



Speech by

Peter Wellington

MEMBER FOR NICKLIN

Hansard Tuesday, 22 May 2007

LEGAL PROFESSION BILL

Mr WELLINGTON (Nicklin—Ind) (8.02 pm): I rise to participate in the debate on the Legal Profession Bill 2007. I note that there are many, many, many, many, many pages contained in this bill, the explanatory notes and amendments.

The legal profession is a very honourable profession and we certainly need to ensure that we have the best sorts of laws possible to regulate the profession. I referred to the minister's second reading speech, the Scrutiny of Legislation Committee's consideration of the bill and also the Parliamentary Library's consideration of the bill, and I found that they all refer to the fact that this is an important bill that builds on regulating the legal practice on a national basis, across state borders. There is no doubt that today more than ever that is very important.

No longer can Queenslanders think that we are isolated or alone. As previous speakers have said, today more than ever the legal profession is moving in new directions and is changing very rapidly. Legal practices operate across state borders and across the boundaries of our country. There are very clear examples of partnerships between various nations. This legislation certainly takes a step in the right direction. I would like to take a few moments of members' time to refer to clauses 308 and 309 of the bill. Previous speakers have spoken about this issue, which relates to the cost disclosures. It is very good to see that new requirements build on the current legal costs requirements that already exist in Queensland.

The very first sentence of clause 308 states, 'A law practice must...'. It is not discretionary. There are no ifs or buts. It is very clear. It states, 'A law practice must disclose to a client under this division ...' and it then goes through a whole range of requirements. I take members to the opening part of clause 309, which refers to disclosures if another law practice is to be retained. It states—

If a law practice intends to retain another law practice on behalf of a client, the first law practice must—

Yes, 'must'—

—disclose to the client the details mentioned in section 308(1)(a), (c) and (d) in relation to the other law practice...

These requirements are very important. They are not discretionary. As previous members have said, one of the most contentious issues that people complain about is the issue of costs. Indeed, less than a fortnight ago a constituent came to see me to complain about this very issue, that is, costs.

I congratulate the Attorney-General and the government for bringing this bill into the House. As the shadow Attorney-General said, no doubt there will be some teething problems, but hopefully there will be continual review and consideration of the legislation once it is applied. I have no doubt that, if there are problems, the Attorney-General will respond as quickly as possible.

It is just after eight o'clock and other speakers wish to speak on this important bill. Therefore, I simply refer members specifically to the consideration of the Legal Profession Bill by the Parliamentary Library and the Scrutiny of Legislation Committee, as well as the minister's second reading speech. I commend the bill to the House.