

LEGAL PRACTICE COMMITTEE OF QUEENSLAND

**REGISTRY: Brisbane
NUMBER: 006/07**

Applicant: LEGAL SERVICES COMMISSIONER

AND

Respondent: BRENDAN PATRICK RYAN

ORDER

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

Date: 12 November 2007

Basis for Judgment: Originating application filed on 17 October 2007

THE ORDER, FINDINGS AND REASONS OF THE COMMITTEE IS THAT:

The respondent was admitted as a solicitor of the Supreme Court of Queensland in November 1987.

The respondent has been charged with unsatisfactory professional conduct in that, on or about 27 June 2005, the respondent made or published a report concerning a trial, contrary to section 6(1) of the Criminal Law (Sexual Offences) Act 1978. The disciplinary application originally had two charges. The applicant has been given leave to withdraw charge 2.

The respondent successfully defended a client in a District Court action where the jury found the respondent's client not guilty in respect of each count on the indictment. Subsequent to the District Court hearing, the respondent prepared and issued to the client a letter headed To Whom It May Concern, detailing the Court action. The respondent's client published this letter to at least one person.

ORDER
Filed on behalf of the Applicant
Form 59rr661

Legal Services Commission
Level 25, 307 Queen Street
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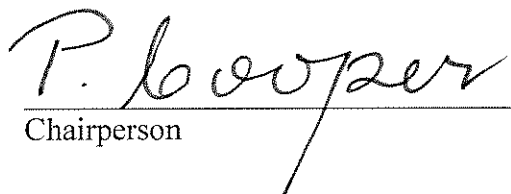
The disciplinary application alleges that the letter likely revealed particulars to lead to the identification of the complainants in the trial, the nature of the alleged offence and the complainants' relationship to the accused.

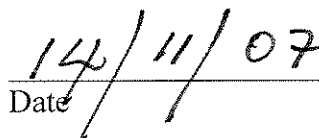
This action by the respondent resulted in the issue of a disciplinary application dated 17 October 2007. By written letter dated 25 October 2007, the respondent acknowledged service of the disciplinary application on him and pleaded guilty to the first charge. In the letter the respondent apologised to the legal profession and to the children for his action.

The Committee finds that the conduct complained of amounts to unsatisfactory professional conduct, and finds the respondent guilty of unsatisfactory professional conduct in terms of section 418 of the Legal Profession Act 2007.

1. The Committee hereby publicly reprimands the respondent.
2. The Committee orders the respondent to pay the applicant's costs of \$750 within 30 days from today.

The committee has, in determining penalty, taken into account the early plea, the expression of remorse, the public apology tendered, the respondent has not appeared before any disciplinary bodies before, and the committee also accepts the error of judgment of the respondent.


Chairperson


Date