

# Submission to the Standing Committee on Public Administration-Inquiry into the Legal Practice Board of Western Australia

**9 September 2025**

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## Who we are

The **Australian Lawyers Alliance (ALA)** is a national association of lawyers, academics and other professionals dedicated to protecting and promoting access to justice and equality before the law for all individuals.

Our members and staff advocate for reforms to legislation, regulations and statutory schemes to achieve fair outcomes for those who have been injured, abused or discriminated against, as well as for those seeking to appeal administrative decisions.

The ALA is represented in every state and territory in Australia. We estimate that our 1,500 members represent up to 200,000 people each year across Australia.

Our head office is located on the land of the Gadigal people of the Eora Nation. As a national organisation, the ALA acknowledges the Traditional Owners and Custodians of the lands on which our members and staff work as the First Peoples of this country.

More information about the ALA is available on our website.<sup>1</sup>

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<sup>1</sup> [www.lawyersalliance.com.au](http://www.lawyersalliance.com.au).

## Introduction

1. The ALA welcomes the opportunity to provide a submission to the Standing Committee on Public Administration who are conducting a parliamentary inquiry into the Legal Practice Board of Western Australia (**LPB**).
2. The LPB is an independent statutory authority which is the primary designated regulatory authority under the Legal Profession Uniform Law (WA).
3. Amongst its duties and responsibilities (and this list is not exhaustive), the LPB is responsible for:
  - (a) The issuing of practising certificates to Western Australian legal practitioners;
  - (b) Assisting the Supreme Court with admissions to legal practice;
  - (c) Ensuring legal practitioner and practice compliance;
  - (d) Resolving disputes and complaints made by members of the public about legal practitioners;
  - (e) Providing educational and professional development services.
4. The terms of reference of the inquiry are to inquire into and report on the operation and effectiveness of the LPB in its role of regulating the Western Australian legal profession.
5. The ALA understands that the inquiry arises from concerns raised by members of the west Australian legal profession about a range of matters, including:
  - (a) Significant delays with regulatory approvals and enquiries;
  - (b) Poor communication; and
  - (c) Issues with the handling of complaints and disciplinary practices.
6. The ALA is in a position to provide brief submissions in relation to the above concerns, as well as other concerns of its members including the Cyber Incident and responses to claims harvesting practices.

7. The ALA has not made extensive enquiries of all of its West Australian members concerning their individual experiences and understands that the Law Society of Western Australia is in the process of conducting such an exercise.

### Delays with regulatory approvals

8. ALA members have reported experiencing significant delays when applying to the LPB for the grant and/or renewal of a practicing certificate. This is despite those practitioners having completed the relevant forms and paid the relevant fee.
9. These delays have existed for at least the past two years.
10. The practising certificate is the licence that allows legal practitioners to practice law in Western Australia. Practising certificates are renewed on an annual basis and delays in issuing the certificate could have significant ramifications.
11. The LPB has advised practitioners that where they have not received their practising certificates, that their previous registration will carry over and it will be treated as if they are registered until such time as they receive their new practising certificates.
12. While this is undoubtedly a 'stop gap' solution to the problem, it does address the central issue and ensures that legal practitioners remain registered and able to practice law. The ALA therefore approves and commends the LPB on taking this measure.
13. The ALA understands that the LPB is aware of the delays and is taking steps to prevent delays in future years. The ALA will be 'watching this space' in this regard.

### Communication

14. The ALA understands that its members have experienced significant delays, or non-responsiveness, when corresponding with the LPB in relation to general matters and enquiries, and in particular by email and/or telephone.
15. The ALA does not have any anecdotal feedback as to the actual consequences of such delays however, in general, the ALA considers that transparency and open lines of communication are essential to the ability of the LPB to properly perform its functions.

16. The ALA supports a review of the resources allocated to dealing with and responding to correspondence to improve on the timeframes in which practitioners and members of the public alike can expect to receive responses when corresponding with the LPB.

### Handling of complaints and disciplinary practices

17. The ALA understands that members of the legal profession have expressed concerns about the LPB/ Legal Profession Complaint's Committee (LPCC) handling of complaints.
18. The ALA has not made extensive enquiries with their members as to individual's experiences with dealing with the LPCC however the feedback that the ALA has received from ALA members is that their dealings with the Investigations & Legal Team has overall been positive.
19. In particular, members shared that:
  - (a) The complaint was clearly explained to them;
  - (b) They were provided with an opportunity to respond to the complaint;
  - (c) The matter was investigated and dealt with in a relatively short timeframe;
  - (d) The LPCC provided a relatively detailed letter to the complainant and the practitioner setting out, and providing explanations for, their findings.

### The LPB's response to interstate claims harvesting practices

20. The ALA opposes the insidious practice of predatory claims harvesting, which is often conducted by firms practicing from interstate. Our leadership and members have a strong record of calling out such activities across Australia.
21. The ALA understands that the Legal Profession Complaints Committee has expressed the view that claims harvesting does not of itself establish misconduct and that whether a lawyer has breached the conduct rules depends on the specific facts of the case.<sup>2</sup>
22. It has been the experience of members that when assisting claimants in the reporting of complaints about predatory claims harvesting practices the LPB has previously responded by

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<sup>2</sup>"*Briefing Paper Injury Insurance Claims Harvesting*", The Law Society of Western Australia, October 2020.

re-directing the complainant to the jurisdiction in which the lawyer is practicing. This is notwithstanding that:

- (a) The incident(s) giving rise to the harvested claims taking place in WA (and therefore being subject to the Western Australian jurisdiction); and
- (b) The complainant(s) being residents of WA and/or located in WA at the time of the harvesting.

23. The ALA's position is that the LPB and LPCC, as the regulator for the provision of legal services in Western Australia, should handle complaints concerning practitioners that are practicing in the Western Australian jurisdiction for Western Australian claimants, irrespective of where the practitioners are physically located.

### Cyber Incident

24. On 26 May 2025, the Dire Wolf ransomware gang advised that it had hacked into the LPB's website and was threatening to publish 300 gigabytes of stolen data.

25. The LPB conducted an investigation into the cyber incident and moved some of its services offline, in particular its online practitioner portal and notified legal practitioners as to the breach.

26. A small amount of information was taken from the Board's environment and was disclosed on 27 May 2025. This included corporate correspondence containing:

- (a) Minimal contact information;
- (b) Some operational and resourcing information;
- (c) Banking information for the Board and a very small number of third parties.

27. The ALA understands that no further information was disclosed. The ALA also understands that manual work arounds were provided to try and account for the fact that practitioners could not access to online portal.

28. The cyber incident occurred around the time of practice certificate renewal and therefore a number of practitioners could not renew their certificates online. This caused a high level of stress and inconvenience for practitioners.

29. The ALA is concerned about the breach but is not in a position to draw any conclusions as to how or whether such an attack could have reasonably been avoided.
30. The ALA also considers that the manual workarounds adopted by the LPB, while inconvenient, did allow practitioners to put through their practising certificate renewals and was therefore an acceptable 'stop gap' in the circumstances.

## Conclusion

31. The Australian Lawyers Alliance (ALA) is appreciative of the opportunity to provide a submission to the Standing Committee on Public Administration-Inquiry into the Legal Practice Board.
32. The ALA supports a review of the resources allocated to regulatory approvals and communication generally with a view to reducing the significant delays experienced by practitioners.
33. Based on the feedback available to the ALA, not having performed extensive inquiries, the ALA considers that the LPB is generally effective in the handling and managing of most complaints, save for those concerning interstate claims harvesting practices.
34. The ALA is available to provide further assistance to Standing Committee on Public Administration on the issues raised in this submission.



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