

DEPUTY TAKES THE HELM

The Legal Practitioners' Liability Committee welcomes its new CEO.

Justin Toohey took over as CEO of the LPLC on 1 January following the retirement of Miranda Milne, who had held the role since 1996. Previously deputy CEO and head of claims since 2005, he is committed to strengthening LPLC's relationships with all its stakeholders. "I look forward to taking LPLC into this next stage of its development," Mr Toohey said.

"I want to ensure LPLC continues to lead the way in providing comprehensive professional indemnity insurance and risk management services to Victorian solicitors and barristers as well as most of Australia's large national law firms.

"Conducting a legal practice these days is challenging. It is a buyer's market and clients are increasingly demanding that firms unbundle their legal services and only do limited scope work. But the client's expectation nevertheless remains that the lawyer is fully responsible for any mishaps.

"Throw into this environment the skills required to run a legal practice such as matter project management, cost budgeting and digital technology and we see practitioners juggling many competing demands.

"LPLC is also an important voice of the profession – in recent times we have taken active leadership in relation to the introduction of electronic conveyancing, verification of identity and development of a practice management course for new principals. More challenges lie in responding to class actions and litigation funders, looming anti-money laundering reforms and ever-increasing cyber security risks."

Mr Toohey is a professional indemnity lawyer who combines more than 30 years' experience in both private legal practice and at senior executive level with member-based insurance schemes at LPLC and at IBL Ltd for the Australian Institute of Architects.

"Before joining LPLC I served as a panel solicitor to LPLC during my days in private legal practice," he said. "And this gives me intimate knowledge of how the organisation functions from different perspectives."

With this knowledge, Mr Toohey is well aware of the support LPLC provides to the profession.

"I started my legal career in 1986 and grew up with LPLC. I still remember a near scrape with a claim when I was a young practitioner. An abiding memory is the support given to me by the committee to defend an unfounded allegation. It made a big impression on me and is something I have always kept in mind in my interactions with practitioners when doing panel legal work for LPLC and later as the head of Claims.

"Every year LPLC receives 450 to 550 notifications of claims and circumstances from practitioners. Hundreds of others

contact us to discuss a troublesome matter or situation. Often these inquiries raise complex professional ethics dimensions and practitioners can be in high states of stress and vulnerability.

"The frontline claims and risk management assistance provided by LPLC's experienced solicitors and support staff is highly valued, particularly by sole practitioners and small firms with less support networks than those working in large firms. The value of an empathetic ear and clear, direct advice cannot be underestimated."



Justin Toohey

Mr Toohey is keen to expand LPLC's program of visiting law firms in their own business environments. There is high growth in the number of sole practitioners opening up new legal practices, from a diversity of ethnic backgrounds.

"This is bringing different cultural norms into our legal marketplace, while at the same time increasing competition between firms for the same fee income. It is a breeding ground for practitioners to risk dabbling beyond their areas of expertise and increasing their exposure to professional risk, and we want to reinforce these potential risks as well as how to avoid or at least minimise a claim," he said.

Among Mr Toohey's key achievements at LPLC to date are the successful implementation of barristers into the LPLC scheme since 2005; the leadership of LPLC's high class claims management team; and the development of strong and effective working relationships with large and small firms.

"We will continue to reciprocate the profession's enormous goodwill towards LPLC and be open and available to work with all our stakeholders in supporting and protecting the profession."

LPLC chair and Russell Kennedy principal John Corcoran welcomes the appointment.

"I'm confident that with Justin at the helm, LPLC will continue to deliver a secure and comprehensive insurance scheme for the legal profession, and for the benefit of consumers of legal services," Mr Corcoran said.

"I look forward to working with Justin as I am sure our insured firms and practitioners as well as our reinsurers and other key service providers will be." ■

This interview was provided by the Legal Practitioners' Liability Committee.