

LEGAL PRACTICE COMMITTEE OF QUEENSLAND

REGISTRY: Brisbane
NUMBER: 002/09

Applicant: LEGAL SERVICES COMMISSIONER

AND

Respondent: CHRISTOPHER JAMES ROSSER

ORDER

Before: Mr P Cooper (Chairperson), Mr J McKenna SC (Barrister member), Ms P Frampton (Lay member)

Date: 01 September 2010

Basis for Judgment: Discipline application filed on 16 April 2009

THE ORDER, FINDINGS AND REASONS OF THE COMMITTEE:

The respondent has been admitted to the Supreme Court of Queensland as a barrister. The discipline application states that between August 2004 and October 2006, while acting on behalf of Adam Douglas in criminal proceedings, the respondent breached rules 83 and 84 of the *Legal Profession (Barristers) Rule 2004*. The particulars of the charge detail the particulars of the breaches in paragraphs 1.1 to 1.9.

There has been filed a statement of agreed facts, in which the respondent admits the charge and further admits particulars in paragraphs 1.1 to 1.4, 1.7 and 1.9; and does not dispute the particulars in paragraphs 1.5, 1.6 and 1.8.

The committee finds the conduct of the respondent amounts to unsatisfactory professional conduct and finds the respondent guilty of unsatisfactory professional conduct.

ORDER
Filed on behalf of the Applicant
Form 59rr661

Legal Services Commission
Level 25, 307 Queen Street
Brisbane Qld 4000
Telephone: (07) 3406 7737
Facsimile: (07) 3406 7749

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10 SEP 2010

by
LEGAL PRACTICE COMMITTEE

The rules are important provisions in relation to the governance of barristers. They are designed to protect potentially vulnerable members of the public and should be strictly complied with.

Factors mitigating penalty in this case are:

- (a) this particular client does not appear to have been detrimentally affected by the respondent's behaviour;
- (b) the Commissioner does not suggest that there has been any systematic failure to comply with the rules;
- (c) we are advised that the respondent has systems in place to comply with the rules;
- (d) the respondent has no previous history with the Commissioner;
- (e) the respondent made a relatively early plea.

In relation to the delay in this matter, the committee, in the absence of any explanation, is unable to give any weight to the circumstances.

The respondent is publicly reprimanded, which is hereby administered.

The respondent is ordered to pay a fine of \$1000 to the Legal Practitioners Interest on Trust Accounts Fund, payable within 30 days of today's date.

The respondent is to pay costs in this matter, agreed at \$750, within 30 days.

We direct that this order be placed on the Committee's website.

P. boopu
Chairperson

10.09.10
Date

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