



Our Ref: RJS

31 December 2014

**By email: [lacsc@parliament.qld.gov.au](mailto:lacsc@parliament.qld.gov.au)**  
Research Director  
Legal Affairs and Community Safety Committee  
Parliament House  
George Street  
BRISBANE QLD 4000

Dear Director,

## **Justice and Other Legislation Amendment Bill 2014**

I wish to make a short submission concerning clause 80 of the above Bill which amends s.289(1)(h) of the *Legal Profession Act 2007 (Qld)*.

As I understand it, the effect of clause 80 is to take away the chief executive's discretionary power to make payments from the Legal Practitioner Interest on Trust Accounts Fund ("LPITAF") for the advancement of law reform.

The explanatory notes to the Bill state that this amendment facilitates the implementation of recommendations resulting from the Review of the allocation of funds from the *Legal Practitioner Interest on Trust Accounts Fund* of October 2012. That review recommended, inter alia, that the strategic objectives for the allocation of LPITAF funds should be frontline service delivery and accountability.

Whilst the objective of improving frontline service delivery is laudable, it is a quantum leap to take away any power at all to pay funds for law reform purposes. In practice, the amendment is most likely to affect community organisations involved in the delivery of frontline services and in the legal sector, this will usually mean community legal centres.

As a long time community legal centre volunteer and a past employee and management committee member of two community legal centres, my view is that the advancement of law reform is integral to the delivery of services to the community. Those at the coalface of delivering services are ideally placed to see the practical issues that arise from the implementation of legislation. They are also ideally placed to make submissions to government about how existing laws can be improved in their operation or about the need for new laws. The work of Caxton Legal Centre in advocating for improved mobile home village legislation and the protection of the rights of the elderly springs to mind.

By bringing issues to the attention of the government of the day, whether as part of a formal consultation process or by way of an appropriate campaign, community legal centres are assisting in the improvement of people's day to day lives and the community as a whole.

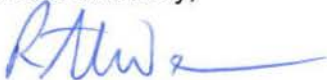
Given that I understand most community legal centres are effectively reliant on government funding and particularly from the LPITAF, the deletion of the discretionary power to make

payment of funds for the advancement of law reform is likely in my view to have a significant effect on a valuable source of insight into the operation of its laws for the government of the day. Whilst the amendment is likely to have most effect on community organisations, the amendment is of course not limited to those organisations alone.

Whilst it is certainly a matter for the government of the day to decide its funding priorities, it seems to me that the abrogation of any discretion on the part of the chief executive to use LPITAF funds for the advancement of law reform is a retrograde step.

Thank you.

Yours sincerely,



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