LEGAL PROFESSION
CONDUCT COMMISSIONER

ANNUAL REPORT
2024-2025

Contents

Commissioner’s Report

In accordance with section 90A of the *Legal Practitioners Act 1981*, I present to the Attorney General and the Chief Justice the eleventh annual report of the Legal Profession Conduct Commissioner for the year ended 30 June 2025.

OVERVIEW

This is my fourth Commissioner’s Report: my first covered the year preceding my appointment and so was based not upon experience but upon a review of the work of the office. This report covers what is, largely, the third and final year of my first period of appointment as Commissioner and will reflect what I consider to be a strong year of work by my office but also a year of reflection on and modernisation of the role of my office in the regulatory regime for the legal profession in South Australia.

I am pleased to be able to report that I have been reappointed for a further three years and I look forward to a period in which my office continues to modernise and evolve as a regulator.

Annual reports such as this largely ‘report’ on the work undertaken during the previous 12 months; they provide a significant amount of data and records of expenditure. This report will provide such data and records in many of the pages that follow. However, as I mentioned above, I and my office have been reflecting on the role of the Commissioner and it would, I think, be remiss of me not to comment on that reflection and the outcomes that have ensued.

The Legal Profession Conduct Commissioner, like the Legal Practitioners Conduct Board and the Legal Profession Conduct Committee before that, was fashioned as what is commonly referred to as a “command & control” regulator. That is, a set of standards and behaviours are established as a set of “commands” for legal practitioners. My primary role is directed at “controlling” behaviour: obtaining compliance with the commands through disciplinary action. Regulation through command and control is a conventional approach to regulation. My concern is that it might now be somewhat antiquated.

Strictly speaking, both Mr May, when he was Commissioner, and I have stepped outside of the command & control framework from time to time, most often by taking on a more educative role. I regularly speak to the legal profession at professional development seminars and, more recently, have presented two series of seminars in conjunction with the Law Society of South Australia focussing on the blight that is sexual harassment in the legal profession and promoting the ‘active bystander’.

Over the course of my first three years in the role of Commissioner I have formed the view that, though necessary, reactive individual disciplinary action is often a blunt tool for achieving change across the profession. I am concerned that, at least with the current range of possible disciplinary actions, the taking of disciplinary action against any one practitioner might not have the broad general deterrent effect across the profession that is intended. Certainly, the data shows that it seems to be ineffective for achieving change within the relatively small cohort of legal practitioners that are the subject of the bulk of complaints I receive. I pause to note that at the time of writing a bill which includes amendments to the disciplinary actions I might take is before Parliament and that next year's report may paint a different picture.

In the last year my office underwent an organisational review, the first since the office was established. That review reinforced my view that an exclusively command and control regulator has a limited capacity to foster change. The review highlighted the need for my office to be responsive to changes in best the practice regulation of professions in Australia and the need to develop an appropriately adapted and adaptable plan which will meet changes in the way law is practised in Australia (eg, AI). This means that my office must be suitably equipped both in terms of the qualifications and training of the staff of my office but also in terms of the hardware and software available to be deployed in an investigation.

My office has embarked upon a number of exiting developments in the July 2025 quarter as a consequence of the review, details of which will need to await the 2025-26 annual report. Suffice to say that I and my staff continue to strive to provide an effective and efficient regulatory service.

As mentioned, much of this report is given over to the 'data' and so it is appropriate that I briefly highlight some of that data here.

- Overall complaint numbers are on a par with last year. That said, complaints in the first two quarters of 2025 spiked significantly resulting in an increase in monthly terms of about 16%.
- Family law not only remains the area of law with the most complaints but is increasingly so attracting 26% of complaints.
- Estate administration though some distance behind in second place (14.2%) has also seen a rise in complaint numbers.
- Four legal practitioners had their names removed from the Roll of Legal Practitioners in the 2024-25 year.
- I have changed the way the nature of allegations are recorded in order to provide more useful data when considering what disciplinary action might be taken. The change has highlighted that a significant number of complaints arise out of unrealistic expectations as to the operations of the legal system or the outcomes that complainants anticipate will result.
- In terms of the practitioners the subject of complaints, 63% of complaints were made against practitioners with 15 or more years' experience. This is an increase over last year but in keeping with the general trend.
- Total determination numbers are down over the last 12 months though this is coming off a "high water mark" as staff have strived to clear old, complex and document heavy investigations.
- Despite the slowing in determination numbers, and the constant number of complaints, the total number of open investigations has continued to decline.

Having mentioned above, the need to adapt and to be adaptable, the eagle-eyed reader will note that the *Purpose, Vision and Functions* set out below are unchanged. Whether there is a need to change them remains under consideration. The *Function* statement encapsulates the functions set out in the Act and the *Purpose* and *Vision* statements are not prescriptive.

PURPOSE

The Legal Profession Conduct Commissioner's role is to regulate the professional conduct of all lawyers in South Australia as well as interstate and Australian-registered foreign lawyers who practise in South Australia and thereby to maintain the integrity of and public confidence in the legal profession in South Australia.

VISION

The Legal Profession Conduct Commissioner strives to be an independent, robust and respected regulator playing a leadership role in ensuring an ethical, accessible and responsive legal profession in South Australia.

FUNCTIONS

My functions are to receive complaints against legal practitioners (complaints about practitioner conduct and complaints of overcharging by practitioners), to determine which complaints warrant investigation, to investigate those complaints, and to determine whether, in any particular case, there has been misconduct on the part of, and/or overcharging by, the practitioner who is the subject of a complaint.

If I find that there has been misconduct on the part of a practitioner, then I can take disciplinary action against the practitioner myself by exercising one or more of a range of disciplinary powers at my disposal. If I determine that a practitioner's misconduct is particularly serious, such that it warrants a sanction beyond my powers (for example, conduct that in my view warrants the practitioner's name being struck off the Roll), I commence disciplinary proceedings in either the Legal Practitioners Disciplinary Tribunal or the Supreme Court.

If I find that there is overcharging by a practitioner then, in some circumstances, I can make a binding determination as to the amount of the overcharging and, in other circumstances, I can make a (non-binding) recommendation as to what the practitioner's fees should have been.

SEXUAL HARASSMENT AND WORKPLACE BULLYING

Inappropriate workplace and workplace adjacent behaviour remains a key focus of my office. The Equal Opportunity Commissioner's reviews into the legal profession are unflattering to say the least. I continue to work with the Society in seeking to drive change but ultimately change must come from within the profession; history shows that cultural change cannot readily be imposed.

I encourage anyone reading this annual report who is aware of instances of inappropriate behaviour by a legal practitioner to complain to me. If, for any reason, you decide that you cannot make a formal complaint, please consider providing me with the details anonymously through Speak Safely.

STAFF

As I do each year, I would like to acknowledge the outstanding job all my staff do in what are, on occasions, very difficult circumstances. The work this office does is important, both from the profession's perspective and also from that of the public. Not everyone is happy with the outcome of investigations in which they have a vested interest. On occasion, communication from practitioners and the general public can be vitriolic. Nonetheless, my staff continue to discharge their responsibilities in an exemplary, professional way. I am very grateful for their hard work and dedicated service.

FINANCIAL ARRANGEMENTS

My office is funded from the Fidelity Fund, which is established under the Act and maintained by the Law Society.

At the end of this report are my office's financial statements for the reporting period, which have been prepared by my office with the assistance of UHY Sothertons Chartered Accountants, and then audited by UHY Sothertons.

The Attorney-General approved a budget for the reporting period of $3,614,768 including $96,702 GST. My office received payments totalling $2,927,711 including $96,702 GST from the Fidelity Fund – with that figure being determined by deducting from the approved budget $100,000 on account of the interest that we anticipated we would earn on those funds (in fact, $82,731 in interest was earned on those funds).

The financial statements for the reporting period show that the total income during the reporting period was $2,913,740 comprising:

- $2,831,009 from the Fidelity Fund; and
- $82,731 earned in interest.

The financial statements for the reporting period show that expenditure during the reporting period was $3,328,891. After adding back capitalised costs for capital expenditure (ie $14,309) and deducting non-cash components (ie depreciation of $32,983), actual cash expenditure was $3,310,219.

Accordingly, the net result for the reporting period was:

- an underspend by reference to the approved budget of $189,174; and
- a total operating underspend (by reference to income received in relation to the reporting period) of $190,579.

As is always the case, the main expenditure of my office takes the form of salaries for my staff, rent for our office premises, and counsel fees. Counsel fees, which I continue to maintain at low levels, in part due to undertaking much of my own counsel work, remain a significant variable in relation to budget. A single contested matter can result in significant fees being incurred.

In May 2024 and then in August, September, November and December 2024, senior and junior counsel appeared on my behalf in the Court of Appeal to address a series of legal issues arising out of charges I had laid in the Legal Practitioners Disciplinary Tribunal. There was the prospect of a significant costs order against me if the Court of Appeal were to find against me. As it happens, costs orders were made largely in my favour which will permit me to recover a significant portion of the costs incurred. That said, the underlying charges are yet to be determined and so significant costs have been incurred in the Legal Practitioners Disciplinary Tribunal proceedings with an outcome and subsequent costs orders unlikely to be finalised before the third quarter of the 2025-26 financial year.

On occasion I am awarded legal costs in proceedings before the Tribunal and the Supreme Court. Any such award of costs is intended to compensate me for the costs I incur in litigation. Moneys I recover are returned to the Fidelity Fund.

I also receive moneys in the form of fines imposed on practitioners either by me or by the Tribunal or the Supreme Court. Moneys received on account of fines are forwarded to the Treasurer for General Revenue.

In the reporting period, in various proceedings, I recovered $6,249.97 in costs awarded and received $73,450 on account of fines.

For the sake of comparison, and having regard to the reduction in complaint numbers for the year and my lesser staff numbers, I note that the approved budget for 2024/2025 is $4,410,900 including $161,112 GST. At first glance this appears to be a significant increase in the approved budget. The reason for that increase, however, is special funding of $525,760 (plus GST) for a significant and long overdue IT upgrade and changes to the provision of ongoing IT services.

REGISTER OF DISCIPLINARY ACTION

Section 89C of the *Legal Practitioners Act 1981* requires the Legal Profession Conduct Commissioner to maintain a public register of practitioners who, after 1 July 2014, are subject to certain types of disciplinary action.

A finding of professional misconduct against a practitioner (whether made by the Supreme Court, the Tribunal, or by me) must be displayed on the Register. A finding of unsatisfactory professional conduct may be displayed on the Register. The Register shows what order(s) was made – such as whether the practitioner was struck off, suspended from practice, reprimanded, fined or similar. Links to relevant decisions of the Tribunal and to judgements of the Supreme Court are also provided.

The Register is available on my website at www.lpcc.sa.gov.au. I have no doubt that it is a useful resource for members of the public, and hopefully for the profession too.

To finish my report, I would like particularly to thank the Attorney-General for his ongoing support of my office.

Anthony Keane
Legal Profession Conduct Commissioner
30 October 2025

People who carried out the work of the Commissioner

STAFF MEMBERS - AS AT 30 JUNE 2024

Title	Name	Commenced (with Board / Commissioner)
Commissioner	Anthony Keane	August 2022
Solicitor (costs)	Rebecca Birchall	September 2005
Solicitor / Conciliator	Paul Blackmore	April 2013
Solicitor	Sarah Brown	December 2023
Solicitor	Kathryn Caird	August 2012
Solicitor	Sharon Hurren	April 2007
Solicitor	John Keen	January 2017
Solicitor	Nadine Lambert	June 2007
Solicitor	Debra Miels	October 2010
Solicitor	Danielle Stopp	December 2023
Solicitor	Priya Subramaniam	October 2018
Solicitor / Conciliator	Amelia Taeuber	March 2010
Systems Manager	Bart Fabrizio	March 2010
Paralegal	Yvette Manocchio	October 1997
Admin Officer	Robyn Hurni	November 2011
Admin Officer	Lee Moulden	August 2012
Admin Officer	Pat Porter	August 2006
Enquiry Line Officer/Admin Officer	Rosie Lionello	May 2025

Investigations by the Commissioner

COMPLAINT / INVESTIGATION PROCESS

The Legal Profession Conduct Commissioner is obliged to investigate any valid complaint they receive about a practitioner, and must investigate a practitioner's conduct if they are directed to do so by the Attorney-General or the Law Society. In addition, the Legal Profession Conduct Commissioner may decide to make an "Own Initiative Investigation" into a practitioner's conduct if they have reasonable cause to suspect misconduct. I will make an Own Initiative Investigation following a report from the Law Society under section 14AB, following a referral from the Judiciary or the Police, as well as in other circumstances in which I obtain information sufficient to conclude that I have reasonable cause to suspect misconduct (including information obtained in the course of another investigation).

To constitute a valid complaint, a complaint must be in writing, and sufficiently detailed (in terms of describing the alleged misconduct the subject of the complaint) so that the Legal Profession Conduct Commissioner can decide whether to investigate. In addition a valid complaint must identify the complainant.[1] I will only investigate a complaint if the issues raised in the complaint can properly and fairly be put to the practitioner for a response. Vague or speculative allegations of misconduct may result in a request for further information before I will decide whether a complaint is a valid complaint and whether it warrants investigation.

While I may commence an investigation as a consequence of a complaint or own my own initiative, investigations once commenced are at large. That is, they are investigations into a legal practitioner's conduct and are circumscribed by the requirement for procedural fairness and not the mechanism for their commencement.

Section 77B(3c) provides that a complaint must be made to the Legal Profession Conduct Commissioner within 3 years of the conduct complained of, or such longer period as the Legal Profession Conduct Commissioner may allow. I will consider the exercise of my discretion to receive a late complaint only after I have received an explanation for the delay and after taking into account any prejudice to the practitioner which might arise due to the delay.

Although the Act provides that complaints meeting the requirements of section 77B(3c) must be investigated, section 77C gives the Legal Profession Conduct Commissioner the capacity to close a complaint at any stage without having to (further) consider its merits. Some of the circumstances in which I may do so are where:

- the complaint is vexatious, misconceived, frivolous or lacking in substance; or

[1] For this reason I speak of reports received through *Speak safely* as, generally, the identity of the reporter is not to be disclosed beyond my office.

- the subject matter of the complaint has been or is already being investigated, whether by me or by another authority; or
- the subject matter of the complaint is the subject of civil proceedings (and there is no disciplinary matter involved); or
- I am satisfied that it is otherwise in the public interest to close the complaint.

The Legal Profession Conduct Commissioner has wide powers when investigating a legal practitioner's conduct – with the most commonly used being the power to:

- require a practitioner to produce any specified document, to provide written information, or to otherwise assist in, or cooperate with, the investigation; and
- require any other person (which may include a non-practitioner) to allow access to documents relating to the affairs of a practitioner.

Despite having a professional obligation to be open and frank in their dealings with my office, and to respond within a reasonable time to any requirement from my office for comment or information, not all practitioners are as prompt in responding to my office as they should be. A small few fail to engage with my office at all.

During the reporting period, I issued three notices under clause 4(1) of Schedule 4 requiring the production of documents and the provision of information as a result of the practitioner's failure to respond to earlier requests.

Non-compliance with a Schedule 4 notice is professional misconduct. Despite this, some legal practitioners fail to comply with Schedule 4 notices leaving me with few options to progress an investigation. Historically, where there has been non-compliance with Schedule 4 notices, the Commissioner has laid a charge in the Tribunal. Unfortunately, the laying of a charge rarely results in the prompt production of documents and answers and investigations regularly stall as a result. A change of approach has been required and I have turned my attention to my powers under search warrants. In the 2025-26 annual report, data will be included in respect of the number of search warrants executed by my office. I am hopeful that my recourse to search warrants may see a decline in legal practitioner non-cooperation.

Once an investigation is complete, the Legal Profession Conduct Commissioner makes a determination in relation to the practitioner's conduct. The Commissioner can decide either that:

- there is no misconduct (or that there is no or insufficient evidence of misconduct) on the part of the practitioner; or
- they are satisfied that there is evidence of misconduct on the part of the practitioner.

Usually, if satisfied that there is evidence of misconduct, I will take disciplinary action against the practitioner myself under section 77J – eg by reprimanding the practitioner, ordering the practitioner to apologise for the misconduct, ordering the practitioner to pay a fine, imposing conditions on the practitioner's practising certificate, suspending the practitioner's practising certificate etc – although sometimes this can only do so with the consent of the practitioner.

Where I consider that I cannot adequately deal with the misconduct under section 77J, then I must lay a charge against the practitioner before the Tribunal (unless I decide that it is not in the public interest to do so).

In the rare circumstance where I find myself, at the end of an investigation, satisfied that there is evidence of professional misconduct but unable to reach a concluded view as to whether professional misconduct occurred, I may lay a charge in the Tribunal.

If I take disciplinary action myself under section 77J, then I am conscious of the need for parity and consistency with other similar decisions.

In some limited circumstances, if I take the view that a practitioner should be struck off the Roll, then I may institute proceedings directly in the Supreme Court without first having laid a charge before the Tribunal.

NUMBER OF FORMAL COMPLAINTS

The following number of complaints have been received over the last 5 years:

	Complaints (including intake and pre-intake files)	Intake files	Pre-intake files
2020/21	409	56	20
2021/22	380	33	24
2022/23	350	36	17
2023/24	366	36	33
2024/25	358	36	24

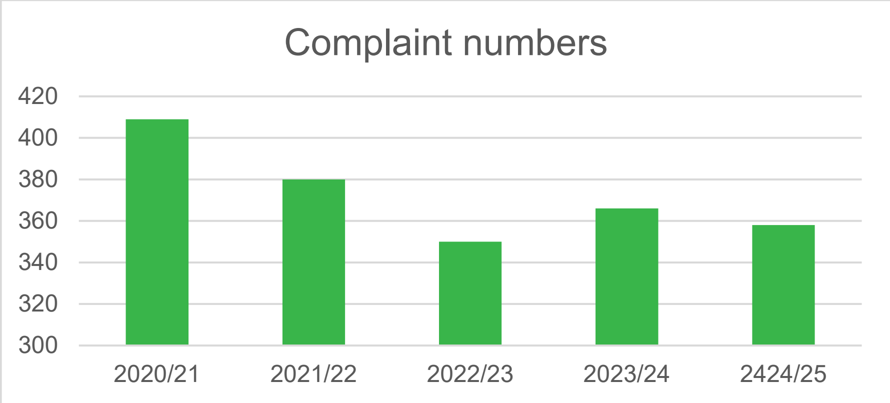
For these purposes, a “complaint” comprises the following:

- a complaint made by the client of the practitioner complained of;
- a complaint made by a third party (see immediately below); and
- an Own Initiative Investigation.

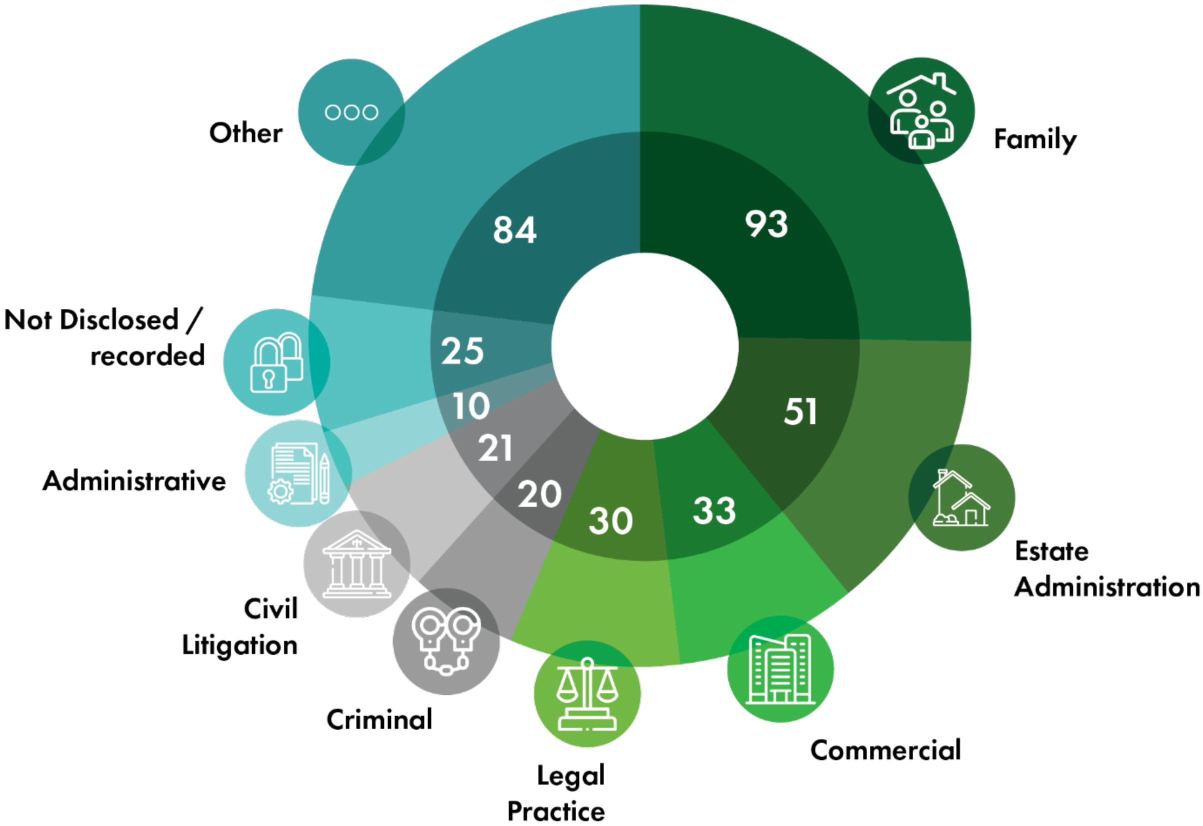
A third party complaint is one where the complaint is made by someone other than the practitioner’s client and includes complaints by one legal practitioner against another legal practitioner. Common examples are:

- a person complains about the conduct of the practitioner who is acting for the person’s spouse in their family law proceedings; and
- a beneficiary of a deceased estate complains about the conduct of the practitioner who is acting for the executor of that estate.

A pre-intake file is one in which the complainant has not yet paid the necessary fee to lodge the complaint, and where a fee waiver application has not been granted. An intake file is a file that had passed the pre-intake stage but had not progressed to the investigation stage by the end of the reporting period.



NATURE OF MATTERS COMPLAINED OF / INVESTIGATED



Some complaints extend to more than one area of law.

COMPARISON OF COMPLAINTS FOR LAST THREE YEARS FROM TOP FIVE AREAS OF LAW

Area of Law	2022/23 Complaints	2023/24 Complaints	2024/25 Complaints
Family	18.9%	19.7%	26%
Estate Administration	12.3%	9.6%	14.2%
Commercial			9.2%
Legal Practice		10.6%	8.4%
Civil Litigation	6.3%		5.9%
Total of top five	50.9%	59.0%	63.7%

Family remains the number one are of law for complaints and the area of law seeing the most growth in complaint numbers. Complaints arising from the administration of deceased estates is following a similar pattern.

NATURE OF ALLEGATIONS MADE

In the reporting period 334 new investigation files were opened (not including pre-intake files). I have recorded a total 594 allegations made across those files. In truth, the number of allegations is vastly higher as complainants often make numerous allegations of varying gravity and clarity and, for reasons of efficacy, not all allegations will be separately recorded.

Historically, the Legal Profession Conduct Commissioner has reported allegations across a wide range (71) of categories. As a consequence, there have often been numerous categories with low numbers. For this reporting year I sought to refine the nature of the allegations and to group them in a manner which, I hope, provides the reader with a better understanding of the primary issues of complaint. Allegations are now grouped into 4 broad categories: professional conduct; compliance and regulatory conduct; service quality; and competence and diligence. Each of the four broad categories is divided into subcategories with their now being 24 overall categories for allegation types.

Under this new system, compliance and regulatory conduct has the most allegations followed closely by competence and diligence and professional conduct. Looking at the subcategories: negligence and overcharging are the main types of allegations followed by misleading conduct, delay and breach of the conduct rules.

Professional conduct (141)	**Compliance & Regulatory (160)**	**Service Quality (111)**	**Competence & Diligence (145)**
Misleading conduct 53	Overcharging 74	Delay 45	Negligence 88
Conflict of interest 19	Conduct Rules 44	Communication 35	Instructions not followed 42

A review of last reporting year's nature of allegations numbers indicates that there is a general consistency across the four main categories in terms of frequency of allegations. That was to be expected.

What I believe can be gleaned from these figures is that, overcharging aside, a significant proportion of complaints arise from the complainants' belief that the legal practitioners with whom they have engaged are simply not very good at their job (negligence), are inclined to make untrue statements (misleading), or simply do not achieve a result quickly enough (delay).

I consider that there is some quite useful truths contained is this data; here, though, is not the place to expand upon them. Suffice to say, I would suggest that a significant proportion of complaints arise because the realities of engaging with the legal system do not match the expectations of those engaging. This is consistent with my view that clear, accurate and timely communication is the best way to avoid a complaint.

PROFILE OF PRACTITIONERS BEING COMPLAINED ABOUT

COMPLAINTS BY TYPE OF PRACTICE FOR THE LAST TWO REPORTING PERIODS

Type of practice	2023/2024		2024/2025	
	Number of Complaints		Number of Complaints	
Director incorporated practice	103	28.1%	111	31%
Employee	83	22.7%	94	26.3%
Sole Principal	69	18.8%	64	17.9%
Barrister	25	6.8%	20	5.6%
Partner	22	6%	19	5.3%
Non-practising	27	7.4%	18	5%
Government employee (including Legal Services Commission)	12	3.3%	14	4%
Interstate practitioner	7	1.9%	7	2%
Judiciary	4	1.1%	1	0.3%
Unknown/Other	14	3.8%	10	2.8%
Total	**366**		**358**	

COMPLAINTS BY GENDER

Gender (2024/25)	Number of Complaints	% of Total Complaints	Number of Practitioners	% of Practising Profession
Men	211	59%	2156	44%
Women	135	38%	2752	56%
Firm / unknown	12	3.4%	N/A	N/A
Total	**358**		**4908**	

There was no statistically significant shift from the previous reporting period.

COMPARISON OF PRACTITIONERS WHO RECEIVED A COMPLAINT BY POST-ADMISSION EXPERIENCE

Length of time in practice	2021	2022	223	2024	2025
Less than 5 years	31 7.6%	18 4.7%	30 8.5%	36 9.58%	21 5.9%
5–10 years	48 11.7%	59 15.5%	36 10.2%	46 12.6%	45 12.6%
10–15 years	62 15.2%	65 17.1%	47 13.4%	65 17.7%%	50 14%
More than 15 years	244 59.6%	222 58.4%	222 63.4%	200 54.6%	225 63%
Not admitted, not identified or a firm	24 5.9%	16 4.2%	15 4.3%	19 5.2%	17 4.7%

As I stated in last year's report, there is a general consistency in the complaint data across the years: men remain overrepresented in complaints as do senior practitioners relative to total numbers of practitioners. This reporting year's numbers reinforce my previously expressed view that two statistics are likely linked and that the gender disparity in complaint numbers will likely moderate over time.

Case management

FILES OPENED AND CURRENT NUMBERS

COMPARISON OF OPENED AND CLOSED INVESTIGATION FILES FOR THE LAST FOUR REPORTING PERIODS

Status of file	2021/22	2022/23	2023/24	2024/25
New files opened*	356	333	333	334
Current investigations as at 30 June	591	530	482	451

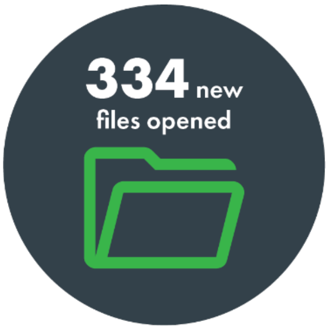
** Excludes pre-intake files.*

COMPARISON OF CURRENT FILES BY CATEGORY FOR THE LAST FOUR REPORTING PERIODS

Category	30 June 2022	30 June 2023	30 June 2024	30 June 2025
Investigation*	591	530	482	451
Tribunal	28	27	18	10
Supreme Court	14	6	7	8
High Court	0	0	0	0
Total	633	563	507	469

** Includes completed investigations where determinations have been made but administrative tasks are yet to be completed.*

All new complaints are opened initially as pre-intake files. Once the fee has either been paid or waived, they become intake files. Those that are obviously valid complaints are converted immediately into investigation files.



For any matter where I must make a decision to investigate (eg a complaint that is made more than three years after the conduct complained of) an investigation file is only opened once I have made the relevant decision.

Following an investigation, if I resolve to lay a charge against a practitioner in the Tribunal for misconduct, the investigation file is generally dormant and a new file is opened for the Tribunal proceedings.

We also have different categories of files for Supreme Court proceedings – which include:

- appeals (either by me or by the relevant practitioner) against a Tribunal decision;
- applications for suspension and/or strike off; and
- proceedings in relation to show cause events.

While the number of Tribunal files, that is files relating to charges or applications in the Tribunal in which I am a party has dropped in the last reporting period that largely arises from the finalisation of one long running matter involving some fice sets of charges and my decision to withdraw a number of charges after reaching an agreement with the practitioner to proceed under section 77J(2). Only four litigation files were opened in the reporting period with charges laid against four practitioners.

DETERMINATIONS MADE

I made a total of 399 Determinations across 369 investigations during the reporting period, comprising the following:

- 247 Determinations (71%) to close the complaint under section 77C – and, of those matters that were so closed:
    - 72 of them were closed without commencing an investigation; and
    - 4 of them were overcharging complaints;
- 25 Determinations that there was no misconduct (or no or insufficient evidence of misconduct) on the part of the relevant practitioner;
- 25 Determinations that there was unsatisfactory professional conduct on the part of the relevant practitioner, as a result of which I took disciplinary action under section 77J(1);
- 19 Determinations that there was professional misconduct on the part of the relevant practitioner, as a result of which I took disciplinary action under section 77J(2). In one instance the practitioner consented only after I laid a charge in the Tribunal. The charge was withdrawn after the practitioner consented to disciplinary action under section 77J(2);
- 2 Determinations to institute disciplinary proceedings against a legal practitioner in the Supreme Court under section 89(1a), without first laying a charge before the Tribunal; and
- 27 Determinations and Reports relating to overcharging (which are expanded on below).

In relation to Own Initiative Investigations previously commenced, I decided to take no further action in respect of 16 investigations.

In relation to the overcharging complaints (other than those closed under section 77C), I made:

- 21 reports under section 77N in relation to matters in which I made no finding of overcharging; and
- 6 reports under section 77N in which I recommended that the practitioner/firm reduce its fees and/or refund an amount.

In respect of the 25 occasions in which I was satisfied that there was evidence of unsatisfactory professional conduct on the part of the practitioner, the following disciplinary action was taken under section 77J(1):

- reprimanded 24 practitioners;
- ordered 5 practitioners to undertake certain training, education or counselling, or to be supervised;
- ordered 6 practitioners to make an apology;
- ordered 11 practitioners to pay a fine;
- ordered that 2 conditions be imposed on the practising certificate of one of those practitioners; and

In respect of the 18 occasions in which I was satisfied that there was evidence of professional misconduct on the part of the practitioner but which did not warrant the laying of a charge, the following disciplinary action was taken under section 77J(2):

- reprimanded the 18 practitioners;
- ordered 17 of the practitioners to pay a fine;
- ordered that 1 practitioner enter into a Professional Mentoring Agreement; and
- ordered that conditions be imposed on the practising certificates of two of the practitioners.

DECISIONS IN RELATION TO INTAKE FILES

During the reporting period, I made a total of 38 decisions on intake files finalising them without treating them as formal complaints. I did so for the following reasons:

- 2 decisions that there was not reasonable cause to suspect that the relevant practitioner had been guilty of misconduct, such that I could not make an own initiative investigation under section 77B(1);
- 6 decisions that the complaint did not satisfy the requirements of section 77B(3a) – that is, because they did not identify the complainant and/or identify the legal practitioner about whom the complaint was being made and/or sufficiently describe the alleged conduct the subject of the complaint;
- 22 decisions that a complaint was not made within the 3 year time limit referred to in section 77B(3c) (ie, from the date of the conduct being complained of), and I decided not to exercise my discretion to allow a longer period within which to complain;
- 3 decisions to refer the complaint to another body; and
- 5 decisions to take no further action.

DECISIONS IN RELATION TO PRE-INTAKE FILES

During the reporting period, I made 21 decisions on pre-intake files finalising them without treating them as formal complaints. In each case I did so as the fee to lodge the complaint was not paid, the complaint was withdrawn or I decided to take no further action.

Conciliation and enquiries

CONCILIATION

Sections 72(1)(d) and 77O give my office the power to conciliate complaints. Complaints may be referred to conciliation by my investigating solicitors during the course of their investigation, or by me directly upon receipt of the complaint. Conciliation can be either ‘informal’ (conducted over the telephone, by email or exchange of written correspondence) or ‘formal’ (involving the parties attending a meeting at my office facilitated by one of my conciliators).

Complaints are usually only conciliated where there is a dispute between a practitioner and his or her own client, although in some limited circumstances there may be a conciliation between a practitioner and a third party. Conciliation is most commonly used in circumstances where there are costs disputes, communication breakdowns or when a client seeks the return of their documents or client file from the practitioner.

If a complaint is successfully conciliated, my conciliators will assist the practitioner and the complainant to record their resolution in a formal conciliation agreement as required by section 77O(4).

Then, in appropriate circumstances, I am able to bring the complaint to an end. Unless I have already seen conduct issues that concern me, I will most likely close the complaint under section 77C following a successful conciliation on the basis that it is in the public interest to do so. That is, if a conciliated agreement can be reached between practitioner and complainant, then it is likely to be in the public interest that I then devote my office’s resources to other complaints that need to be investigated and that aren’t yet resolved, rather than further investigating a complaint that has been resolved.

If however the practitioner doesn’t comply with the terms of the conciliated agreement, that will give rise to a new misconduct issue that I would most likely need to investigate, as per section 77O(6).

During the reporting period, there were 22 conciliations of complaints undertaken by my conciliators, which was 2 more than the previous reporting period. Of those 22 conciliations, 14 resolved, 6 did not resolve and 2 were ongoing at time the reporting period closed. Overwhelmingly, the majority of those complaints concerned disputes about overcharging.

ENQUIRIES

The Enquiry Line is intended to assist people by directing them on how to make a complaint or, if the Commissioner is not the correct entity for their concerns, by directing them to alternative bodies. The Enquiry Line is not for the provision of legal advice or for the receipt of oral complaints. Nonetheless, a significant number of people contacting the Enquiry Line will seek to discuss their complaint and, on occasion, in quite some detail.

Having reviewed the enquiry line service, I was concerned that having an enquiry line staffed by solicitors was inefficient and potentially a risk in that enquirers would consider that they had received legal advice with which they subsequently took issue. Consequently, during the reporting period, I employed a dedicated Enquiries and Administration Officer to attend to our enquiry line; the three solicitors who previously shared this role on a rostered basis have been able to focus their attention on investigations.

Our enquiry line received 639 enquiry contacts this reporting period, which was 125 more enquiry contacts received than during the previous reporting period.   Most enquiries to my office are made by telephone, though my website does permit enquirers to send their enquiry by email. Of those 639 enquiry contacts received, 588 were received by telephone.

The types and numbers of matters about which we receive enquiries broadly reflect the types and numbers of matters about which we receive complaints.

Family Law was the most enquired about area of law followed by Estate Administration, Criminal Law and Personal Injury. These results are consistent with the previous reporting period.

The main issues raised by enquirers contacting the Enquiry Line were negligence, overcharging, delay, and poor or no communication. These results were all consistent with the previous reporting period.

Litigation work

TRIBUNAL PROCEEDINGS

As I have said previously, if I consider that I cannot adequately deal with a practitioner’s misconduct under section 77J, then I must lay a charge against the practitioner before the Tribunal (unless I decide that it is not in the public interest to do so). I am not the only party who can lay a charge of misconduct against a practitioner before the Tribunal. A charge can also be laid by the Attorney General or the Law Society, or by *a person claiming to be aggrieved by reason of* the alleged misconduct. My annual reports generally refer only to charges that I have laid.

As I mentioned in last year’s report, there has been a trend since the introduction of the Legal Profession Conduct Commissioner which has seen a reduction in the number of charges laid by the Legal Profession Conduct Commissioner. I consider that this has likely arisen as a result of an increasing acceptance of disciplinary action taken by the Legal Profession Conduct Commissioner under section 77J(2) (a power which was not available to the Legal Practitioners Conduct Board).

In 2013/14, the Board laid charges against 11 practitioners. The introduction of the office of the Commissioner and the associated powers to take disciplinary actions resulted in an immediate reduction in the number of charges being laid in the Tribunal.

In the reporting period, I laid one charge in the Legal Practitioners Disciplinary Tribunal (which I subsequently withdrew consequent upon the practitioner’s consent to my proposed disciplinary action under section 77J(2)).

While I have not been required to press new charges in the Legal Practitioners Disciplinary Tribunal that is not to say that I have not otherwise been engaged in matters in the Tribunal. During the reporting period:

- a number of outstanding proceedings were finalised, including three proceedings against Janusz Kaminski which became otiose after Mr Kaminski’s name was removed from the Roll of Practitioners;
- I was served with two new appeals by a practitioner and one appeal by a complainant arising from determinations I had made; and
- unfinalised charges laid by me against three other legal practitioners remain ongoing.

SUPREME COURT MATTERS

During the reporting period, the Court of Appeal handed down a number of significant decisions arising from charges I had laid in the Legal Practitioners Disciplinary Tribunal: *Legal Profession Conduct Commissioner v Belperio*, *Legal Profession Conduct Commissioner v Belperio (No 2)* and *Legal Profession Conduct Commissioner v Belperio (No 3)*.

In addition, on my application, the Full Court of the Supreme Court removed the names of four legal practitioners from the South Australian Roll of Practitioners:

- Robert Harrap;
- John Fitzpatrick;
- Roxanne McCardle; and
- Mark Freer.

Three other notable proceedings were commenced by legal practitioners during the reporting period:

- Thomas Owen commenced an application seeking an order from the Supreme Court that he be permitted to charge for work undertaken in administering a deceased estate in circumstances in which the Will, which was drafted by Mr Owen, did not contain a drafting clause. That application is complicated by the fact that I have charged Mr Owen with misconduct based on his conduct in administering the estate. This proceeding is ongoing.
- David Starke commenced judicial review proceedings against me seeking to have set aside a purported decision by me to "abandon" the disciplinary process. Those proceedings ostensibly sought to have charges laid by me in the Legal Practitioners Disciplinary Tribunal stayed or withdrawn. The application has since been dismissed.
- Peter Hill filed a Show Cause notice pursuant to section 20AH of the *Legal Practitioners Act 1981* as a consequence of his conviction for leaving the scene of a motor vehicle accident having caused harm without providing particulars (contrary to s 19AB(2) of the *Criminal Law Consolidation Act 1935*). This proceeding is ongoing.

ACCESS TO DECISION

All Tribunal decisions and Supreme Court decisions referred to in this report can be accessed from any one or more of:

- my website at www.lpcc.sa.gov.au
- the Tribunal's Secretary, Mr Glenn Hean (08 8204 8425 / lpdt@courts.sa.gov.au)
- AustLII.

Interpretation of terms used in this report

Act – the *Legal Practitioners Act 1981*

2019 Amendment Act – the *Legal Practitioners (Miscellaneous) Amendment Act 2019*

Board – the former Legal Practitioners Conduct Board, which ceased to exist on 30 June 2014

Chief Justice – the Chief Justice of the Supreme Court

Commissioner – the Legal Profession Conduct Commissioner

Law Society – the Law Society of South Australia

intake file is a file that is not, for the purposes of our complaints management system, treated immediately as a formal complaint, unless and until the Commissioner exercises his discretion to treat it as such

misconduct means both unsatisfactory professional conduct and professional misconduct

Own Initiative Investigation – an investigation into a practitioner's conduct commenced by the Commissioner in the absence of a complaint in accordance with section 77B(1)

practitioner – a person duly admitted and enrolled as a barrister and solicitor of the Supreme Court, or an interstate practitioner who practises the profession of the law in South Australia

reporting period – 1 July 2024 to 30 June 2025

Roll – the roll (register) of practitioners duly admitted and enrolled in South Australia as a barrister and solicitor of the Supreme Court, which roll is kept by the Supreme Court

professional misconduct includes, in relation to pre-1 July 2014 conduct, "unprofessional conduct" as that term was defined in section 5 before 1 July 2014

Supreme Court – the Supreme Court of South Australia

Tribunal – the Legal Practitioners Disciplinary Tribunal

unsatisfactory professional conduct includes, in relation to pre-1 July 2014 conduct, "unsatisfactory conduct" as that term was defined in section 5 before 1 July 2014

vexatious litigant – a person who is subject to an order under section 39 of the *Supreme Court Act 1935* prohibiting him or her from instituting proceedings (or proceedings of a particular class)

A reference in this report (without more) to a section or a Schedule is a reference to a section or a Schedule of the Act

Any term that is defined in the Act has the same meaning in this Report as it has in the Act.

LEGAL PROFESSION CONDUCT COMMISSIONER

ABN 74 875 673 354

FINANCIAL REPORT

FOR THE YEAR ENDED
30 JUNE 2025

LEGAL PROFESSION CONDUCT COMMISSIONER

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LEGAL PROFESSION CONDUCT COMMISSIONER

AUDITOR'S INDEPENDENCE DECLARATION
TO THE LEGAL PROFESSION CONDUCT COMMISSIONER

I declare that, to the best of my knowledge and belief, during the year ended 30 June 2025 there have been:

i. no contraventions of the auditor independence requirements in relation to the audit; and,

ii. no contraventions of any applicable code of professional conduct in relation to the audit.

UHY Sothertons

UHY SOTHERTONS Adelaide Partnership

ALEX READE
Partner

Dated 28 October, 2025

LEGAL PROFESSION CONDUCT COMMISSIONER

STATEMENT OF INCOME & EXPENDITURE
FOR THE YEAR ENDED 30 JUNE 2025

	Note	2025 $	2024 $
INCOME			
Operating - Fidelity Fund		3,418,066	3,495,420
Interest on Funds		82,731	123,989
Prior year Funds Reconciliation		(587,057)	-
TOTAL INCOME		**2,913,740**	**3,619,409**
EXPENDITURE			
Salaries and Staff Expenses			
Amenities		1,684	1,876
Car Parking		-	991
Consultants		28,500	-
First Aid Allowance		1,836	1,359
Fringe Benefits Tax		6,507	6,392
Professional Development		13,166	13,918
Provision for Annual Leave		4,229	(25,315)
Provision for Long Service Leave		10,129	74,177
Payroll Tax		82,394	71,895
Practising Certificates		11,748	12,350
Salaries - Professional	9	1,548,657	1,477,813
Salaries - Support Staff		330,978	328,310
Salaries - Parental Leave		-	10,315
Subscriptions/Membership		1,317	836
Superannuation		211,930	199,888
Reportable Employer Superannuation		32,676	34,747
Work Cover	10	3,405	12,364
Total Salaries and Staff Expenses		2,289,157	2,221,917
Counsel Fees	16	128,413	72,646
Associated Costs	16	1,120	4,188
External Delegations	16	6,389	-
Total External Expert Expenses		135,922	76,833

These financial statements should be read in conjunction with the accompanying notes and the Auditor's report.

LEGAL PROFESSION CONDUCT COMMISSIONER

STATEMENT OF INCOME & EXPENDITURE
FOR THE YEAR ENDED 30 JUNE 2025

	Note	2025 $	2024 $
Equipment Expenses			
Computer - Operating, Licences, Software		139,177	125,681
Computer - Provision/Purchase		169	27,436
Computer - Repairs and Maintenance		97,367	64,768
Depreciation		32,983	62,174
Lease Charges - Photocopier		5,061	3,678
Photocopier		1,123	2,417
Repairs and Maintenance		6,074	1,991
Total Equipment Expenses		281,955	288,147
General Expenses			
Audit Fees		8,530	9,570
Accounting Services		40,320	38,400
Bank Charges		410	348
Courier Services		910	1,255
General Office Expenses		3,566	-
Insurance		33,184	25,128
Internet Services		4,514	7,725
Library		293	15
Occupational Health and Safety		1,106	578
Merchant Fees		540	487
Postage		-	7,700
Printing and Stationery		15,099	18,638
Security & Website		4,196	8,837
Records Management		38,572	32,963
Telephone and Fax		5,855	2,057
Travel		9,724	1,521
Website Development		3,899	2,219
Total General Expenses		170,718	157,440
Occupancy Expenses			
Light and Power		24,174	19,864
Office Cleaning		25,055	29,996
Rent	11	402,001	347,039
Security		1,250	1,212
Total Occupancy Expenses		452,480	398,111
TOTAL EXPENDITURE		**3,330,230**	**3,142,448**
TOTAL OPERATING SURPLUS/(DEFICIT)		(416,490)	476,960
ACCUMULATED FUNDS AT THE BEGINNING OF THE YEAR		907,603	430,641
ACCUMULATED FUNDS AT THE END OF THE YEAR		**491,113**	**907,603**

These financial statements should be read in conjunction with the accompanying notes and the Auditor's report.

LEGAL PROFESSION CONDUCT COMMISSIONER

STATEMENT OF FINANCIAL POSITION
AS AT 30 JUNE 2025

	Note	2025 $	2024 $
CURRENT ASSETS			
Cash	2	1,345,563	1,745,051
Receivables	3	39,292	38,226
Prepayments	4	-	-
TOTAL CURRENT ASSETS		1,384,856	1,783,277
NON-CURRENT ASSETS			
Fixed Assets	5	39,446	58,119
TOTAL NON-CURRENT ASSETS		39,446	58,119
TOTAL ASSETS		1,424,301	1,841,396
CURRENT LIABILITIES			
Creditors and Accruals	6	187,525	202,488
Provisions	7	745,663	731,305
TOTAL CURRENT LIABILITIES		933,188	933,793
TOTAL LIABILITIES		933,188	933,793
NET ASSETS		**491,113**	**907,603**
ACCUMULATED FUNDS			
Retained Funds	8	491,113	907,603
TOTAL ACCUMULATED FUNDS		**491,113**	**907,603**

These financial statements should be read in conjunction with the accompanying notes and the Auditor's report.

LEGAL PROFESSION CONDUCT COMMISSIONER

RECONCILIATION OF CASH
FOR THE YEAR ENDED 30 JUNE 2025

	Note	2025 $	2024 $
Operating Surplus/(Deficit)		(416,490)	476,960
Depreciation		32,983	62,174
Movement in Provision for Annual Leave		4,229	(7,657)
Movement in Provision for Long Service Leave		10,129	74,177
Movement in Provision for Workers Compensation		-	10,969
Payables		(14,964)	53,674
Purchase of Office Furniture		(3,798)	(998)
Purchase of Office Equipment		(10,511)	(36,315)
Prepayments		-	30,079
Receivables		(1,067)	(4,766)
		17,000	181,337
Net Increase in Cash Held		(399,489)	658,298
Cash at Beginning of Financial Year		1,745,048	1,086,750
Cash at End of Financial Year	2	**1,345,563**	**1,745,048**

These financial statements should be read in conjunction with the accompanying notes and the Auditor's report.

LEGAL PROFESSION CONDUCT COMMISSIONER

NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2025

NOTE 1: STATEMENT OF ACCOUNTING POLICIES

The Legal Profession Conduct Commissioner ("Commissioner") has prepared the financial statements on the basis that the Commissioner is a non-reporting entity. These financial statements are therefore special purpose financial statements.

The financial statements have been prepared on the basis of historical costs unless otherwise stated.

The following significant accounting policies, which are consistent with the previous period unless otherwise stated, have been adopted in the preparation of this financial report.

(a) Revenue
Grant revenue is recognised in the income and expenditure statement when the Commissioner obtains control of the grant and it is probable that the economic benefits gained from the grant will flow to the Commissioner and the amount of the grant can be measured reliably.

If conditions are attached to the grant which must be satisfied before it is eligible to receive the contribution, the recognition of the grant as revenue will be deferred until those conditions are satisfied.

All revenue is stated net of the amount of goods and services tax (GST).

(b) Expenditure
Expenditure is recognised when the Commissioner pays or incurs the cost of the goods or services and is obligated to pay for it. Services are not amortised over the period of service.

(c) Fixed Assets
Leasehold improvements and office equipment are carried at cost less, where applicable, any accumulated depreciation.

The depreciable amount of all fixed assets is depreciated over the useful lives of the assets to the Commissioner commencing from the time the asset is held ready for use. Leasehold improvements are amortised over the shorter of either the unexpired period of the lease or the estimated useful lives of the improvements.

(d) Employee Provisions
Provision is made for the Commissioner's liability for employee benefits arising from services rendered by employees to balance date. Employee benefits have been measured at the amounts expected to be paid when the liability is settled. Long service leave is accrued after 5 years of service.

(e) Cash and Cash Equivalents
Cash and cash equivalents includes cash on hand, deposits held at call with banks, and other short-term highly liquid investments with original maturities of three months or less.

(f) Leases

Lease payments for operating leases, where substantially all the risks and benefits remain with the lessor, are charged as expenses in the period in which they are incurred.

(g) Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office. In these circumstances the GST is recognised as part of the cost of acquisition of the asset or as part of an item of the expense. Receivables and payables in the balance sheet are shown inclusive of GST.

(h) Income Tax

No provision for income tax has been raised as the Commissioner is exempt from income tax under Div 50 of the Income Tax Assessment Act 1997.

(i) Trade and Other Payables

Trade and other payables represent the liability outstanding at the end of the financial year for goods and services received by the Commissioner during the financial year which remain unpaid. The balance is recognised as a current liability with the amount being normally paid within 30 days of recognition of the liability.

	2025	2024
	$	$
NOTE 2: CASH		
Cash on Hand	26	300
Cash at Banks	6,073	1,429
Access Saver	839,464	1,243,323
Term Deposits	500,000	500,000
	1,345,563	1,745,051
NOTE 3: RECEIVABLES		
GST Refundable	39,292	38,226
	39,292	38,226
NOTE 4: PREPAYMENTS		
Prepayments - Rent	-	-
NOTE 5: FIXED ASSETS		
Office Furniture at cost	84,185	80,387
Less: Accumulated Depreciation	(77,679)	(76,703)
	6,506	3,685
Office Equipment at cost	459,027	448,516
Less: Accumulated Depreciation	(426,088)	(401,523)
	32,939	46,992

Leasehold Improvements at cost	426,624	426,624
Less: Accumulated Depreciation	(426,623)	(419,182)
	1	7,442
Case Management System - ICT	662,729	662,729
Less: Accumulated Depreciation	(662,729)	(662,729)
	-	-
Total Fixed Assets	39,446	58,119

NOTE 6: CREDITORS & ACCRUALS

Bank SA Visa	4,356	5,088
PAYG Withholding	29,477	34,977
Recoveries - Fidelity Fund	6,250	11,000
Recoveries - Treasurer	73,450	27,000
Accrual	23,998	10,000
Trade Creditors	44,056	104,727
Superannuation	5,939	9,696
	187,525	202,488

NOTE 7: PROVISIONS

Provision is made for the liability for employee entitlements arising from services rendered by employees to balance date and self-insured workers compensation payments.

Workcover Provision	22,671	22,671
Annual Leave	162,499	158,270
Long Service Leave	560,493	550,364
	745,663	731,305
Number of employees at 30 June 2025 (FTE)	13.9	21.0

The policy for the provision of long service leave is that the provision is recognised after the employee has provided 5 years of service. Refer to note 15 in relation to the funding of that provision.

NOTE 8: ACCUMULATED FUNDS

Accumulated surplus at the beginning of the financial period	907,603	430,641
Operating surplus/(deficit) for the year	(416,490)	476,960
Accumulated surplus at the end of the financial period	491,113	907,603

NOTE 9: SALARIES - PROFESSIONAL

Salary and wages	1,548,657	1,477,813
Salary Sacrifice - Superannuation	32,676	34,747
	1,581,333	1,512,560

Salaries - Professional consists of wages paid to professional staff and salary sacrifice contributions deducted from employees' wages and paid directly to their nominated superannuation fund.

NOTE 10: WORKERS COMPENSATION CLAIMS

Return to Work SA annual premium	3,405	1,395
Compensation paid in relation to employee claim		
Movement in Crown workers compensation provision	-	10,969
	3,405	12,364

Because the Commissioner is an agency of the Crown, he is a self-insured employer for the purposes of any workers compensation claim by any of his employees. A provision has been recorded in the 2024 financial statements in accordance with the calculations provided by PwC as the actuary for Crown workers compensation. An annual administration fee is also paid to Return to Work SA.

NOTE 11: OCCUPANCY EXPENSES

Rent, car park, and general outgoings	402,001	347,039
Refund of prior year outgoings	-	-
	402,001	347,039

NOTE 12: RECOVERIES OF COSTS OF DISCIPLINARY PROCEEDINGS

Disciplinary proceedings in the Supreme Court and the Legal Practitioners Disciplinary Tribunal ("Tribunal") can result in costs orders to the successful party. Sometimes those orders will be in the Commissioner's favour, and sometimes against him. When costs are awarded to the Commissioner, he remits any costs he recovers from the other party to the Legal Practitioners Fidelity Fund ("Fidelity Fund") maintained by the Law Society. When costs are awarded against the Commissioner, or if he otherwise agrees to pay the other party's costs, those costs are recorded as "Associated Costs".

Costs recovered but unremitted carried forward from the previous financial year		11,000	10,000
Costs recovered during the financial year		6,250	11,000
Costs remitted to the Fidelity Fund during the financial year		(11,000)	(10,000)
Recovered costs to be remitted to the Fidelity Fund in the next financial year	6	6,250	11,000

NOTE 13: RECOVERIES OF FINES

The disciplinary action the Commissioner can take against a practitioner includes a fine. When a fine is paid by the practitioner to the Commissioner, the Commissioner remits the fine to the Treasurer and those funds form part of the State Government's general revenue.

Fines paid but unremitted carried forward from the previous financial year		27,000	24,950
Fines paid during the financial year		73,450	27,000
Fines remitted to the Treasurer during the financial year		(27,000)	(24,950)
Paid fines to be remitted to the Treasurer in the next financial year	6	73,450	27,000

NOTE 14: LEASING COMMITMENTS

Operating Lease Commitments		
Being for rent of office premises payable:		
- not later than one year	434,702	422,429
- later than one year but not later than the lease period	912,247	-
	1,346,949	422,429

The extension of the lease was executed by the Commissioner for 3 years commencing 1 July 2025 to 30 June 2028 with a right of renewal for an additional 5 years commencing 1 July 2028. The rent is to increase by a fixed 3.25% annually on 1 July 2026 and 2027.

NOTE 15: ECONOMIC DEPENDENCY

The Commissioner is financially dependent on the continuation of grants from the Fidelity Fund.

Commencing from 1 July 2018, funding from the Fidelity Fund has covered expected cash outlays in the relevant 12-month period. That has resulted in leave provisions from 1 July 2018 onwards no longer being funded in full.

In the event that a significant liability for payment of leave entitlements arises in any one year, the Commissioner would need to seek additional funding from the Fidelity Fund to pay the entitlements when they became due.

NOTE 16: COUNSEL FEES, ASSOCIATED COSTS AND EXTERNAL DELEGATION

During the financial year, the Commissioner incurred $128,413 on Counsel Fees (as against a budget for that item of $100,000), $1,120 on Associated Costs ($5,000) and $6,389 on External Delegations ($25,000). Those expenses together totalled $135,922, as against a total budget of $130,000.

It is often appropriate for the Commissioner to brief independent counsel when involved in proceedings in the Tribunal and the Supreme Court. The overall fees paid to counsel in any particular financial year will depend largely on how many proceedings are heard by the Tribunal and the Supreme Court during that period, as well of course as the complexity of those proceedings.

In relation to the amounts paid to external delegates, those delegates consider and investigate complaints in relation to which the Commissioner considers that he and his staff are conflicted.

LEGAL PROFESSION CONDUCT COMMISSIONER

STATEMENT BY THE LEGAL PROFESSION CONDUCT COMMISSIONER

The Commissioner has determined that this special purpose financial report should be prepared in accordance with the accounting policies outlined in Note 1 to the financial report.

In the opinion of the Commissioner, the financial report as set out on pages 4 to 12:

1. Presents a true and fair view of the financial position of the Commissioner as at 30 June 2025 and its performance for the year ended on that date.

2. At the date of this statement, there are reasonable grounds to believe that the Commissioner will be able to pay its debts as and when they fall due.

……………………………………………
Anthony Keane
Legal Profession Conduct Commissioner

Dated 30 October, 2025

UHY SOTHERTONS
Chartered Accountants

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Independent Auditor's Report

To the Legal Professional Conduct Commissioner
("the Commissioner")

We have audited the accompanying financial report, being a special purpose financial report, of the Legal Profession Conduct Commissioner for the financial year ended 30 June 2025, consisting of the Statement of Income & Expenditure, Statement of Financial Position, Reconciliation of Cash, accompanying notes and Statement by the Commissioner.

Commissioner's Responsibility for the Financial Report

The Commissioner is responsible for the preparation and fair presentation of the financial report and he has determined that the accounting policies described in Note 1 to the financial report are appropriate. The Commissioner's responsibilities also include designing, implementing and maintaining internal controls relevant to the preparation of a financial report that is free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on the financial report based on our audit. No opinion is expressed as to whether the accounting policies used, as described in Note 1, are appropriate to meet the needs of the Commissioner. We conducted our audit in accordance with Australian Auditing Standards. These Auditing Standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend upon the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal controls relevant to the entity's preparation and fair presentation of the financial report in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal controls. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the Commissioner, as well as evaluating the overall presentation of the financial report.

The financial report has been prepared for the purpose of fulfilling the Commissioner's financial reporting obligations. We disclaim any assumption of responsibility for any reliance on this report or on the financial statements to which it relates to any person other than the Commissioner or for any purpose other than that for which it was prepared.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Independence

In conducting our audit, we have complied with the independence requirements of Australian professional ethical pronouncements.

Opinion

In our opinion, the financial report of the Legal Profession Conduct Commissioner gives a true and fair view of the the financial position of the Legal Profession Conduct Commissioner as at 30 June 2025 and of its financial performance for the year then ended in accordance with the accounting policies described in Note 1 to the financial statements.

Basis of Accounting

Without modifying our opinion, we draw attention to Note 1 to the financial report, which describes the basis of accounting. The financial report has been prepared for the purpose of fulfilling the Commissioner's financial reporting responsibilities. As a result, the financial report may not be suitable for another purpose.

UHY Sothertons

UHY SOTHERTONS
Adelaide Partnership

Alex Reade
Partner

Dated 30 October, 2025