

On 19 October 2021 the Legal Profession Complaints Committee, in the exercise of its summary conclusion powers under section 426 of the *Legal Profession Act 2008* (WA) (**Act**), resolved that it was satisfied that there was a reasonable likelihood that the practitioner would be found guilty by the State Administrative Tribunal of unsatisfactory professional conduct (within the meanings of sections 402, 404 and 438 of the Act) where his conduct was in breach of the *Criminal Code Compilation Act 1913* (WA) and rules 6(1)(e), 6(2)(b) and 6(2)(c) of the *Legal Profession Conduct Rules 2010* (WA), in that:

1. at a meeting between a client and the practitioner in the practitioner's office on Friday, 26 January 2018 (a public holiday, on which the office was closed), during which the client was providing instructions to the practitioner and seeking his advice in relation to domestic violence which she alleged suffering at the hands of her partner and the effect on the status of her immigration visa if she separated from her partner, the practitioner moved his chair closer to the chair in which the client was sitting and, without her consent, stroked her arm; and
2. at a further meeting between the client and the practitioner in the practitioner's office on Sunday, 28 January 2018, during a discussion about the same matters as the client and the practitioner had discussed during the meeting on 26 January 2018, without his client's consent, the practitioner:
 - (i) moved his chair closer to the chair in which his client was sitting and caused his knees to touch her knees, and took her hands in his;
 - (ii) repeatedly asked his client to hug him;
 - (iii) touched her legs with his hands;
 - (iv) hugged her;
 - (v) pushed her arms down while he was hugging her; and
 - (vi) kissed her on the forehead.

Penalty: Fine: \$2,000.00
 Public Reprimand