



Speech by

JOHN ENGLISH

MEMBER FOR REDLANDS

Hansard 27 November 2003

LEGAL PROFESSION BILL

Mr ENGLISH (Redlands—ALP) (12.33 p.m.): It gives me great pleasure to rise in the debate on the Legal Profession Bill. As someone who served as a police officer through the Fitzgerald reform process, I understand that change is never easy. However, the reforms of the Fitzgerald inquiry were essential to improving the standard of the Queensland Police Service, because the Queensland public had lost faith in the Queensland Police Service. I believe that the public of Queensland was losing faith in the legal profession. That is unfortunate.

Just like with the Police Service, the significant majority of members of the legal profession are decent, honourable people who work extremely hard to enforce and interact with the law of Queensland. However, as a result of a number of articles in the media, as well as a number of other concerns that have been raised in the public arena, the public was losing confidence generally in lawyers. Certainly they were losing confidence in the complaint mechanism that had existed. There were concerns raised about Caesar judging Caesar, just like there were concerns after the Fitzgerald inquiry of Caesar judging Caesar in terms of the police internal investigations process.

After the Fitzgerald inquiry the CJC was established. It had the role of investigating complaints against police officers. Over many years and after a lot of hard work, the Queensland Police Service has established integrity again with both members of the public and the CJC so that it could establish internal mechanisms to investigate complaints against police and it was safe again for Caesar to judge Caesar within the Queensland Police Service.

I see parallels in what we are attempting to establish here with the overarching legal reforms that the Attorney-General has brought before the House. We are setting up an independent body to overview what I expect would be the majority of complaints made against lawyers in Queensland. I understand that some of those will actually be handed back to the Queensland Law Society to investigate. In my opinion they would be the less serious ones. If and when the Queensland Law Society proves itself, both to the overarching body and to the Queensland public, I am sure it will be given more and more responsibility to investigate complaints. Unfortunately, the Queensland Law Society has a responsibility to rebuild with the Queensland public the trust that it has lost over recent years. It has an obligation to its own members who have been slurred to reinvigorate public faith in lawyers.

As I said at the outset, the majority of lawyers are good, hardworking people who apply the law ethically and seek to argue their clients' cases to the best of their ability. However, we would be kidding ourselves if we did not admit that we have seen a number of examples of unconscionable and sometimes criminal behaviour on the part of lawyers. Historically, the Queensland Law Society has failed to act.

With these changes we will have an independent body which will supervise the handling of complaints against lawyers. I endorse that. I encourage the Queensland Law Society to get its house in order, to rebuild faith with the public and its own lawyers. I know from pre-Fitzgerald policing that the majority of the straight coppers in the job hated the fact that there was no mechanism to do anything about the dodgy ones. I am sure that the majority of lawyers out there who have been slurred and embarrassed by the previous failure of the Queensland Law Society to act will be cherishing the opportunity for the Queensland Law Society and the legal fraternity in Queensland to rebuild their prestige and rebuild the faith of the public in them and in the service they provide.

I congratulate the Attorney-General on bringing this bill before the House. I know the members of my electorate will look forward to having their faith restored in the legal profession. I would like to thank the members of the Attorney-General's Department for the work involved and the ongoing negotiations in the legal reform process. I commend the bill to the House.