

4 May 2016

Mr John Syminton
Chairperson
Legal Practice Board of Western Australia
PO Box 5720 St Georges Terrace
PERTH WA 6831

Dear Mr ~~Syminton~~ *John*

AUSTRALIAN SOLICITORS CONDUCT RULES

In 2014 you advised that the Professional Affairs Committee of the Legal Practice Board (Board) had reviewed the *Legal Profession Conduct Rules 2010* (LPCR) and the Australian Solicitors Conduct Rules (ASCR) and that while there are differences the substance and the spirit are very similar and that the Board did not see sufficient reason to amend the LPCR or adopt the ASCR but noted that if the Society wished to make a detailed submission making recommendations for reform the Board would give it due consideration.

The Society has now reviewed the LPCR and the LPUL Rules attached to this letter is a submission comparing the LPCR and the LPUL Rules. It should be noted that the ASCR were promulgated with the intention that they be adopted by each state and territory so as to become a single, uniform set of professional conduct rules applying equally to all Australian solicitors. It is the Law Society's view that the similarity between the Rules supports the adoption by Western Australia of the ASCR, not the contrary. To date the ASCR have now been adopted by the following 5 states and territories - South Australia (July 2011), Queensland (June 2012), New South Wales (January 2014), Victoria (1 July 2015 as part of the Legal Profession Uniform Law) and the Australian Capital Territory (January 2016).

The Society is of the view that a single, uniform set of professional conduct rules providing inter-jurisdictional consistency must benefit consumers of legal services, the legal profession and regulators especially with inter-jurisdictional practices now being common place and would ask that the Board to reconsider the adoption of the ASCR.

Should wish to discuss this further I would be happy to meet with you.

Yours sincerely



Elizabeth Needham
President