

FREEDOM OF INFORMATION STATEMENT

FREEDOM OF INFORMATION ACT 1992 (FOI ACT)

The Legal Practice Board of Western Australia Information Statement

1. This Information Statement is prepared and published pursuant to the requirements of Part 5 of the Freedom of Information Act (FOI) and relates to the Legal Practice Board (the Board).
2. The structure of the Board is set out in the *Legal Practice Act 2003* section 7(1). A copy of Section 7 is attached.
3. The functions of the Board including, in particular, its decision making functions, do not directly affect members of the public. The functions of the Board affect legal practitioners. The Board has statutory responsibility for the admission and supervision and, through the Legal Practitioners Complaints Committee and the State Administrative Tribunal, for the discipline of all legal practitioners in the State. The Board regulates the issue of annual practice certificates and owns and operates the Law Library in the Supreme Court and its branch library in the Central Law Courts

The Board provides a practical legal training course through the Articles Training Program, for the training of articled clerks.

4. No arrangements exist to enable members of the public to participate in the formulation of the Board's policy or in the performance of its functions, other than by virtue of the fact that representatives of the community are members of the Legal Practitioners Complaints Committee, such being appointed by the Attorney General.
5. The types of documents usually held by the Board comprise the following:
 - (a) files relating to the registration of articles for articled clerks;
 - (b) files containing documents, correspondence and memoranda relating to the admission of practitioners, the issue and regulation of practice certificates and legal practice;
 - (c) enquiries from overseas and interstate practitioners relating to admission in Western Australia;
 - (d) files relating to the investigation of unqualified and prohibited practice;

- (e) documents relating to meetings of the Board, such as agendas, minutes, memoranda and the like;
 - (f) documents relating to the management of the Board's assets and facilities, including documents relating to staff, premises, information technology, etc; and
 - (g) notes dealing with the Board's procedures relating to application for admission, application for and issue of practice certificates, and the audit of practitioners trust accounts for auditors.
6. There is no written law other than the FOI Act whereunder any of these documents are able to be inspected.
 7. There is no law or practice whereunder any of these documents can be purchased. The notes referred to in 5(g) above are accessible on the Board's website at <http://www.lpbwa.org.au>.
 8. Copies of the notes referred to in 5(g) are available at the offices of the Board situated at 5th Floor, 533 Hay Street, Perth to any person who calls at that office or who otherwise contacts the Board with an enquiry concerning the functions of the Board.
 9. Julie Bain of 5th Floor, 533 Hay Street, Perth, is the officer to whom initial enquiries as to access to documents can be made.
 10. Access applications under the FOI Act may be made to the Board in person at the above address, or by letter to the same address, or by telephone on 08 6211 3600, or by facsimile on 08 9325 2743.
 11. The Board has no procedures for amending under Part 3 of the FOI Act personal information in its documents. Any application for an amendment would be dealt with in accordance with Part 3.
 12. The Board has no internal manual as defined in Section 95 of the FOI Act. None of its functions affect or are likely to affect rights, privileges or other benefits or obligations, penalties or other detriments to which members of the public are or may become entitled, eligible, liable or subject.

July 2007

THE LEGAL PRACTICE ACT, SECTION 7

Legal Practice Act 2003
Part 2-The Legal Practice Board

7 Members of the Board

7. Members of the Board

- (1) The Board consists of —
 - (a) the Attorney General;
 - (b) the Solicitor General, or, if there is no Solicitor General, the State Solicitor;
 - (c) each Queen's Counsel, and each Senior Counsel, whose principal place of practice is in this State and who is not a full-time judicial officer; and
 - (d) 12 legal practitioners of at least 3 years' standing and practice in this State who are elected as members.
- (2) Subject to the rules, an elected member of the Board holds office for a term of 2 years from the date of becoming a member and is eligible for re-election.
- (3) Schedule 1 has effect with respect to the constitution and procedure of the Board.

Note: This is not an authorised version. The only authorised version is the hardcopy (printed) version published under authority of the Government Printer, available from the State Law Publisher, 10 William St Perth W.A. 6000