

Legal Profession (Strengthening Disciplinary Matters) Amendment Bill 2026

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Justice, Integrity and Community Safety Committee
QLD Parliament

25 May 2026

By email

Dear Committee Secretary

SUBMISSION: *LEGAL PROFESSION (STRENGTHENING DISCIPLINARY MATTERS) AMENDMENT BILL 2026*

I am writing to you as **QLD State President of the Australian Lawyers Alliance (ALA)**. The ALA is a national association of lawyers, academics and other professionals dedicated to protecting and promoting justice, freedom and the rights of the individual.

Further, the ALA welcomes the opportunity to provide a brief submission on the *Legal Profession (Strengthening Disciplinary Matters) Amendment Bill 2026*.

The ALA supports the Bill.

We do so for the following reasons:

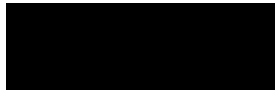
1. **Matching the forum to the gravity of the decision.** Findings of professional misconduct and orders for suspension or removal from the roll are career-ending and quasi-criminal in their effect. The Supreme Court — exercising the inherent disciplinary jurisdiction it has long held over members of the legal profession — is the appropriate forum for those determinations. Moving the work from QCAT to the Court, sitting with a lay panel member and a practitioner panel member, properly aligns the seriousness of the decision with the rigour of the process.
2. **Codification of the *Pennisi* costs approach.** The default position in section 581PV — no order as to costs unless the interests of justice require otherwise — codifies the principles articulated by the Court of Appeal in *Pennisi v Legal Services Commissioner [No 2]* [2023] QCA 251. Codification delivers welcome certainty for both practitioners and the regulator and protects practitioners who are required to defend charges that are not ultimately made out.
3. **Transparency and natural justice.** The statement-of-reasons regime in sections 713C–E, the prohibited-publication framework in section 581PB, and the structured appeal pathways in

Chapter 6D collectively strengthen procedural fairness and bring the disciplinary process closer to ordinary judicial transparency standards.

4. **Preservation of community and profession voice.** The retention of the two-member panel (one lay, one practitioner) under section 581PG ensures the views of both the community and the profession remain part of disciplinary decision-making.
5. **Faithful implementation of the Thomas Review.** The Bill implements all 23 recommendations of the October 2025 *QCAT Act Statutory Review: Legal Practitioner Jurisdiction Report*. The ALA considers the Reviewer's analysis to be sound and the resulting reform package coherent.

The ALA commends the Bill to the Committee and supports its passage.

Yours sincerely,



Peter Gibson
President, Queensland Branch Committee
Australian Lawyers Alliance