

QUEENSLAND CIVIL AND ADMINISTRATIVE TRIBUNAL

CITATION: *Legal Services Commissioner v Slater* [2025] QCAT 528

PARTIES: **LEGAL SERVICES COMMISSIONER**
(applicant)
v
ROHAN SINCLAIR SLATER
(respondent)

APPLICATION NO: OCR218-24

MATTER TYPE: Occupational regulation matters

DELIVERED ON: 19 December 2025

DELIVERED AT: Brisbane

HEARING DATE: 11 December 2025

JUDGE: Justice Davis

Assisted by:

Mr Geoffrey Sinclair, Practitioner Panel Member

Mr Keith Revell, Lay Panel Member

ORDERS:

- 1. The charge is proved and professional misconduct is established.**
- 2. The respondent is publicly reprimanded.**
- 3. The local practising certificate of the respondent is suspended from 1 February 2026 to 31 December 2026.**
- 4. The respondent is to pay the costs of the Commissioner of the proceedings on the standard basis, to be assessed as if the matter were a proceeding in the Supreme Court of Queensland.**

CATCHWORDS: PROFESSIONS AND TRADES – LAWYERS – COMPLAINTS AND DISCIPLINE – PROFESSIONAL MISCONDUCT AND UNSATISFACTORY PROFESSIONAL CONDUCT – GENERALLY – where the respondent practitioner’s step-son drove a vehicle while using a mobile telephone – where that conduct was detected by a photographic detection device – where an infringement notice was sent to the respondent’s stepson – where the respondent swore a false declaration that he was in charge of the vehicle at the time of commission of the offence – where the infringement notice was reissued – where the respondent was convicted of making a false declaration and

fraud – where the applicant Commissioner brought disciplinary proceedings against the respondent – where the conduct was admitted – where it was admitted that the conduct constituted professional misconduct – where the applicant submitted that the respondent’s name should be removed from the roll – where the respondent submitted that the appropriate penalty was a fine – where the respondent accepted he should pay the costs of the applicant

Criminal Code Act 1899 (Qld), s 194, s 408C

Legal Profession Act 2007 (Qld), s 5, s 6, s 119, s 420, s 456

Attorney-General v Bax [1999] 2 Qd R 9, cited

Council of the Law Society of New South Wales v Kim [2017] NSWCA 292, cited

Council of the New South Wales Bar Association v Einfeld (2009) 258 ALR 768; [2009] NSWCA 255, cited

Council of the New South Wales Bar Association v Sahade [2007] NSWCA 145, cited

Clyne v New South Wales Bar Association (1960) 104 CLR 186; [1960] HCA 40, followed

Ex parte Evatt; Re New South Wales Bar Association (1969) 71 SR (NSW) 153, cited

Ex parte Lenehan (1948) 77 CLR 403, cited

Gerlach v Clifton Bricks Pty Ltd (2002) 209 CLR 478; [2002] HCA 22, cited

Khosa v Legal Profession Complaints Committee [2017] WASCA 192, cited

Law Society of New South Wales v Foreman (No 2) (1994) 34 NSWLR 409, cited

Law Society of New South Wales v McNamara (1980) 47 NSWLR 72, cited

Legal Practitioners Complaints Committee v Palumbo [2005] WASCA 129, cited

Legal Services Commissioner v McDonald [2018] QCAT 82, cited

Legal Services Commissioner v Munt [2019] QCAT 160, cited

Legal Services Commissioner v Shand [\[2018\] QCA 66](#), followed

Legal Services Commissioner v Tang [\[2025\] QCA 206](#), followed

Mellifont v Queensland Law Society Inc [1981] Qd R 17, cited

Re Taylor [1997] 1 Qd R 533, followed

Rich v Australian Securities and Investments Commission (2004) 220 CLR 129; [2004] HCA 42, cited

Shrimpton v Commonwealth (1945) 69 CLR 613, cited
Prothonotary of the Supreme Court of NSW v P [2003] NSWCA 320, cited
The Prothonotary of the Supreme Court of New South Wales v Ritchard (NSWCA), 31 July 1987, unreported, cited
Watts v Legal Services Commissioner [2016] QCA 224, cited
Ziems v Prothonotary of the Supreme Court of New South Wales (1957) 97 CLR 279; [1957] HCA 46, followed

APPEARANCES & REPRESENTATION: F Wood of counsel appeared for the Legal Services Commissioner
 E Lynch of counsel instructed by Gilshenan & Luton appeared for the respondent

- [1] The Legal Services Commissioner applies for disciplinary orders against Rohan Sinclair Slater, a lawyer holding a local practising certificate.¹

Background

- [2] Mr Slater is presently 49 years of age.² He was admitted as a solicitor of the Supreme Court of Queensland on 15 March 2004.
- [3] By force of the *Legal Profession Act 2007*, Mr Slater is a local legal practitioner³ and an Australian lawyer.⁴ He is amenable to discipline by this Tribunal.
- [4] Mr Slater has always practised in the solicitors' branch of the profession. He worked in private practice from 2004 but decided to continue his career as an in-house lawyer. He has been employed in that capacity for the last 18 years. He holds an Unrestricted Employee Practising Certificate issued by the Queensland Law Society Inc subject to a condition that he only engage in legal practice to provide in-house legal services.
- [5] Mr Slater is presently employed in Queensland as an in-house lawyer to an oil and gas company based in the United States of America.
- [6] Prior to the events which are relevant to the present proceedings, Mr Slater had not been the subject of investigation by any professional body and had not been the subject of professional proceedings or findings.
- [7] Mr Slater is married. His wife has three children by a previous relationship and together they have a child.
- [8] Mr Slater's stepson is an adult who, as at June 2022, held a driver's licence. At that time, he was also seeking entry to the Queensland Police Service.

¹ *Legal Profession Act 2007*, Chapter 2, Part 2.4.

² Born on 19 January 1976.

³ *Legal Profession Act 2007*, s 6(2).

⁴ Section 5(1).

- [9] On 22 June 2022, Mr Slater's stepson was driving his Volkswagen hatchback along the Western Freeway near Mt Coot-tha. A photograph was taken of him by a photographic detection device.
- [10] The photograph showed Mr Slater's stepson's torso, hands and arms and the upper part of his legs. It does not show his face. Depending on one's view of it, the photograph may show a mobile phone resting on Mr Slater's stepson's left leg.
- [11] Based on the photograph, an infringement notice was issued to Mr Slater's stepson on 23 June 2022. The infringement notice was directed to him as he held the registration to the Volkswagen.
- [12] The infringement notice:
- (a) alleged the commission of an offence in terms:
 - (i) "driver use mobile phone"; and
 - (ii) "handheld/resting on body"
 - (b) prescribed a fine of \$1,033.00 upon acceptance of the commission of the offence;
 - (c) prescribed the loss of four demerit points upon acceptance of the commission of the offence; and
 - (d) was endorsed with notices advising the recipient of the infringement notice of various rights including a right to submit a statutory declaration swearing that some other person was driving the vehicle at the time of the commission of the offence.
- [13] Mr Slater's stepson did not pay the prescribed fine. On 8 December 2022, a statutory declaration sworn by Mr Slater was submitted. It was witnessed by Mr Slater's wife who is a Justice of the Peace.
- [14] The statutory declaration read:
- "I, Rohan Slater 1 Greek Street, London W1D 4EJ, United Kingdom Lawyer make the following declaration under the *Statutory Declarations Act 1959*:
1. An infringement notice P0101801601 (mobile phone offence) was issued with regards to an alleged offence on 20 June 2022.
 2. I confirm that I was the responsible person in charge of vehicle (Queensland registration) 637YRJ on the said date that the offence occurred.
- I understand that a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under section 11 of the *Statutory Declarations Act 1959*, and I believe that the statements in this declaration are true in every particular." (emphasis added)
- [15] A note appears on the bottom of the statutory declaration:
- "Note 1 A person who intentionally makes a false statement in a statutory declaration is guilty of an offence, the punishment for which is imprisonment for a term of 4 years – see section 11 of the *Statutory Declarations Act 1959*."

- [16] What was sworn in the statutory declaration was arguably untrue in that it was subsequently alleged:
- (a) Mr Slater's address was not 1 Greek Street, London; and
 - (b) he was not in charge of the Volkswagen at the time of the commission of the offence.
- [17] As explained below, there was contention as to whether 1 Greek Street London was Mr Slater's address, and there was contention about the meaning of the term "responsible person in charge of [the] vehicle".
- [18] The infringement notice was cancelled and reissued to Mr Slater.
- [19] On 16 October 2023, police officers spoke to Mr Slater concerning the statutory declaration. The conversation was recorded by police body worn cameras.
- [20] Mr Slater told the police officers that he travelled to London the same day he signed the declaration. It was put to Mr Slater by police that the address of 1 Greek Street, London is an establishment called the "House of Barnabas", which is a halfway house and nightclub, not a residential address. Mr Slater told police that the address was an apartment in Soho where he stayed. Mr Slater explained that he was going to be in London for some months and wanted any inquiries concerning the infringement notice addressed there.
- [21] Mr Slater asserted to police that he was, as he swore in the statutory declaration, "the responsible person in charge of the vehicle...on the said date the offence occurred".⁵
- [22] Mr Slater explained that assertion:

"[Mr Slater] Uh, [Mr Slater's stepson], uh, had, um, well, we had, uh, responsible operators of the vehicle at the time. Yeah. So, [Mr Slater's stepson], we, there's literally five people that live here. Yeah. Uh, four, which child licences? Um, and we were the, the, the vehicles lent to us in, in our possession. Okay. Um, at the time, um the ticket was received. I, I, again, I received this ticket. I'm gonna say just before I left for overseas. And happy for you to undertake a, I'm sure you already have undertaken a, a a, a cheque of the immigration records to show that I was outta the country at the time. Uh, or I just left on that day."

And later:

"[Mr Slater] Photograph as a result to, to make that determination. So what, what was done I, I never said I was driving the vehicle at, at any stage of life. I stated that. Okay. So what I have said is that I was the responsible operator of the vehicle because it was left in my care. Mm-Hmm <affirmative>. Uh, and then at that stage, I could make the determination as to who that was."

Speaker 3 So the ticket is actually in [Mr Slater's stepson's] name. The vehicle was registered in [Mr Slater's stepson's] name. It's yep. How did that ticket get to you if it was issued to [Mr Slater's stepson]?

⁵ See statutory declaration reproduced at paragraph [14].

[Mr Slater] *Well, 'cause the, the vehicles in, I was responsible operator of the vehicle because Okay. It was left, it was left in because we had one car at the time. Um, and we were, again as I said there multiple people living here. So with [Mr Slater's stepson] living here at the time Yep. Certainly was standard up before."*

Later:

Speaker 6 *Can I ask then, um, what's your understanding of what a responsible operator is?*

[Mr Slater] *Uh, I've read the legislation. I'm happy to go back to it because I'm not.*

Speaker 3 *You've, if you've got it there, I'm not. Cheque*

[Mr Slater] *Off the top of my head. Go for it. There's a person in charge. Mm-Hmm. <affirmative>, responsible, responsible operator. Responsible operator means a person nominated as a responsible operator under section one 70, or a person corresponding to a responsible operator under a corresponding transport walk. That's what a responsible operator is."*

Later:

"Speaker 5 *Any, yeah, so I'm just gonna just clarify a couple things. Again, it's a communal car per se.*

[Mr Slater] *Per se. Yep.*

Speaker 5 *Yep. Um, so how many people were using it at the time?*

[Mr Slater] *Uh, it could have been any one of three, possibly four.*

Speaker 5 *Okay. So yourself, myself..."*

Several persons who may have been driving the vehicle were identified. Then;

"Speaker 5 *Yep. Um, so he's come to you at some point. You are the responsible operator in giving you the ticket to, to, to make*

[Mr Slater] *I would, I would assume that that makes sense.*

Speaker 5 *Which led to the statutory declaration being signed. Yep. Um, so that's basically how it happened.*

[Mr Slater] *Okay. I would assume that's, that's, that's correct.*

Speaker 5 *Yep. Um, so, uh, there were no other cars available for use in the house at the time.*

[Mr Slater] *Uh, again, we had one vehicle. Yep.*⁶

- [23] The infringement notice itself speaks of the person “in charge of the vehicle at the time of the offence”. Endorsed on the infringement notice was:

“Submit a declaration online – Do not pay

When this notice is issued to the vehicle’s owner, that person is taken to have committed the offence even though the person driving may have been someone else. If you were not in charge of the vehicle at the time of the offence, you must submit a declaration to nominate the person in charge; or the person you sold/disposed of the vehicle to; or that your vehicle was stolen/illegally taken; or that you do not know who the person in charge was, having made diligent reasonable enquiries. To submit a declaration, go to

[qld.gov.au/NominateCameraFine\[...\]](http://qld.gov.au/NominateCameraFine[...])” (emphasis added)

- [24] In context, the reference to the person “in charge of the vehicle” might be intended to be the person “driving”. That was the view taken by those responsible for prosecuting offences arising from infringement notices.

- [25] Mr Slater was charged with two indictable offences both of which were dealt with summarily:

- “1. that on the 8th day of December 2022 at Brisbane in the State of Queensland one Rohan Sinclair Slater made a declaration before [Mr Slater’s wife] who was authorised by law to take declarations knowing that the declaration was false in a material particular, namely that Rohan Sinclair Slater was the person in charge of the vehicle for infringement P101801601”;
2. that between the 7th day of December 2022 and the 26th day of January 2023 at Brisbane in the State of Queensland one Rohan Sinclair Slater dishonestly induced the Queensland Revenue Office to reissue a photographic detection device notice the Queensland Revenue Office was lawfully entitled to abstain from doing.”

- [26] Charge 1 was made under s 194(1) of the *Code* which is in these terms:

“194 False declarations

- (1) A person who makes a declaration that the person knows is false in a material particular, whether or not the person is permitted or required by law to make the declaration, before a person authorised by law to take or receive declarations, commits a misdemeanour.

Maximum penalty—3 years imprisonment.”

⁶ Transcript of the recording reproduced as it appears; without correction of typographical and grammatical errors.

[27] Charge 2 was made under s 408C of *the Code* which, relevantly here, provides:

“408C Fraud

(1) A person who dishonestly—

(a)...

(f) induces any person to do any act which the person is lawfully entitled to abstain from doing...

commits the crime of fraud.

Maximum penalty—5 years imprisonment.”

[28] Mr Slater pleaded not guilty before the Magistrate and there was a trial. Mr Slater did not give evidence but relied upon what he had told police. The case against him was, in essence, that the statement was objectively false as it was Mr Slater’s stepson who was relevantly in charge of the car at the relevant time and Mr Slater was not the “responsible person in charge”. Mr Slater knew that fact, it was alleged,⁷ and he submitted the declaration to dishonestly induce the Queensland Revenue Office to reissue the infringement notice to him.⁸

[29] Mr Slater’s defence to Charge 1 was that:

- (a) the statement that he was the person in charge of the vehicle was not false; and
- (b) even if it was, he did not know that it was.

[30] Mr Slater’s defence to Charge 2 was that:

- (a) the statement that he was in charge of the vehicle was not false; and
- (b) even if it was, he did not know it was, so the submission of the statutory declaration was not a dishonest inducement.

[31] The Magistrate found that Mr Slater was not in charge of the vehicle at the relevant time and, therefore, his statement was objectively false.

[32] As to whether the prosecution proved that the statement was knowingly false, the Magistrate held:

“30 In my view, the prosecution can prove beyond reasonable doubt that the defendant knew the statement was a false declaration, because he knew the car was registered in his stepson’s name, or at least he knew that the car was not registered in his name, there are inference that can be properly drawn about the timing of the making of the declaration, that there would be benefit to be gained by his stepson by the delay or
35 reissue of the infringement notice, and that assisted me to attribute knowledge of the falsity to the defendant. That inference arises from the common knowledge that a delay or avoiding demerit points would

⁷ Charge 1.

⁸ Charge 2.

benefit the person who was the registered operator by not having demerit points allocated to them.” (emphasis added)

- [33] The conclusion that there would be a benefit to be gained by “[Mr Slater’s] stepson” by “delay or reissue” of the infringement notice is a reference to the evidence that at the time of the commission of the traffic offence Mr Slater’s stepson only had three demerit points to his credit. The payment of the fine by him at the time the notice issued would have led to the loss of his licence. Delay would enable him to recover demerit points by effluxion of time. Reissue of the infringement notice to Mr Slater would avoid demerit points being attributed to Mr Slater’s stepson.
- [34] Mr Slater was convicted although no conviction was recorded. He was ordered to perform 150 hours of unpaid community service.
- [35] Mr Slater completed the required community service.
- [36] A disciplinary application was filed on 30 September 2024 alleging one charge against Mr Slater as follows:

“Charge 1 – Criminal Offences – False Declarations and Fraud

- 1. Between 7 December 2022 and 26 January 2023, the Respondent engaged in conduct for which he was convicted of 1 count of making False Declarations and 1 count of Fraud (**offences**) in the Magistrates Court at Brisbane on 1 May 2024.

Particulars

- 1.1 At all material times, the Respondent:
 - (a) was an Australian lawyer as defined by section 5(1) of the Act and, more particularly, a local lawyer as defined by section 5(2) of the Act;
 - (b) held a corporate employee level practising certificate;
 - (c) was subject to the *Australian Solicitors Conduct Rules 2012*.
- 1.2 On 23 June 2022, a mobile phone infringement notice P101801601 was issued to [Mr Slater’s stepson] containing a 4 demerit point penalty and a \$1,033.00 fine (**Original Infringement Notice**).
- 1.3 The Original Infringement Notice was in respect of a “*Driver use mobile phone handheld/resting on body*” offence.
- 1.4 The vehicle used during the infringement, registration number [redacted], was registered to [Mr Slater’s stepson].
- 1.5 The Respondent is married to [Mr Slater’s wife] who is the mother of [Mr Slater’s Stepson].
- 1.6 [Mr Slater’s stepson] did not pay the fine and the matter was referred to the State Penalties and Enforcement Registry for enforcement action.

- 1.7 On 8 December 2022, the Respondent made a statutory declaration which was witnessed by Ms Slater as a Justice of the Peace. The statutory declaration stated:

I Rohan Slater 1 Greek Street London W1 D 4EJ, United Kingdom Lawyer make the following declaration under the Statutory Declarations Act 1959:

1. An infringement notice P101801601 (mobile phone offence) was issue with regards to an alleged offence on 29 June 2022.

2. I confirm that I was the responsible person in charge of vehicle (Queensland registration) [redacted] on the said date that the offence occurred.

I understand that a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under section 11 of the Statutory Declarations Act 1959, and I believe that the statements in this declaration are true in every particular.

- 1.8 The statutory declaration was false in that:

- (a) the address was incorrect; and
- (b) the Respondent was not the responsible person in charge of the vehicle.

- 1.9 As a result of receiving the statutory declaration, the Original Infringement Notice was waived and a new infringement notice P103870019 was issued to the Respondent.

- 1.10 On or about 16 October 2023 the Respondent was spoken to by the Queensland Police officers and was subsequently arrested in respect of the conduct outlined in paragraph 1.2 to 1.9 above.

- 1.11 On 25 March 2024, the Respondent pleaded not guilty to the offences and the matter proceeded to trial on that day in the Magistrates Court of Queensland at Brisbane.

- 1.12 On 1 May 2024, the Respondent was found guilty following trial in the Magistrates Court of Queensland in Brisbane to one count of False Declarations in contravention of section 194(1) of the *Criminal Code* and one count of Fraud in contravention of section 408C(1)(f) of the *Criminal Code*.

- 1.13 In respect of the convictions for the offences, the Respondent was sentenced on 1 May 2024 to 150 hours community service with no conviction recorded.

- 1.14 By virtue of the matters and the conduct referred to in particulars 1.2 to **Error! Reference source not found.**⁹ above, the Respondent engaged in conduct which:

- (a) were serious offences for the purposes of Section 420(1)(c)(i) of the Act; and

⁹ This seems to be an error by the Legal Services Commission in the original application.

(b) is likely to a material degree to bring the profession into disrepute.”

[37] Mr Slater filed a response where he admitted each of the particulars to charge 1 apart from that contained in 1.8(a). Mr Slater did not admit that his address stated on the statutory declaration was false.

[38] A Statement of Agreed and Disputed Facts was then settled and filed. It mostly follows the particulars in the disciplinary charge:

“STATEMENT OF AGREED AND DISPUTED FACTS”

AGREED FACTS

Background

1. At all material times, the Respondent was:
 - a. an Australian lawyer within the meaning of section 5(1) of the *Legal Profession Act 2007* (Qld) (**Act**);
 - b. a local legal practitioner as defined in section 6(2) of the Act,
 - c. admitted in Queensland on 15 March 2004’
 - d. the holder of a corporate employee level practising certificate;
 - e. an employed solicitor at [the United States based oil and gas company]
 - f. subject to the *Australian Solicitors Conduct Rules 2012* (**ASCR**).

Conduct

2. On 23 June 2022, a mobile phone infringement notice P101801601 was issued to [Mr Slater’s stepson] containing a penalty of four (4) demerit points and a \$1,033.00 fine (**Original Infringement Notice**). The Respondent is married to [Mr Slater’s wife] who is the mother of [Mr Slater’s stepson].
3. The Originating Infringement Notice was in respect of a “*Driver use mobile phone handheld/resting on body*” offence.
4. The vehicle used during the infringement, registration number [redacted], was registered to [Mr Slater’s stepson].
5. [Mr Slater’s son] did not pay the fine and the matter was referred to the State Penalties and Enforcement Registry for enforcement action.
6. On 8 December 2022, the Respondent made a statutory declaration which was witnessed by [Mr Slater’s wife] as a Justice of the Peace. The statutory declaration stated:

I, Rohan Slater 1 Greek Street London W1 D 4EJ, United Kingdom Lawyer make the following declaration under the Statutory Declarations Act 1959:

1. An infringement notice P0101801601 (mobile phone offence) was issued with regards to an alleged offence on 20 June 2022.

2. I confirm that I was the responsible person in charge of vehicle (Queensland registration) [redacted] on the said date that the offence occurred.

I understand that a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under section 11 of the Statutory Declarations Act 1959, and I believe that the statements in this declaration are true in every particular.

7. The statutory declaration was false in that:
 - a. the Respondent was not the responsible person in charge of the vehicle.
8. As a result of receiving the statutory declaration, the Original Infringement Notice was waived and a new infringement notice P103870019 was issued to the Respondent.
9. On or about 16 October 2023 the Respondent was spoken to by the Queensland Police officers and was subsequently arrested in respect of the conduct outlined above.
10. On 25 March 2024, the Respondent plead not guilty to the offences and the matter proceeded to trial on that day in the Magistrates Court of Queensland at Brisbane.
11. On 1 May 2024, the Respondent was found guilty following trial in the Magistrates Court of Queensland in Brisbane to one count of False Declarations in contravention of section 194(1) of the *Criminal Code* (**Code**) and one count of Fraud in contravention of section 408C(1)(f) of the Code.
12. In respect of the convictions for the offences, the Respondent was sentenced on 1 May 2024 to one hundred and fifty (150) hours community service with no conviction recorded.
13. The conduct the subject of charge 1¹⁰ was:
 - a. serious offences for the purposes of Section 420(1)(c)(i) of the Act; and
 - b. likely to a material degree to bring the profession into disrepute

DISPUTED FACTS

14. It is alleged by the Applicant, but the Respondent disputes, that
 - a. The statutory declaration was false in that:
 - i. The address was incorrect.”

¹⁰ Seemingly a reference to the only disciplinary charge faced by Mr Slater, not a reference charge 1 of 2 before the Magistrate.

- [39] The Legal Services Commission (LSC) has since conceded the only matter in dispute, and no longer asserts that the London address was false.

Issues about the respective cases

- [40] The way the LSC's case is charged and put is confusing.
- [41] The charge relies on s 420(1)(c)(i) of the *Legal Profession Act*. Section 420, naturally enough, follows ss 418 and 419. Those sections define "unsatisfactory professional conduct" and "professional misconduct", respectively.
- [42] Section 420 then identifies conduct which is capable of constituting either unsatisfactory professional conduct or professional misconduct. Section 420(1)(c) provides:

"420 Conduct capable of constituting unsatisfactory professional conduct or professional misconduct"

- (1) The following conduct is capable of constituting unsatisfactory professional conduct or professional misconduct—
- (a) ...
- (c) conduct for which there is a conviction for—
- (i) a serious offence; or
- (ii) a tax offence; or
- (iii) an offence involving dishonesty..."
- (emphasis added)

- [43] The term "serious offence" is defined as an indictable offence including one tried summarily. Both the charges for which Mr Slater was convicted are indictable offences.
- [44] By s 420, it is not the fact of suffering the "conviction" which constitutes "unsatisfactory professional conduct" or "professional misconduct", but it is the commission of the "conduct" for which there is a conviction.
- [45] The charge laid by the LSC identifies the conduct "for which [Mr Slater] was convicted" as being one count of fraud and one count of making a false declaration. What is then set out are "Particulars". The Particulars, presumably, are intended to precisely identify the "conduct" relied upon for which there has been a "conviction".
- [46] Nowhere in either the Particulars or the Statement of Agreed and Disputed Facts is it alleged, let alone conceded by Mr Slater, that Mr Slater made a declaration that he knew was false.¹¹ Nowhere do the Particulars or the Statement of Agreed and

¹¹ *The Code*, s 194(1).

Disputed Facts establish that Mr Slater dishonestly induced the withdrawal of the infringement notice.

- [47] The submission filed on behalf of the LSC then makes allegations beyond the charge as particularised in the Statement of Agreed and Disputed Facts. The submission assumes that the “conduct” alleged in the disciplinary proceedings and admitted by Mr Slater in the disciplinary proceedings include at least all the elements of the two offences proved in the Magistrates Court proceedings, notwithstanding that the element of dishonesty is not particularised as “conduct” This assumption is demonstrated clearly in paragraph [1] of the LSC’s submissions:

“This is because Mr Slater knowingly made a false declaration to the Department of Transport and Main Roads (DTMR) and was subsequently found guilty after trial in the Magistrates Courts of two offences of dishonesty: one count of false declarations and one count of fraud.” (emphasis added)

- [48] Dishonesty is constantly referred in the LSC’s written submissions.¹² The LSC relies upon various findings by the Magistrate even though those findings are of dishonesty, which is not alleged in the Particulars to the charge.
- [49] Mr Slater has run his case, it seems, on the understanding that the disciplinary charge which he admits encompasses as “conduct” at least all the elements of the two offences for which he was found guilty. However, although dishonesty is conceded, there is no agreement as to the motivation for the conduct beyond obtaining the reissue of the infringement notice.
- [50] Mr Slater swore and filed four affidavits in these proceedings. The first and the third address aspects of the substantive allegations against him. Mr Slater’s second affidavit merely exhibits some character references and his fourth explains the treatment that he is receiving for stress and depression.
- [51] In his first affidavit, Mr Slater said:

“21. I take full responsibility for my actions. The decision I made and conduct I undertook was made in a personal (family) capacity, and I accept it lacked judgment. It was out of character and inconsistent with my usual principles of honesty and integrity. The fallout from my behaviour has been devastating to myself, my family and my reputation, and has had a significant impact on my mental health, management of an underlying medical condition (Type 1 – Diabetes) and my wellbeing generally. The experience to date has been a stark reminder of the weight of my ethical obligations as a legal practitioner, and my obligation to act honestly and with integrity, both in a personal and professional capacity.”

- [52] In his third affidavit:

“5. As previously deposed, I signed the statutory declaration to protect my stepson from the potential ramification of the infringement. I was concerned that the infringement would risk my stepson’s entrance into the Queensland Police Service, which he had worked towards for many years.

¹² Paragraphs [4], [27], [28], [32] and [51].

I thought that the penalty would lead to his removal from the recruitment process and a rejection of his application to become a Police Officer.

6. I was overwhelmed by my desire to protect my stepson from what I perceived to be enormous consequences flowing from the traffic infringement. This led me to sign and submit a statutory declaration which was false. However, at the time I had convinced myself that it was technically, or at least arguably, true.
7. Whilst not an excuse, but merely an insight into my mindset at the time, I acted not out of self-interest but rather a blind loyalty to my family. I accept this was wrong. I did not give the matter enough thought before I acted, and I should have handled the situation differently.” (emphasis added)

[53] In written submissions filed on Mr Slater’s behalf, this was said:

“11. First, the reason the respondent swore a false statement. The respondent’s actions were not for his own personal gain, but to protect his stepson from missing out on recruitment to the Queensland Police Service. His actions were not self-serving or for financial gain, which is often seen in misconduct matters involving dishonesty. The respondent describes feeling overwhelmed by his desire to protect his stepson. Despite his actions being wrong and misguided, the reason behind them sheds light upon his true character and his dedication to his family (in this instance to a fault).” (emphasis added)

[54] The case put against Mr Slater in the Magistrates Court was that he dishonestly attempted to avoid the fine altogether and avoid the demerit points falling upon his stepson.

[55] Mr Slater’s affidavits and submissions in some respects widen the case against him. They introduce not only a new motivation but also a new victim. Mr Slater, in effect, says that he was trying to deceive the Queensland Police Service who would process his stepson’s application for admission into the Queensland Police Service without knowledge of his commission of the traffic offence.

[56] That, arguably, is a more grave deceit than that which was alleged against Mr Slater in the Magistrates Court proceedings. However, the motivation now put is, in some respects, an altruistic one.

[57] As observed, in the proceedings in the Magistrates Court, it was put that Mr Slater was attempting to avoid the fine completely. It was alleged that by stating in the declaration a false London address, the fine would become practically unrecoverable. It would also follow that the demerit points would be avoided.

[58] The purpose of lodging a statutory declaration is to reallocate blame for a traffic offence. The LSC now does not allege that the London address nominated in the statutory declaration was false. Even though the fine remained unpaid, the inference I draw is that the fine would have been re-allocated and addressed to Mr Slater in London and, ultimately, must be paid by him. I cannot accept in those circumstances that the motivation was to avoid payment of the fine.

- [59] It was also alleged in the Magistrates Court that the motivation may have been to preserve Mr Slater's stepson's driver's licence by avoiding the demerit points.
- [60] The Magistrate did not hear evidence from Mr Slater. The Magistrate, therefore, had no direct evidence of his state of mind when he made the false declaration.
- [61] Mr Slater has now sworn in his third affidavit that his motivation was to protect the prospect of his son's admission to the Queensland Police Service.¹³ The only way to construe the affidavit is to conclude that was Mr Slater's only motivation.
- [62] Counsel for the LSC did not cross-examine Mr Slater on his affidavits. There is nothing improbable about Mr Slater's sworn explanation of his motive in making the false declaration. As there was no challenge to that explanation, I accept it and conclude that Mr Slater's only motivation in swearing the false declaration,¹⁴ and submitting it to secure a reissue of the infringement notice,¹⁵ was to avoid any conviction of his stepson for the driving offence and, thereby, protect his prospects of entry to the Queensland Police Service.

The parties' submissions

- [63] There are four issues for determination:
- (a) whether the conduct occurred;
 - (b) whether the conduct, if proved, constituted a professional breach, and if so whether the conduct was unsatisfactory professional conduct or professional misconduct;
 - (c) penalty; and
 - (d) costs.
- [64] There is no contest as to what occurred. The only real issue is as to Mr Slater's motivation and that matter is resolved as I have previously explained.¹⁶
- [65] Mr Slater accepts that the conduct is properly categorised as professional misconduct as defined by s 419 of the *Legal Profession Act*:

“419 Meaning of *professional misconduct*

(1) *Professional misconduct* includes—

- (a) unsatisfactory professional conduct of an Australian legal practitioner, if the conduct involves a substantial or consistent failure to reach or keep a reasonable standard of competence and diligence; and
- (b) conduct of an Australian legal practitioner, whether happening in connection with the practice of law or happening otherwise than in connection with the practice of

¹³ Reproduced at paragraph [52] of these reasons.

¹⁴ Charge 1.

¹⁵ Charge 2.

¹⁶ Paragraph [62] of these reasons.

law that would, if established, justify a finding that the practitioner is not a fit and proper person to engage in legal practice.

- (2) For finding that an Australian legal practitioner is not a fit and proper person to engage in legal practice as mentioned in subsection (1), regard may be had to the suitability matters that would be considered if the practitioner were an applicant for admission to the legal profession under this Act or for the grant or renewal of a local practising certificate.”

[66] Section 462 of the *Legal Profession Act* provides that a lawyer against whom adverse findings are made must pay the costs of the LSC unless there are exceptional circumstances. There are none here and Mr Slater accepts that he must pay the LSC’s costs. The usual order is that costs are assessed on the standard basis as if the discipline proceedings had been conducted in the Supreme Court of Queensland. No party submitted that the usual costs order should not be made, and it should.

[67] The only issue then is as to sanction.

Sanction

[68] Section 456 of the *Legal Profession Act* empowers the Tribunal to impose sanctions. Relevantly here:

“456 Decisions of tribunal about an Australian legal practitioner

- (1) If, after the tribunal has completed a hearing of a discipline application in relation to a complaint or an investigation matter against an Australian legal practitioner, the tribunal is satisfied that the practitioner has engaged in unsatisfactory professional conduct or professional misconduct, the tribunal may make any order as it thinks fit, including any 1 or more of the orders stated in this section.
- (2) The tribunal may, under this subsection, make 1 or more of the following in a way it considers appropriate—
 - (a) an order recommending that the name of the Australian legal practitioner be removed from the local roll;
 - (b) an order that the practitioner’s local practising certificate be suspended for a stated period or cancelled;
 - (c) an order that a local practising certificate not be granted to the practitioner before the end of a stated period;
 - (d) an order that—
 - (i) imposes stated conditions on the practitioner’s practising certificate granted or to be issued under this Act; and

- (ii) imposes the conditions for a stated period; and
 - (iii) specifies the time, if any, after which the practitioner may apply to the tribunal for the conditions to be amended or removed;
 - (e) an order publicly reprimanding the practitioner or, if there are special circumstances, privately reprimanding the practitioner;
- ...”

[69] Mr Slater, in his affidavits, swears to various matters in explanation or mitigation. As earlier observed, counsel for the LSC did not cross-examine Mr Slater. The affidavits are, therefore, unchallenged. Given that nothing in the affidavits is implausible I will accept what Mr Slater has said.

[70] In his affidavits, Mr Slater swears:

- (a) that he practised for 20 years without breach;
- (b) he followed the advice of King’s Counsel to plead not guilty and contest the charges in the Magistrates Court. He did not present a positive case by either giving evidence himself or calling witnesses;
- (c) his conduct was motivated not by personal gain but to help his stepson gain admission to the QPS;
- (d) at the time during the period in which he swore the statutory declaration, Mr Slater was under workplace pressure closing year-end transactions and was working long hours. This, he submits, contributed to his error of judgement;
- (e) he accepts and realises that his actions were serious and inconsistent with his obligations as a legal professional;
- (f) his conduct has caused enormous stress upon his family;
- (g) his conduct has led to anxiety and depression for which he is now seeking treatment; and
- (h) he has sought to establish support structures through a psychologist and priest to assist him in dealing with any future issues.

[71] The LSC submits that the conduct is inconsistent with the necessary character traits of a practising lawyer, and his name ought to be removed from the roll.

[72] On Mr Slater’s behalf, it was submitted that he is not unfit to practice. It was submitted that the conduct was committed against an otherwise unblemished record of over 20 years’ service as a solicitor. The circumstances are such, it was submitted, that the conduct is understandable although not excusable. His motive was to preserve Mr Slater’s stepson’s ambitions. The decision to swear the declaration was contributed to by stress at work. Counsel for Mr Slater pointed to treatment that he has obtained and that, it was submitted, militates against a finding of permanent or long-term unfitness for practice.

- [73] It was submitted by counsel for Mr Slater that the penalties which are within range are a public reprimand, a fine, and suspension from practice. Suspension from practice was, though, resisted and the primary submission was for the imposition of a fine.
- [74] During the hearing, it became apparent that suspension of Mr Slater's practising certificate was a possible outcome. Supplementary written submissions were invited as to the length of any proposed suspension.
- [75] In its original submissions, the LSC had submitted that if removal from the roll was not ordered, a suspension of "at least 5 years" was appropriate. No argument was developed in the written submissions justifying that submission. In its supplementary submissions, the LSC contended for a suspension of "more than 12 months". I take that as an abandonment of the original "at least 5 years" submission.
- [76] On Mr Slater's behalf, it was submitted that any suspension imposed not be of more than three months.

Consideration

- [77] It is well established that the primary purpose of the discipline of lawyers is the protection of the public.¹⁷
- [78] While the primary purpose of discipline is not punishment of the practitioner, that purpose is fulfilled by imposition of a punishment.¹⁸
- [79] The public purpose is multifaceted.¹⁹ The objects include:
- (a) personal deterrence of the practitioner, the subject of discipline;
 - (b) general deterrence, namely, to dissuade likeminded practitioners from like behaviour; and
 - (c) maintenance of the standing of the profession,²⁰ including confidence and trust in lawyers' honesty and integrity.²¹
- [80] The commission of dishonest conduct by a lawyer will invariably be met with a serious response. It is well recognised that honesty and integrity are necessary characteristics of members of the legal profession.²² Courts rely upon that honesty and integrity when conducting the business of the Court. Members of the public rely upon that honesty and integrity when seeking to defend or progress their rights in litigation, to defend their liberty in criminal proceedings, and in the management of their personal and financial affairs.

¹⁷ *Clyne v New South Wales Bar Association* (1960) 104 CLR 186 at 202; *Legal Services Commissioner v Shand* [2018] QCA 66 at [52].

¹⁸ *Rich v Australian Securities and Investments Commission* (2004) 220 CLR 129 at [31]-[38], a civil penalties case.

¹⁹ *Legal Services Commissioner v Shand* [2018] QCA 66.

²⁰ *Shand* at [53]-[55], *Attorney-General v Bax* [1999] 2 Qd R 9 at 22; *Law Society of New South Wales v Foreman (No 2)* (1994) 34 NSWLR 409 at 441-444.

²¹ *Legal Services Commissioner v Tang* [2025] QCA 206 at [27].

²² *Ziems v Prothonotary of the Supreme Court of NSW* (1957) 97 CLR 279.

[81] The seriousness of dishonesty is a matter of degree. In *Re Taylor*,²³ a solicitor misappropriated client funds, was convicted of misappropriation and jailed. He was removed from the roll. About seven years later, he applied for admission and was successful, the Court ordering him to be admitted subject to conditions.

[82] In their joint judgment, Pincus JA and Byrne J observed:

“The applicant accepts that his conduct was dishonest. But there are grades of dishonesty and different sorts of misappropriation. Mr Morris Q.C., who appeared for the applicant, pointed out that the case was not one in which there is any suggestion of trust account funds being used in profligate living; nor is it said that money was being taken for the purpose of speculation. The applicant’s case is that he was caught in a continuing financial crisis due to his having gone into heavy debt to purchase an insufficiently profitable practice and that the pressure caused him to behave in an uncharacteristic way. That the recurring dishonest behaviour, although it continued over a period of four years, was uncharacteristic of the applicant’s general conduct appears clearly enough from the material. In many ways he was an exemplary citizen, participating willingly and on an honorary basis in community affairs: his mode of living gained the approval of reputable people who were prepared to stand by him, despite his disgrace.”²⁴

[83] Dishonest conduct does not invariably lead to removal from the roll.²⁵

[84] As observed by Bleby AJA in *Legal Services Commission v Tang*,²⁶ the concept of “professional misconduct” defined in s 419 “is tied directly to the concept of being fit and proper to engage in legal practice”.²⁷ That in turn is relevant to the penalty to be imposed.

[85] There are many cases where consideration has been given to whether a practitioner is “permanently unfit for practice”.²⁸ In *Tang*, Bleby AJA followed the statement of principle by McMurdo JA in *Shand* that “...the test of probable permanent unfitness is, as the Attorney-General submits, a way of identifying that the character of the practitioner is so indelibly marked by the misconduct that he cannot be regarded as a fit and proper person to be upon the Roll,” and then observed that the “probably permanently unfit” test is not a separate and distinct test. His Honour observed that consideration of whether or not a practitioner is “probably permanently unfit”, “is a matter that informs the exercise of the discretion conferred by s 456(2) to make various orders directed towards protection of the public and maintenance of confidence in the profession”.

²³ [1997] 1 Qd R 533.

²⁴ At 535; and see also *Attorney-General v Bax* [1999] 2 Qd R 9 at 20.

²⁵ *Legal Services Commissioner v McDonald* [2018] QCAT 82; *Watts v Legal Services Commissioner* [2016] QCA 224; and see *Council of the New South Wales Bar Association v Sahade* [2007] NSWCA 145.

²⁶ [2025] QCA 206.

²⁷ At [21].

²⁸ *Ex parte Evatt*; *Re New South Wales Bar Association* (1969) 71 SR (NSW) 153, *Ex parte Lenehan* (1948) 77 CLR 403 at 442; *The Prothonotary of the Supreme Court of New South Wales v Ritchard* (NSWCA), 31 July 1987, unreported, adopted in *Prothonotary of the Supreme Court of NSW v P* [2003] NSWCA 320 at [17]; the approach was adopted by the Court of Appeal of Queensland in *Watts v Legal Services Commissioner* [2016] QCA 224 at [46]; and *Legal Services Commissioner v Shand* [2018] QCA 66 at [56]-[57].

- [86] I would add, in support of that statement of principle by Bleby AJA, that the discretion bestowed by s 456 of the *Legal Profession Act* is a wide one, limited only by the purpose for which it is bestowed.²⁹ There is no warrant to judicially impose some restriction or artificial structure upon the exercise of the discretion.
- [87] However, if a Court or Tribunal embarks upon an assessment of whether the practitioner is probably permanently unfit for practice and concludes that issue against the practitioner, then it is difficult to see that a rational exercise of discretion would result in any conclusion other than removal from the roll. A finding that the practitioner is not probably permanently unfit may rationally lead to a number of possible outcomes including removal from the roll.
- [88] One alternative to removal from the roll is suspension from practice for a period. Consideration of suspension has also been linked to considerations of fitness.
- [89] In the often cited case of *Ziems v Prothonotary of the Supreme Court of NSW*,³⁰ a barrister had been convicted of manslaughter arising from a motor vehicle accident. He was sentenced to a term of imprisonment of two years. His name was removed from the roll by the Supreme Court of New South Wales, and he appealed to the High Court. He was successful by majority. His name was restored to the roll and an order was made suspending him from practice during the period of his incarceration.
- [90] Dixon CJ was in dissent in the result, but observed:
- “...I think that it is open to the Supreme Court to suspend a barrister from practice...But, even so, it is probably a better course in most cases where room exists for the belief that time may give the barrister a title to resume his place at the Bar to allow him to re-apply at a subsequent time and offer positive evidence of the grounds upon which he then claims to be re-admitted.”
- [91] Where that course is adopted, the practitioner must, upon application for admission, prove fitness to practice, that being a prerequisite to admission. That is what occurred in *Re Taylor*.³¹
- [92] As has been observed in many cases, an order for suspension may require a prediction of fitness at the end of the period of suspension. In *Mellifont v Queensland Law Society Inc*,³² Andrews J (as his Honour then was) adopted what was said by Reynolds JA sitting in the New South Wales Court of Appeal in *Law Society of New South Wales v McNamara*:³³
- “An order for suspension must be based upon a view that at termination of the period of suspension the practitioner will no longer be unfit to practice because, subject to any limitation imposed on the issue of a practising certificate, his name will then be on the roll of solicitors and he may resume his practice.

²⁹ *Shrimpton v Commonwealth* (1945) 69 CLR 613 at 629-630; *Gerlach v Clifton Bricks Pty Ltd* (2002) 209 CLR 478 per Kirby and Callinan JJ in dissent on other points at [69] and [70].

³⁰ (1957) 97 CLR 279.

³¹ [1997] 1 Qd R 533.

³² [1981] Qd R 17.

³³ (1980) 47 NSWLR 72 at 76.

Thus stated, it will be seen that in cases of present unfitness an order for suspension will not frequently be appropriate because it is difficult for a tribunal to feel confident that at the expiration of one or more years a person presently unfit to practice will be fit. The use of the power to suspend is valuable as a punitive measure but needs cautious application where fitness and the Court's protective function is involved."³⁴

- [93] Mr Mellifont had been suspended from practice by the Statutory Committee of the Queensland Law Society for five years before his name was removed from the roll on appeal to the Full Court of the Supreme Court of Queensland. D M Campbell J, agreeing in the result proposed by Andrews J, observed:

“Being suspended from practice for five years is an unusually long period of suspension. This was the order made by the Statutory Committee. It is inappropriate, in my opinion, to impose such a long period of suspension unless there are special circumstances which do not exist here.” (emphasis added)

- [94] No reasons are given in support of that observation. One consideration, no doubt, is the difficulty in predicting a practitioner's achievement of fitness in the future. Another consideration may be that a practitioner who is out of practice for a lengthy period may not have sufficient currency with developments in the law and legal practice as to justify recommencing practice. That was a matter of consideration when the Court of Appeal readmitted Mr Taylor.³⁵

- [95] In *Tang*, as already observed, Bleby AJA disavowed the “probably permanently unfit” test as a separate precondition to removal of a practitioner's name from the roll. His Honour observed:

“To treat the ‘probably permanently unfit’ test as a separate test risks encouraging a standalone assessment of various factors personal to the practitioner separately from the protective concerns of the Act.”³⁶

- [96] The same logic, in my view, applies to the consideration of suspension. If a practitioner could establish that he would be fit for practice at some discernible point in the future, it would not necessarily follow that removal from the roll would be avoided. Where fitness could not be predicted with any confidence, suspension from practice as opposed to removal from the roll would normally be inappropriate.

- [97] An order for suspension may, in the right circumstances, serve the purposes of public protection through personal deterrence, general deterrence, and maintenance of the standing of the profession.³⁷

- [98] Here, Mr Slater engaged in a course of conduct of blatant dishonesty. As it was found by the Magistrate, and now accepted by him, he constructed the statutory declaration in a way to deceive, falsely swore it, and then used it to achieve his aim of having the infringement notice withdrawn. There can, in my view, be no doubt that at the point in time that Mr Slater committed the offences, he was unfit for practice.

³⁴ Mellifont at 31.

³⁵ *Re Taylor* [1997] 1 Qd R 533 at 537 and 538.

³⁶ [2025] QCA 206 at [31].

³⁷ *Legal Services Commissioner v Munt* [2019] QCAT 160 at [60]-[61], *Khosa v Legal Profession Complaints Committee* [2017] WASCA 192 at [194].

- [99] However, the reasons why he committed those offences have been explained. The uncontested evidence is that Mr Slater was suffering pressures at work and was motivated not by personal gain but to avoid the consequences of his stepson's conviction upon his long-term aim to be admitted to the Queensland Police Service.
- [100] Mr Slater did not immediately confess when confronted by police. It is commonplace that people, knowing their guilt, do not immediately rise to a confession when confronted. They make denials for various reasons; often a fear of the consequences of the truth.
- [101] It is also the case that Mr Slater did not plead guilty to the charges he faced. The unchallenged evidence is that he took that course on legal advice. He did not raise a positive defence. He put the prosecution to proof, as he was entitled to do, and argued that, on a proper construction of the terms of the statutory declaration, he had not stated a falsehood. In my view, his approach to the defence of the criminal charges does not in a material way detract from his remorse and insight.
- [102] The unchallenged evidence is that Mr Slater has full insight into his conduct. He has suffered the shame, guilt and stress that his conduct has brought. He has sought psychiatric help and other counselling. He has also performed his period of unpaid community service which was, no doubt, a sobering experience.
- [103] The conduct was not momentary or fleeting. As I have already observed, the terms of the statutory declaration were the product of some careful drafting. However, the conduct must be considered in light of Mr Slater's professional record to that point. As already observed, he had served as a solicitor for over 20 years, most of which has been as an in-house lawyer. He has not previously been the subject of any allegation of any dishonesty or any other professional breach. The convictions relate not to conduct committed in any professional pursuit but conduct in his personal life. His reasons for the offending explain but do not excuse the conduct. I find that Mr Slater is highly unlikely to engage in dishonest conduct in the future.
- [104] In my view, Mr Slater is presently fit to practice.
- [105] As explained by Bleby AJA in *Tang*, such a finding is but one consideration in the exercise of discretion. A finding of fitness to practice must not obscure the function of the Tribunal to exercise the discretion for the public protection and that raises questions of general deterrence and maintenance of the standing of the profession.
- [106] As observed, the conduct is very serious. The swearing of a false declaration is conduct which is fundamentally contrary to that which must be expected of a legal practitioner.
- [107] The message that has been sent in various cases is that dishonest conduct designed to manipulate drivers' licence regulation regimes may result in removal from the roll of practitioners.³⁸

³⁸ *Legal Practitioners Complaints Committee v Palumbo* [2005] WASCA 129; *Council of the Law Society of New South Wales v Kim* [2017] NSWCA 292; and, generally, see *Council of the New South Wales Bar Association v Einfeld* (2009) 258 ALR 768.

- [108] Both parties accept that a public reprimand to Mr Slater ought be given. That is clearly appropriate in my view.
- [109] The submission made on Mr Slater's behalf that the only other response³⁹ should be a fine is rejected. The imposition of a fine does not reflect the seriousness of the conduct, the strong necessity for general deterrence, and the necessity to protect the standing of the profession. Those considerations also lead me to the conclusion that a suspension is required and that a three-month suspension (as submitted on Mr Slater's behalf) is an inadequate and tokenistic response . It will not fulfill the relevant purposes as I have described them.
- [110] In my view, a suspension of twelve months is appropriate. However, Mr Slater should have some time to arrange his affairs. Given the time of year, by suspending him from 1 February to 31 December 2026, he is effectively prohibited from practising in 2026, and it is suitable in all the circumstances.
- [111] As already observed, costs are not contentious.
- [112] The orders are as follows:
1. The charge is proved and professional misconduct is established.
 2. The respondent is publicly reprimanded.
 3. The local practising certificate of the respondent is suspended from 1 February 2026 to 31 December 2026.
 4. The respondent is to pay the costs of the Commissioner of the proceedings on the standard basis, to be assessed as if the matter were a proceeding in the Supreme Court of Queensland.

³⁹ Apart from costs.