

LEGAL PRACTICE COMMITTEE OF QUEENSLAND

REGISTRY: Brisbane
NUMBER: 008/06

Applicant: LEGAL SERVICES COMMISSIONER

AND

Respondent: DAVID HILTON JAMES

ORDER

Before: Mr P Cooper (Chairperson), Mr M Conroy (Legal Practitioner) and Ms B Russell (Lay Member)

Date: 10 April 2006

Basis for Judgement: Originating Application filed on 06 April 2006

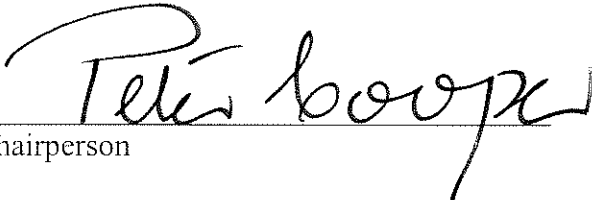
THE ORDER, FINDINGS AND REASONS OF THE COMMITTEE:

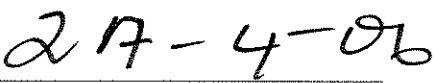
1. The Committee refuses the application of the Respondent that the hearing be closed, it is to remain open.
2. The practitioner has been charged with unsatisfactory professional conduct arising out of two charges, namely:
 - (a) failure by the practitioner to account to his employer for \$1500 for professional fees paid by Mr Michael Terry; and

ORDER
Filed on behalf of the Applicant
Form 59rr661

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- (b) the practitioner using language with Mr Terry and Mr Angel which was offensive and insulting, displayed a lack of courtesy, had the potential or tendency to bring the legal profession into disrepute.
3. The practitioner has pleaded guilty to the two charges.
 4. The Committee finds that the conduct amounts to unsatisfactory professional conduct in relation to both charges.
 5. The Committee finds both charges proved, and the practitioner guilty of unsatisfactory professional conduct in relation to both charges.
 6. The Committee fines the practitioner \$3000 payable to the Legal Practitioners Interest on Trust Accounts Fund.
 7. The Committee, pursuant to section 282(2)(a) records a public reprimand against the practitioner.
 8. The Committee orders the practitioner to pay costs to be assessed on standard basis or agreed.
 9. The reasons for our findings are that the practitioner pleaded guilty to the charges, and his admissions made in writing and by counsel.
 10. The Committee directs that any medical evidence which forms part of the record should be placed in a sealed envelope, and placed with the papers, and not to be opened or referred to unless an appeal is commenced by any of the parties to these proceedings.


Chairperson


Date