



## Message from the CEO, Megan Pitt

Despite the continued challenges posed by the COVID-19 pandemic, throughout this year the Legal Services Council (Council) has continued its work to ensure that the Uniform Law remains an effective and responsive regulatory regime.

This year, the Council has made a number of Rules, including General Rules relating to managed investment schemes and the interest rate payable on fidelity fund claims, as well as approving amendments to the Conduct Rules for solicitors and barristers. The Council and its Admissions Committee have finalised proposals to improve foreign lawyer admissions, and other significant admissions matters are being addressed, as mentioned in this edition.

The Council has continued to work closely with the NSW and Victorian Departments to progress the approved suite of amendments to the Uniform Law that were developed in close consultation with designated local regulatory authorities (DLRAs).

The Council has been pleased to progress final pieces of work to support Western Australia joining the Uniform Law scheme in 2022, and I am grateful to the local regulators in NSW and Victoria for offering their support and guidance to Western Australia, as they prepare to join. We have enjoyed working with our Western Australian colleagues, as if they are already in the scheme, and we look forward to formally welcoming them in 2022.

I would like to express my appreciation to everyone who has been involved in the Council's projects through this year. We look forward to continuing to work with you next year and wish you a safe and enjoyable festive season !

## Council News

### Council meeting

On 23 November, the Council met in person in Sydney and by videoconference. At this meeting, the Council discussed proposed amendments to the Uniform Rules previously submitted to the Standing Committee of Attorneys General,

including an amendment to the definition of "Board" in the Admission Rules to accommodate Western Australia joining the Uniform Law scheme and proposed amendments to the Conduct Rules for solicitors and barristers.

The Council also received an update on the work being done by the Admissions Committee in relation to the admission of foreign lawyers in Uniform Law jurisdictions.

The Council discussed the possibility of holding a Council meeting and other stakeholder events in Western Australia in 2022 once Western Australia has joined the Uniform Law scheme.

### Admissions Committee

On 5 October, Professor Lesley Hitchens GAICD resigned from the Admissions Committee as she took up the role of Acting Provost at University of Technology Sydney.

Professor Hitchens' membership of the Admissions Committee began on 29 June 2017. Her vast experience in undergraduate legal education, the accreditation of law courses by the Tertiary Education Quality and Standards Agency and role as a member of the NSW Legal Profession Admission Board was of enormous assistance to the Committee, and we are very grateful for her work. We wish Professor Hitchens well in her new role.

On 19 October, the Council appointed Professor Tania Sourdin from the University of Newcastle to the Admissions Committee for a term ending on 30 June 2025. We welcome Professor Sourdin and the contribution she will make.



Professor Tania Sourdin

At its meeting on 11 November, the Admissions Committee considered the implications of removal from the roll for a person who was admitted conditionally for a fixed term and the term ends. The Boards can agree a methodology with their state Supreme Court for the administrative process of removal of a name from the roll. However, the consequences of removal from the roll are that the person so removed is defined as a "disqualified person" under the Uniform Law. The Admissions Committee will consult with stakeholders on options to resolve this issue.



Top row (L-R): The Hon Arthur Emmett AO QC (Chair), The Hon David Habersberger QC, The Hon Justice François Kunc  
 Middle row: Cora Groenewegen, Megan Pitt, Professor Tania Sourdin  
 Bottom row: Mr Ross Drinnan, Dr Elisabeth Peden SC, The Hon Justice Le Miere

## Law Admissions Consultative Committee (LACC)

LACC welcomes Professor Sourdin as she replaces Professor Hitchens following her resignation as the representative of the Council of Australian Law Deans.

On 11 November, LACC resolved to discontinue its protocol for the accreditation of overseas law courses and to seek confirmation from law schools named in the Uniform Principles that their courses continue to comply with the conditions upon which concessions were granted by LACC.

## Admissions projects

The Admissions Committee and LACC are working collaboratively on two important matters.

First, the Judicial Council on Cultural Diversity has proposed that skills relating to working with interpreters be included in practical legal training (PLT) requirements. The Chair of LACC has written to all 14 Australian PLT providers asking that, pending the proposed review by the Australasian Professional Legal Education Council of PLT requirements, providers use their best efforts to ensure that students are aware of the [Recommended National Standards for Working with Interpreters in Courts and Tribunals](#) and are given an opportunity to develop the skills set out in them for legal practitioners who are advising and representing culturally and linguistically diverse clients.

Second, the Admissions Committee is considering the implications for admission in Australia of lawyers from England and Wales who have attained a Certificate of Solicitor Competence after passing the Solicitors Qualifying Examination, but who do not have an underlying legal qualification.

This matter is to be considered by a working party, headed by the Chair of the Admissions Committee and LACC, the Hon Arthur Emmett AO QC, and drawing participants from LACC, representatives of the admitting authorities which deal with foreign lawyer applications for admission, and any other relevant experts. The working party is expected to meet to discuss this matter in early 2022.

# Working with our stakeholders

## Uniform Law DLRA meetings

On 5 October, the Council's Senior Principal Policy Officer, Chelly Milliken, and Principal Policy Officer, Ella Howard, met via videoconference with Michelle Marfurt, Victorian Legal Service Board and Commissioner (VLSB+C); Anthony Lean, Law Society of NSW (LSNSW); Sam Gulliver, NSW Office of the Legal Services Commissioner; Jennifer Pearce, NSW Bar Association; and Cath Carroll, Dale Wescombe and Catherine McKinnon, Legal Practice Board of Western Australia (LPBWA).

Meeting attendees discussed the proposed amendments to the barristers' and solicitors' Conduct Rules, work being undertaken in relation to the recommendations of the Royal Commission into the Management of Police Informants and the Council's ongoing work in relation to managed investment schemes. Each of the regulators provided an update on their current Uniform Law work.

A final meeting of representatives of the DLRA's for this year was held on 14 December, attended by Chelly Milliken, Ella Howard, Michelle Marfurt, Sam Gulliver, Dale Wescombe, Jennifer Pearce and Celia Barnett-Chu of the NSW Bar Association. The meeting discussed updates on the above issues, as well as the first priority amendment project and the WA Application Bill.

## Department liaison meetings

On 28 October, the Council's CEO, Megan Pitt, and Chelly Milliken met via videoconference with Kellie Blakemore (NSW Department of Communities and Justice), Rachel Stelfox, Lauren Scholz, Harley Ng (Victorian Department of Justice and Community Safety) and Joshua Berson (WA State Solicitor's Office) to discuss various Uniform Law matters, including the recommendations of the Royal Commission into the Management of Police Informants, proposed amendments to the solicitors' and barristers' Conduct Rules and the first priority amendments.



Top row (L-R): Chelly Milliken, Megan Pitt, Joshua Berson  
 Middle row: Rachel Stelfox, Lauren Scholz, Harley Ng  
 Bottom row: Kellie Blakemore

On 16 December, Megan Pitt, Chelly Milliken and Ella Howard met via videoconference with Caroline Smith (NSW Department of Communities and Justice), Rachel Stelfox (Victorian Department of Justice and Community Safety) and Joshua Berson (WA State Solicitor's Office) to discuss Uniform Law matters.

Matters discussed included the WA Application Bill, proposed amendments to the solicitors' and barristers' Conduct Rules, first priority amendments and implementation of the recommendations of the Royal Commission into the Management of Police Informants.

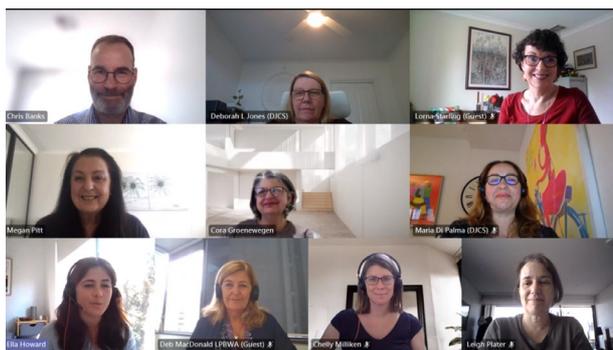


Top row (L-R): Chelly Milliken, Megan Pitt, Ella Howard  
Bottom row: Caroline Smith, Joshua Berson, Rachel Stelfox

### Uniform Law admitting authorities' meeting

On 18 November, the Council's CEO, Cora Groenewegen, Chelly Milliken and Ella Howard met via videoconference with the executive and policy officers of the Uniform Law admitting authorities in NSW (Chris Banks, Leigh Plater), Victoria (Deborah Jones, Maria Di Palma) and Western Australia (Deb MacDonald, Lorna Starling).

Meeting attendees discussed recent work of the Admissions Committee and LACC, as well as the work currently being undertaken by each of the admitting authorities.



Top row (L-R): Chris Banks, Deborah Jones, Lorna Starling  
Middle row: Megan Pitt, Cora Groenewegen, Maria Di Palma  
Bottom row: Ella Howard, Deb MacDonald (LPWA (Guest)), Chelly Milliken, Leigh Plater

### Administrators of Australasian Law Admitting Authorities meeting (AALAA)

On 28 October, the Council's CEO and Cora Groenewegen attended the 21<sup>st</sup> meeting of the AALAA by videoconference to speak about recent admissions projects undertaken by the Admissions Committee and LACC.

The session was chaired by Chris Banks, Legal Profession Admission Board of NSW (LPAB NSW) and attended by Leigh

Plater, LPAB NSW; Debbie Jones, Maria Di Palma and Kristen Murray, Victorian Legal Admissions Board (VLAB); Deb MacDonald and Lorna Starling, LPBWA; Courtney Brown, Legal Practitioners Admission Board of ACT; Renata Blanch, Northern Territory Legal Practitioners Admission Board; Gayle Johnston, Legal Profession Board of Tasmania; Melissa Timmins, Queensland Legal Practitioners Admission Board; Rosalind Burke, Bronwen Curtis and Jayne French, Law Society of South Australia; Luke Rheinberger, Law Society of Tasmania; and Christine Schofield, New Zealand Law Society.

The CEO spoke about the increased interaction between the Admissions Committee and LACC, which has served to foster consistency in admissions matters across Australia. Consistent with the views of the Council of Chief Justices, the Admissions Committee and LACC now have a common Chair, the Hon Arthur Emmett AO QC, and three members, the Hon David Habersberger QC, the Hon Justice Francois Kunc and Professor Tania Sourdin.

In her overview of recent admissions work, Ms Groenewegen commended the admitting authorities for their coordinated responses to COVID-19. She also mentioned the proposed changes to the admission of foreign lawyers' provisions under the Uniform Law, a comparison of the cost of admission in each jurisdiction, the naming of law schools in the Uniform Principles, the powers of the admitting authorities and the recent changes to admissions in England and Wales.

The CEO and Ms Groenewegen thanked the LPAB NSW, VLAB and LPBWA representatives for sharing their expertise and for their support in dealing with Uniform Law admission matters. The work of the other admitting authorities in responding to requests by the Council's Secretariat for information and input for LACC was also recognised.

### Uniform Law presentation at CORO 2021

On 11 November, the Council's CEO participated in a panel discussion on "The Future of Profession Regulation of Legal Profession in Australia" as part of the annual Conference of the Regulatory Officers (CORO). The session was chaired by Sonja Stewart, CEO, LSNSW, and fellow panellists were Libby Fulham, Executive Director, LPBWA, and Rosalind Burke, Director, Ethics and Practice, Law Society of South Australia.

The Conference was organised by John McKenzie, NSW Legal Services Commissioner, and Anthony Lean, LSNSW, and was attended by over 180 legal regulators and others from around Australia.



Top row (L-R): Sonja Stewart, Megan Pitt  
Bottom row: Libby Fulham, Rosalind Burke

The session was a good opportunity to discuss the Uniform Law framework and to hear about Western Australia's journey and South Australia's position on the Uniform Law scheme.

### **Post CORO National Trust Regulators Conference**

On 14 December, Bridget Sordo attended the National Trust Regulators Conference, hosted by the LSNSW. Representatives from regulators in NSW, Victoria, ACT, South Australia, Queensland, Northern Territory, Tasmania and Western Australia participated in a wide-ranging discussion.

Topics covered included cybercrime, crowd funding, warrants for seizure on trust accounts, unclaimed money, costs agreements, payment of legal fees with Bitcoin, random audits, direct debits and Paypal debits on trust accounts, interjurisdictional trust accounts and PEXA.

### **Profession Standards Forum: Continuing Professional Development (CPD)**

On 14 October, Ella Howard attended a virtual forum hosted by the CEO of the Professional Standards Authority on CPD.

A panel of speakers made up of Pam Montgomery, Professional Standards Council and Chris Humphreys, independent consultant to the VLSB+C, led a conversation on the role of CPD in the regulation of professional standards and regulatory systems for assuring the ongoing competence of practitioners for better consumer protections.

This was followed by workshop sessions which provided participants with an opportunity to hear about developments in micro-credentialling and engagement with higher education providers.

The Forum closed with a presentation from John Rogers, General Manager Law Mutual (WA), about risk management.

### **Royal Commission into the Management of Police Informants**

On 28 October and 25 November, Chelly Milliken met by videoconference with Sir David Carruthers, who has been appointed by the Victorian Government to oversee the implementation of all of the recommendations made by the Royal Commission into the Management of Police Informants, and Murray Hawkins from the Law Council of Australia (LCA).

The meeting focused on updates regarding work done in relation to the Royal Commission's recommendations that refer to the Council, LCA and Australian Bar Association.

## **Secretariat News**

### **Farewell Cora!**

Cora Groenewegen, Principal Policy Officer, is resigning from her role at the Council in early 2022. Cora has worked at the Council for over four years, mostly supporting the Admissions Committee, including its work in relation to the admission of foreign lawyers, and LACC. We thank Cora for her work and wish her all the very best for her future.



Cora Groenewegen

The interim contacts for Admissions Committee and LACC matters are Chelly Milliken and Ella Howard.

### **Transition to a new records management system**

In late November, the Council's Secretariat finalised the transition to a new electronic document and records management system for our office. This has been a significant project and the Secretariat is grateful for the assistance of Mary Jane Reid, Project Manager; Jason Covell, Manager; and Kathy Gilbert, Service Manager – Digital Records, at the NSW Department of Communities and Justice.

#### **For more information**

Visit the LSC website: [www.legalservicescouncil.org.au](http://www.legalservicescouncil.org.au)

Or contact us at [lsc@legalservicescouncil.org.au](mailto:lsc@legalservicescouncil.org.au)