

COURT OF APPEAL

**MARGARET McMURDO P
CHESTERMAN JA
MARGARET WILSON AJA**

**Appeal No 6355 of 2011
DC No 393 of 2004**

IRENE CORONIS

Appellant/Plaintiff

and

JILT PTY LTD

First Respondent/Defendant

and

LESLIE JAMES WILLIAMS

Second Respondent/Defendant

BRISBANE

DATE 10/11/2011

JUDGMENT

THE PRESIDENT: The appellant in this matter, Irene Coronis, who has chosen to appear by telephone from Cairns, has asked that she be represented today at the hearing by her husband, Mr James Bradshaw, who is present, as he is a party in the next appeal the Court is to hear.

Mr Bradshaw was a barrister but currently does not hold a practising certificate. She asks that he be permitted to appear today, not as a barrister on her behalf, but as a husband and friend and she expressed her great confidence in him.

There are three reasons why I consider the application should be refused.

The first is because, as this Court explained in *Coffey v State of Queensland & Ors* [2010]

QCA 291 at [38], the *Legal Profession Act 2007* (Qld) which requires that only persons with a current practising certificate can appear before the Court is designed to protect the public interest in the proper administration of justice by ensuring that legal work is carried out only by those who are properly qualified to do so and to protect consumers by ensuring that persons carrying out legal work are entitled to do so.

The second is that Ms Coronis has put in very detailed written submissions in this case and, in that respect, she has clearly had the assistance of Mr Bradshaw. She has put in a written address, as well as a synopsis of argument and a reply to the respondent's outline of argument. It is difficult to see what more could be done on her behalf to put the arguments she has.

The third and very significant factor is that Mr Bradshaw was a witness in this case at first instance and it is a well established point of practice that a barrister should not appear before the courts in cases where the barrister is a witness in the case.

For those three reasons, I do not consider it would be appropriate in this case for Mr Bradshaw to appear for the appellant or to assist the Court.

CHESTERMAN JA: I agree.

MARGARET WILSON AJA: I agree.