

From: Frank Bellissimo <fbellissimo@optusnet.com.au>
Sent: Monday, 18 July 2022 11:52 AM
To: ILARS Review 2022
Subject: ILARS Grants

Dear ILARS Review

I am a practitioner running a small personal injury practice.

I wish to discuss issues relation to applications by lawyers to IRO for a grant. I appreciate that in relation to an Approved lawyer being included in the IRO list, increasing the minimum number of grants from one to two per year may appear insignificant but the reality of a small firm is that the flow of clients is inconsistent. A small firm may obtain several workers compensation clients on one year, and none the next.

Medium to large firms will run a high volume of cases and will always qualify for this requirement. Some larger firms will decide for whatever reason not to accept instructions in a matter and sometimes a claimant will be looking far and wide for legal assistance, and a smaller firm can be found after significant research by the claimant or via a referral from the Law Society. The claimant may choose to seek the services of a smaller law firm as a personal preference. I appreciate that there needs to be a balance with respect to the lawyer's knowledge, diligence, familiarity and skill this would ensure that the claimant is always afforded access to justice.

While there are obvious advantages in large practices that have a high volume of workers compensation matters where there is a large knowledge base and there are systems in place, a smaller practice has quite a lot to offer a workers compensation client. A small practice usually has lower overheads and can also provide a personalised service to the claimant and usually can afford to devote more time in a matter.

I believe that a situation where the scheme may encourage larger firms to receive the bulk of workers compensation clients and where the smaller firm's client base becomes diminished should be avoided.

I note also that recommending workers to a limited list of law firms would infringe competition principles. However if IRO refers claimants to lawyers randomly from a database similar to the referral service provided by Law Society I do not see why a similar service should not be implemented by IRO.

Thank you for considering my comments above.

If you wish to discuss please do not hesitate to contact me.

Yours faithfully.

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