

Media Release

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A UNITED REGULATORY SYSTEM FOR LEGAL PRACTITIONERS

The Legal Services Council is encouraging stakeholders to have their say on draft operating rules for Australia's first united regulatory system for legal practitioners.

The Legal Profession Uniform Law is due to start in mid-2015 and will initially provide a single regulatory framework for NSW and Victorian legal practitioners, with the option for other states and territories to join once it begins operating.

The draft operating rules will determine legal practice, costs, education and professional conduct.

"This is another step towards the long-held goal of uniform professional regulation for the Australian legal profession" the Chair of the Legal Services Council, the Hon Michael Black AC QC said.

"The system will have benefits for all involved - clients and legal practitioners alike - and will also facilitate practice across borders."

"One of the attractions of the new system is that the Supreme Courts and state regulators will retain their traditional roles but will operate under a single framework."

Mr Black said it was important all stakeholders have an opportunity to provide feedback on the draft rules so the operating model works for everyone.

"We are also encouraging other states and territories to sign up to the Uniform Law scheme so we can have a truly national framework," he said.

The Commissioner for Uniform Legal Services Regulation Dale Boucher will oversee the operation of inexpensive ways to resolve complaints and cost disputes with law practices, quickly and informally.

"Consumers will enjoy the same protections, rights and remedies across all participating jurisdictions because everyone should know what to expect when they use an Australian legal practitioner," Mr Boucher said.

"A proposed costs disclosure form will be a tool legal practitioners can use to provide clients with clear information about the work they are doing for them and how much it's likely to cost."

The Law Council of Australia and Australian Bar Association are also consulting on rules they are proposing about legal profession conduct and continuing professional development.

“The involvement of the profession in putting forward rules to govern it recognises the independence of the legal profession,” Chairman of the Law Council’s working party on the Uniform Law and Law Council President-elect Duncan McConnel said.

President of the Australian Bar Association Mark Livesey QC agreed.

“While legal professionals will need to be familiar with the new requirements, general obligations and most day-to-day arrangements will not change fundamentally,” he said.

Stakeholders have until Friday 16 January 2015 to make a submission.

Draft rules about admission to legal practice have also been released for comment by the newly established Admissions Committee of the Legal Services Council.

After stakeholder feedback is considered, the Legal Services Council will be responsible for making the rules that enable the scheme to commence.

For more information on how to comment on the rules visit the Legal Services Council website at www.legalservicescouncil.org.au

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