

# Legal Profession (Strengthening Disciplinary Matters) Amendment Bill 2026

## Statement of Compatibility

Prepared in accordance with Part 3 of the *Human Rights Act 2019*

In accordance with section 38 of the *Human Rights Act 2019* (HR Act), I, Deb Frecklington MP, Attorney-General and Minister for Justice and Minister for Integrity, make this statement of compatibility with respect to the Legal Profession (Strengthening Disciplinary Matters) Amendment Bill 2026 (the Bill).

In my opinion, the Bill is compatible with the human rights protected by the HR Act. I base my opinion on the reasons outlined in this statement.

## Overview of the Bill

The Bill amends the *Legal Profession Act 2007* (Legal Profession Act) to give effect to the recommendations of the *QCAT Act Statutory Review 2025-26: Legal practitioner jurisdiction Report (October 2025)* (Report).

The primary recommendation of the Report is to transfer the legal practitioner jurisdiction (LPJ) from the Queensland Civil and Administrative Tribunal (QCAT) to the Supreme Court of Queensland (Supreme Court).

Transferring the LPJ to the Supreme Court is intended to ease the significant pressure on QCAT's caseload and judicial and registry resources, given the Supreme Court already has an inherent supervisory authority over the legal profession, and current and retired Supreme Court judges already hear LPJ matters in QCAT.

The Bill will also clarify the procedural arrangements applicable for LPJ proceedings in the Supreme Court and the rules regarding costs.

Further details on the amendments, including the policy objectives of the Bill, are set out in the Explanatory Notes.

## Human Rights Issues

**If human rights may be subject to limitation if the Bill is enacted – consideration of whether the limitations are reasonable and demonstrably justifiable (section 13 HR Act)**

(a) the nature of the right

The *right to a fair hearing* (section 31 of the HR Act) affirms the right of all individuals to procedural fairness when coming before a court or tribunal. It also encompasses a right to access the courts.

As matters in the Supreme Court generally involve higher filing fees and legal costs compared to those in QCAT, the amendments may affect access to justice, particularly for individuals with limited financial resources.

(b) the nature of the purpose of the limitation to be imposed by the Bill if enacted, including whether it is consistent with a free and democratic society based on human dignity, equality and freedom

The purpose of the limitation is to alleviate workload pressures on QCAT, ensuring more timely and efficient decision-making for LPJ matters and appropriately aligning the LPJ with the Supreme Court's inherent supervisory authority in relation to the legal profession. Accordingly, the measures may facilitate faster resolution of matters and improve access to justice.

(c) the relationship between the limitation to be imposed by the Bill if enacted, and its purpose, including whether the limitation helps to achieve the purpose

The limitation on the right achieves its purpose by easing the significant pressure on QCAT's caseload and judicial and registry resources. The current delays in finalising disciplinary applications in QCAT diminish the deterrent effect of the disciplinary framework, heighten risks to consumers of legal services and the public, and conflicts with the *Queensland Civil and Administrative Tribunal Act 2009*'s objective of timely resolution.

While both the Supreme Court and QCAT are managing significant demand, the Supreme Court has a greater number of judges, when compared to QCAT, to service the growing legal practitioner disciplinary list, as well as a registry that has the expertise to handle complex legal matters. On balance, moving the jurisdiction to the Supreme Court provides a greater opportunity to promote more timely and efficient decision-making and faster access to justice, despite the Supreme Court's resourcing pressures.

(d) whether there are any less restrictive (on human rights) and reasonably available ways to achieve the purpose of the Bill

There is no less restrictive alternative which would be equally as effective in achieving the purpose which is reasonably available.

(e) the balance between the importance of the purpose of the Bill, which, if enacted, would impose a limitation on human rights and the importance of preserving the human rights, taking into account the nature and extent of the limitation

The amendments may limit access to justice for individuals with limited financial resources. However, this impact is considered proportionate and justified when balanced against the overarching purpose of the amendments which is to alleviate workload pressures on QCAT and to ensure that the legal practitioner disciplinary framework upholds the integrity, professionalism, and ethical standards of the legal profession in Queensland.

## Conclusion

In my opinion, the Bill is compatible with human rights under the Human Rights Act because it limits human rights only to the extent that is reasonable and demonstrably justified in accordance with section 13 of the Act.

**DEB FRECKLINGTON MP**  
Attorney-General and Minister for Justice  
Minister for Integrity

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