

At a meeting of the Legal Profession Complaints Committee (**Committee**) on 24 March 2022, the Committee considered an investigation into Mr Louis Kristopher's (**lawyer**) representation of his client in the Magistrate's Court.

The Committee considered that the lawyer confused the sentencing options that were available to his client. This error resulted in the lawyer's client receiving incorrect legal advice, and losing the option to seek an urgent application for a favourable order only available to his client for a limited period.

In addition, the lawyer:

1. did not subsequently identify his error when submissions were prepared for the client's sentencing hearing, resulting in incorrect submissions being provided to the Magistrate;
2. did not initially acknowledge he had made an error when the error was expressly raised with the lawyer by both Legal Aid Western Australia and the Committee; and
3. was careless in that he mistakenly misled Legal Aid Western Australia into believing he was acting on a pro bono basis when, in truth, he was acting pursuant to a grant of Legal Aid.

The Committee determined that the lawyer's conduct, when considered holistically, fell below the standard of competence and diligence reasonably expected from a lawyer. The Committee was therefore satisfied there was a reasonable likelihood that the lawyer would be found guilty by the State Administrative Tribunal of unsatisfactory professional conduct within the meaning of sections 402 and 438 of section 426 of the *Legal Profession Act 2008* (WA).

Outcome: Fine: \$2,000.00
 Public Reprimand
 Order to seek and implement advice pursuant to s 426(2)(d) of the Act