

1 September 2022

Honourable John Quigley MLC
Attorney General
11th Floor, Dumas House
2 Havelock Street
WEST PERTH WA 6005

Email: Minister.Quigley@dpc.wa.gov.au

Dear Attorney-General

COSTS ASSESSMENTS OUT OF TIME

It has come to the attention of the Law Society that, pursuant to section 22 of the *Legal Profession Uniform Law Application Act 2022 (WA)* (the Act), the designated tribunal for the purposes of making an application out of time for a costs assessment is the State Administrative Tribunal.

Prior to the Uniform Law, applications of this nature are made to the Supreme Court of Western Australia.

The Law Society of Western Australia is of the view that applications made out of time should continue to be dealt with in the Supreme Court and there is no cogent policy reason for transferring jurisdiction to hear these matters to the State Administrative Tribunal.

The Supreme Court has expertise regarding the assessment of legal costs and it is sensible to have one jurisdiction responsible for matters relating to cost assessments.

The Law Society appreciates that altering the designated tribunal in the Act will require amending legislation, however we consider designating the Supreme Court as the tribunal for matters under section 198 of the *Legal Profession Uniform Law* to be an important matter relevant to the efficient administration of justice in Western Australia and would like you to consider this change.

If you have any queries please contact Mary Woodford, General Manager Advocacy and Professional Development on 9324 8646 or mwoodford@lawsocietywa.asn.au

Yours sincerely



Rebecca Lee
President

Copy to: President State Administrative Tribunal - justice.pritchard@justice.wa.gov.au
Principal Registrar Kate McDonald - registrar.mcdonald@justice.wa.gov.au