



The Barristers Benevolent Fund: Choosing to Persevere

By Sarah McCarthy

If you are anything like me, when you see the words ‘Benevolent Fund’ your mind shifts swiftly to an obvious synonym: charity. From here it is a quick deduction that charity is something we barristers give, not take.

And in fact, our thinking would be correct (in part). The generosity of the New South Wales Bar has meant that over the years, members have contributed about \$120,000 per year to the Barrister’s Benevolent Fund, as a charitable donation.

The part of our initial thinking that ought not be accepted, and where our mindset needs to change, is the notion that this ‘charity’ is not something we barristers can and should take advantage of. We need to dispel the underlying idea that asking for and receiving financial help, when in need, is a sign of weakness.

Sitting here at home, once again compelled to stay in my apartment by another public health order, it is all too apparent that not even the most successful and well-regarded among us (which given the size of the apartment I find myself locked in, I am clearly not yet one) are beyond the reach of a *force majeure*.

It is our privilege as advocates (if we are doing it right) to fight the battles of our

clients, including the less fortunate. It is important to remember however, that in our worthy but often arduous pursuit, the New South Wales Bar Association has a role in helping us, when we find ourselves struggling to tread water.

The Fund is available for all manner of assistance including financial assistance where some illness or other event has meant that the barrister is in need. The Fund is also available to members’ spouses or partners (regardless of gender), surviving spouses or partners, children and dependants, or to the barrister in circumstances where the spouse or partner is themselves in need.

The assistance may come in the form of a loan or a grant of monies. Loans are usually interest free and are reviewed each 12 months. The Fund may be used for school fees, payment for medical attention, psychological care or counselling. It may be used to meet business or other expenses, such as floor fees or rent, if the barrister is not able to meet those payments due to some crisis in their life.

All applications are **confidential** and are considered by the Executive of the NSW Bar Association under delegation from the Committee of Management. The Executive does not release the names of applicants or recipients of funds.

However, assistance may not be given if alternative sources of support are reasonably available, such as from income protection insurance, hardship relief from financial institutions etc. Each case is considered on its merits.

Further, in an emergency loans of up to \$2,000 can be made available on an urgent basis.

Making an application is simple and applicants can provide additional information: <https://nswbar.asn.au/forms/benevolent-fund-application/application.php>

As President Barak Obama said,

Making your mark on the world is hard. If it were easy, everybody would do it. But it's not. It takes patience, it takes commitment, and it comes with plenty of failure along the way. The real test is not whether you avoid this failure, because you won't. It's whether you let it harden or shame you into inaction, or whether you learn from it; whether you choose to persevere.

The Fund is available to provide financial assistance to members of the New South Wales Bar to help us persevere. **BN**