

Senate Select Committee on Superannuation and Financial Services

Main Inquiry Reference (a)

Submission No. 207

(Supplementary to Submission No. 155)

Submittor: Mr Peter Worrall
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PETER WORRALL LAWYERS

15 June 2001

Contact: Peter Worrall
Our reference: PRW:MB:003581
Your reference:

The Secretary
Senate Superannuation and Financial Services Select Committee
Parliament House
CANBERRA ACT 2600

Attention: Ms Sue Morton

Dear Ms Morton

**Submission to the Senate Enquiry
held in Hobart on the 15th of June 2001**

I refer to the Committee Hearing this morning, the 15th June 2001.

As the Chairman, Senator Watson, made comments in relation to a matter relating to my discovery of the problems within Lewis, Driscoll & Bull this morning in the context that they had been assisted by a Law Society Inspector, I wish to set out the following material.

Amended I was not assisted by the Law Society Inspector, Mr John McCullum, until Thursday the 18th December 1998 when my time sheet entries show an attendance with Mr McCullum from 11.55am to 2.54pm on that date.

My time sheets also show that on Friday the 19th December 1998, where there is an entry in my time sheets, noting that I spent from 1.20pm to 2.10pm on that day "re-reading Mr McCullum's report". [I presume that it is John McCullum's report to the Law Society on the 14th June 1998 to which my time sheet relates.]

I did not have a great deal of detailed knowledge of Mr Baron's practice prior to my appointment. I spent approximately 11 hours on Saturday the 13th December 1998 and approximately 11 hours on Sunday the 14th December 1998 in familiarising myself with Mr Baron's Practice.

It is my recollection that I went through the two Dessipur Pty Ltd files, some of the material on the Castray Esplanade file and some of the material in the Fitzroy Place files

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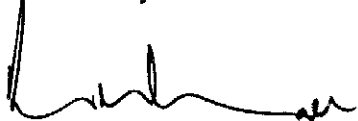
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on the Saturday morning of the 13th December 1998. These continue to be problem mortgage files. Without the assistance of the Law Society Inspector, I discovered sufficient to know that all was not as it should be in relation to those matters.

I contend that my original Submission to the Senate Committee is correct. It was on the basis of the discovery that I had made, and subsequent discussions with the Law Society, in the week subsequent to my appointment that it was then that Mr McCullum's time and his reports to the Law Society were made available to me, at the Law Society's suggestion. This was in order to save costs of rediscovering matters that were already known to the Law Society. That discussion with the Law Society resulted in the lengthy appointment noted above, on Thursday the 18th December 1998.

In noting that I had discovered matters on Saturday, the 13th of December 1998, I did not imply that others did not subsequently assist me, or that some others may have known of matters prior to my appointment. However, amongst those who did not know of the problems, were the Account Inspectors, and that was the original point of my comment.

Yours faithfully



Peter Worrall
Manager of Lewis Driscoll & Bull
by virtue of an order under S119
of the Legal Profession Act 1993

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