

Legal Regulation in Victoria - Timeline

Legal Profession Practice Act (1958)

- Legal profession is largely self-regulating.
- Investigation and prosecution of charges and disciplinary matters undertaken by professional associations.

'Refoming the legal profession: An agenda for change' (1995)

- Discussion paper by then Attorney-General, Jan Wade.
- Proposed that the regulation of the legal profession should be by a statutory authority independent of the legal professional associations.
- Legal Profession Working Party supported proposals and provided further recommendations.
- Legal Practice Bill drafted based on recommendations of Working Group and consultation with legal industry.

Legal Practice Act (1996)

- Purpose of the Act to ensure that the profession remain independent of the executive government while at the same time serving the public interest.
- Creation of the Legal Ombudsman, the Legal Practice Board, and the Legal Profession Tribunal.

Review of legislation(2000/01)

- Attorney-General, Rob Hulls announced a review of the *Legal Practice Act (1996)*.
- Crown Counsel Professor Peter A Sallman, and Richard T. Wright, Associate Director, Civil Justice Review Project, authored the review.
- Review led to drafting of the *Legal Profession Act 2004*.
- This review was also influenced by discussions at the Federal level around national model provisions for regulation of the legal profession.
- These discussion led towards the COAG resolutions in 2009.

Legal Profession Act (2004)

- Introduced new rules and regulations across a range of legal practice areas, including regulation of the legal profession, complaints and discipline, trust money and investigations, costs agreements and business structures.
- Abolishment of Legal Ombudsman, Legal Practice Board, and the Legal Profession Tribunal.
- Creation of Legal Services Board, Legal Services Commissioner, and a Legal Practice List at VCAT.
- Provided for greater mobility for practice between states.

Council of Australian Governments (2009)

- Project initiated to establish a single national regulatory scheme.
- It was recognised by all states that there were inefficiencies in having a system that was not national.
- Objectives were to simplify rules across jurisdictions, reduce regulatory costs for law firms, and to promote more consistent regulatory practices across states and territories.
- Draft legislation was brought before COAG, however several states withdrew support before it could be passed.

Legal Profession Uniform Law Application Act (2014)

- Victoria and NSW signed up to an amended version of the Uniform Law.
- The overall objective of the Act is to create harmonised regulation of the legal profession across Victoria & NSW
- The system has been crafted to enable other states to join at a later date.
- Three new interjurisdictional authorities were created under the Act - the Legal Services Council, the Commissioner for uniform legal services regulation, and a seperate admissions committee.