

UTR7.89 – THE JOHN BARRY MEMORIAL FUND

Recitals-

- A. The Australia and New Zealand Society of Criminology ('ANZSOC') conducted a public appeal in 1970 to commemorate Sir John Vincent William Barry.
- B. All donations arising from the appeal were paid to the University, to establish the Sir John Barry Memorial Fund ('fund')
- C. The fund is named in memory of the late Sir John Vincent William Barry KC, LLB (Melb), LLD (Melb), formerly senior puisne judge of the Supreme Court of Victoria, Chairman of the Parole Boards (Adult) of Victoria, Chairman of the board of studies in Criminology of the University, Foundation President of the ANZSOC, and foundation member and former President of the Australian Council for Civil Liberties, who died on 8 November 1969.
- D. Donations to the appeal were sought by the ANZSOC by a letter from its President which stated-
 - '...The main purpose of this Fund is to endow an annual oration, to be known as the John Barry Memorial Lecture. It is hoped to be able to invite leading criminologists and jurists to deliver the lecture. The fund may also support other academic ventures, such as research grants and assistance with publications of works in criminology...'
- E. Donations amounting to \$7,966 were received by the University in response to the appeal.
- F. On 29 October 2007 the sum of \$40,000 was donated to the University by John Edward Barry, a son of Sir John, to augment the fund. When making this donation, the donor expressed the wish that the increased capital of the fund would help ensure that the annual memorial lecture was adequately funded by the income from the fund.
- G. The University accepted the donation upon the trusts specified by the donor, and the donation therefore became the capital subject to those trusts ('capital sum').
- H. This University trust record is the means by which the University records -
 - (1) the trusts specified by the donor upon which the University as trustee holds the capital sum; and
 - (2) the administrative arrangements for the implementation of those trusts, as determined by the University from time to time.

It is provided as follows-

Name of the fund

1. The capital sum, all income arising from the capital sum, and any accumulations and additions thereto together form a fund called 'The Sir John Barry Memorial Fund' ('fund').

Investment of the fund

2. The fund is to be paid into one or more investment common funds and remain there until Council directs otherwise.

Trust terms

3. As trustee of the fund, the University is obliged by the trusts specified by the donor ('trust terms')-
 - (1) to establish a perpetual trust;
 - (2) to arrange an annual oration, to be known as the 'John Barry Memorial Lecture';
 - (3) as a secondary purpose, to support other academic ventures in the field of criminology including research grants and assistance with the publication of works in criminology.

Administrative arrangements

4. Until its further determination, and in order to implement the trust terms, the University has determined-
 - (1) to provide that the net annual income of the fund is to be applied by the dean of the faculty of Arts ('dean') for the purpose in section 3(2);
 - (2) to provide that any income remaining after funding the purpose in section 3(2) is to be applied by the dean for the purpose in section 3(3); and
 - (3) to provide that the dean must consult with the head of the academic unit responsible for the discipline of Criminology before deciding how the income will be applied for the purpose of section 3(3).
5. The dean is authorised to apply the income of the fund in accordance with this University trust record on behalf of the University.