

In the Matter of Greg Gregory

Charge No:	7
Date of Hearing:	13 May 1998
Appearing Before:	Mr J S P O'Keeffe (Chairperson) Mr G C Fox Ms D A Wilson (Lay Member)
Penalty:	Suspension – Two Years

Charges

On May 13, 1998 the Solicitors' Complaints Tribunal heard a charge laid against Greg Gregory by the Council of the Queensland Law Society by Notice of Charge dated April 6, 1998 as follows:

That on October 17, 1997, the solicitor was found guilty of contempt of the District Court of Queensland pursuant to Section 129 of the *District Courts Act 1967* in that he deliberately sought, via a conversation with her, to influence one Ms X, a Crown witness in the trial of one Mr Y, to change her proposed evidence so that it was more favourable to Mr. Y for whom the solicitor then acted in the said trial.

Findings and Orders

The practitioner admitted the facts contained in the Notice of Charge and admitted that those facts constituted professional misconduct. The Tribunal found the practitioner guilty of professional misconduct and ordered that he be suspended from practising as a solicitor of the Supreme Court of Queensland for a period of two (2) years commencing on June 15, 1998. Further, in accordance with Section 6R(4) of the *Queensland Law Society Act 1952*, the Tribunal, by agreement between the practitioner and the complainant, ordered that the amount of compensation payable to the complainant be in the

sum of \$4,500. In addition, it was further ordered by consent that the practitioner pay the costs of the Queensland Law Society Incorporated.

Reasons

In arriving at its decision, the Tribunal gave the following reasons:

"The Tribunal has had the benefit of considering the transcript of proceedings before His Honour Judge Forno, Q.C. when he sentenced Mr. Gregory and imposed a fine of \$4,000. The Tribunal also had the benefit of the addresses of the solicitor for the Queensland Law Society Incorporated and the solicitor for the practitioner.

The practitioner is a man of 41 years and was admitted as a solicitor of the Supreme Court of Queensland on February 2, 1987. He has had some but not extensive experience in the criminal jurisdiction. The Tribunal has been advised by his solicitor that the trial in question was his first District Court jury trial. There is no doubt that an offence of this nature committed by a solicitor is very serious indeed, so serious that consideration must be given to an order for striking off.

This Tribunal is satisfied that the offence was committed on the spur of the moment, that the practitioner did not fully appreciate at the time, the seriousness of what he did and that his judgment was clouded and pressured. The Tribunal is also satisfied that he sincerely regrets his actions.

In making its orders, this Tribunal must be mindful of the protective nature of its jurisdiction as well as its punitive role. The Solicitor for the Society has submitted that the matter under consideration did not warrant striking off and that the Tribunal should impose a suspension or fine. The solicitor for the practitioner made submissions with respect to a number of the orders available under Section 6R of the Act.

The Tribunal, by a majority, decided not to order a striking off."

Appeal

The Attorney-General has lodged an appeal in this matter.