

EXPRESSION OF INTEREST FOR PROFESSIONAL CONDUCT ADVISORY PANEL



THE LAW SOCIETY
OF NEW SOUTH WALES

APPLICANT DETAILS

Surname:	Given names:		
Work address:			
Suburb:	State:	Postcode:	
Work phone:	Work email address:		Law Society ID:

Please provide the following information:

Areas of practice, including any experience in professional regulation or administrative law:

Short biography for inclusion on website or link to existing online CV - to assist callers to select most appropriate panellist:

Representative of particular section of legal profession (eg practice type, geographical location, expertise) currently not sufficiently represented in Panel:
(This is not a requirement but may assist the usefulness of the Panel.)

General good standing within profession:

Excellent communication skills:

Ability to manage distressed solicitors:

Are you also able to provide legal advice to solicitors in relation to disciplinary proceedings (this is not a requirement):

Yes No

Are you also able to provide support for show cause events (this is not a requirement):

Yes No

I confirm that I meet the requirements of membership set out below.

THE PROFESSIONAL CONDUCT ADVISORY PANEL

The PCAP is a scheme run by the Law Society of NSW for the assistance of the profession. Given the Panel's role in supporting solicitors in relation to difficult ethical issues, the Law Society aims to ensure panellists are of good standing within the profession and best serve the Scheme. The following conditions apply to those appointed to the Panel:

Membership of Panel

1. Membership is at the absolute discretion of the Law Society, both on application and throughout any term. The Law Society may, if satisfied exceptional circumstances exist, waive the need for compliance with any of the requirements for, or conditions of, appointment.
2. Panellists must fulfill the following requirements at appointment and throughout their membership of the Panel:
 - a. Not have been an employee of or contractor to the Office of the Legal Services Commissioner or the Professional Standards Department of the Law Society in the last 5 years.
 - b. Not have been a member of the Professional Conduct Committee, Disclosure Committee, or the Council of the Law Society in the last five years.
 - c. Hold a current NSW practising certificate, and have practised continuously over the last 3 years.
 - d. Member of the Law Society.
 - e. At least 15 years' practice, within Australia or a comparable jurisdiction.
 - f. Not have been subject to a professional sanction in the last ten years, and not be the subject of an open investigation by a professional regulator.
 - g. Be of general good standing within the profession.
 - h. Have sufficient knowledge of regulatory procedures.
 - i. Have sufficient knowledge of other support services available to persons seeking guidance.
3. A panellist may be removed at any time for failure to meet the above criteria, or for any other reason.
4. If while a panellist, the person ceases to meet any of the above criteria, they must notify the Law Society.
5. Membership is for 3 years unless terminated earlier by the panellist or the Law Society. Reappointment is by way of application.
6. Panellists are not entitled to compensation if they cease to be a panellist.

Conduct of Panellists

1. Panellists provide guidance to solicitors. The Scheme does not extend to providing legal advice.
2. If panellists are willing to provide legal advice, which is not part of the Scheme, a separate arrangement must be made with the solicitor seeking advice ensuring that all professional obligations are met.
3. All information received from persons seeking guidance is confidential and must not be disclosed otherwise than in accordance with the law.
4. The regulatory authority involved with the person seeking guidance may be the Law Society. In these instances, panellists must ensure that they provide their guidance consistent with any of the other regulatory authorities.
5. Panellists must ensure that no conflicts of interest arise out of their participation in the Scheme.

Reimbursement of Expenses

1. The Law Society will reimburse reasonable travel expenses incurred for training and other meetings organised by the Law Society in relation to the Scheme, in accordance with its committee travel reimbursement policy.
2. The Law Society will not reimburse costs associated with providing guidance eg telephone calls, meetings, professional time lost.

Publicity

1. The Law Society is responsible for the promotion of the Scheme.
2. Panellists must not promote the Scheme without the Law Society's approval.
3. Panellists must not communicate with the media in relation to the Scheme without the Law Society's approval.