

## **REFERRAL SERVICE POLICY**

18 August 2017

The Western Australian Bar Referral Service was established by The WA Bar to provide advice to practitioners who are the subject of complaint to the Legal Profession Complaints Committee (LPCC) and the State Administrative Tribunal.

A Register of Silks and Senior Juniors who are prepared not to charge to provide advice to practitioners is maintained by The WA Bar.

The scope of the assistance provided without charge under the Referral Service is consideration of the relevant papers and the provision of advice in conference as to the practitioner's problem.

In some circumstances, the barrister advising the practitioner may also be prepared to provide additional assistance such as assisting the practitioner with correspondence with the LPCC, representation for the purposes of conferral (including mediation) with the LPCC and representation in proceedings before the State Administrative Tribunal. Where additional assistance is provided, what, if any, fee arrangements are to be put in place is a matter for the practitioner and the barrister to discuss and agree. In some circumstances the barrister may be prepared to agree a fixed or reduced fee for the provision of the additional services.

In recent times there has been considerable call on the resources of the Referral Service.

While any practitioner facing a complaint from the LPCC is encouraged to contact the Referral Service and all appropriate efforts will be made to provide assistance, practitioners facing a complaint from the LPCC should also give consideration to alternatives to the use of the Referral Service, such as:

- seeking advice directly from a barrister or other senior practitioner with whom the practitioner has an existing relationship; or
- engaging appropriate legal representation in the conventional way, particularly in a serious case.

The Referral Service is administered by the Vice President of The WA Bar, who may be contacted through the Executive Officer, Debbie Cole on 9220 0477.

It is not necessary to be a member of the Law Society of WA to use the Referral Service. The Referral Service is available to all members of the profession.