

General Warning

The purpose of this fact sheet is to give general introductory information about the complaints process. It does not contain legal advice.

WARNING: Alternative legal action should be considered before making a complaint. What is included in a complaint may be relevant to any current or future legal proceedings. If you are involved in legal action you should immediately see a lawyer and not proceed with a complaint.

If you (or the complainant, if you are complaining on their behalf) want financial compensation, support or money you should see a lawyer before making a complaint.

General complaint information

Complaints are rarely about just one thing. When you have a problem, it may be that a number of things have gone wrong. Below are some of the common areas where issues may arise that could lead to a complaint.

Discrimination	Disability and NDIS services	Policing, Custody and Detention
Seniors and Aged Care supports and services	Consumer and Business disputes	Phone and Internet services
Banking, Insurance and Superannuation	Energy and Water services	Housing and Real Estate
Health Care services	Employment issues	Education and Training providers
Government Agencies and Departments	Child Safety and Protection	State Fines and Debts
Corruption	Privacy and Access to Information	Media and Publications

There are different complaint bodies to handle different types of complaints. You should consider the different pathways available to decide the most appropriate pathway for your circumstances. One event could lead to multiple complaints. That means you may need to lodge more than one complaint to have all of your concerns addressed.

It is usually quickest and easiest to try to resolve a complaint directly with the person or body you are having a problem with. Many complaint handling bodies will not act on a complaint unless you have tried to resolve your complaint directly. If you do not feel it is safe or appropriate to complain directly, you should contact the relevant complaint body to discuss your situation.

Complaints involving discrimination

There are state and federal complaints bodies that handle complaints that about discrimination. If your situation involves discrimination, you should consider making a discrimination complaint in addition to any other complaints. Discrimination may occur when someone is treated less favourably on the basis of: race; sex; gender; disability; age; sexuality; relationship status; pregnancy; caring responsibilities; or having or being thought to have an infectious disease.

WARNING: The state and federal bodies that handle discrimination complaints have different rules, including time limits. You can make a complaint to both the state and federal complaint bodies, but they may decide not to address your concerns if you have already complained elsewhere. For example, if you have already lodged a discrimination complaint to Equal Opportunity Commission WA (EOC), it is likely that Australian Human Rights Commission will decide not to act on your complaint. Please carefully review the discrimination factsheets for information about your options before making a discrimination complaint.

Legal Practice Board of Western Australia

In this factsheet, we introduce the Legal Practice Board of Western Australia ('LPBWA'). We explain when complaints, costs disputes or conduct concerns can be raised with the LPBWA about lawyers and law practices in Western Australia.

The LPBWA helps deal with complaints about legal costs, poor service, delay, communication problems, conflicts of interest, confidentiality breaches, trust money issues, dishonest or misleading conduct, and other concerns about whether a lawyer or law practice has met their professional obligations.

Legislation and Key Terms

Relevant Legislation: Below are links to legislation that are relevant to the LPB WA's complaint handling work.

- [Legal Profession Uniform Law Application Act 2022 \(WA\)](#)
- [Legal Profession Uniform Law 2022 \(WA\)](#)
- [Legal Profession Uniform Regulations 2022 \(WA\)](#)
- [Legal Profession Uniform Law Application Amendment Regulations 2022 \(WA\)](#)
- [Legal Profession Uniform Law Application Amendment Regulations 2023 \(WA\)](#)
- [Legal Profession Uniform Law Application \(Accreditation\) Rules 2022 \(WA\)](#)

Key Terms: Below are key terms that appear throughout this factsheet and their meaning.

Alternative dispute resolution (ADR): Methods of dispute resolution which are outside court and typically involve a neutral third party who assists in involved parties reaching a mutually agreeable solution. Common types of ADR include mediation, arbitration and conciliation.

Appeal: A request to a higher court / authority to review a decision made by a lower court / authority.

Bank guarantee: A promise made by a bank to cover a loss if a borrower or contractor fails to meet their obligations under a contract. It acts as a form of security.

Brief: A document prepared by a solicitor that may be then given to a barrister or relied upon for a criminal case. It contains all relevant information, evidence and instructions, including the argument for the case.

Consumer matters: is so much of a complaint about a lawyer or a law practice as relates to the provision of legal services to the complainant by the lawyer or law practice and as the designated local regulatory authority determines should be resolved by the exercise of functions relating to consumer matters.

Costs agreement: A written agreement between a lawyer and their client outlining the legal fees and other costs that may be charged for the services provided by the lawyer. Costs disclosure and costs agreement rules can affect whether and how legal costs may be charged or disputed.

Disciplinary matters: A disciplinary matter is so much of a complaint about a lawyer or a law practice as would, if the conduct concerned were established, amount to unsatisfactory professional conduct or professional misconduct.

Due diligence: The examination of a business undertaken by a prospective buyer to identify its business fundamentals and any key legal and commercial risks, ultimately to assess its commercial potential.

Fiduciary duty: The legal obligation by one party (in this case, the lawyer) to act in the best interests of the other party (in this case, you as the client).

Itemised bill: A detailed invoice which provides a list of each product or service alongside the amount charged for it, which for legal services is typically further broken down by time and unit price. Legal services are generally charged per 6 minutes and a lawyer will have an hourly rate which corresponds to that.

Instructions: The directions or information that a client provides to a lawyer about how they want their legal matter to be managed and what decisions they would like their lawyer to take on behalf of them to progress the matter. Lawyers are bound by the instructions of their client.

Lump sum bill: A gross cost invoice which provides a total amount owed for services.

Magistrates Court: The Magistrates Court, otherwise referred to as the Local Court in other jurisdictions, is the lowest level court in the Australian judicial system. It is a state court which typically hears low-level criminal offences (majority), small civil disputes and preliminary hearings for more serious offences.

Penalty rates: Higher rates of pay that employees receive for working outside standard hours, typically on weekends, public holidays or late nights. These are legally binding on employers and often set by modern awards or enterprise agreements.

Professional misconduct: In a legal context, substantial or consistent failure to meet reasonable standards of competence and diligence, and/or conduct that indicates that they are neither proper nor fit to continue practising law.

Roll: The official list of lawyers who are registered to practise and have been admitted to the legal profession by the Supreme Court.

Unsatisfactory professional conduct: In a legal context, conduct that falls below the expected standard of competence and diligence of a lawyer. It is typically not dishonest and does not involve a deliberate breach of legal ethics.

Step 1: What type of Complaints can be made to this body?

Complaints can be made about the conduct of lawyers in Western Australia. The LPB WA focusses on complaints about, but not limited to:	
Sub-category	Example
Legal costs and billing disputes <i>Legal Profession Uniform Law (WA) ss 268–270, 291–293; Part 4.3</i>	You should make a complaint if you dispute the legal costs charged by your lawyer or law practice. This can include a bill that appears excessive, a bill that is much higher than the estimate, a missing or unclear costs disclosure, a problem with an itemised bill, a disputed costs agreement, a no-win-no-fee disclosure issue, or being charged for work that was not properly explained or authorised. Costs disputes have stricter time and money limits than other lawyer complaints. <i>Examples:</i> • <i>Amira engaged a Perth family law firm after receiving a written estimate of about \$8,000, but the firm later sent her a \$24,000 lump sum bill without giving her an updated written estimate when the work and likely costs changed.</i> • <i>Daniel received a bill from his WA solicitor that listed several large “professional fees” without explaining the work done, and the firm did not provide a proper itemised bill after Daniel asked for one.</i> • <i>Priya signed a conditional “no-win-no-fee” agreement with a WA personal injury lawyer, but says the agreement was not in plain language and did not clearly explain when disbursements, an uplift fee or other legal costs could still be charged.</i> • <i>Mark agreed in writing to pay part of his mother’s legal costs as a third-party payer, but says the law practice charged him for work and expenses that were not disclosed to him before the costs were incurred.</i> • <i>Elena settled a civil claim through her WA solicitor, but before she signed the settlement deed the solicitor did not give her a clear estimate of the legal costs that would come out of the settlement amount.</i> • <i>Ravi disputed a recent legal bill after receiving no written costs disclosure, but the law practice threatened recovery action before responding to his costs complaint or explaining his right to seek help with a costs dispute.</i>
Service, advice, communication, instructions and client documents <i>Legal Profession Uniform Law (WA) ss 269, 296–298;</i>	You should make a complaint if your lawyer’s service, advice, communication, matter handling or handling of your client documents fell below the standard expected of a lawyer. This can include unreasonable delay, poor communication, unclear or late advice, failure to act competently and diligently, failure to follow lawful and proper instructions, acting outside the agreed scope of

Australian Solicitors' Conduct Rules rr 4, 7, 8, 13–15

work, ending the retainer improperly, or refusing to return client documents where they should be returned.

Examples:

- *Sophie engaged a WA solicitor to prepare and lodge documents for a visa-related court matter, but the solicitor stopped responding for months and did not tell Sophie that the documents had not been lodged by the agreed date.*
- *Noah's solicitor advised him to sign a settlement deed in a business dispute, but did not explain the release clause, the risks of giving up future claims, or the practical alternatives before asking him to sign.*
- *Grace told her lawyer not to send a draft letter to her former employer until she had approved it, but the lawyer sent the letter anyway and included allegations Grace had not authorised.*
- *Ethan engaged a lawyer only to review a commercial lease for his café in Fremantle, but the lawyer began negotiating unrelated business terms and charged Ethan for work outside the agreed scope.*
- *Riley's solicitor received a settlement offer with a 48-hour deadline in Riley's civil claim, but did not tell Riley about the offer until after the deadline had expired.*
- *Aisha changed lawyers before an urgent hearing and paid the outstanding bill, but her former solicitor still refused to provide key client documents needed by the new lawyer to understand the matter.*
- *Ben's solicitor ended the retainer one week before a filing deadline without clearly warning Ben, explaining what still needed to be done, or giving him reasonable time to arrange another lawyer.*

Confidentiality, conflicts and misuse of client interests

Legal Profession Uniform Law (WA) ss 270, 296–298;
Australian Solicitors' Conduct Rules rr 9–12

You should make a complaint if your lawyer disclosed confidential information, acted where there was a conflict of interest, or put their own interests ahead of yours. This can include sharing confidential information without authority, acting for clients with competing interests, using information from a former client against them, having a personal financial interest in the matter, or receiving a benefit connected with the matter without proper disclosure and consent.

Examples:

- *Mei told her WA solicitor confidential information about family violence during a parenting matter, and the solicitor later discussed that information with Mei's former partner without Mei's authority or a clear legal reason.*
- *Jordan and his business partner initially used the same solicitor for a company dispute, but the solicitor kept acting for both of them after they began blaming each other for missing company money.*

	• <i>Fatima's former lawyer later acted for the other side in a related property dispute and appeared to use confidential information Fatima had given during the earlier matter.</i> • <i>Lucas's solicitor recommended that Lucas invest settlement money through a financial adviser who was the solicitor's business associate, without clearly disclosing the relationship or the solicitor's personal interest.</i> • <i>Helen says her elderly father's lawyer prepared a loan document under which the lawyer personally borrowed money from him, even though her father was still relying on that lawyer for estate advice.</i> • <i>Omar's solicitor acted for Omar and his sister in an estate matter, then continued acting for the sister alone after a dispute arose about whether Omar should challenge the will.</i>
Honesty, misleading conduct, undertakings, court-process conduct and wider fitness to practise <i>Legal Profession Uniform Law (WA) ss 270, 296–298; Australian Solicitors' Conduct Rules rr 3–6, 19–24, 29, 32–34, 36</i>	You should make a complaint if a lawyer acted dishonestly, misled someone, failed to honour a professional undertaking, misused a legal process, made improper threats, advertised misleadingly, or behaved in a way that raises a serious fitness-to-practise concern. This is not about simply disagreeing with a legal strategy or losing a case. It is about specific conduct that may breach professional standards, such as misleading the court, misleading another party, making knowingly false statements, coaching false evidence, making improper allegations, misrepresenting expertise or status, failing to honour an undertaking, or conduct involving serious dishonesty. <i>Examples:</i> • <i>After Alex's civil hearing ended, he obtained the transcript and saw that his solicitor told the court a document had been served even though emails showed the solicitor knew it had not been served.</i> • <i>Bella's lawyer told the other side that Bella had signed a settlement offer, even though Bella had emailed the lawyer the day before saying she refused to sign it.</i> • <i>Omar saw a Perth lawyer advertise online as an "accredited specialist in family law", but the lawyer was not accredited as a specialist by the relevant professional association.</i> • <i>Hannah's lawyer wrote to the other party threatening to make a criminal complaint unless the other party immediately paid a disputed private civil debt.</i> • <i>Tom attended a witness conference where a solicitor told a witness to change an answer so the evidence would better support the client's case.</i> • <i>Leanne's solicitor gave a written undertaking to release settlement documents by a set date, then ignored repeated requests and did not perform the undertaking or obtain a release from it.</i> • <i>Nina learned that her lawyer had recently been convicted of a serious dishonesty offence and wants to report a concern about</i>

	<i>whether the lawyer remains suitable to handle client money and legal matters.</i>
Trust money, trust accounts and client funds/property <i>Legal Profession Uniform Law (WA) Part 4.2, including ss 135–148, 150–154</i>	You should make a complaint or report a regulatory concern if a lawyer or law practice mishandled trust money, client funds, trust records or trust property. This can include not depositing trust money properly, not following written directions about trust money, failing to pay or deliver trust money, mixing trust money with office money, poor trust records, receiving trust money without authority, recording money under a false name, or failing to report a trust account irregularity. A separate Fidelity Fund claim may be relevant where a person has suffered financial loss because of dishonest or fraudulent default, but that compensation pathway is administered separately from the complaint itself. <i>Examples:</i> • <i>Liam’s conveyancing settlement money was paid into a WA law firm’s trust account, but the firm did not pay the money out according to Liam’s written settlement direction.</i> • <i>Olivia’s lawyer held settlement funds in trust after a personal injury matter, but would not provide a clear trust account statement showing where the money went or why the balance was missing.</i> • <i>Ben paid \$5,000 in advance into a law practice’s trust account for future legal work, but the firm transferred the money to its office account before doing the work or issuing a bill.</i> • <i>Chloe paid cash to a law practice for a court matter, but the money was not deposited into trust and the receipt was recorded under a different client’s name.</i> • <i>Nadia gave written directions for money to be held in a controlled money account, but the law practice withdrew funds without her written authority and did not provide a trust account statement when she asked.</i> • <i>An external examiner found unexplained shortages in a law firm’s trust records during the annual examination, but did not report the irregularity to the Legal Practice Board.</i>
Authorisation, practising conditions, insurance, supervision and practice management <i>Legal Profession Uniform Law (WA) ss 10–11, 33–35, 47–50, 211–213, 256–258; Australian Solicitors’ Conduct Rules r 37</i>	You should report a concern if a person, lawyer or law practice appears to be practising without proper authority, outside practising certificate conditions, without required insurance, without proper supervision, or with unsafe practice-management systems. This can include someone holding themselves out as entitled to practise law when they are not, a practitioner breaching supervised-practice or barrister-only conditions, a law practice operating without approved professional indemnity insurance, principals failing to supervise legal work, or systems so poor that they create serious risks for clients or the public. <i>Examples:</i> • <i>Mia paid a Perth “legal consultant” to draft court documents and give legal advice, but later found the person was not an</i>

	<i>Australian legal practitioner and did not hold a current practising certificate.</i> <i>Sam's solicitor had a practising certificate condition requiring supervised practice, but handled Sam's litigation alone and gave advice without any apparent supervision.</i> <i>A law firm allowed an unqualified clerk to give legal advice, negotiate directly with a client and settle parts of the client's matter without proper solicitor supervision.</i> <i>A small WA law practice continued taking new private clients after its professional indemnity insurance had lapsed and no exemption applied.</i> <i>A law practice had repeated missed deadlines, lost files and trust-account errors, but the principals did not put supervision or risk controls in place after staff raised the problems.</i> <i>Priya discovered that the person running her matter was practising as a principal of a WA law practice even though their practising certificate did not allow them to practise as a principal.</i>
Harassment, discrimination, bullying and inappropriate behaviour in legal settings <i>Legal Profession Uniform Law (WA) ss 270, 296–298; Australian Solicitors' Conduct Rules r 42</i>	You should make a formal complaint, or make an informal or anonymous report through Speak Safely, if you experienced or witnessed harassment, sexual harassment, discrimination, bullying or closely related inappropriate behaviour by a lawyer or in a legal-profession setting. A formal complaint under the Uniform Law cannot be anonymous, but Speak Safely allows informal and anonymous reporting. If there is immediate danger or a crime has occurred, police or emergency help may also be required. <i>Examples:</i> <i>Rachel, a junior lawyer at a Perth law firm, says a senior practitioner repeatedly made sexual comments, sent unwanted messages and touched her at work, and she wants the conduct formally investigated by the legal regulator.</i> <i>David witnessed a barrister repeatedly belittle and intimidate a junior practitioner in chambers during a WA matter, and wants to make an informal Speak Safely report before deciding whether to make a formal complaint.</i> <i>Noor says her lawyer mocked her disability during a client meeting, refused to communicate with her in an accessible format, and she wants to report the lawyer's professional conduct.</i> <i>Isaac attended a legal profession event in Perth where a lawyer repeatedly made racist remarks to another attendee, and Isaac wants to report what he witnessed through a legal-profession reporting pathway.</i> <i>Emily works in a WA law practice and wants to speak confidentially with LPB WA about bullying by a legal practitioner</i>

	<i>before deciding whether to provide her name in a formal complaint.</i> • <i>Tara was an articled clerk at a regional WA firm and says the supervising solicitor repeatedly humiliated her in front of clients, threatened her placement, and targeted her after she raised concerns about the behaviour.</i>
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Step 2: What is the Jurisdiction of the complaints body?

Jurisdiction	Description
State	LPBWA deals with complaints about lawyers and law practices in Western Australia, subject to the Legal Profession Uniform Law framework. This can include lawyers admitted in WA, lawyers providing legal services in WA, and lawyers otherwise subject to the WA Uniform Law framework.
Geographical Scope	The LPB WA has a relatively defined scope of regulating lawyers practising within Western Australia. While they coordinate with similar interstate bodies, their regulatory scope is limited to: • Lawyers who are admitted to practise in Western Australia; • Lawyers who provide legal services to the public in Western Australia; and/or • Lawyers who are subject to the Legal Profession Uniform Law 2022 (WA).
Time Limitations	Generally, the LPB WA encourages you to make complaints as soon as possible. Costs disputes For a dispute over costs, you need to submit a complaint within 60 days of receiving a lump sum bill or within 30 days of receiving an itemised bill. While these can be extended by up to four months, you will need to provide sufficient reasoning for the extension, and an extension is not necessarily guaranteed. If you first saw your lawyer before 1 July 2022, your complaint will not be considered at all, irrespective of any extension requests. Additionally, if you don't pay your bill within 30 days, a lawyer can also take action to recover that outstanding money. Non-cost disputes For any other disputes, which do not relate to costs, complaints must be made within 3 years, although, again, you can request to have this extended but there must be sufficient reasoning.
Money limitations	Since 1 July 2025, LPBWA can generally help with a costs dispute where the total legal costs are under \$314,330, or where total legal costs are over \$314,330 but the amount being disputed is up to \$31,440. These limits are indexed and may change each financial year.

Exclusions	LPBWA cannot give legal advice, give a second opinion about legal advice, change the outcome of a legal or court case, act on complaints about judges, or act on complaints about legal processes generally. LPBWA looks at complaints about lawyers only. LPBWA generally cannot help with anything that is currently part of an ongoing court case or something that should be raised with the court. It may consider a specific complaint about a lawyer's conduct connected with a court matter, especially after the court case has ended, but it does not replace an appeal, review, costs assessment, court application or complaint pathway within the court.
Exercise of discretion	LPBWA may close all or part of a complaint after assessment where, for example, it is out of time, lacks substance, is outside jurisdiction, has already been dealt with, is better dealt with by another body, is before a court, or closure is otherwise appropriate.

Step 3: Who can you make a complaint against?

Respondent	Description
Lawyer / legal practitioner	A complaint can be made about the conduct of a lawyer. LPBWA deals with complaints about lawyers in Western Australia, subject to limits under the Uniform Law framework.
Law practice	A complaint can also be made about a law practice. This may be relevant where the concern is about the firm's conduct, systems, billing, communication, handling of the matter, or the conduct of lawyers connected with that practice.
Your own lawyer or former lawyer	LPBWA mostly deals with complaints from people about lawyers who acted for them. This includes current clients and former clients.
Another person's lawyer	LPBWA may consider some complaints about another person's lawyer, but this is limited. LPBWA explains that a lawyer acting for someone else owes duties to their own client, not to the opposing party. A complaint also cannot be used to obtain information about the other person's dealings with their lawyer.
Independent Children's Lawyer	Concerns about an Independent Children's Lawyer's role in a family law proceeding should usually be raised with the Family Court, because the ICL is appointed and supervised by the Court. If the concern is about serious professional conduct by a lawyer, LPBWA may still be relevant.
Judges, magistrates and courts	LPBWA does not deal with complaints about judges, magistrates, court decisions, legal processes or the outcome of a court case. Those issues may need to be raised with the court, through an appeal or review process, or through another appropriate pathway.
Additional information	You can't make complaints against judges or magistrates.

Step 4: Are you eligible to make a complaint?

Eligibility	Description
Who can make a complaint?	Anyone can make a complaint. LPBWA may also initiate a complaint that contains a disciplinary matter.
Pre-requisite steps	You should first try to talk to the lawyer and try to work out the problem directly. LPBWA will ask whether you have done this if you contact them.
Can complaints be made on behalf of someone?	The Complaint Enquiry Form allows the form to be completed by clients, former clients, friend or relatives of the client, opposing party, beneficiary / executor / administrator and practitioners on own behalf or on another's behalf. The LPB WA usually deals with complaints from people about their own lawyers but there are limited occasions when complaints can be made about lawyers acting for other people.
Additional information you need to know	The service is free. A complainant may withdraw all or part of a complaint. If a consumer matter is withdrawn, LPBWA will not usually continue with that consumer part. However, LPBWA may still continue or initiate a disciplinary matter if the conduct raises regulatory concerns.

Step 5: What remedies are available at this body?

Power	Description
Informal resolution of consumer matters	For consumer matters, LPBWA may try to resolve the complaint informally by working with the complainant and the lawyer or law practice. LPBWA's process may include trying to negotiate a resolution, investigating further to help reach agreement, making a decision if agreement is not reached, or starting a more thorough investigation.
Mediation	LPBWA may require parties to attend mediation in good faith for a consumer matter. If mediation resolves the matter, the consumer part of the complaint may be closed as resolved. If it does not resolve the matter, LPBWA may decide whether further action is needed.
Consumer matter determination	LPBWA may determine a consumer matter if it considers that fair and reasonable. Possible outcomes can include cautioning the lawyer or law practice, requiring an apology, requiring work to be redone at no cost or reduced cost, requiring fees to be waived or reduced, requiring training, education, counselling or supervision, or making a compensation order.

Binding costs determination	For eligible costs disputes, LPBWA may make a binding determination about legal costs if the dispute is not resolved and the statutory requirements are met.
Investigation of disciplinary issues	LPBWA may investigate conduct that may amount to unsatisfactory professional conduct or professional misconduct. If the matter becomes disciplinary, the focus shifts from resolving the complainant's individual dispute to regulating professional conduct. You may then have limited involvement.
Urgent protective action	If a complaint raises serious conduct concerns, LPBWA may take or recommend protective regulatory action, such as action affecting a practising certificate or registration certificate. This is designed to protect the public and the administration of justice, not to compensate the complainant.
Disciplinary determination for unsatisfactory professional conduct	If unsatisfactory professional conduct is found, LPBWA or the relevant delegated decision-maker may make orders such as a caution, reprimand, apology, work-redone order, training, education, counselling or supervision requirement, a fine up to \$25,000, or a recommendation that practising-certificate conditions be imposed.
Compensation order	A compensation order may compensate someone who has suffered loss because of the conduct complained about. A compensation order made by the local regulatory authority is generally capped at \$25,000. Higher compensation limits may depend on the pathway and legal requirements.
Referral or prosecution in SAT	For serious disciplinary matters, LPBWA or the Legal Services and Complaints Committee may initiate and prosecute proceedings in the State Administrative Tribunal. SAT can make stronger disciplinary orders, including suspension or cancellation of a practising certificate, conditions or restrictions on practice, a recommendation for removal from the roll, compensation orders, and a fine of up to \$100,000 for professional misconduct.
Register of disciplinary action	If disciplinary action is taken and required to be recorded, it may appear on LPBWA's Register of Disciplinary Action. This does not mean every complaint is published. Outcomes from SAT prosecutions will be published and included on the Board's Register of Disciplinary Action.

Step 6: Preparing your complaint. What should it include?

Requirement	Description
Format	A formal complaint must be in writing or recorded in writing. The best starting point is LPBWA's Complaint Enquiry Form. You can also contact LPBWA by email or phone to discuss whether LPBWA can help.

Personal Details	You need to provide your name when making a complaint. The online form also requires your: • Phone number • Email address Informal reports via Speak Safely can be made anonymously.
Respondent's Details	The complaint should identify the lawyer or law practice involved. Include the lawyer's name, the firm or chambers, and whether the lawyer acted for the complainant, another party, or someone else.
Relevant Facts	You need to provide information about the conduct you are complaining about. The online form also requests: • Whether your matter is before a court or tribunal • Whether your enquiry is about your lawyer • Whether you have tried to resolve the matter • Whether you'd consider mediation to resolve the complaint • Brief description of the complaint • What you want to achieve by making the complaint • The area of law • What your role is (client, friend or relative etc.)
What NOT to include	Do not use the complaint to seek legal advice, a second opinion, a different court outcome, or a broad review of the litigation strategy or case history. LPBWA cannot give legal advice, give a second opinion, change a court outcome, or act on complaints about legal processes or judges.
Speak Safely reports	If the issue is harassment, discrimination or bullying in a legal workplace or legal setting, you can use Speak Safely. If you want to make a formal complaint, you must provide contact details. If you only want to make an informal anonymous report, that is separate from a formal complaint.

Step 7: Lodging your complaint and next steps.

Step	Description
Where to lodge your complaint	It is recommended you begin by using the online form. • Complaints ○ Online form: https://www.lpbwa.org.au/complaint-enquiry-form ○ Phone: 08 6211 3600 ○ Email: enquiries@lpbwa.com

	• Speak Safely (reporting harassment or inappropriate behaviour) ○ Online form: https://lpbwa.elker.com/report ○ Phone: 08 6211 3600 and ask for Speak Safely Team ○ Email: harassmentreport@lpbwa.com
Acknowledgement / first contact	You should receive an acknowledgement quickly if you contact LPBWA electronically. LPBWA will assess whether it can handle the complaint, discuss the concerns and may seek more information. LPBWA tries to do this within 5 working days, especially in urgent matters, but it may take longer.
Initial assessment	LPBWA will assess whether the complaint is one it can deal with. This may include considering who the complaint is about, whether it concerns legal services or professional conduct, whether it is within time, whether costs limits apply, and whether another body or process is more appropriate.
If LPBWA cannot help	If LPBWA cannot help, it should let the complainant know. It may provide information about other options or another body, but it cannot give legal advice or act outside its complaint-handling role.
Contact with the lawyer or law practice	If LPBWA can deal with the complaint, it will usually tell the lawyer or law practice about the complaint and seek an explanation or response, unless an exception applies.
Early resolution	For consumer matters, LPBWA may try to resolve the issue early by communicating with both sides and seeing whether agreement can be reached. LPBWA will work with the complainant and lawyer to try to negotiate a resolution.
Further investigation	LPBWA may decide that further investigation is needed. That decision is up to it and depends on the circumstances. If the matter becomes disciplinary, the complainant may have limited involvement because the issue is handled as a regulatory matter.
Decision / outcome	LPBWA may close the complaint, record a settlement, make a consumer or costs determination, make or recommend a disciplinary outcome, take no further action, provide guidance, or initiate/prosecute serious disciplinary proceedings in SAT. The available outcomes depend on whether the complaint is a consumer matter, costs dispute, disciplinary matter, or mixed complaint.
Withdrawal	A complainant may withdraw all or part of a complaint. Withdrawal usually ends the withdrawn consumer matter, but LPBWA may still continue or initiate disciplinary action if the conduct raises regulatory concerns.

Notice and reasons	You and the lawyer will generally be notified of the outcome and the reasons for any decision, although reasons may be brief where the decision is to initiate a prosecution in SAT.
Disciplinary publication	If the matter results in SAT disciplinary proceedings or disciplinary action that must be recorded, the outcome may be published or included on LPBWA's Register of Disciplinary Action. This does not mean every complaint is published.

Step 8: Post-complaint – what if you are not happy with the outcome of your complaint?

Avenue	Description
Internal review by LPBWA	When LPBWA makes a final complaint decision, it will tell you whether internal review may be available. A request must be made in writing, identify the part of the decision being challenged, and generally be made within 30 days of notification. Internal review is not automatic: Whether it conducts an internal review is at its absolute discretion.
No complainant SAT review of LPBWA complaint outcome	A complainant generally cannot seek SAT review of LPBWA's complaint outcome. There is no provision for a complainant to seek SAT review of the outcome of a complaint. A respondent lawyer has limited review rights for some consumer and disciplinary determinations.
Ombudsman WA — complaint about LPBWA's handling	If the concern is about how LPBWA handled the complaint process as a Western Australian public authority, you may be able to complain to Ombudsman WA after first raising the issue with LPBWA. This is about administrative handling, not a merits appeal against the complaint outcome. Ombudsman WA can make recommendations but cannot force LPBWA to make a particular complaint decision.
Separate costs assessment / court pathway	If a costs dispute cannot be resolved through LPBWA, or is outside LPBWA's costs-dispute limits, a separate costs assessment or court pathway may need to be considered. This is separate from LPBWA's ordinary complaint-resolution process. The Uniform Law provides for binding costs determinations by the local regulatory authority in some circumstances, and also circumstances where the authority must cease dealing with a costs dispute and inform parties about other rights.
Separate appeal or court pathway about the underlying case	LPBWA cannot change the outcome of a legal or court case and does not act as an appeal body. If you want to challenge a court or tribunal outcome, you need to consider the appeal, review or court process that applies to that case.

Separate complaint about a judge, magistrate or court process	Complaints about judges, magistrates, court decisions or court processes do not go to LPBWA. They should be directed to the relevant court or other appropriate complaints pathway.
Speak Safely informal reporting	If you experienced or witnessed harassment, discrimination or bullying in a legal workplace or legal setting but do not want to make a formal complaint, you can make an informal report through Speak Safely and may remain anonymous. Speak Safely can listen, explain options and refer to support services, but an informal anonymous report is not the same as a formal Uniform Law complaint.
Other rights preserved	Making a complaint to LPBWA does not remove other rights you may have under another law or through another legal process. However, those separate rights are not part of LPBWA's own complaint process and should be assessed separately.

Step 9: Other bodies that handle complaints about legal related complaints

Complaint body	Description
Australian Human Rights Commission	The Australian Human Rights Commission (AHRC) can handle complaints about discrimination that occurs in employment, education, the provision of goods and services, accommodation, sport or the administration of Commonwealth laws and services. If you have experienced discrimination, bullying or harassment on the basis of your sex, disability, race, age or sexual preference, the AHRC may be able to help. There are also State Government discrimination complaint bodies who may also be able to assist.
Office of the Australian Information Commissioner	The Office of the Australian Information Commissioner (OAIC) can handle complaints about the way personal information has been handled by Australian Government agencies and some private organisations. The OAIC can also review freedom of information decisions that are made by Australian Government agencies and ministers. There are also State Government privacy and information complaint bodies who may also be able to assist.
National Anti-Corruption Commission	The National Anti-Corruption Commission (NACC) handles complaints about serious or systemic corruption in the Australian Government public sector. There are also a State Government corruption complaint bodies who may also be able to assist.
Ombudsman WA	Ombudsman Western Australia is an independent office that investigates complaints about the administrative actions of Western

	Australian public authorities, including government departments, local governments and public universities.
State Administrative Tribunal (SAT)	The State Administrative Tribunal may hear disciplinary proceedings about legal practitioners where those proceedings are brought by LPBWA or the relevant legal regulatory body. SAT is not usually the first place for a member of the public to lodge an ordinary complaint about a lawyer. SAT may make a range of orders in disciplinary matters, including suspending or cancelling a practising certificate, imposing a fine, imposing conditions, issuing a reprimand, or requiring a legal practitioner to undertake additional training.

Need help preparing or pursuing your complaint?

Below are organisations that may be able to help you to make your complaint, provide support or advocacy during the complaint process or give you more information.

Organisation	Contact Details	How they can help
LPB WA	Website: https://www.lpbwa.org.au/ Telephone: 08 6211 3600 Email: enquiries@lpbwa.com	You can contact LPB directly if you have any further questions or need assistance with your complaint
Translating and Interpreter Service	Website: www.tisnational.gov.au Telephone: 131 450	Provide support to people if English is not their first language.
National Relay Service	Website: www.accesshub.gov.au Speak and Listen: 1300 555 727 TTY/Voice: 133 677	Provides a range of services to support people who are deaf or have a hearing or speech impairment to communicate.
Deaf or Hearing Impaired Users	Telephone: Choose <u>preferred NRS channel</u> then 1800 806 314	Provides communication support for deaf or hearing impaired individuals through the National Relay Service (NRS), where you can choose their channel for assistance.

Self-help tools and additional resources

Resource	How this helps
Call It Out	Online register for racism/discrimination experienced or witnessed towards First Nations Australians. Not an official complaints body.
Law Society WA	No power to investigate complaints but they can refer you to a new lawyer and assist you with managing related issues at a broad level.
Legal Aid WA	Website with information (link here) 1300 650 579 First Nations line: 1800 319 803 Explain the process and assist, and investigate complaints about lawyers who work for Legal Aid WA.