guide the legal profession, and promote the rule of law. Throughout the reporting period, the Law Society has continued its advocacy work to strengthen the policy and legislative frameworks to combat modern slavery.

The Law Society respects and endorses the support for any person experiencing, or at risk of, modern slavery by [the Australian Federal Police](#) (call 131 237) and [Anti-Slavery Australia](#) (call (02) 9514 8115) and for any person in or at risk of forced marriage, My Blue Sky (Call (02) 9514 8115) as well as [The Salvation Army Safe House](#) (Call 1300 473 560).

## INTRODUCTION

In this Statement, the term ‘modern slavery’ is used to cover eight types of serious exploitation:

Trafficking in persons	Slavery	Servitude	Forced marriage
Forced labour	Debt bondage	Deceptive recruiting for labour or services	The worst forms of child labour

## OUR PROGRESS

The Law Society has taken steps to improve our modern slavery risk management framework within the reporting period, including:

- Maintaining a Modern Slavery Prevention Policy;
- Digitising our Modern Slavery Questionnaire which we continue to issue to new suppliers and on renewal.
- Continued its advocacy work to strengthen the policy and legislative frameworks to combat modern slavery;
- Continuing, where appropriate, the inclusion of ethical conduct provisions in agreements;
- Ongoing training for our Corporate Legal Services and Secretariat Department (usually facilitated by a third party);
- Ongoing training and awareness for senior managers and key personnel (usually internal).

The Law Society has made significant progress in this area and we are taking a continuous improvement approach.

## OUR REPORTING ENTITY

The reporting entity for the purposes of this Statement is The Law Society of New South Wales. The Law Society and its controlled entities had consolidated revenue of more than \$100 million (AUD) for the reporting period. The Law Society's controlled entity, Lawcover Insurance Pty Limited (**Lawcover**) has, for the first time, this reporting period met the threshold for mandatory reporting on an individual basis. For the first time, Lawcover is a reporting entity in its own right and has prepared its own Statement. This is not a joint statement covering more than one reporting entity.

The Law Society's registered office is located at 170 Phillip Street, Sydney NSW 2000. While it primarily operates in New South Wales, the Law Society also provides services to members and other practitioners located interstate and overseas. The Law Society operates with its own principal governing body, senior management group and governance structure.

## OUR CORPORATE STRUCTURE

The Law Society is a company limited by guarantee which has dual representative and regulatory functions. It is a membership association which also has a broader role as co-regulator of solicitors in New South Wales.

The Law Society's corporate structure includes the following controlled entities:

- **Lawcover Insurance Pty Limited**  
Lawcover Insurance Pty Limited ('Lawcover'), an APRA-authorised and regulated insurer, is the single provider of approved professional indemnity insurance policies to law practices based in New South Wales, the ACT, and the Northern Territory. It is a wholly-owned but independent subsidiary of the Law Society.
- **Pro Bono Disbursement Fund Pty Ltd**  
The Law Society holds 50% of the issued capital of Pro Bono Disbursement Fund Pty Ltd, the corporate trustee of The Pro Bono Disbursement Trust Fund, which was established by a deed dated 21 March 2011 between that company and the Law and Justice Foundation of New South Wales for the specific purpose of reimbursing NSW legal practitioners for properly incurred disbursements in pro bono cases referred under the Pro Bono Scheme of the Law Society or a Pro Bono Scheme (as defined in the trust deed) of another body.

- **Indigenous Solicitors Foundation (ISF)**  
The Indigenous Solicitors Foundation Limited (ISF) is public company limited by guarantee incorporated on 2 June 2023. It is a not-for-profit entity that is wholly owned by the Law Society. Its purpose is to reduce the financial and cultural barriers, discrimination, isolation, or hardship experienced by Aboriginal and Torres Strait Islander persons pursuing (or wishing to pursue) a career in law. During the reporting period, this entity did not undertake any operational activities.

## OUR OPERATIONS AND SUPPLY CHAINS

### A. Operations

The Law Society's main operations and regulatory functions cover the following key areas:

- Providing representation for the interests of our approximately 35,000 members in New South Wales, interstate and overseas.
- Promoting professional standards, licensing solicitors to practice, investigating complaints and administering discipline to ensure the community and the legal profession are served by ethical and responsible solicitors.
- Delivering services and communications for members, including CPD, events and publications.
- In our Sydney (NSW) headquarters, the Law Society also provides or administers the following services on-site:
  - **a Library** – offering a collection of publications for solicitors practising in NSW;
  - **a Shop** – providing legal documentation, publications and merchandise;
  - **Room facilities and catering** – providing mediation and arbitration rooms, visiting solicitors' rooms, functions and meetings;
  - **Printing services;** and
  - **Catering services.**

The above services require the use of goods and services provided under contracts with external suppliers, which are included in our high-level supplier risk assessment discussed in the next section.

While it primarily operates in New South Wales, the Law Society also provides services to members and other practitioners located interstate and overseas.

The Law Society currently employs 190 employees including permanent and temporary staff members.

The Law Society facilitates a hybrid working arrangement for its staff whereby staff divide their time between the Law Society's premises at 170 Phillip Street, Sydney and working from elsewhere.

Volunteer solicitor members also contribute their expertise and experience to twenty-seven standing committees established by the Law Society Council.

During the reporting period, the Law Society continued to engage contractors for hospitality and security related activities and engaged external service providers for activities such as IT consulting, surveys, our Solicitor Outreach Service and the provision of legal and other professional services.

Lawcover's main operations cover the provision of professional indemnity insurance and risk management and claims prevention education to law practices based, or with a presence, in New South Wales, as well as law practices in the ACT and Northern Territory. Its professional indemnity services cover three inter-related areas: Claims, Practice Support Services and Insurance Services (underwriting). Lawcover's management and its small team of legal and insurance professionals and support staff operate from a Sydney office located at Level 13, 383 Kent Street, Sydney. Lawcover has a hybrid working arrangement whereby staff can work remotely for part of each week. Lawcover has produced its first Modern Slavery Statement for 2022-23.

## B. Supply chains

Our direct supply chains consists of goods and services provided by more than 800 suppliers with whom the Law Society currently has formal agreements, which support our provision of products and services, facilities, events and functions. Suppliers have been contracted in key areas including:

- Application software;
- IT consulting services;
- IT hardware, telecom/internet and cloud services;
- Education services;
- Information subscription services;

- Research and consulting services;
- Building management services;
- Other professional services;
- Catering;
- Events;
- Sponsorship and advertising;
- Member benefits;
- Publishing; and
- Investment and banking services.

These key supplier agreements are in place with organisations with operations across Australia, the USA, Germany, New Zealand, the UK, India and Ireland.

The Law Society understands that its broader supply chains is both large and complex, likely spanning a wide range of industries and geographies.

We continue to provide a Modern Slavery Questionnaire to new suppliers of goods and services to the Law Society. We ask suppliers about how they manage modern slavery risks within their own operations and supply chains. We will continue to review and develop our Questionnaire as appropriate.

Lawcover's direct supply chains covers suppliers in a number of the same key areas as set out above in respect of the Law Society. These are set out in more detail in Lawcover's Modern Slavery Statement. With the organisation's focus on the management of claims, the provision of claims prevention education and on capital management, suppliers that assist and support the company's data management activities and its investment strategy also form a key part of its supply chains. Suppliers have been contracted in key areas including:

- Application software;
- IT professional services;
- IT hardware, telecom/internet and cloud services;
- Building management services;
- Actuarial services;
- Auditing;
- Claims handling services;
- Reinsurance and broking services;
- Other professional services;
- Events; and
- Investment and banking services.

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## IDENTIFICATION OF RISKS OF MODERN SLAVERY IN OUR OPERATIONS AND SUPPLY CHAINS

### A. Risks within our operations:

Services provided by the Law Society are delivered by a team of skilled, professional staff primarily from our NSW offices. Australia is considered a lower risk country with respect to modern slavery and the industry sector within which we operate is also considered low risk. This suggests that the risk of modern slavery practices within the Law Society's operations is likely low.

Within our operations, the Law Society acknowledges that our workforce includes employees and external contractors with temporary / voluntary work settings, immigration visas and English as a second language. While still considered low risk, these employees and external contractors may require additional assistance and information in relation to potential risks of modern slavery and human rights, and we recognise the role of the Law Society in supporting the provision of this assistance and information where required.

The Law Society also recognises the potential risks associated with the use of external suppliers for recruitment-related services. The Law Society endeavours to only engage with reputable, well-established labour-hire firms.

We understand that, despite a lower risk of modern slavery in our operations, significant changes in our workforce or service offerings in the future may result in changes to our risk profile. Should any significant changes occur, we will incorporate these into our ongoing risk assessment and management processes.

### B. Risks within our supply chains:

The Law Society's direct supply chains includes suppliers of goods and services used to help us operate and deliver services to our members and more broadly.

In this reporting period, almost all of our direct suppliers were organisations based in Australia, a region generally considered to be at lower risk of modern slavery. We do, however, recognise that modern slavery is still present in Australia and, as such, should be a consideration when engaging with our suppliers.

The small proportion of Law Society suppliers not based in Australia, in this reporting period, were based in the USA, Germany, New Zealand, the UK, India and Ireland.

The Law Society acknowledges that some of our suppliers are operating in countries where modern slavery risks may be more prevalent.

Most of the Law Society's direct suppliers currently provide professional services such as research and consulting services, data management and IT software services, which are not identified by the International Labour Organization as associated with a high risk of modern slavery.<sup>1</sup> However, we also recognise that we liaise with suppliers across various sectors that have been considered to be at higher risk of modern slavery. Examples of sectors with more elevated risk include:

- Accommodation and food services;
- Human resources and employment services;
- Restaurants;
- Agricultural products;
- Facilities or building services
- (for example cleaning and maintenance);
- Security and alarm services; and
- Electronic equipment.

In addition, the Law Society's suppliers may themselves engage with suppliers who operate within geographical regions or industries that have elevated modern slavery risks.

As part of our efforts to build an understanding and improve management of modern slavery risks, during the reporting period the Law Society further improved our supplier engagement approach. The improvements included further developing and delivering a Modern Slavery Questionnaire to suppliers on engagement or on renewal.

From consultation with Lawcover, Lawcover has a similar risk profile regarding modern slavery within its operations and supply chains to the Law Society. Lawcover holds significant investments supporting its capital, and liabilities to policyholders. These investments are actively managed by external investment managers in accordance with Lawcover investment policy mandates, which include the integration of environmental, social and governance considerations. The Law Society will continue to consult with Lawcover as we make improvements to our modern slavery risk management framework, and Lawcover has recently completed its first Modern Slavery Statement which addresses these risks.

**CASE STUDY:** The Law Society identified a risk of modern slavery within our supply chains during this reporting period. This risk was identified through the Law Society's routine precontractual due diligence. The concern was in relation to the practices of a supplier in the hospitality sector. This supplier has been the subject of media scrutiny. After some consideration, the Law Society formed the view that it was reasonable to proceed with this supplier given that the allegations were denied and there was no finding of wrongdoing.

## ASSESSMENT AND MITIGATION OF MODERN SLAVERY RISKS

The Law Society is committed to responsibly assessing and addressing modern slavery risks within our operations and throughout our supply chains. This commitment is supported by policies and processes, which put a framework in place for appropriate steps to address, if required, and prevent modern slavery in connection with our own operations, as well as the suppliers who work with us.

The Law Society maintains a robust Risk Management Framework ("RMF"), which is the totality of systems, structures, policies and processes in place to identify, assess, mitigate and monitor internal and external sources of risk that could have a material impact on the Law Society's operations. Responsibility for implementing the RMF and managing the Law Society's risks resides with the CEO, members of the senior management group and other identified "risk owners". The Chief Risk Officer prepares a quarterly report to the Law Society's Audit, Risk and Finance Committee and to the Law Society Council regarding the management of material risks, having regard to a detailed Risk and Control Register that outlines key risks that fall within material risk categories, their consequences, risk indicators, mitigating controls and additional risk monitoring and management activities. Risk mitigation plans, in respect of modern slavery risks, will form part of the Law Society's RMF and it is currently intended that these plans and actions in relation to improving our management of modern slavery risks will be periodically considered by the Audit, Risk and Finance Committee as part of its oversight of the Law Society's risk management activities.

<sup>1</sup> Minderoo Foundation Pty Ltd, The Global Slavery Index 2023. Available from: <https://cdn.walkfree.org/content/uploads/2023/05/17114737/Global-Slavery-Index-2023.pdf>



The Law Society also has policies in place which apply to the procurement of goods and services, as well as policies with respect to recruitment, ethical standards and conduct of personnel which apply to Law Society officers, employees or contractors, including:

- A **Modern Slavery Prevention Policy** is maintained to assist the Law Society to implement processes to assess and address modern slavery risks within its operations and supply chains.
- A **Whistleblower Policy** is in place which reflects our commitment to provide a working environment in which employees feel able to raise issues of legitimate concern.
- A set of **Professional and Personal Conduct Policies** establish standards of conduct and ethical behaviour.
- An **Appropriate Workplace Behaviour Policy** is in place, focusing on providing equal opportunities with respect to compensation, benefits, promotions, development and other employment conditions, and on promoting a safe, healthy, and productive working environment for all Law Society employees.
- A **Performance Management and Disciplinary Action Policy** has been set up with the aim of ensuring a fair, consistent and legally correct approach to disciplinary matters, as well as encouraging improvement in behaviour and promoting fairness in the workplace.

The Law Society aims to leverage these policies and procedures to promote awareness, identification, and reporting mechanisms to manage modern slavery risks.

In addition, the Law Society recognises the opportunity to use our supplier negotiations as a channel to build awareness of modern slavery risks, as well as our expectations regarding how they are managed in our supply chains. These negotiations occur at the commencement of the contract and, to a lesser extent, on renewal.

The selection of suppliers by the Law Society is initially managed by the relevant individual Department heads (e.g. IT Services, Library, Events) on a case-by-case basis. Once the supplier is at contract stage, it is then assessed by the Law Society's Corporate Legal Services and Secretariat Department, prior to the signing and commencement of an agreement.

During the reporting period, the Law Society's procurement process again included a Modern Slavery Questionnaire for response by suppliers or a review of the supplier's own Modern Slavery Statement (if available).

Other than as noted in the Case Study, the Law Society is not aware, and has not received any reports, of incidents of modern slavery in our above operations or supply chains during the FY22-23 reporting period. Where an incident is brought to the Law Society's attention, such as the Case Study, the management team will assess the nature and scale of the incident and engage with the appropriate parties to clarify and seek to remediate the issue. We seek to include an ethical conduct provision in our agreements which gives the Law Society termination rights.



In this reporting period the Law Society digitised and expanded its onboarding checklist on legal and compliance areas including modern slavery.

Lawcover has well-developed systems and processes in relation to procurement and audits of suppliers.

## EVALUATION OF THE EFFECTIVENESS OF OUR ACTIONS

We commenced our activities from a strong starting point during the FY22-23 reporting period and have taken steps during this reporting period to further improve our processes and framework. Particularly we have:

- Maintained a Modern Slavery Prevention Policy;
- Continued to include ethical conduct provisions in our agreements; and
- Continued to review and improve, including by digitising, our Modern Slavery Questionnaire; and
- Advocated by way of submissions made to the Law Council on federal matters (e.g., submission on the Statutory Review of the Commonwealth Modern Slavery Act [here](#)) as well as to state-based stakeholders including the Office of the Anti-Slavery Commissioner (e.g., on the Strategic Plan to Combat Modern Slavery [here](#)) and the Department of Communities and Justice (e.g., on the Statutory Review of the Victims Rights and Support Act 2013 [here](#)).

## CONSULTATION WITH OUR INTERNAL STAKEHOLDERS AND CONTROLLED ENTITIES

The Law Society's approach to managing modern slavery risks for the FY22-23 reporting period has been developed in consultation with key stakeholders across our organisation.

Throughout the process of developing this Statement, the Law Society also engaged and consulted with our most significant subsidiary, Lawcover, and presented this Statement for review and comment to Lawcover's Executive officers, including its Chief Legal Officer. Lawcover has also produced its own Modern Slavery Statement for this reporting period.

## OTHER INFORMATION

### A. Future action:

As part of our commitment to address modern slavery risks in our operations and supply chains, we will continue to progress the recommendations of our internal Roadmap for Modern Slavery Risk Management. We are committed to regularly reviewing the Roadmap as well as relevant policies and procedures.

Actions that we commit to taking by the completion of our next reporting period include:

- Further implementation of the internal Roadmap for Modern Slavery Risk Management.
- Ongoing training sessions on modern slavery for relevant personnel.
- Continuing to undertake a supplier risk assessment for newly engaged direct suppliers of the Law Society.
- Continuous improvement of our practices such as regular reviews and updates to the Modern Slavery Questionnaire.
- Actively monitoring and engaging with any updates in law and in best practice, particularly, stemming from the Report of the statutory review of the Act by Professor John McMillan, AO.

These actions will allow the Law Society to make continual progress in ensuring the effective management of modern slavery risks.

We confirm that this Statement complies with the mandatory criteria of section 16 of the Act as set out in the Annexure.

# MODERN SLAVERY ACT 2018 (Cth) – STATEMENT ANNEXURE

## Principal Governing Body Approval

This modern slavery statement was approved by the *principal governing body* of

**The Law Society of New South Wales**

as defined by the *Modern Slavery Act 2018* (Cth)<sup>1</sup> (“the Act”) on **19 December 2023**

## Signature of Responsible Member

This modern slavery statement is signed by a *responsible member* of

**The Council of The Law Society of New South Wales**

as defined by the Act<sup>2</sup>:



**Kenneth Tickle, Acting Chief Executive Officer**



**Cassandra Banks, President**

## Mandatory criteria

Please indicate the page number/s of your statement that addresses each of the mandatory criteria in section 16 of the Act:

Mandatory criteria	Page number/s
a) Identify the reporting entity.	page 2
b) Describe the reporting entity’s structure, operations and supply chains.	pages 2 - 3
c) Describe the risks of modern slavery practices in the operations and supply chains of the reporting entity and any entities it owns or controls.	pages 4 -5
d) Describe the actions taken by the reporting entity and any entities it owns or controls to assess and address these risks, including due diligence and remediation processes.	pages 5 - 6
e) Describe how the reporting entity assesses the effectiveness of these actions.	page 7
f) Describe the process of consultation on the development of the statement with any entities the reporting entity owns or controls (a joint statement must also describe consultation with the entity covered by the statement).*	page 7
g) Any other information that the reporting entity, or the entity giving the statement, considers relevant.**	page 7

\* If your entity does not own or control any other entities and you are not submitting a joint statement, please include the statement ‘Do not own or control any other entities’ instead of a page number.

\*\* You are not required to include information for this criterion if you consider your responses to the other six criteria are sufficient.

1 Section 4 of the Act defines a principal governing body as: (a) the body, or group of members of the entity, with primary responsibility for the governance of the entity; or (b) if the entity is of a kind prescribed by rules made for the purposes of this paragraph—a prescribed body within the entity, or a prescribed member or members of the entity.

2 Section 4 of the Act defines a responsible member as: (a) an individual member of the entity’s principal governing body who is authorised to sign modern slavery statements for the purposes of this Act; or (b) if the entity is a trust administered by a sole trustee—that trustee; or (c) if the entity is a corporation sole—the individual constituting the corporation; or (d) if the entity is under administration within the meaning of the *Corporations Act 2001*—the administrator; or (e) if the entity is of a kind prescribed by rules made for the purposes of this paragraph—a prescribed member of the entity.



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