

Media Statement

21 April 2017

The case for hiring foreign lawyers

An article published online in the *Australian Financial Review* ([There is 'no reason' to hire foreign lawyers](#), 19 April 2017) referred to the hiring of foreign lawyers to work in Australia under 457 visas.

The article carried a quote from Mr Michael Bradley, managing partner of Marque Lawyers, who argued there was 'no reason' law firms should be able to hire foreign lawyers, and that the local market was 'amply over-supplied with every kind of expertise'.

The Victorian Legal Services Board disagrees with these comments. Board Chairperson, Fiona Bennett, has issued the following statement in support of the Australian community relying on the specialist services of foreign lawyers, where appropriate.

'We are fortunate in Australia to have a strong and growing legal profession, with an economy increasingly dependent on a wide variety of professional services. Marque Lawyers partner Michael Bradley has bemoaned needless competition from foreign lawyers through the use of the visa system. In comments he made about visa restrictions to the Financial Review on 19 April in an article entitled, "There is 'no reason' to hire foreign lawyers", Mr Bradley may have failed to understand fully what a licensed foreign lawyer does. They provide skilled services in relation to the foreign law of another country for clients from within Australia. They are skilled, rare, licensed in their country, and then licensed in ours – not to provide competitive services in Australian law; but to provide services in the unique laws of a foreign jurisdiction.

'An increasing number of transactions in the globalised economy involve the laws of other countries. Consumers of legal services do rely on specialist skills and qualifications that only a lawyer familiar with a foreign jurisdiction can provide. It is therefore quite logical, and indeed sensible, for businesses to seek those services from within Australia, or for law firms to hire foreign lawyers to practise the law of a foreign jurisdiction for their Australian and overseas clients. There is therefore a clear and compelling argument for law firms and other businesses or individual clients to continue to be able to retain the services of qualified, specialist foreign lawyers. For that, they would need visas to be here.'

Fiona Bennett, Chairperson, Victorian Legal Services Board.