

Question on Notice

No. 1503

Asked on 16 November 2023

MR S ANDREW ASKED THE ATTORNEY-GENERAL AND MINISTER FOR JUSTICE, MINISTER FOR PREVENTION OF DOMESTIC AND FAMILY VIOLENCE (HON Y D'ATH)

QUESTION:

With reference to the Legal Services Commission —

Will the Attorney-General advise from 2018 to 2023 the (a) number of matters that remained open or 'on hand' for more than two years following initial complaint (reported separately by year and length of time file remained open or 'on hand'), (b) number of matters opened each year relating to a sole practitioner or small firm with less than five legal practitioners, (c) number of offence prosecutions undertaken (reported separately by year), (d) number of prosecutions resulting in a successful conviction or financial penalty (reported separately by year)?

ANSWER:

I thank the Member for the question.

- (a) I am advised that the number of matters that the Legal Services Commission had 'on-hand' or that remained open for more than two years following this initial complaint, for the years 2018 to 2023 are as follows:
- For the 2018-19 financial year there were 13 open complaint matters over two years old. The average number of days open for those files was 966 days (or 2.6 years);
 - For the 2019-20 financial year there were 15 open complaint matters over two years old. The average number of days open for those files was 886 days (or 2.37 years);
 - For the 2020-21 financial year there were 27 open complaint matters over two years old. The average number of days open for those files was 1073 days (or 2.9 years);
 - For the 2021-22 financial year there were 43 open complaint matters over two years old. The average number of days open for those files was 1141 days (or 3.15 years); and
 - For the 2022-23 financial year there were 62 open complaint matters over two years old. The average number of days open for those files was 1059 days (or 2.9 years).
- (b) I am advised that the number of complaint matters opened each year by the Legal Services Commission, relating to sole practitioners or small firms with less than five legal practitioners was:
- 631 in the 2018-19 financial year;
 - 559 in the 2019-20 financial year;
 - 504 in the 2020-21 financial year;
 - 433 in the 2021-22 financial year; and
 - 496 in the 2022-23 financial year.
- (c) I am advised that the number of offence prosecutions that the Legal Services Commission undertakes and that are heard and decided are published annually in the Legal Services Commission Annual Report. I am advised that the number of offence prosecutions heard and decided between 2018 and 2023 were:

- zero offence prosecutions in 2018-19;
- two offence prosecutions in 2019-20;
- five offence prosecutions in 2020-21;
- one offence prosecution in 2021-22; and
- one offence prosecution in 2022-23.

(d) I am advised that, in relation to the Legal Services Commission, the number of offence prosecutions resulting in a successful conviction or financial penalty is reported annually in the Legal Services Commission Annual Report. I am advised that the number of offence prosecutions resulting in a successful conviction or financial penalty between 2018 and 2023 were:

- zero successful offence prosecutions in 2018-19;
- two successful offence prosecutions in 2019-20;
- five successful offence prosecutions in 2020-21;
- one successful offence prosecution in 2021-22; and
- one successful offence prosecution in 2022-23.