

**LEGAL PRACTICE COMMITTEE OF QUEENSLAND**

**REGISTRY: Brisbane  
NUMBER: 003/08**

**Applicant: LEGAL SERVICES COMMISSIONER**

**AND**

**Respondent: ROBERT JOHN GOULD**

**ORDER**

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

**Date:** 15 September 2008

**Basis for Judgment:** Originating application filed on 13 May 2008

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

The respondent is an Australian legal practitioner within the meaning of the Legal Profession Act 2007, having been born on 23 December 1949 and admitted as a solicitor of the Supreme Court of Queensland on 24 February 1986. The respondent is the principal of a law practice, Compass Legal Solutions.

The charge brought by the applicant against the respondent is that the respondent's conduct lack competence and diligence in relation to his acting for a Mr and Mrs R Olschewsky between 6 September 2004 and 16 May 2006, in that the conduct failed to meet the standard of competency and diligence that a member of the public is entitled to expect of a reasonably competent Australian legal practitioner.

Mr and Mrs Olschewsky gave instructions to the conveyancing manager of Compass Legal Solutions, Ms Lynne Morrisey, to act in a conveyance on their behalf. The conveyancing manager is not a legal practitioner . The respondent was responsible

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ORDER  
Filed on behalf of the Applicant  
Form 59rr661

Legal Services Commission  
Level 25, 307 Queen Street  
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for the supervision of Ms Morrissey, including checking her work and providing advice and guidance to her. The registered proprietor of the property, the subject of the conveyance, had died intestate in Germany. Ms Morrissey failed to comprehend that the title of the subject property would first require attention to deal with the death of the registered proprietor.

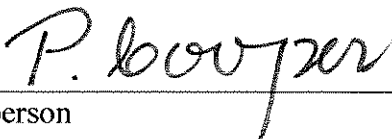
The respondent failed to supervise Ms Morrissey and give her the benefit of his professional judgment. Ms Morrissey proceeded to conduct the matter as a conveyance and failed to appreciate the estate issues involved.

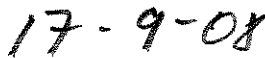
The respondent has pleaded guilty to the charge. The Committee finds the conduct amounts to unsatisfactory professional conduct and finds the respondent guilty of unsatisfactory professional conduct.

In determining what penalty should be imposed the Committee has taken into account the following:

The respondent has cooperated with the Legal Services Commissioner and the mitigating circumstances outlined by the counsel representing the Legal Services Commissioner.

1. The Committee publicly reprimands the respondent.
2. The Committee orders the respondent to pay the applicant's costs of \$1000.

  
\_\_\_\_\_  
Chairperson

  
\_\_\_\_\_  
Date

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