

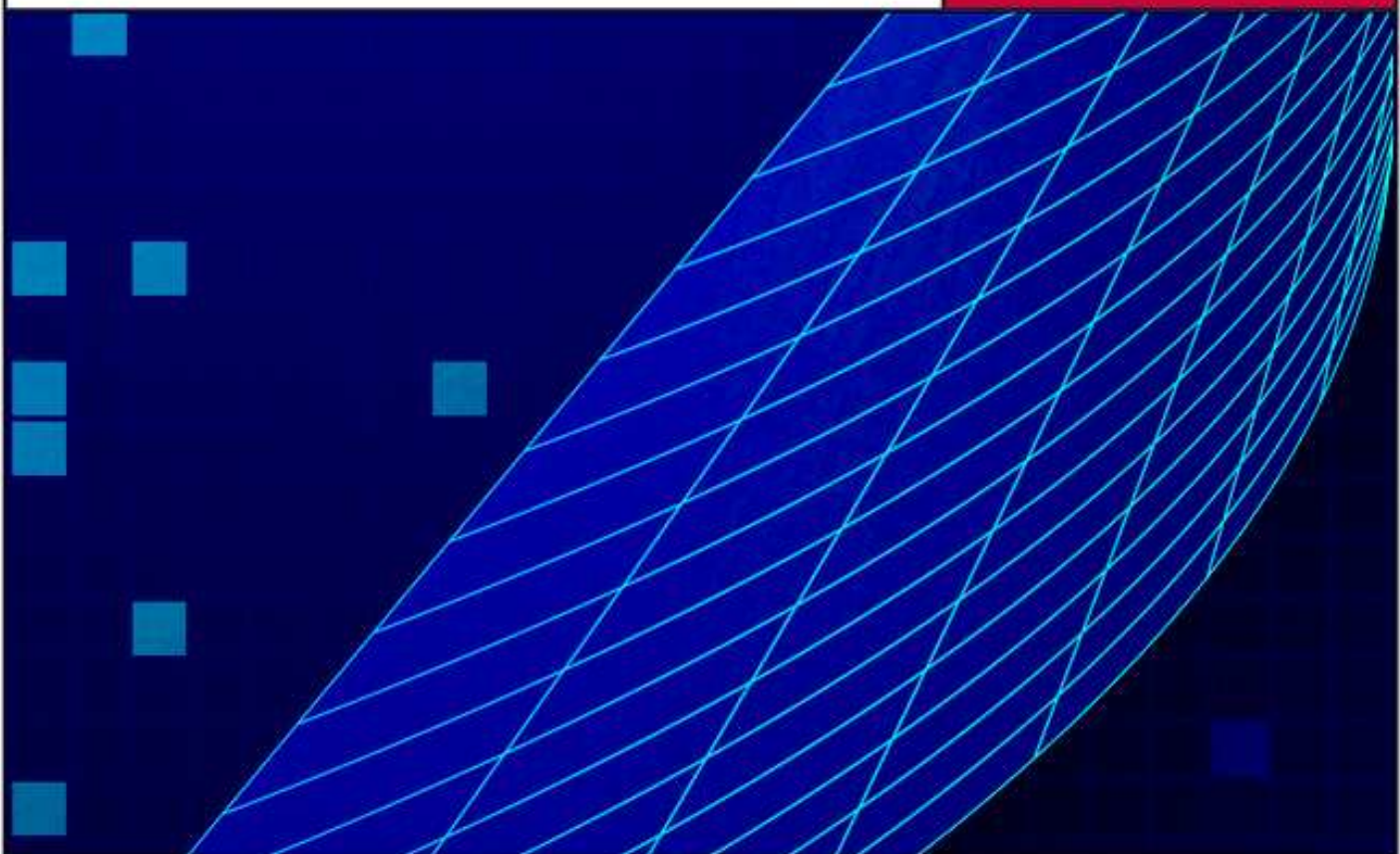
**SUBMISSION BY THE
AUSTRALIAN INDUSTRY GROUP
AND Ai GROUP LEGAL PTY LTD**



**Submission to National Legal Reform Taskforce
on Proposals for the National Regulation of the
Legal Profession**

 AUSTRALIAN INDUSTRY GROUP

13 August 2010



**SUBMISSION TO NATIONAL LEGAL REFORM TASKFORCE ON
PROPOSALS FOR THE NATIONAL REGULATION OF THE LEGAL
PROFESSION**

INTRODUCTION

1. This submission is a joint submission by The Australian Industry Group and Ai Group Legal Pty Ltd (ACN 125739639) relating to the Australian Legal Profession Reform Project and the Consultation Regulation Impact Statement dated 14th May 2010 and other associated material issued by the National Legal Reform Task Force.
2. This submission strongly supports the recommendations of the Task Force. The difficulties that have been experienced under the current State systems as outlined in this submission corroborate the findings of the Task Force.
3. By way of introduction a summary of the background and nature of both parties making this joint submission is set out in Part A below.

**PART A - GENERAL BACKGROUND INFORMATION CONCERNING
PARTIES MAKING SUBMISSION**

The Australian Industry Group

4. The Australian Industry Group (Ai Group) is an association of employers registered and incorporated under the *Fair Work (Registered Organisations) Act 2009 (Cth)* (“the Organisations Act”). Its operations are governed by that Act and by the *Fair Work Act 2009* (“the Fair Work Act”) and associated legislation and regulations. It is not governed by the *Corporations Act 2001* but it is incorporated

pursuant to s.27 of the Organisations Act and is subject to the regulatory provisions in that Act and associated Fair Work legislation.

5. The governance of Ai Group is carried out by officers who are representatives of members and who are elected by secret postal ballot in accordance with a rigid set of regulations in the Organisations Act. The duties and obligations of such elected officers are similar to those applying to Directors under the *Corporations Act*. Mr Don Matthews is the current National President and Mrs Heather Ridout is the current Chief Executive of Ai Group.
6. Ai Group is a non-profit making organisation in the sense that all net profit is expended on the objects of the Group and no member or other party is entitled to share in the profits of the Group.
7. Ai Group is an organisation that came about through the amalgamation of the Metal Trades Industry Association of Australia (MTIA) and the Australian Chamber of Manufactures (ACM) on the 30th June 1998. Both of such organisations were at that time registered as industrial organisations of employers under the *Workplace Relations Act 1996* and had been so registered under earlier forms of that legislation for many years. On the 1st July 2009 the Engineering Employers Association, South Australia amalgamated with Ai Group and became its South Australian Branch. Engineering Employers Association, South Australia had been registered in its own right under the Federal system for a very long period of time.
8. Ai Group's members are spread over a wide range of industries including manufacturing, metal trades, engineering, building and construction, computer and telecom industries, food, exporting, information technology, defence, airlines, labour hire, shipbuilding, transport, and related industries. In addition to full members, Ai Group

has a large number of associates and provides industrial, policy and trade associated services to a range of other parties.

9. Ai Group employs a wide variety of staff and included among such staff are managers and advisers who provide industrial and workplace services to members, and others, in NSW, Victoria, Queensland and South Australia in accordance with the rights I have outlined above.
10. Many members of such staff have academic legal qualifications and some hold legal practising certificates. Many other members of such staff have tertiary industrial relations / human resources qualifications. Staff regularly appear before Federal and State industrial tribunals including Fair Work Australia (FWA).
11. Ai Group works closely with all Federal and State Governments and has an enviable reputation for its various operations in many fields including workplace law and relations, economics, the environment, OHS, trade, taxation etc. It played a prominent part in consultation for the current code of industrial law contained in the Commonwealth Fair Work raft of legislation.

Ai Group rights to represent Members

12. The rights of Ai Group to appear and represent its members are primarily in section 596 of the Fair Work Act which indicates that a person is not deemed to be represented by a lawyer or paid agent so as to require leave to appear in proceedings before FWA if it is represented by an organisation registered under the Organisations Act. Other parts of the same Act give further rights to industrial organisations, as for example s.418 (2) (b) (ii) which gives the right to an organisation, to which an affected person belongs, to seek orders from FWA that industrial action stop, not occur and not be organised.

Registered organisations are also given a range of other rights under the *Fair Work (Transitional Provisions and Consequential Amendments) Act 2009*.

13. S.353A of the Organisations Act provides that a person may be represented in proceedings in the Fair Work Division of the Federal Court or of the Federal Magistrates Court by a registered organisation of which the person is a member (proceeding relating to an offence under a Commonwealth law and Appeals from State or Territory Courts are excluded and leave to appear is required in matters involving references of questions of law by the President of FWA).
14. S.166 of the *Industrial Relations Act 1996 (NSW)* provides that a party to proceedings before the NSW Industrial Relations Commission may be represented by a practising legal practitioner or an agent who is not such a practitioner. Leave is required for a legal practitioner to appear in conciliation proceedings unless that practitioner represents an industrial organisation and is an employee or officer of that organisation.
15. Other provisions in that Act give additional rights to registered organisations, as for example s.357 which allows registered industrial organisations to prosecute proceedings for a penalty for contravention of an industrial instrument. Registered organisations can, of course, also act in matters involving non-members where lay advocates can appear or where the employer can be represented by a third party.

Ai Group Legal Pty Ltd

16. Ai Group Legal Pty Ltd, (“Ai Group Legal”) (ACN 125739639) is a company incorporated under the *Corporations Act 2001* that is wholly owned by a trust in which Ai Group is the sole beneficiary of all income.

It gave notice to the Law Society of NSW pursuant to s.137 of the *Legal Profession Act 2004 (NSW)* that it intended to commence to practice as an incorporated legal practice in accordance with the provisions of that Act from the 1st August 2007. Shortly after it also gave notice in accordance with the relevant State legislation that it intended to practice in Victoria and Queensland and accordingly has commenced to practice in all three states and continues to do so. It is intended to eventually practice in South Australia but the South Australian Government has not yet passed the model Legal Profession Act that it has agreed to pass. Until this Act is passed Ai Group Legal cannot practice in South Australia because it is an incorporated legal practice that is not recognised by the existing South Australian Legal Profession Act.

17. Ai Group Legal conducts a legal practice that is a completely separate entity to Ai Group (as is required by legislation, see for example Rule 37 of the Law Society of NSW Professional Conduct and Practice Rules), but which works closely with Ai Group. Ai Group Legal appoints appropriately qualified Legal Practitioner Directors (LPDs) as required by the terms of the Legal Profession Act in each State in which it operates and practises strictly in accordance with the terms of those Acts. LPDs are directors of Ai Group Legal, and senior staff of Ai Group make up the balance of the Board of Directors. The LPDs have all had experience in practising in firms of solicitors and some of those LPDs have been partners and managers of legal practices prior to joining Ai Group Legal.
18. Ai Group Legal only accepts instructions to do work classified as employment / industrial work and a full description of such area of work is contained in its practice manual binding all staff to ensure that it does not accept instructions in any area of law outside the general area of industrial and workplace law.

19. Ai Group Legal does not hold trust moneys or controlled money on behalf of any client or party, and does not conduct a trust account. Fee Earners are required to refuse to hold any moneys in trust for any party and in all other ways to comply with trust account regulation at all times.

20. Ai Group Legal operates from offices in Ai Group premises but conducts a separate filing and accounts system which is subject to strict independent auditing and supervision so as to comply with all appropriate regulation. Work done by Ai Group and Ai Group Legal is not intermingled except to the extent that matters may transfer between each entity as is required by the law. For example, a conciliation hearing in FWA may be dealing with a matter when a party to the conciliation also commences secondary boycott proceedings under the Trade Practices Act. Ai Group may be unable to appear in those proceedings but the member may decide to instruct Ai Group Legal to take over that matter as its lawyers. Ai Group Legal would obtain information from Ai Group but would conduct the Trade Practices proceedings as a separate new matter with separate records and costing. The client would be fully advised as to its rights to select any other lawyers to act on its behalf and as to the separate nature of the Ai Group Legal practice.

Method of operation of Ai Group Legal Pty Ltd

21. Ai Group Legal only accepts instructions to do work classified as employment / industrial work and a full description of such area of work is contained in the practice manual. There is a strict rule that no other form of legal work is to be carried out by anyone on behalf of Ai Group Legal. Ai Group Legal does not maintain a trust account as it does not

handle money on behalf of clients. It does not allow any money to be held by it or any person on its behalf as controlled money.

22. Ai Group Legal operates at the offices of Ai Group in Sydney, Melbourne and Brisbane with required separation and confidentiality of files, records, correspondence and accounts. A dedicated case file register is retained together with supporting documentation. All records are kept in accordance with regulations. A file can only be opened after discussion with a Legal Practitioner Director who must sign the file and approve the retainer letter and retainer conditions and estimate of costs. Strict supervision by a Legal Practitioner Director applies as to all matters and regular reporting is required as to progress of matters. All persons doing legal work are required to be familiar with, and comply with, the Incorporated Legal Practice Manual maintained by Ai Group Legal.

23. The legal work performed by Ai Group Legal is carried out either directly by Legal Practitioner Directors, or by advisers under the supervision of Legal Practitioner Directors. Ai Group Legal does not employ any employees but by arrangement with Ai Group, advisers are seconded to Ai Group Legal to do legal matters as the need arises. This arrangement entails seconded employees being directly under the control of Legal Practitioner Directors while assigned, and all time spent in performing work for Ai Group Legal is recorded and payments are set off to enable Ai Group to recover the cost of salaries etc of such seconded staff. Many of such seconded employees have legal qualifications but others have industrial relations qualifications that equip them to do the particular legal work, in both cases under the strict supervision of a Legal Practitioner Director. Retainer documents spell out the qualifications of employees working on files and only lawyers who have appropriate practising certificate are described as legal practitioners.

24. The secondment arrangement has been disclosed to LawCover the Professional Indemnity insurer of Ai Group Legal. All Law Cover standard policies cover seconded employees and LawCover is quite happy to cover our method of operation.

Why did Ai Group decide to operate an Incorporated Legal Practice?

25. Ai Group was aware for some time that many members wanted Ai Group to conduct industrial matters that were legal matters. This was because of Ai Group's familiarity with members' businesses and their interests, and the fact that Ai Group regularly represented those members in industrial hearings and has significant experience in the industrial law field acquired over a long period of time.
26. Ai Group has always been very conscious of avoiding any situation where it could exceed its representative rights and has maintained a consistent approach of immediately rejecting any work that could be considered to be outside its area of representative rights. It is inevitable that some industrial situations can lead to a need for legal services to be provided that are outside those permitted by the legislation we have described. Ai Group has always adopted a stance of immediately referring members in this situation to seek legal representation. It is noteworthy that Ai Group has been involved in an enormous amount of industrial relations work without at any time receiving any complaint that it had exceeded its charter. Ai Group has been involved in many test cases in courts (as opposed to the Industrial Commissions) over the years and, where required, has instructed external firms of practising lawyers to appear for it.

27. An additional consideration was that Ai Group considered that it employed a very skilled group of industrial lawyers who could render top flight legal services to members if permitted to do so. These services could be rendered to members and others at competitive prices with general law practices because of the specialised industrial law knowledge developed by Ai Group over many years.
28. Changes to the then Legal Profession Acts of States made from 2004 onwards enabled Ai Group to register an incorporated legal practice in NSW, Queensland and Victoria which was done by way of incorporation of Ai Group Legal in 2007 as described above.
29. Ai Group Legal has been very successful, with a growing number of matters being undertaken a strong indication that members of Ai Group want this service and appreciate the benefits of the specialised knowledge available and the competitive cost advantage of using Ai Group Legal where all net profits are paid to Ai Group without any other party sharing in such profits.

PART B - PROBLEMS ENCOUNTERED BY AI GROUP LEGAL PTY LTD ARISING FROM SEPARATE STATE LEGISLATION LACKING TRUE UNIFORMITY

South Australia

30. It is understood that in 2004 South Australia agreed to introduce uniform legal profession legislation. This legislation has not as yet been passed and our approaches to the South Australian Government concerning this delay have been unsuccessful in obtaining any satisfaction as to why the legislation has not been passed. The current South Australian Legal Profession legislation does not allow an incorporated legal practice such as Ai Group Legal to practise in South

Australia in the manner that is allowed by the model legislation passed in other States. This failure by South Australia to pass the relevant legislation is preventing Ai Group Legal from extending its practice to benefit members of Ai Group in South Australia and is preventing such members from enjoying the advantages of specialised industrial legal knowledge and cost competitiveness that would be available if the uniform legislation applied in South Australia.

31. If the Task Force recommendations were implemented this problem would be resolved.

Duplication of administration work for Ai Group Legal

32. A significant amount of time is currently demanded of the Legal Practitioner Directors of Ai Group Legal in duplicating administration required by the regulatory bodies of each of the three States in which it is practising. It is estimated that the average total time spent by the LPDs in such duplication could be as high as 7 hours per week or more. Such work consists of satisfying regulatory requirements for a particular State that have already been satisfied for another State and identifying different requirements under different State acts.
33. A good example of such duplication is in respect of Professional Indemnity Insurance where Ai Group Legal uses LawCover to provide one policy covering all of its practice in all three States. Despite this broad cover Ai Group Legal is still required to separately satisfy the regulatory bodies in all three States that satisfactory cover is held each year.
34. This also illustrates the fact that while Ai Group Legal operates internally as one entity that provides legal services in three States, it appears to be treated as a separate entity within each State system in

which it operates. An LPD appointed in one State is not recognised as an LPD appointed in another State unless appropriately admitted in that other State.

35. A further example is that Ai Group Legal has been asked to complete separate compliance self assessments by regulatory bodies in all three States in which it practises.
36. This duplication arising from differing legislation often requires three separate pieces of legislation, regulations and rules to be researched to try to achieve a position that satisfies all states. This is very time consuming for LPDs.

Difficulties encountered regarding practising certificates

37. All current Legal Practitioner Directors of the ILP have unrestricted principal practising certificates and no problems have been experienced with those arrangements.
38. Ai Group employs in-house counsel to advise Ai Group (not its members) on internal commercial legal matters not related to industrial relations. That counsel holds a corporate practising certificate entitling her to act as corporate counsel and she is not involved in giving members legal or industrial advice. She does not perform any work on behalf of Ai Group Legal or its clients. We have no problem with her situation.
39. Prior to Ai Group Legal coming into existence, some solicitors employed by Ai Group as industrial advisers held restricted corporate practising certificates as they were employed by a non-lawyer corporation. We emphasise that they did not provide legal services to

members or any other party and did not represent themselves other than as corporate practitioners.

40. Upon Ai Group Legal commencing operations the question arose as to which practising certificates should be held by solicitors who were seconded from time to time to Ai Group Legal. These solicitors do not give members legal advice except when seconded to Ai Group Legal in a particular matter.

41. In view of this situation, these solicitors were advised that a restricted non-principal practising certificate should be held by them as they were performing work for an incorporated legal practice. This would enable them to be described as a solicitor when doing work for Ai Group Legal and to appear in court proceedings. We understood that in NSW it is not possible to hold a dual certificate but that the non-principal practising certificate would be appropriate. In both NSW and Queensland these solicitors currently hold practising certificates entitling them to perform work for Ai Group Legal and its clients. They are also entitled to advise Ai Group on its internal legal matters although it is not the practice for this to happen as this work is done by in-house corporate counsel mentioned earlier and by the Legal Practitioner Directors. This does not apply in Victoria due to different interpretations.

42. An incorporated legal practice is included in the definition of “law practice” in s.1.2 of the *Legal Profession Act 2004 (Victoria)*. Our view is that the solicitors concerned are performing work for Ai Group Legal when seconded to that incorporated legal practice and when their salary is being repaid to Ai Group. Accordingly, they should be entitled to hold a restricted non-principal practising certificate. If this means that they do not hold a corporate practising certificate then this must be accepted and is of no apparent consequence.

43. We are supported in this view by the fact that clause 35 (d) (ii) of our Professional Indemnity Policy held with LawCover defines “employee” as including a person who is, or was, “seconded to work in the law practice”.
44. This really raises the question as to the basis of the distinction made between the practising certificates variously issued to corporate and to law firm solicitors. There appears to be no recognition in Victoria that a lawyer could be fulfilling both roles from time to time during the currency of a practising certificate.
45. S.2.7.5 of the *Legal Profession Act 2004 (Vic)* provides that an incorporated legal practice can carry on any other business. This does not relate to the facts concerning Ai Group Legal, but it does illustrate that a solicitor can be fulfilling both roles as a corporate lawyer and a firm lawyer during the course of a practising certificate.
46. Despite this situation the Victorian Law Institute has insisted that Ai Group Legal restricted solicitors hold a corporate practising certificate or alternatively a full unrestricted practising certificate.
47. This illustrates the existence of different interpretations of the Act that are possible under the current multi State regulation regime.

Different requirements for disclosures relating to cost agreements and bills

48. We note that the Taskforce has commented on the problems associated with non-uniform disclosure requirements and we confirm that Ai Group Legal has been subject to additional cost and time

expended in trying to institute systems that satisfy the legislation of all States.

49. Separate retainer letter precedents and bill precedents have to be maintained for each State in respect of matters solely associated with the particular State.
50. Problems arise in respect of matters involving more than one State or involving Federal aspects. The only solution appears to be to incorporate duplicated disclosures in the relevant documents together with an explanation as to the differing requirements of the States, so as to avoid clients being confused by the repetitive nature of the material.
51. Once again, additional cost and waste of time is involved for no apparent good reason as it would be an easy matter to arrive at uniform disclosure terms that would be applicable for each State.

PART C - GENERAL SUBMISSIONS CONCERNING TASK FORCE CONSULTATION DRAFTS AND ASSOCIATED DOCUMENTS

52. The parties making this submission have carefully considered all the Taskforce Consultation Draft documents dated the 14th May 2010 and congratulate the Taskforce on its perceptive description of current unnecessary problems regarding the regulation of Australian Lawyers and on its balanced discussion and recommendations as to a system to resolve these problems.
53. Both The Australian Industry Group and Ai Group Legal Pty Ltd support all the recommendations of the Taskforce and strongly press for acceptance of such recommendations as soon as possible.

54. In paragraph 3.1.1. of the Consultation Regulation Impact Statement (CRIS), reference is made to submissions made on behalf of the Large Law Firm Group and we confirm that those submissions are in line with the experiences of Ai Group Legal. The statement made at the end of that paragraph to the effect that the burdens described apply equally to smaller cross-jurisdictional practices is very much corroborated by the experiences of Ai Group Legal P/L set out above in Part B of our submission under the heading “Problems encountered by Ai Group Legal Pty Ltd arising from separate State legislation lacking true uniformity”.
55. Ai Group Legal is not a member of the Large Law Firm Group and would fall into the category of a “smaller cross-jurisdictional practice”.
56. We support the approach of the Taskforce regarding consultation and consent processes with the State jurisdiction. We do think that the High Court decision in *New South Wales v Commonwealth* [2006] HCA 52; 81 ALJR 34; 231 ALR 1 (14 November 2006) (the “WorkChoices” decision”) could be argued to give the Commonwealth the power to legislate for regulation of incorporated legal practices and possibly regulation of law firms in doing legal work for corporations. We appreciate the effect of intergovernmental agreements that have been entered into and the desire of the Federal Government to act by consensus and we do not press these arguments.
57. We particularly support the approach of the Taskforce to business structures and the right for non-lawyers to share in profits of an incorporated legal practice providing that safeguards are met by way of liability of supervising qualified legal practitioners. We have no objections to the suggested safeguards and we submit that they are reasonable in all the circumstances. In this respect we again point out that Ai Group is a non-profit organisation in that all net income received

by it must be expended for the benefit of the industries in which it operates. Ai Group Legal Pty Ltd does not pay any commissions or inducements to any person other than reimbursement for normal salaries and all net profit is paid to Ai Group.

58. If the Legal Profession National Law comes into operation, we assume that safeguards will be in place to prevent State jurisdictions from amending these provisions to avoid uniformity by narrowing the effect of the provisions. We are prompted to make this comment due to the general nature of paragraph 3.4.3 of the CRIS and s.1.2.2 of the proposed draft Legal Profession National Law. (We found the latter section difficult to interpret and suggest that it be made clearer as to its operation.)
59. We need hardly say that this submission does not support the option contained in paragraph 5.1.2 of the CRIS whereby the status quo is retained. The Taskforce has set out a compelling case against retaining the status quo and this should not be considered.

PART D - COMMENTS ON PROPOSED PACKAGE TO GOVERN THE LEGAL PROFESSION - OPTIONS SET OUT FROM PARAGRAPH ONWARDS IN THE CONSULTATION REGULATION IMPACT STATEMENT

5.2.1 National Practice Options

60. This submission strongly supports the preferred options of the Taskforce contained in 8.1.1 and 8.1.2 of the CRIS. In view of the compelling case set out by the Taskforce and our own experiences described in this submission there can be no better viable option taking into account the objectives of the Taskforce.

5.2.2 Options for Legal Costs – Costs Disclosures and Agreements

61. This submission supports the preferred first option of the Taskforce in 5.2.2.1 as indicated by the Task Force in 8.1.3. Ai Group Legal P/L operates under a similar regime at the present time and considers that it is a scheme that is fair on all parties.

5.2.3 Options for Legal Costs-Charging

62. This submission supports the preferred first option of the Taskforce in 5.2.3.1 as indicated in 8.1.4. Once again this option seems fair on all parties.

5.2.4 Options for Dispute Resolution

63. This submission supports the preferred option of the Task Force as described in 8.1.5

5.2.5 Options for Trusts

64. This submission supports the preferred option of the Taskforce as described in 8.1.6 always providing that a legal firm that does not accept or hold trust moneys or controlled moneys is exempt from the requirement to conduct a trust account. The type of practice conducted by Ai Group Legal does not require moneys to be held and establishing a trust account would be an unnecessary expense. Proper precautions have been put in hand to educate staff in this respect and to prevent any breach of regulations.

5.2.6 Options for Foreign Lawyers

65. This submission supports the preferred first option in 5.2.6.1 of the Taskforce as per 8.1.7.

5.2.7 Options for Fidelity Fund Determinations

66. This submission supports the preferred first option of the Taskforce in 5.2.7.1 as per 8.1.8.

5.2.8 Options for Business Structures – Regulatory Obligations

67. This submission supports the preferred second option of the Task Force in 5.2.8.2 as described in 8.1.9 always providing that no dilution of the provisions contained in the Exposure Draft of the Legal Profession National Law takes place and that any local variations are limited to expanding those provisions.

5.2.9 Options for Business Structures - Choice of Business Structure

68. This submission supports the preferred second option of the Taskforce in 5.2.9.1 as described in 8.1.10 always providing that no dilution of the provisions contained in the Exposure Draft of the Legal Profession National Law takes place and that any local variations are limited to expanding those provisions.

5.2.10 Options for Professional Indemnity Insurance

69. This submission supports the preferred first option of the Taskforce in 5.2.10.1 (wrongly identified as 4.2.8.1 on page 26 of the CRIS) as described in 8.1.8 and refers to the unnecessary duplications mentioned earlier in this submission.

Options for Regulatory Framework

70. This submission follows the recommendations of the Taskforce by supporting option 1 in 5.3.1.1 see 8.2.1, by supporting option one as described in 8.2.2 and by supporting option 3 in 5.3.2.2.3 as described in 8.2.3.

PART E - RESPONSES TO QUESTIONS FOR CONSULTATION RAISED IN PARAGRAPH 8.3 OF THE CONSULTATION REGULATION IMPACT STUDY

Do Stakeholders agree with the package and proposals of the Taskforce on the Legislation and National Rules?

71. As indicated in this submission, strong support is given to all the proposals and recommendations of the Taskforce and it is considered both necessary and urgent to adopt these proposals.

Do Stakeholders agree with the Taskforce proposals on the proposed National Bodies?

72. This submission strongly supports the Taskforce proposals as to National Bodies and considers that they are essential for the modernisation of the legal system and to meet public expectations for a speedier and more expedient legal system.

Potential Savings: Do practitioners and law practices anticipate savings from the operation of the proposed scheme?

73. There would be substantial savings for Ai Group Legal if the proposals were implemented as a result of the removal of repetitive administrative procedures and the ability to operate under only one system of legal regulation.

Potential Costs: Do practitioners and law practices anticipate additional costs from the operation of the proposed system?

74. It is not anticipated that there would be additional costs involved in operation of the proposed system. There would appear to be no reason why premiums and practising fees should increase over and above the aggregate of fees presently paid under applicable State systems.

Consumer Protection: Do Consumers believe the proposals will protect their Interests when purchasing legal services?

75. This submission cannot speak on behalf of consumers but from an objective point of view, it can be argued that consumer should be well pleased with the proposals. The consumer proposals are reasonable and will enhance existing protection of consumers. The public expects independent and expedited resolution of disputes concerning provision of legal services, and the proposals of the Taskforce have the potential to satisfy those expectations.