



Speech by

Rosemary Menkens

MEMBER FOR BURDEKIN

Hansard Tuesday, 6 March 2007

PUTTABURRA, MS I

Mrs MENKENS (Burdekin—NPA) (9.30 pm): I wish to bring to the attention of the House a very serious case involving an innocent Palm Island woman who was not only the victim of a severe crime but also the victim of the legal profession and a member of this profession who seems to make a habit of preying on some of the most vulnerable people in the Indigenous community.

Iris Puttaburra of Palm Island was the victim of a number of very serious assaults. As a result of court appearances she was awarded a criminal compensation payout of \$15,000 by the Queensland court. She was represented by solicitor Tony Bailey. I table in the House this document which includes the details and tax invoices supplied by her solicitor to her.

Tabled paper: During her speech, Mrs Menkens tabled a bundle of documents relating to legal costs associated with a Criminal Compensation Claim by Iris Puttaburra.

Iris Puttaburra was awarded \$15,000 in compensation. How much did she herself actually receive? Some \$2,031.54. Where did the rest of it go? It went into the hands of her solicitor. I ask: is this moral, is it legal and is it the correct use of public money that has been awarded to a victim of serious crime? Had Ms Puttaburra been represented by Legal Aid Queensland, the legal costs would have been no more than \$4,400 and she would have received \$10,600 instead of just over \$2,000. There is no moral argument to suggest that a private solicitor should receive nearly \$12,000 for the same services. Some 80 per cent of the payout went to the solicitor, not the victim. I understand this practice is technically within the current law but I suggest the practice raises serious allegations of professional misconduct.

I question whether this lady was briefed on what her options would be. Was she placed in a position where it could be said that she was in a position of inequality when negotiating costs with her legal adviser? I understand free enterprise. I believe in free enterprise. A private solicitor, of course, has the right to charge various fees. However, this lady was quite horrified to see that her money had seemingly gone. I have no doubt that this is not an isolated case. The vulnerable people in our community need protection. They should not be preyed upon. I believe this matter should be the subject of an urgent investigation by both the Attorney-General and the Legal Services Commission. This solicitor is a parasite preying on the most vulnerable people in our community.