



**Law Council**  
OF AUSTRALIA

# Speech to the Queensland Law Society Legal Profession Dinner

**Speech delivered by Mr Tass Liveris, Law Council of Australia  
President.**

**1 April 2022**

Good evening.

Your Honours, distinguished guests, fellow members of the profession, it is an honour to be with you tonight. I would like to thank your Executive and Council, particularly President, Kara Thomson for inviting me to speak with you.

Firstly, I would like to acknowledge the Traditional Owners of country on which we all meet, and recognise their continuing connection to land, waters and community. I pay my respects to Elders past, present and emerging, and extend that respect to Aboriginal and Torres Strait Islander peoples here today.

This is such a strong Law Society with a proud culture of volunteering and contributing to the profession for the benefit of the community and has been such valued contributor to Law Council submissions. I thank each and every one of you. Through the Queensland Law Society (QLS), your work plays an important role in shaping the voice of the Australian legal profession. That voice is directly informed by the work that you all do and your lived experiences in all the circumstances of your practices.

It is important for the Law Council to keep hearing all of your stories, because they are central to the Law Council's work in representing the 90,000 barristers and solicitors in practice in Australia today through their law societies and bar associations. It shapes the Law Council's work for the improvement of the law and the administration of justice and its support for all Australian law societies, bar associations and in turn the legal profession at large.

Your work, your experiences, have shaped seminal pieces of work that have played central roles in changing conversations – I am referring to the National Attrition and Re-engagement Survey, which investigated the progression, attrition, and re-engagement rates of lawyers; I am referring to the *Justice Project*, a national, comprehensive review into the state of access to justice in Australia for people experiencing significant disadvantage and also the *Lawyer Project*, which highlights the value of the legal profession to the community and to the social, economic and political health of the nation.

Clearly, our nation has faced and overcome unprecedented challenges in the past few years.

Travelling into Queensland this morning, I was acutely aware that communities here in Queensland are battling for their lives, livelihoods and properties due to devastating floods.

My home community has endured and recovered from devastating cyclones. I know when that happened, the nation rallied around Darwin. This evening, my thoughts are with everyone affected – each of you here will have been personally impacted by this emergency in some way or another. Let's hope the rain stops and recovery can begin.

As I touched on, when disasters strike, Australians pull together. I have seen it first-hand – and I cannot overstate my admiration and appreciation for the bravery, the community spirit and the higher sense of selfless good that the efforts of our emergency services and volunteers embodies.

The role of the legal profession in supporting those in need is an integral, but often overlooked, part of the disaster relief effort. In our *Lawyer Project Report*, which was championed by former Law Council President and proud Queenslander, Dr Jacoba Brasch QC, soon to be Justice Brasch of Division 1 of the Federal Circuit and Family Court of Australia – and we of course congratulate Dr Brasch QC on her elevation – the Law Council we highlighted the importance of the legal profession to our crisis response

plan and how we can increase and sustain its contribution. Indeed, as *The Lawyer Project* found, the vital role of a well-functioning legal system is heightened during times of crisis.

In insurance, tenancy and housing, estate administration and the replacement of lost documents, for example, some of the stress and hardship of those affected can be mitigated and is vital in helping people and businesses to take their first steps towards recovery.

I know that many of you have already proactively sought opportunities to assist and support your communities in the wake of the most recent flood emergency.

Publicly funded legal assistance services play a vital role in the provision of accessible legal support following a natural disaster. Here in Queensland, the Natural Disaster Legal Help service offered by Queensland Legal Aid, and flood resources published by CLCs Queensland are a shining example of how the legal assistance sector can respond quickly to the legal needs of the community in times of crisis. However, pro bono assistance from the private profession still fills a critical gap for those who may be unable to access legal assistance due to capacity constraints or because they are ineligible for these publicly funded services.

The strong willingness of Australia's legal profession to provide pro bono legal support to the community in the wake of natural disasters over the last two decades is consistent with the values that motivate many lawyers to enter the profession in the first place. However, pro bono services must be regarded as a finite resource.

The Law Council is advocating for greater funding for existing community legal services to have the equipment and infrastructure that would enable lawyers to better assist affected communities. Pockets of funding for legal help in flood affected areas, like those announced in this week's Federal Budget are of course welcome, however legal support services need the certainty and stability of long-term core funding increases so they can adequately plan for emergency responses before the next crisis hits.

In the lead up to the Budget, we argued for a significant increase in funding for Australia's courts, tribunals and legal assistance sector.

While we were disappointed with the outcome on Budget night, we were very pleased that our calls for funding of Court-based initiatives that aim to facilitate early dispute resolution, such as the expansion of the Lighthouse Project which assists families experiencing family violence or other safety concerns to navigate the family law system were heard, as well as our calls for adequate, ongoing funding which meets demand for the Commonwealth Family Violence and Cross-Examination of Parties Scheme.

These are much needed and terrific boosts. But we do think there were missed opportunities to allocate funding for a complete, functional and sustainable justice system. We think it is time for our political leaders to recognise that the justice system is as much of an essential service as health or education.

And so the upcoming Election presents us with an opportunity to make sure all parties understand and support the role our profession plays in our society. And it is there that we now focus our attention and our efforts.

I touched on your role in the Law Council's work. Though it may sometimes seem a few steps removed from the final product, you have been integral to our advocacy on behalf of the profession on a range of issues.

For example, over many years, the QLS has been fundamental to the strategic and substantial approach that the Law Council has taken to opposing the key in the Law

Council's understanding the impacts of the extension of the anti-money laundering and terrorism financing regime on the profession.

The Law Council is also particularly grateful to the QLS for its longstanding support for South Pacific lawyers. As Secretariat of the South Pacific Lawyers' Association (known as SPLA), the Law Council worked with Rolf and the QLS Education team to develop a Practice Management Toolkit – now available to the region's lawyers – to make a tangible contribution to enhancing the excellence of the legal profession in South Pacific jurisdictions.

More recently, the QLS has influenced our priorities by proactively telling us what issues are most important to you, its members, in developing the commitments we will be seeking from all major parties during this election campaign, what we say is a recipe book of ingredients for the justice sector holistically.

Those include ensuring our rural, regional and remote communities are not disadvantaged – this requires long-term funding for legal assistance services in RRR communities and a sustained investment in technology as the justice sector refines and scales up virtual hearings and registry services, particularly post-pandemic.

We are challenging parties to implement the recommendations of the Referendum Council and establish a timetable for a referendum on enshrining a First Nations Voice to Parliament in the Constitution. A commitment to the principle of self-determination and evidence-based, culturally-safe solutions is critical to addressing the inequality faced by Aboriginal and Torres Strait Islander peoples across Australia, including within the justice system.

We also want a commitment to implementing the recommendations of the Australian Law Reform Commission's Pathways to Justice Report. This must be complemented by commitments to raise the minimum age of responsibility to 14 years, and to meet or exceed other Closing the Gap targets.

Whoever forms government, the Law Council will not waver in its work to advocate for the initiatives and measures our profession believes are vital for Australia's future.

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