



Speech by

Hon. M. FOLEY

MEMBER FOR YERONGA

Hansard 18 November 1998

MINISTERIAL STATEMENT

Legal Profession Review

Hon. M. J. FOLEY (Yeronga—ALP) (Attorney-General and Minister for Justice and Minister for The Arts) (9.49 a.m.), by leave: The Beattie Labor Government is moving to take the serious issue of reform of the Queensland legal profession out of the too-hard basket, where it was left by the members opposite. In the coming months, I shall be releasing a discussion paper for a review of a wide range of issues relating to the legal profession which are of deep interest to the profession itself and members of the public. That concern by members of the public has become increasingly obvious since I foreshadowed the release of the discussion paper last week. Already, numerous people have contacted my office keen to have their say.

The discussion paper on the review of the legal profession is aimed at developing reforms to increase the protections available to consumers of legal services. However, it also aims to develop a simplified legislative and regulatory framework for the industry, a reform much sought after by legal practitioners. Among the issues to be canvassed in the discussion paper are—

common admission to the legal profession of barristers and solicitors as legal practitioners;

responsibility for regulation of the profession;

the mechanisms for dealing with complaints against practitioners;

mechanisms for dealing with disputes, including disputes over costs;

a review of the legal profession's current monopoly on conveyancing services;

the profession's business structures, for example, incorporation of legal practices, multidisciplinary practices such as lawyers and accountants operating together, national practice and professional standards and limitation of liability; and

professional indemnity insurance arrangements.

This review will fulfil Labor's election promises to review the legal profession's complaint handling and discipline process, joint admission and the monopoly on conveyancing. The discussion paper will be widely circulated to generate responses not only from the profession itself but also its clients, who have expressed a desire to have these issues dealt with for some time. Members of the public will be encouraged to have a say and extensive consultation will be held with lawyers and community groups.

This review is aimed to address a wide range of issues affecting the legal profession in a way which is open, fair and, most importantly, will achieve results. This Government, unlike the previous coalition regime, is determined to tackle the issues concerning Queenslanders rather than take an ad hoc, piecemeal approach which, in the end, satisfies no-one.
