



THE 2010/11

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ADVOCACY

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ANNUAL

*Representing  
our members and  
the community*

 Queensland  
**Law Society**

# 1. Introduction

## 1.1. About Queensland Law Society

Queensland Law Society (QLS) represents the majority of Queensland's solicitors, providing the State with leadership in law via a range of strategic and practical services.

QLS has a proud 80-year history and today supports more than 10,000 members, providing professional development, practice support, ethics advice and advocacy services.

Advocacy services are among the most important QLS offers to the legal profession and general community. Queensland Law Society continually scrutinises proposed legislation and changes to current laws for any threats to member or community interests.

## 1.2. Advocacy at QLS

QLS sees its Advocacy role as responsible for two important social functions: advocating for access to justice for disadvantaged Queenslanders and protecting the welfare of the profession and community regarding current public issues, identifying areas for reform.

QLS passionately advocates for equitable access to legal services, believing that everyone, without exception, should have access to this basic democratic right.

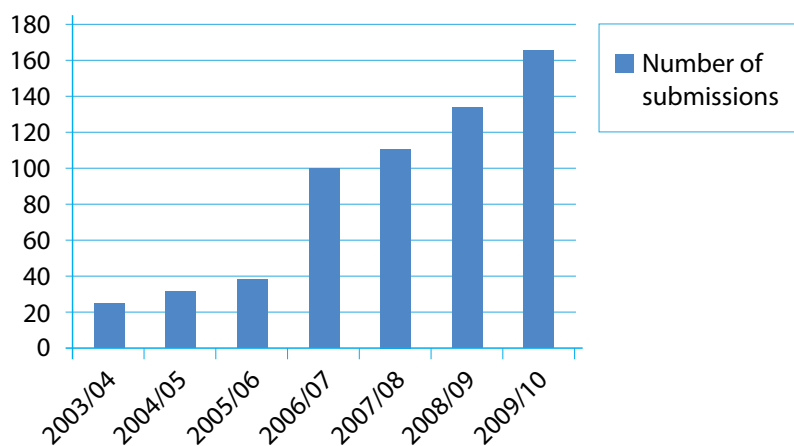
This dedication to protecting rights is extended further by QLS in its vigilance in assessing proposed State Government legislation. The intention is to ensure all Bills are fair, rational and hold value for the community.

During 2010/11, Queensland Law Society made a range of submissions to governments highlighting issues of concern to our members and the community and proposing changes based on expert advice received from QLS committees.

### Advocacy for our members

At its core QLS advocacy is about bringing our members' opinions to the attention of government, the judiciary and the public. In doing this QLS seeks to both represent and engage its members to benefit Queensland practitioners, their clients and the Queensland community.

In the financial year 2009/10 we made more submissions to government than ever before – 166 as at 30 June 2010. In 2010/11 we continued this success presenting 143 submissions by mid-April 2011. In 2009/10 our representatives attended 107 consultative events with government and stakeholders to advocate for members' interests. In this financial year, (to mid-April 2011) we have already attended 90 consultative events.



To engage and keep our members aware of developments in 2009/10, we held some 135 policy section and committee meetings and we published 213 articles and notices to provide timely updates on developments in the law. By mid-April in 2010/11 we had held 98 policy section and committee meetings and published 227 articles and notices.

The table below illustrates our abiding commitment to ensuring the interests of our members and the community remain at the forefront of government considerations regarding legislative changes. QLS is on track to surpassing 2009/10 results for advocacy activity. The percentages beside the volume of proactive and reactive submissions indicate our advocacy activity is balanced between responding to requests and taking issues up proactively.

### Comparative results

Advocacy activities	2010/11 (to mid-April)	2009/10	2008/09
Submissions	143	166	134
• Proactive	69 (48%)	78 (47%)	62 (46%)
• Responsive	74 (52%)	88 (53%)	72 (54%)
Requests for Comment	125	141	113
Articles, Notices and Publications	227	213	168
Consultative Events	90	108	84
Policy Section/Committee meetings	98	135	122

## This booklet

This booklet provides an overview of the most important advocacy issues tackled by the Society in 2010/11 (to mid-April 2011) sorted by areas of legal practice. The briefs cover the issues' backgrounds, actions conducted and outcomes achieved.

**For more information, contact Queensland Law Society:**

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## 2. Our principles

Advocacy at QLS is guided by a number of important principles, including in 2010/11:

- Campaigning for access to justice
- Ensuring appropriate regulation
- Advancing human rights
- Building advocacy relationships.

### 2.1. Campaigning for access to justice

QLS believes in and supports the promotion of:

- fairness and justice throughout Queensland
- individuals' right to choose whether to have legal representation in any forum
- governments' responsibility for ensuring there is access to justice in the community, including by providing appropriate funding to the legal assistance sector.

### 2.2. Ensuring appropriate regulation

QLS believes in and supports the promotion of:

- finding an appropriate balance in commercial regulation between consumer protection and the legitimate needs of business
- efficient and accountable government processes based on need, not administrative convenience.

### 2.3. Advancing human rights

QLS believes in and supports the promotion of:

- governments' role in all dealings with individuals in respecting basic human rights and affording everyone dignity
- the law recognising and protecting vulnerable and marginalised members of the community
- ensuring criminal law processes are unbiased and managed according to natural justice.

### 2.4. Building advocacy relationships

QLS believes in and supports the promotion of:

- strong professional relationships and impartial advice
- collaboration and negotiation.

## 3. National Legal Profession Reform

### History

The National Legal Profession Reform (NLPR) aims to simplify regulation of the legal profession in Australia, enabling a nationally-consistent approach to management and administration of this industry.

In December 2010, the NLPR Taskforce provided its final regulatory package to the Council of Australian Governments (COAG). On 14 February 2011, COAG agreed in principle to the reforms to legal profession regulation (with the exception of South Australia and Western Australia) with finalisation of the package by May 2011. The package considered by COAG is intended to strike a balance between the independence of the legal profession, enhancing consumer protection and ensuring access to justice. The proposed Legal Profession National Law was originally intended to be adopted by the participating States after May 2011 for implementation from July 2012.

### Queensland Law Society's role

Queensland Law Society significantly contributed to the NLPR Taskforce and Consultative Group, ensuring a strong voice for Queensland solicitors in the Reform Task Group's considerations. We have played a key role in progress of the reform, supporting the transition to a national profession while remaining vigilant to ensure the change doesn't equate to increases in practice costs.

We have also successfully committed to keeping the Queensland legal profession informed every step of the way.

QLS and constituent bodies of the Law Council of Australia (LCA) so far have had significant influence in opposing any potential increase in the financial burden that may accompany the reform.

In addition, we continue to work to ensure that some of the more onerous regulatory requirements are reviewed, and that the full costs of the new system are made public, so that the profession and the community are fully aware of those costs.

### Our current position

QLS has continuing concerns about the treatment of several issues in the Draft Bill, including the liability of principals, the requirements relating to “informed consent” by clients for legal costs agreements, the costs disclosure threshold and lodging disputed costs. We are working with the LCA on issues to be raised for further review. We are also liaising with the Department of Justice and Attorney-General on issues relating to implementation in Queensland, and we have advised the Attorney-General of our ongoing concerns regarding the lack of detail about implementation costs.

## 4. Access to justice

### 4.1. Legal assistance funding

#### Background

From the middle of 2010, QLS increased its calls for adequate funding of the legal assistance sector.

#### Action

QLS coordinated Queensland activities in the National Access to Justice Campaign. We facilitated members’ direct lobbying of the Prime Minister’s and Treasurer’s electorates and undertook face-to-face lobbying of Federal Members and Senators in the lead up to the Federal Budget. QLS wrote several submissions to the Prime Minister, Treasurer and Federal Attorney-General calling for the Commonwealth to increase its funding support for the legal assistance sector equivalent to 1997 levels and to increase the Commonwealth’s share of funding from 32% to 50%. These submissions were followed by writing to the State Attorney-General outlining the Society’s primary priorities regarding the funding of legal assistance services in Queensland.

#### Outcome

Our advocacy efforts contributed to increasing the levels of legal assistance sector funding, as announced in the 2010 Federal Government budget. Commonwealth legal assistance sector funding nationally was increased by \$91million.

## 5. Accident compensation and tort law matters

### 5.1. Workers' compensation reforms

#### **Background**

Consideration of reforms to the workers' compensation system was mooted in early 2010 following some disappointing financial results by WorkCover Queensland during the global financial crisis of 2008 and 2009. Proposals were put for an injury assessment threshold for the right to bring a common law claim.

#### **Actions**

Reflecting the strong concern of members about restricting common law rights, QLS strongly opposed thresholds being applied that prevented injured Queensland workers accessing common law actions for compensation. QLS actively participated in the Attorney-General's reference group on the issue, made a number of submissions and met with key stakeholders.

#### **Outcomes**

In June 2010 the Queensland Government announced reforms that were in line with QLS proposals rejecting the present need to impose thresholds for access to common law preferring to apply Civil Liability Act 2003 reforms to workers' compensation.

### 5.2. Workers compensation 'Bourk' actions

#### **Background**

In June 2010 Queensland Government introduced legislation which extinguished retrospectively a cause of action for personal injury based on breach of the Workplace Health and Safety Act 1995 for existing claims.

#### **Actions**

QLS opposed the application of the change retrospectively to proceedings which had already commenced and provided submissions to the Attorney-General and the Parliamentary Scrutiny of Legislation Committee.

#### **Outcomes**

The Parliamentary Scrutiny of Legislation Committee quoted the QLS in its report tabled in Parliament and WorkCover Queensland implemented ex gratia administrative arrangements to mitigate the impact on existing claimants following passing of the Bill.

### 5.3. Reform of Pre-Court Procedures

#### **Background**

For some time QLS members and insurers have expressed growing concern about the discordant pre-court procedural obligations of various parties in personal injury claims. QLS has long been of the view that this causes delays and additional cost to actions to the detriment of injured parties and their lawyers.

#### **Actions**

Following the review of workers' compensation in the middle of 2010, QLS provided submissions to Government on the reform of pre-court procedures for personal injury claims in order to improve efficiency of the litigation process and improve outcomes for all parties.

#### **Outcomes**

Queensland Government has indicated it will consider reforms in this area.

## 6. Children's law

### 6.1. 17 year old incarceration as adults

#### **Background**

Contrary to Australian international obligations, 17 year old offenders are treated as adults in the Queensland justice and correctional system. QLS has strongly advocated for change in this area.

#### **Actions**

Reflecting the deep concern of our members, QLS has undertaken persistent advocacy in this area. During the year we wrote to Minister Struthers twice, the Attorney-General, the Premier and the Commission for Children and Young People and Child Guardian (CCYPCG) raising our concerns and calling for reform. We responded to the CCYPCG discussion paper issued on this topic and supported the Commissioner's call for action and recommendations.

#### **Outcomes**

As a result of our extensive advocacy on this issue, the Government has recognised QLS as a relevant stakeholder and has agreed to engage us in their continuing work on the issue.

## 6.2. Children's Court of Queensland Issues

### **Background**

The Children's Law Section of QLS has advocated for law reform in the Children's Court of Queensland jurisdiction.

### **Actions**

Throughout the year our Children's Law Section undertook direct advocacy to the Chief Magistrate and Children's Court Magistrate and wrote four submissions calling for law reform and the appointment of more Magistrates specialising in the area of children's law. The Society also raised these law reform issues with the Attorney-General.

QLS also informed and contributed to the research of Associate Professor Clare Tilbury regarding the operation of the Children's Court of Queensland.

### **Outcomes**

As a result of this advocacy, we were able to secure biennial meetings with the Chief Magistrate to discuss children's law issues and a commitment that the issues raised would be taken to the Magistrate's Children's Law Committee.

Due to expertise of QLS' Children's Law Section in this jurisdiction and the quality of our written submissions, the Attorney-General agreed to consult with us on the amendment of the Children's Court Rules.

## 7. Competition and consumer law

### 7.1. Trade Practices

#### **Background**

2010 was a monumental year which saw the introduction of the Australian Consumer Law Act, harmonisation of fair trading law throughout the states and territories and the repeal of the Trade Practices Act 1974, effective 1 January 2011. The Society has been closely monitoring these changes.

#### **Actions**

QLS members have been concerned that the disclosure requirements for itemised invoices by Australian Legal Practitioners under the new Australian Consumer Law are inconsistent with the obligations under the Queensland Legal Profession Act 2004. QLS has written to the Parliamentary Secretary to the Treasurer and the Queensland Minister for Tourism and Fair Trading voicing these concerns and calling for review. The Society has also met with the Minister for Tourism and Fair Trading on this issue.

#### **Outcomes**

The issue has been raised with Ministerial Council on Consumer Affairs and placed upon its agenda for consideration in mid-2011. QLS is continuing to monitor this issue and is preparing a Practitioner's Guide to assist its members.

## 8. Criminal law

### 8.1. Criminal and civil jurisdiction modernisation and reform legislation

#### Background

The Criminal and Civil Jurisdiction Modernisation and Reform Bill introduced wide-ranging reforms to Queensland's justice system following a comprehensive review undertaken by the Honourable Martin Moynihan AO QC.

#### Action

QLS wrote several submissions to the Department of Justice and Attorney-General on stage one and two of the Moynihan reforms. From January to October 2010 we attended six roundtable discussions with the judiciary and three meetings with the State Attorney-General where we advocated on behalf of our members.

QLS also:

- briefed the-then Leader of the Opposition on our position on the Moynihan reforms;
- wrote 130 letters to all members of Parliament, Heads of Jurisdictions, District Law Associations and the BAQ in response to the public consultation on the Civil and Criminal Justice Jurisdiction Reform and Modernisation Amendment Bill 2009; and
- made submissions regarding the Brisbane and Ipswich Criminal Jurisdiction Reform Protocol and the draft Regional Criminal Jurisdiction Reform Protocol.

#### Outcome

The Queensland Government accommodated QLS concerns with the Criminal and Civil Jurisdiction Modernisation and Reform Bill, especially in relation to pursuing disclosure by the police in criminal matters and in aspects of bail matters.

The Queensland Police Service also agreed to amendment of clause 21 of the Moynihan administrative arrangements and for QLS contact details to be included on the Notice to Seek Legal Advice form to refer people in police custody to independent legal advisors.

### 8.2. Jury issues

#### Background

In 2010 the Queensland Law Reform Commission was tasked with an enquiry into jury selection processes and jury directions.

#### Action

QLS provided extensive submissions to the Queensland Law Reform Commission consultation on jury selection and made joint submissions with the Bar Association of Queensland on the Queensland Law Reform Commission consultation on jury directions.

#### Outcome

The Attorney-General expressed his appreciation for the extensive consideration of the recommendations provided by QLS.

### 8.3. Court Suppression and Non-publication Orders Bill 2009

#### **Background**

The Court Suppression and Non-publication Orders Bill 2009 sought to harmonise the use and recording of suppression and non-publication orders throughout Australia.

#### **Action**

QLS made a submission to the Attorney-General recommending that clause 5 of the draft Court Suppression and Non-publication Orders Bill 2009 be expanded to provide alleged offenders with name suppression until after conviction and suggested the Queensland Law Reform Commission be given a mandate to consider the issue.

#### **Outcome**

The issues raised in our submission were provided to the Standing Committee of Attorneys-General Suppression Orders Working Group and our proposals were taken into account when the draft model laws were finalised.

### 8.4. Foreign evidence legislation

#### **Background**

The purpose of this amendment legislation was to respond to the late-2010 report of the Senate Standing Committee on Legal and Constitutional Affairs on the Foreign Evidence Amendment Bill 2008.

#### **Action**

Responding to calls from our members, QLS raised concerns with the Foreign Evidence Amendment Bill 2008 and made submissions to the Queensland Attorney-General regarding the application of the Foreign Evidence Amendment Act 2010 to Queensland State matters.

#### **Outcome**

QLS cooperated with relevant stakeholders and advocacy partners to ensure the Bill could be fairly applied in Queensland. As a result, the State Government incorporated recommended changes to the Foreign Evidence Amendment Act 2010 (Qld).

## 8.5. Police referrals

### Background

QLS called for the preparation of a regional lawyer list for use by the Queensland Police Service if defendants in their custody request a solicitor.

### Action

QLS met with the Police Minister and wrote several letters in 2010 to the Police Commissioner seeking clarification regarding the current application and selection process for the inclusion of legal practitioners on the regional duty solicitor lists.

### Outcome

The Queensland Police Service has agreed to collaborate with QLS to prepare and implement a regional lawyer list.

## 8.6. Procedural issues

### Background

QLS called for the streamlining of criminal law and justice procedures.

### Action

QLS wrote submissions to:

- the Courts with commentary on draft practice direction on electronic lodgement of affidavits by the Queensland Police Service;
- the Courts supporting the Future Courts Program and streamlining court processes;
- the Attorney-General regarding delays in Supreme Court Criminal Listings;
- the Supreme Court Rules Committee advising on our progress on the issue of the change in delivery procedures by Australia Post;
- the NSW Legislative Council, Standing Committee on Law and Justice who adopted some of our recommendations in their inquiry into judge-alone trials under section 132 of the Criminal Procedure Act 1985; and
- the Attorney and NSW Bureau of Statistics regarding the Review of the NSW Case Conferencing Pilot and its potential introduction of case conferencing in Queensland.

### Outcome

As a result of our advocacy, the Court Registry adopted QLS' wording for the electronic lodgement of affidavits by the Queensland Police Service, improving the efficiency of criminal law practice.

## 8.7. Queensland Murri Court

### Background

The Queensland Murri Court is a court used to sentence Aboriginal and Torres Strait Islanders who choose to plead guilty to offences that are within the jurisdiction of the Magistrates Court of Queensland. The Murri Court holds less formal proceedings and is unique as it allows a variety of groups to inform the sentencing process, including Elders, community justice groups and the offender's family. However, the Magistrate has the ability to make the final decision.

### Action

In March 2011, QLS made submissions to the Deputy Premier, broadly endorsing the observations and recommendations in *Evaluation of the Queensland Murri Court: Final Report and expressing support for the Murri Court*, both as an effective vehicle to curb recidivism among Aboriginal and Torres Strait Islander offenders, and as an appropriate recognition of Indigenous Australian customs and traditions.

### Outcome

QLS is continuing to work with the Queensland Government on this important issue.

## 8.8. Queensland Sentencing Advisory Council

### Background

QLS provided general support for the establishment of a sentencing advisory council to improve public understanding and appreciation of the criminal justice system in Queensland.

### Action

QLS made submissions to the Attorney-General regarding the consultation draft of the Penalties and Sentences (Sentencing Advisory Council) Amendment Bill 2010 and also made submissions to the Parliamentary Scrutiny of Legislation Committee.

### Outcome

The Attorney-General adopted some of our recommendations in the legislation, notably the Attorney-General agreed to QLS' recommendation that a person with a demonstrated background in the area of civil liberties should be included as a member of the Queensland Sentencing Advisory Council.

Our submission was extensively quoted in the Scrutiny of Legislation Committee report to Parliament which supported our proposal in relation to the mandatory sentencing type provisions in the Penalties and Sentences (Sentencing Advisory Council) Amendment Bill 2010.

## 8.9. Drink driving

### **Background**

According to the Queensland Government “over 600 people have been killed as a result of crashes involving drink drivers in the eight years prior to 31 December 2009” (Department of Transport and Main Roads, *Queensland Drink Driving Discussion Paper*, 2010).

### **Action**

In the development of the discussion paper, QLS made submissions to the Drink Driving Review Team of the Department of Transport and Main Roads.

### **Outcome**

The Department of Transport and Main Roads made several references to QLS’ submission in the Queensland Drink Driving Discussion Paper.

## 8.10. Police Powers and Responsibilities Act Review

### **Background**

The Honourable Neil Roberts MP, Minister for Police, Corrective Services and Emergency Services convened a Police Powers and Responsibilities Act Review (PPRA) Committee that involved QLS as a stakeholder.

### **Action**

QLS representatives participated heavily in the PPRA Review Committee and made extensive and detailed submissions on the issues discussed putting forward the views of our members practising in criminal law.

### **Outcome**

As a result of this review process, we have initiated a project in collaboration with the Queensland Police Service to create a regional lawyer list. The review was ongoing throughout 2010 and 2011. The Minister publicly thanked QLS for its contribution.

## 8.11. Forensic Disability Bill 2010

### **Background**

The Department of Communities proposed legislation to establish a forensic disability service model to provide for involuntary detention, care and protection of persons with intellectual disabilities.

### **Action**

QLS made extensive submissions and undertook direct advocacy to the department in the *Forensic Disability Bill 2010 – Information Paper* reflecting our members' strong human rights concerns for these most vulnerable members of the Queensland community.

### **Outcome**

The Department of Communities thanked QLS for its contribution to the consultation. In 2011 QLS is making further submissions to the Parliamentary Scrutiny of Legislation Committee to highlight human rights issues in the proposed legislation.

## 8.12. DNA innocence testing

### **Background**

Griffith University's Innocence Project is now in its tenth year. This pro bono project "brings together lawyers, academics and law students to work together to free innocent persons who have been wrongly convicted in Australia" ([www.griffith.edu.au/criminology-law/innocence-project/about-us](http://www.griffith.edu.au/criminology-law/innocence-project/about-us)).

### **Action**

QLS made submissions to the Queensland Attorney-General advocating for amendment to state laws to allow for innocence DNA testing for cases recommended by the Innocence Project's advisory board. In February 2011, we also applied to the Law Council of Australia on this issue.

### **Outcome**

The Attorney-General received and recognised our submissions. QLS is continuing to monitor and advocate on this issue.

## 8.13. Criminal Proceeds Confiscation Legislation

### Background

The Criminal Proceeds Confiscation (Serious and Organised Crime Unexplained Wealth) Amendment Bill 2010 is a private members Bill that was introduced on 24 November 2010.

The Explanatory Notes to the Bill state that the legislation seeks to "...strip organised crime groups of their unexplained wealth and give the State the power to seek an unexplained wealth order against a person" and to complement Queensland's existing criminal confiscation legislation.

### Action

QLS made submissions to the Department of Justice and Attorney-General regarding the Opposition's Criminal Proceeds Confiscation (Serious and Organised Crime Unexplained Wealth) Amendment Bill 2010, highlighting human rights concerns of our members and their clients.

### Outcome

We are continuing to work with the Queensland Government on this issue.

## 9. Elder law

### 9.1. Representation by lawyers in the Queensland Civil and Administrative Tribunal

#### Background

Since the implementation of the Queensland Civil and Administrative Tribunal (QCAT), QLS has been calling for applicants to continue to be granted legal representation in all guardianship and complex tribunal matters.

#### Actions

QLS has entered dialogue with the President of QCAT and Senior Tribunal members on this issue.

#### Outcomes

QLS is continuing discussions with QCAT with respect to legal representation and guardianship matters and is preparing a Guide to assist practitioners in applying for leave.

## 9.2. Elder abuse

### **Background**

QLS members have expressed concerns about the prevalence of elder abuse in Queensland.

### **Actions**

QLS launched a joint issues paper with the Public Advocate on Elder Abuse in June 2010, requesting community and stakeholder feedback throughout a two-month consultation.

### **Outcomes**

QLS received more than fifteen submissions, including submissions from key government and community stakeholders, in response to the joint issues paper. QLS also received a petition from more than forty signatories advocating for law reform to criminalise elder abuse.

QLS is preparing a report of the findings and the systemic issues to submit to the Queensland Government for consideration for reform.

## 9.3. Aged care

### **Background**

QLS members have expressed concerned with federal policy that impacts on aged care and people's rights.

### **Actions**

In 2010, QLS made submissions to the Productivity Commission in relation to aged care and policy reform for the Aged Care Act, the Aged or Disabled Persons Care Act and the Aged Care (Consequential Provisions) Act.

### **Outcomes**

QLS is continuing to monitor this issue and is considering the report from the Productivity Commission on aged care released in early-2011.

## 9.4. Retirement villages regulation

### **Background**

QLS members have significant concerns about how elder law and retirement village regulations impact upon Queensland seniors.

### **Action**

QLS has written to the Department of Communities and the Department of Employment, Environment Development and Innovation (DEEDI) in relation to revising Elder Law publications and amendments to the Fair Trading Bill and the Retirement Villages Act. QLS has also consulted with DEEDI officers in relation to the Retirement Villages Act.

### **Outcomes**

QLS is continuing to keep members up to date with developments to the Fair Trading Act and Retirement Villages Act. QLS is working together with the Department of Communities to finalise *Seniors and the Law*.

## 10. Family law

### 10.1. Justice services

#### **Background**

The Society is mindful that the family law courts are faced with an overwhelming caseload and have actively advocated for more judges and judicial registrars, particularly in rural Queensland.

#### **Actions**

Throughout the course of 2010/11 we wrote to the Family Court Chief Justice, Chief Federal Magistrate and Federal Attorney-General calling for judicial officers and registrars in Cairns and Townsville.

#### **Outcomes**

We are continuing to work on this issue.

## 10.2. Family law issues

### Background

QLS is committed to advocating on issues that are of importance to our family law practitioners.

### Action

Since the middle of 2010, QLS has made submissions to the Domestic Violence Legislation Review Team regarding the review of the Domestic and Family Violence Protection Act and the Australian Law Reform Commission (ALRC) regarding review of *Family Violence: improving legal frameworks*.

### Outcome

QLS submissions were well received and educatory material was drafted for the benefit of our members.

## 11. Franchising law

### 11.1. Franchising reform in Western Australia

#### Background

A private member's bill was introduced into the West Australian Parliament in early-November 2010 with the aim to govern and regulate Franchising matters, in addition to the Commonwealth Franchising Code of Conduct. QLS members voiced their concerns about introducing a further Code with extended application to Queensland.

#### Actions

QLS wrote to the Honourable Colin Barnett, Premier of Western Australia, other West Australian Members of Parliament and Senator Nick Sherry regarding the Bill and concerns with introducing a state-based Franchising Code in addition to the Commonwealth Code. QLS also wrote to the Law Society of Western Australia to collaborate on this issue.

#### Outcomes

The Western Australian Legislative Assembly referred the Bill to a Standing Committee for further consideration, and in January 2011 QLS prepared a formal submission to the Western Australian Standing Committee in response.

As a result of QLS' advocacy, our members' concerns were considered in the Western Australian Parliament and media. QLS also presented its submission before the Standing Committee at a public hearing in April 2011.

## 11.2. Franchising reform in Queensland

### **Background**

Queensland MP David Gibson issued a press release in November 2010 noting his intention to introduce a Queensland Franchise Bill, after consulting with key stakeholders.

### **Actions**

QLS wrote to David Gibson MP regarding the intended Bill, with a request to be involved in future consultations. QLS also wrote to the Queensland Attorney-General and the Queensland Minister for Fair Trading on this issue.

### **Outcomes**

Queensland MP David Gibson recognised QLS concerns with introducing a state-based Franchising Code and will involve QLS in future consultations in relation to franchising reform in Queensland.

## 11.3. Franchising reform in South Australia

### **Background**

The South Australian Minister for Small Business published a media release in late-November 2010 regarding his intention to enhance existing franchise laws in South Australia and to develop new franchising laws.

### **Actions**

QLS wrote to the South Australian Minister for Small Business regarding his media release requesting to be involved in future consultations about franchising laws. QLS also wrote to the Law Society of South Australia to consider joint collaborations on this issue.

### **Outcomes**

We were invited to make submissions to the South Australian Standing Committee on the supplementary inquiry on the 2008 South Australian Franchising Report and did so. We are continuing to monitor this issue.

## 12. Industrial law

### 12.1. Legal Services Award 2010

#### **Background**

QLS members and their legal practices were directly affected by the move to the Fair Work Act 2009 with the Legal Services Award 2010 covering specifically, for the first time, employees in law firms.

#### **Actions**

To assist members, QLS published an *Introductory Guide to the Legal Services Award 2010* and update versions for the 1 July 2010 financial commencement and the February 2011 transition of existing State Award employees to the Federal Award. QLS also produced a national version of the Guide which was distributed to other law societies around the country.

#### **Outcomes**

Our members were well informed and had access to resources to assist them in making the transition to the Modern Award, despite the tight implementation timeframes required by the reform package and Fair Work Australia.

## 13. Intellectual property

### 13.1. Technology and intellectual property law

#### **Background**

QLS has been closely monitoring new policies and developments in intellectual property law.

#### **Actions**

We have written to IP Australia, the Minister for Innovation, Industry, Science and Research, the Advisory Council on Intellectual Property and the Internet Corporation for Assigned Names and Numbers in relation to various intellectual property issues including the availability of intellectual property brochures in lodgement centres, concerns about post-grant patent enforcement strategies and issues about introducing single character Internationalised Domain Names Country Code Top Level Domains.

#### **Outcomes**

We are continuing to monitor these issues and have dialogue with these departments and entities.

## 14. International law

### 14.1. Universal Periodic Review of Australia's human rights obligations

#### **Background**

As a part of our international human rights obligations, Australia must participate in a universal periodic review. This review process occurs every four years and involves the Federal Government providing reports on its human rights record to the United Nations Human Rights Council.

#### **Action**

Reflecting the strong views of our members, QLS provided two submissions to the Law Council of Australia regarding the Queensland Government's policies and legislation and its compliance with Australia's international human rights obligations.

#### **Outcome**

QLS made contributions to the *Non-Governmental Organisation Coalition Report* and the *Australian Government Report*. The review continued throughout 2010/11 and the draft report of the Universal Periodic Review Working Group is yet to be finalised.

### 14.2. Trafficking of people

#### **Background**

Australia is a receiving country for trafficked persons.

#### **Action**

QLS made submissions to the Federal Attorney-General and the Law Council of Australia regarding the guidelines for non-government organisations working with trafficked people and to the Senate Standing Committee on Legal and Constitutional Affairs regarding the Anti-People Smuggling and Other Measures Bill 2010.

#### **Outcome**

The Society's comments on mandatory minimum sentences for this crime were quoted in the Senate Legal and Constitutional Affairs Legislation Committee's Report on the Bill.

### 14.3. Autonomous Sanctions Bill

#### **Background**

The Second Reading Speech delivered in the Federal Parliament for the Autonomous Sanctions Bill 2010 states that autonomous sanctions are, “highly targeted measures intended to apply pressure on regimes to end the repression of human rights, to end the repression of democratic freedoms, or to end regionally or internationally destabilising actions”.

#### **Action**

QLS wrote two submissions to the Senate Foreign Affairs, Defence and Trade Committee raising concerns with the creation of offences, and the lack of preservation of the separation of powers and the privilege against self-incrimination in the Autonomous Sanctions Bill 2010.

#### **Outcome**

QLS was invited to attend a Department of Foreign Affairs briefing on the topic of autonomous sanctions, thereby recognising us as a relevant stakeholder. Our submissions were quoted significantly in the Foreign Affairs, Defence and Trade Legislation Committee’s report on the Bill in early-2011. QLS is continuing to advocate on this issue on behalf of our members.

### 14.4. Human Rights Framework

#### **Background**

QLS supported Australia’s Human Rights Framework.

#### **Action**

QLS wrote to the Law Council of Australia in response to the Federal Government’s Human Rights (Parliamentary Scrutiny) Bill 2010 and the Human Rights (Parliamentary Scrutiny) (Consequential Provisions) Bill 2010, providing support for the establishment of a Parliamentary Joint Committee on Human Rights.

#### **Outcome**

QLS’ contribution to the Law Council of Australia submission was noted. The Law Council of Australia’s general support for the Bills and the establishment of a human rights committee and the requirement that all Bills and certain delegated legislation must be accompanied by statements of compatibility were noted in the Senate Legal and Constitutional Affairs Legislation Committee’s final report.

## 14.5. International activities

### Background

QLS' International Law and Relations Section has resolved to internationalise the legal profession in Queensland.

### Action

We wrote to:

- the Prime Minister and Attorney-General of Papua New Guinea regarding the need for fair and just treatment of lawyers;
- the Minister for Foreign Affairs on the Millennium Development Goals, progress toward their implementation and various standing reports;
- the Law Council of Australia on the Australian Human Rights Commission Discussion Paper on federal protection from discrimination for same sex orientation, sex and indeterminate gender persons; and
- the Queensland Attorney-General congratulating him on the firm stance taken in relation to the Gabe Watson case.

### Outcome

The issue regarding the treatment of Papua New Guinea lawyers was identified as an important advocacy issue for the Law Council of Australia at the insistence of the QLS.

## 15. Legal costs

### 15.1. Fair legal costs

#### Background

QLS vigorously advocates to ensure prescribed legal costs and Court fees are fair for its members.

#### Actions

During the year, we wrote to the Federal Magistrates Court Registry and the District Court Registry in relation to jurisdictional issues regarding the taxation of party and party costs and the indexation of filing fees for applications filed by individuals trading under a business name. QLS also made submissions to the Law Council of Australia regarding the Federal Court Review of the Prescribed Costs in the Federal Court, providing a variety of recommendations for reform of the proposed costs scales.

#### Outcomes

We are actively working with the Queensland Courts to ensure our members are appropriately remunerated for services provided.

## 16. Civil litigation

### 16.1. Civil jurisdiction reform

#### **Background**

Throughout 2010 the Queensland Government introduced reforms to the civil jurisdiction of the Courts through the Civil and Criminal Justice Jurisdiction Reform and Modernisation Bill 2009.

#### **Actions**

QLS wrote more than 130 submissions to the Attorney-General, members of Parliament, Courts, District Law Associations and the Bar Association of Queensland in response to public consultation on the Bill.

#### **Outcomes**

We released a litigation guide to assist our practitioners regarding changes to the monetary civil jurisdiction of the Courts.

### 16.2. Federal litigation advocacy

#### **Background**

Throughout 2010/11, QLS monitored Federal Bills and proposed reforms that impact the legal profession.

#### **Actions**

We wrote to the Law Council of Australia and provided supplementary submissions regarding the Civil Dispute Resolution Bill 2010 and concerns that the provisions in relation to lawyers' obligations to assist parties towards dispute resolution require further clarification.

We also provided the Law Council of Australia with submissions on the National Integrity Commissioner Bill 2010 with recommendations that parties be assured the right to appeal and due process.

#### **Outcomes**

QLS recommendations in relation to the Civil Dispute Resolution Bill were adopted by the Law Council. QLS is continuing to monitor issues regarding the National Integrity Commission Bill.

### 16.3. Queensland civil proceedings

#### **Background**

QLS has been involved in various consultations this financial year in relation to Queensland civil procedure so as to ensure our members' interests are duly considered in proposed civil procedure reform.

#### **Actions**

We provided commentary and recommendations to the Director of the Courts in relation to the Civil Proceedings Bill 2010 to facilitate the streamlining of Court processes.

We also provided the Courts with commentary and recommendations on the draft practice direction on electronic lodgement of affidavits by the Queensland Police Service as well as commentary on the draft practice directions for setting trial dates.

In addition, we wrote to the Supreme Court Rules Committee advising on our progress regarding advocacy on the issue of the change in delivery procedures by Australia Post.

#### **Outcomes**

The Courts considered and adopted QLS' recommendations for the drafting of the Practice Direction in relation to electronic lodgement of affidavits by the Queensland Police Service. QLS is continuing to work with the Courts on this issue.

### 16.4. New Federal Court rules

#### **Background**

In early-2011, QLS was invited to make submissions on the draft Federal Court Rules.

#### **Actions**

We wrote to the Rules Revision Committee of the Federal Court of Australia, canvassing issues such as legal representation in the Federal Courts, discovery and inspection of documents, alternative dispute resolution processes and intellectual property proceedings.

#### **Outcomes**

The QLS submission was well received by the Rules Revision Committee. The Committee has agreed to consider and take on the comments and recommendations proffered by QLS. These recommendations will further assist our members practising in federal law.

## 17. Planning and environment law

### 17.1. Environmental issues

#### **Background**

In late-2010 the Queensland Government tabled in Parliament amendments to the Environmental Protection Act 1994 which severely truncated timeframes and increased obligations for notification of instances of environmental harm.

#### **Actions**

We made submissions to the Parliamentary Scrutiny of Legislation Committee regarding the unworkable nature of the notification offence provisions and provided suggestions to achieve the required outcome in a more practical way. The Committee invited the Minister for Environment and Resource Management to respond to QLS concerns.

#### **Outcomes**

The Minister tabled a response acknowledging QLS concerns in Parliament and also amended the notification offence provisions to ensure that the changes achieved the desired environmental outcomes in a reasonable, achievable manner.

### 17.2. Land valuation reforms

#### **Background**

In early-2010 Queensland Government introduced legislation to restrict rights to object to statutory land valuations and to include the value of goodwill and commercial leases in the assessment of 'unimproved' value. QLS and other stakeholders opposed the changes and the government responded to these concerns by implementing a new site-value based system.

#### **Actions**

During 2010 we made submissions to the Parliamentary Scrutiny of Legislation Committee and the Minister for Environment and Resource Management opposing the early 2010 reforms. QLS also made a number of submissions to the PriceWaterhouseCoopers consultancy developing the new site valuation system and contributed extensively to the department's Valuations Reform Reference Group.

#### **Outcomes**

The government agreed to replace its early-2010 reforms with a new Act based on site valuation. The new valuation system implemented a fair and balanced objections and appeal process for land owners. QLS has continued to be engaged as a significant stakeholder in the development of administrative measures to implement the reforms.

## 18. Property law

### 18.1. Residential property sales contracts

#### **Background**

QLS members acting for sellers and buyers have long expressed concern about the law relating to residential property sales contracts as being unworkable. QLS continues to advocate for reform of these laws seeking to strike an appropriate balance between consumer protection and the needs of industry.

#### **Actions**

We provided a number of submissions to the Minister for Tourism and Fair Trading and his department on aspects of much needed reform. QLS also made a number of submissions to the Real Estate Institute of Queensland regarding required change to standard conveyancing contracts.

#### **Outcomes**

The Queensland Government implemented amendments to the Property Agents and Motor Dealers Act 2000 and corresponding amendments to the Body Corporate and Community Management Act 1997 to better facilitate the formation of residential property sales contracts. The Real Estate Institute of Queensland agreed to update its standard contracts to comply with unfair contracts legislation and harmonise residential lots, houses and land contracts.

### 18.2. Conveyancers

#### **Background**

In 2010, the former National Electronic Conveyancing Office advocated for the national occupational licensing system implementation to be the catalyst for permitting conveyancers to practice in Queensland.

#### **Actions**

In response to concerns raised by members, QLS strongly advocated to the Queensland Government that introducing licensed conveyancers would see a net reduction of consumer protection standards in the property conveyancing industry.

#### **Outcomes**

The government provided QLS with confirmation that it did not envisage the national occupational licensing system introducing licensed conveyancers to Queensland.

### 18.3. Swimming Pool Safety Regime

#### **Background**

The Queensland Government announced heightened safety standards for swimming pools to be triggered by property sales effective from 1 December 2010. QLS members expressed concern about the property conveyancing process being used as the method for implementing safety standards.

#### **Actions**

QLS made a number of submissions, attended briefings with government officers developing the legislative proposals, and liaised with the Real Estate Institute of Queensland about amendments to the standard conveyancing contracts to fairly implement the reforms.

#### **Outcomes**

The government implemented a swimming pool safety regime which did not invalidate sales contracts and required only a single disclosure. The Real Estate Institute of Queensland agreed to amendments to the standard conveyancing contracts to permit a buyer to conduct inspections to ascertain their liability post-settlement with respect to pool safety.

### 18.4. Electronic conveyancing

#### **Background**

Development of a national electronic conveyancing system has become a regulatory and competition reform priority of the Council of Australian Governments.

#### **Actions**

QLS has continued to provide submissions to the Law Council of Australia and other bodies seeking the development of a system which benefits consumers and does not merely shift additional liability to QLS members.

#### **Outcomes**

In late-2010 QLS was recognised by the newly-formed federal government organisation, National Electronic E-Conveyancing Development Ltd, as an essential stakeholder and invited to directly provide comments.

## 18.5. Body corporate lot entitlements

### Background

In early-2010 the Queensland Government announced reform of the way contribution lot entitlements would be determined in community titles schemes and released a draft Bill. Reflecting the concern of members, QLS provided comments to government. On the strength of our views and those of other stakeholders, in late-2010 the government tabled in Parliament a revised Bill removing unimproved value as a method of setting contributions and amended transitional arrangements.

### Actions

In early-2011 reflecting the continuing concern of QLS members about the proposals QLS made a number of submissions to the Minister for Fair Trading and the Parliamentary Scrutiny of Legislation Committee about significant issues which remained in the Bill. We also made submissions to the Opposition for its information.

### Outcomes

QLS successfully ventilated important issues about the Bill in the public arena. Following the government's amended Bill being tabled in Parliament the Scrutiny of Legislation Committee adopted QLS' concerns in its Parliamentary report on the Bill, quoting extensively from the QLS submission and tabling it in Parliament.

## 18.6. Retail shop leasing

### Background

In late-2010 the Queensland Government announced that it would address ratchet clauses and misrepresentation to assignees in retail shop leases legislation as a result of its *Walk a Day in My Shoes* initiative.

### Actions

QLS made submissions to the Attorney-General proposing appropriate commencement and transitional arrangements for these reforms.

### Outcomes

The government introduced legislation into Parliament which reflected QLS recommendations, with the Attorney-General acknowledging the amendments and QLS input.

## 19. Revenue law

### 19.1. Duties obligations extension following disasters

#### Background

QLS members registered as duties self-assessors must meet certain timeframes in making, recording, collecting and objecting to assessments of State duties. The Queensland floods of late-2010 and early-2011 affected, disrupted or closed many legal practices during this time.

#### Actions

We made submissions and raised directly with senior officers of the Office of State Revenue the difficulties faced by QLS members in meeting their State duties timeframe obligations due to the disruptions caused by the natural disasters. QLS proposed to the Office of State Revenue various extensions which would be of significant benefit to affected legal practices.

#### Outcomes

The Commissioner for State Revenue issued a blanket specific extension of time for all duties self-assessors in postcodes affected by the floods. This prompt action by the Commissioner significantly lightened compliance burdens on disrupted firms during the disaster period.

### 19.2. Liaison and collaboration to improve outcomes

#### Background

QLS members are commonly registered as self-assessors for State duties collection purposes. In assessing client transactions for duties there are often instances where uncertainty arises and solicitors require guidance and support.

#### Actions

We have established a close liaison with the Office of State Revenue on all matters relating to QLS members being self-assessors for duties. QLS has also provided a number of formal submissions to the Office of State Revenue highlighting difficulties faced by practitioners and calling for changes to assist the profession meeting its obligations to clients and the Queensland Government. We have specifically addressed audit as a major concern of QLS members.

#### Outcomes

The Office of State Revenue was responsive to many of the issues raised by QLS and has:

- provided better guidance on duties aggregations for the profession on its website;
- established a process for the QLS to identify an objection to an assessment of duty that needs expediting;
- changed the verification and attestation in its OSR Connect system for user-entered data;
- altered OSR Connect to recognise fractional ownership of property; and
- been sensitive to QLS' strongly-expressed concern about audits and practitioner liability.

## 20. Succession law

### 20.1. Probate and estate accounts

#### Background

The Probate and Estate Account provisions in the Uniform Civil Procedure Rules 1999 (Qld) were reviewed by the Courts and QLS during 2010.

#### Actions

QLS met with Officers of the Court and prepared commentary on the Uniform Civil Procedure Rules provisions for estate accounts and a draft revision of the probate provisions in Chapter 15 of the Uniform Civil Procedure Rules. We also provided commentary to the Courts supporting the proposal to discontinue the practice of requisitioning probate applications due to cause of death or testamentary capacity.

#### Outcomes

The Chief Justice of Queensland recognised QLS as an important stakeholder, indicating our amendments will likely be adopted. The Courts will also consider the proposal to discontinue the practice of requisitioning probate applications in certain circumstances. These developments will assist our estate practitioners in obtaining probate.

### 20.2. Accessing shareholdings in estate administration

#### Background

QLS members have expressed growing concern with the trend of financial and shareholding institutions requesting solicitor and administrator indemnities for deceased estates, notwithstanding that a Grant of Probate or Letters of Administration have been issued.

#### Actions

We wrote to the Australian Stock Exchange, and financial and shareholding institutions noting that solicitors cannot provide indemnities for deceased estates, especially in circumstances where an Executor or Administrator has been appointed by the Court by way of a Grant of Probate or Letters of Administration.

#### Outcomes

QLS has been informed that the shareholding institutions will review their policy, in light of our recommendations on this issue. These developments will ensure our members are not placed in a precarious position of having to provide indemnities.

## 21. Legal practice

### 21.1. Integrity Act compliance

#### **Background**

Throughout 2010, concern and misunderstanding was growing relating to the need for legal practitioners to register as lobbyists under the Integrity Act 2009 when they spoke to Queensland Government officers in the course of their legal practice.

#### **Actions**

QLS engaged with the Integrity Commissioner, made submissions to the Premier and met with senior officials identifying the divergence of views about application of the Integrity Act 2009 and proposing workable solutions to clarify the statute's interpretation.

#### **Outcomes**

The government was responsive to QLS concerns and made amendments to the Integrity Act 2009 to clarify application of the lobbying provisions to legal practitioners as well as which activities were not exercises in lobbying regulated by the Act, especially those relating to making a statutory application.

### 21.2. Resources and geothermal energy legislation

#### **Background**

In mid-2010 the Queensland Government introduced the Geothermal Energy Bill 2010 which amended many resources-related pieces of legislation to make legal representation at mediations between energy companies and landowners only by the agreement of both parties.

#### **Actions**

QLS advocated that requiring both parties to agree for legal representation would act to the detriment of the weaker party to the negotiation. We sent submissions to the Queensland Government and Opposition on the issue.

#### **Outcomes**

The Bill received significant amendments in Parliament and provided for parties to choose to access an alternative dispute resolution mechanism of their own choice, which may include legal representation. QLS and its members are particularly concerned with Queenslanders' freedom to access legal representation.

## 22. Advocacy relationships

### 22.1. The Courts

#### ***Close liaison with the Courts***

##### **Background**

QLS has worked together with the Courts to ensure and facilitate a strong link with the Queensland legal profession.

##### **Actions**

In 2010, we attended Court User Reference Group meetings and facilitated the implementation of the Supreme Court Access Cards pilot trial to Queensland legal practitioners. We also provided commentary to the Courts on the Future Courts Program and on streamlining court processes.

##### **Outcomes**

Following wide readership of QLS publications, the Courts have received an overwhelming number of applications for the Court Access Cards. As a result, the pilot trial has become a permanent feature in the Courts, allowing our members ease of access to the District and Supreme Courts of Queensland in Brisbane.

#### ***Close liaison with the Judiciary***

##### **Background**

QLS seeks to foster a strong relationship between the judiciary and the Queensland legal profession.

##### **Actions**

We have held consultations with the judiciary on key issues. As part of our relationship-building strategy, we also hosted and attended a number of high profile functions as a platform for our members to meet and discuss legal issues with the judiciary.

##### **Outcomes**

QLS is continuing to meet and consult with the judiciary on important issues that impact upon our members, the legal profession and the community.

## 22.2. Regulators

### Background

QLS welcomes and strives for joint collaboration and consultation with regulators to ensure a strong link to the legal community and facilitate compliance throughout the legal profession.

### Action

In early-2010 we coordinated a survey of legal practices, for the Australian Institute of Criminology – Queensland, on perceptions of risk associated with money laundering and terrorism financing for lawyers. We also formed a Competition and Consumer Committee to establish a formal liaison between QLS and the Australian Competition and Consumer Commission. We have maintained close relationships with the Office of State Revenue, the Titles Office, the Legal Services Commission, the Office of Fair Trading, the Australian Securities and Investment Commission and the State Valuer-General.

### Outcomes

We are continuing to consult with the Australian Competition and Consumer Commission on Australian competition and consumer law. Close liaison with Regulators has allowed us to be responsive to issues and work together for the benefit of our members and the community.

## 22.3. International bodies

### Background

The International Law and Relations Section of QLS strives to:

- build prospective and mutually beneficial relationships, both nationally and internationally;
- promote the rule of law;
- internationalise the Queensland legal profession;
- promote the profile of QLS; and
- ensure QLS, representing its members, achieves and maintains a positive reputation among international legal and business communities.

### Action

To further these objectives, QLS has:

- liaised with international law societies and Bar associations;
- facilitated and attended briefings with the Department of Foreign Affairs and Trade on the topics of consular advice and autonomous sanctions; and
- been actively involved in the Chinese Lawyer Exchange, an initiative of the Federal Government.

### Outcome

We have settled and executed a memorandum of understanding between QLS and the Tokyo Daini Bar Association for mutual exchange within our jurisdictions which is of great benefit to our members. We are continuing to work with the Law Council of Australia and the South Pacific Lawyers Association to build relationships with other international bodies.

## 22.4. Law Council of Australia and interstate colleagues

### **Background**

QLS is a constituent body of the Law Council of Australia.

### **Action**

During the year, we actively participated in several policy lawyer teleconferences and sent a delegation to attend the inaugural Law Council of Australia National Policy Lawyers Face-to-Face meeting in Melbourne.

As a constituent body, we frequently contribute to Law Council of Australia submissions.

### **Outcome**

Our views were adopted in Law Council of Australia submissions on the Human Rights Parliamentary Scrutiny Bills, the Civil Disputes Resolution Bill 2010, Commonwealth Acts Interpretation Act, Collaborative Practice Guidelines for Lawyers and the role of the Australian Law Reform Commission.

## 22.5. Lexon Risk Management team

### **Background**

Lexon provides legal professional indemnity insurance for the majority of practising Queensland solicitors and strives to reduce the risks of liability claims. QLS is keen to assist Lexon in minimising claims for the benefit of all QLS members.

### **Action**

We have regular policy meetings with Lexon risk management staff to brief them on developing issues and coming reforms which may expose the legal profession to risks of claims. We also provide regular awareness information to Lexon to assist in assessing and informing legal practitioners about impending risks.

### **Outcomes**

QLS has assisted Lexon in producing informative and timely risk management and practice advice to the profession.

## 22.6. Indigenous law students

### **Background**

QLS is keen to encourage Aboriginal and Torres Strait Islander law students to enter the legal profession and to highlight the variety of career options that legal practice provides.

### **Action**

We have continued for a number of years to coordinate the LawLink program which connects current studying Aboriginal and Torres Strait Islander law students with the practising legal profession through firm and court visits.

### **Outcomes**

QLS will continue to encourage current Aboriginal and Torres Strait Islander law students to see a career in the legal profession as an open, attainable and rewarding career path.

## 22.7. Bar Association of Queensland

### **Background**

There are many issues that are mutually relevant to both barristers and solicitors.

### **Action**

QLS has collaborated and established a Working Group with the Bar Association of Queensland to make joint submissions on relevant issues, mostly relating to criminal law and human rights issues.

### **Outcome**

This year the Queensland Law Society – Bar Association of Queensland Working Group made strong joint submissions on the issue of jury directions and the harmonisation of criminal appeals legislation, receiving commendation from the Attorney-General for this work.

Queensland Law Society would like to acknowledge the volunteers who contribute to our 23 Sections and Committees and respective Sub-Committees. These groups comprise recognised industry leaders and legal experts in various areas of practice. They advise, inform and undertake the policy work of QLS and their contribution on behalf of the profession is invaluable. We owe a great debt of gratitude to all Section and Committee members who tirelessly give so generously of their time.

All members are encouraged to actively participate in the policy work of the Society and provide leadership in law for practitioners and the community.

**For more information on Sections and Committees, or information on Queensland Law Society's advocacy services:**

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