



Procedure and Privileges Committee

Report on a Person Adversely Referred to in the Legislative Assembly — Lynette Quinlivan

Report No. 1

June 2013

Legislative Assembly

Parliament of Western Australia

Committee Members

Chairman	Hon Michael Sutherland, MLA Speaker of the Legislative Assembly Member for Mount Lawley
Deputy Chairman	Hon Michelle Roberts, MLA Member for Midland
Members	Mr Frank Alban, MLA Member for Swan Hills Ms Wendy Duncan, MLA Member for Kalgoorlie Mr John Quigley, MLA Member for Butler

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Presented by

Ms Wendy Duncan, MLA
Deputy Speaker of the Legislative Assembly

Laid on the Table of the Legislative Assembly on 27 June 2013

Report

The Speaker of the Legislative Assembly referred to the Procedure and Privileges Committee a letter from Ms Lynette Quinlivan, seeking to use Standing Order 114 to respond to comments made in the *Legal Profession Complaints Committee Western Australia 2012 Annual Report* which was tabled in the Legislative Assembly on 8 November 2012.

The Committee has agreed to recommend the incorporation in *Hansard* of the appended response by Ms Lynette Quinlivan.

In accordance with Standing Order 114, the Committee has not considered or judged the truth of any statements made in the Legislative Assembly or in the submission.

Recommendation

Your Committee recommends –

- That a response by Ms Lynette Quinlivan, in the terms specified in the Appendix to this report, be incorporated in *Hansard*.



Hon Michael Sutherland, MLA
Chairman of the Committee
27 June 2013

Appendix One

Response by Ms Lynette Quinlivan

Agreed to by Ms Lynette Quinlivan and the Procedure and Privileges Committee pursuant to Standing Order 114

**LEGAL PROFESSION COMPLAINTS COMMITTEE WESTERN AUSTRALIA
2012 ANNUAL REPORT**

I am a legal practitioner and I have been conducting my own legal practice in Mount Claremont since 1993. In 2011 there were some adverse findings made against me at the State Administrative Tribunal. This is recorded in the *Legal Profession Complaints Committee Western Australia 2012 Annual Report*. This report was tabled in the Legislative Assembly on 8 November 2012.

The Full Court of the Supreme Court of Western Australia has unanimously dismissed that decision of the State Administrative Tribunal as I appealed to the Supreme Court. My appeal has been allowed; I have been completely exonerated. The decision was handed down by the Full Court on 14 December 2012 and the case reference is *CACV 105 of 2011 Lynette Patricia Quinlivan v Legal Profession Complaints Committee (LPCC)*.

I submit that the Annual Report has adversely affected my reputation. Accordingly, I request, under the provisions of Legislative Assembly Standing Order 114, that this response be incorporated in *Hansard* to correct the reference in the *Legal Profession Complaints Committee Western Australia 2012 Annual Report*.

Appendix Two

Committee's Functions and Powers

Legislative Assembly Standing Order No. 284 provides the following functions, powers and terms of reference to the Procedure and Privileges Committee —

Procedure and Privileges Committee

- 284.** (1) A Procedure and Privileges Committee will be appointed at the beginning of each Parliament to —
- (a) examine and report on the procedures of the Assembly; and
 - (b) examine and report on issues of privilege; and
 - (c) wherever necessary, confer with a similar committee of the Council.
- (2) Membership of the committee will consist of the Speaker and four other members as the Assembly appoints.
- (3) Standing Order 278 will apply except that where possible any report of the committee will be presented by the Deputy Speaker.
- (4) When consideration of a report from the committee is set down as an order of the day it will be considered using the consideration in detail procedure.