

Media Release

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Commissioner warns lawyers over marketing tactics

Victorian lawyers have been cautioned to exercise care when offering their services to consumers, after recent reports highlighted questionable law firm marketing practices.

In an [email to the state's 21,500 lawyers](#) sent on Friday 6 July, the Victorian Legal Services Commissioner warned all lawyers to follow the profession's rules when marketing their services to consumers, or risk facing disciplinary action.

The Commissioner, Fiona McLeay, told lawyers that practices like 'claims farming', 'cold-calling' and 'ambulance chasing' could potentially breach the legal profession's rules.

'The [story reported recently](#), where people representing three separate law practices allegedly intruded on a dying woman's hospital room to drum-up business, paints an appalling picture of how lawyers might appear to operate. Even if these people were only paid spotters for law practices, it does not absolve the practices from responsibility for managing how their agents conduct themselves,' Ms McLeay said.

Ms McLeay said the reported behaviour is very concerning.

'The fact that the vast majority of lawyers don't behave in this way will be lost on the public at large. It's behaviour like this that gives other lawyers a bad name'.

'As the legal regulator, we want consumers to be confident in the standards of behaviour that their lawyers will uphold,' Ms McLeay said.

Victorian lawyers must abide by a comprehensive set of rules that govern their conduct, including how they market their services, interact with clients and bill for their work.

While the rules do not prohibit a lawyer using a third party to refer potential clients to them, there are strict requirements around disclosure of the referral arrangements, intrusion on people in vulnerable situations and gauging the clients' capacity to make informed decisions about engaging a lawyer.

Any breach of the rules may lead the Commissioner to initiate disciplinary action against the lawyer, which in serious cases could result in the lawyer losing their practising certificate.

The Commissioner encouraged both consumers of legal services and lawyers who had any concerns about how other lawyers were marketing their services, to contact her office.

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