



## General Panel Agreement

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This **Agreement** is between—

the **Legal Services Commission of South Australia** (the Commission)

and

..... (the legal practitioner)  
*[legal practitioner's full name]*

**1. It is agreed that—**

- 1.1 on the signing of this Agreement by both the legal practitioner and the Director the Commission will appoint the practitioner to the Commission's General Panel and retain the practitioner on the General Panel for the term of the Agreement unless—
- a) the practitioner is removed from the General Panel under the terms of this Agreement; or
  - b) the practitioner ceases employment with his or employer (in which case the practitioner is eligible to immediately reapply for readmission to the General Panel with current employment particulars);
- 1.2 the legal practitioner will provide services in a case for which legal assistance has been granted in accordance with the provisions of this Agreement, the General Practice Standards and any applicable specific practice standards, and any further conditions stipulated by the Director and attached to this Agreement;

- 1.3 this Agreement operates for a term of three years from the date the Agreement is signed by the Commission and, at the expiration of the term of the Agreement, a subsequent Agreement may be entered into;
- 1.4 the legal practitioner may be removed or suspended from the General Panel—
- a) on breach by the practitioner of—
    - i. a term of this Agreement; or
    - ii. a term of the General Practice Standards or a term of any specific practice standards applicable to the particular case; or
    - iii. any further condition stipulated by the Director and attached to this Agreement; or
  - b) on the commencement of bankruptcy proceedings, disciplinary proceedings (under the *Legal Practitioners Act 1981* or otherwise) or criminal proceedings (other than minor traffic offences) against the practitioner;
- 1.5 a legal practitioner who receives written notice from the Director removing or suspending the practitioner from the General Panel may, within one month of receiving the notice, appeal in writing to the Commission against the removal or suspension;
- 1.6 notice to a legal practitioner removing or suspending the practitioner from the General Panel will state—
- a) the reason for the removal or suspension;
  - b) whether the removal or suspension is pursuant to paragraph (a) or (b) of clause 1.4; and
  - c) in the case of suspension, the term of the suspension;
- 1.7 a legal practitioner suspended from the General Panel for six months or more will be considered to have been removed from the Panel and may, six months from the date of the notice of suspension, reapply for readmission to the General Panel;
- 1.8 a legal practitioner removed from the General Panel may, six months from the date of the notice of removal, reapply for readmission to the General Panel;
- 1.9 on receiving a request from a legal practitioner, in writing, to remove his or her name from the General Panel, the Director will remove the practitioner from the General Panel.

2. It is agreed that as a member of the General Panel the **legal practitioner**–

- 2.1 will maintain his or her practising certificate and, if it is not maintained, will immediately notify the Commission in writing and cease working on any case in which legal assistance has been granted;
- 2.2 will, if the practitioner holds a practising certificate with the restriction that the practitioner must complete supervised practice in accordance with LPEAC 2004 Rule 3.1, comply with Commission guidelines specifying the type of case that may be undertaken by a practitioner holding a restricted practising certificate as published on the Commission website from time to time;
- 2.3 will comply with the *Legal Practitioners Act 1981*, the *Legal Services Commission Act 1977*, the Australian Solicitors' Conduct Rules adopted and amended by the Law Society of South Australia and, if applicable, the South Australian Barrister Conduct Rules;
- 2.4 will conduct a case for which legal assistance has been granted to the standard of care and skill expected of a person who regularly acts in the capacity in which the legal practitioner is engaged and who possesses the knowledge, skill and experience of a person qualified to act in that capacity;
- 2.5 will immediately advise the Commission, in writing, on becoming aware of bankruptcy proceedings, disciplinary proceedings (under the *Legal Practitioners Act 1981* or otherwise) or criminal proceedings (other than minor traffic offences) commenced against the legal practitioner;
- 2.6 will immediately advise the Commission, in writing, if the practitioner commences employment with a new employer or becomes self employed and, if the practitioner wishes to remain on the General Panel, reapply for admission to the General Panel with his or her new employment details;
- 2.7 will advise the Commission, in writing, within 14 days of any change to the legal practitioner's e-mail address, business address or other contact details;
- 2.8 will, in accordance with section 22(1) of the *Legal Services Commission Act 1977*, disclose to the Commission any information relating to the provision of legal assistance to an assisted person that the Commission may require, including for the purposes of conducting an audit in relation to the expenditure of Commission funds and compliance with the provisions of this Agreement and practice standards;
- 2.9 will, if practising from a home address, maintain office premises that are separated from the residential part of the premises and suitable for the attendance of clients;
- 2.10 will not solicit or poach a legally assisted client from the Commission's in-house practice or from another panel member;

- 2.11 will be deemed to have accepted a legal aid assignment on the date of the assignment unless the legal practitioner notifies the Commission within 72 hours of receipt of the assignment that the practitioner is unable or unwilling to accept the assignment;
- 2.12 will, on the Commission reassigning a case to another legal practitioner, transfer all relevant files to that subsequent practitioner as soon as practicable;
- 2.13 will submit a tax invoice to the Commission for work in respect of which a commitment certificate has been issued within three months of the conclusion of that work;
- 2.14 will as soon as possible refund to the Commission an over payment or incorrect payment received by the legal practitioner from the Commission;
- 2.15 will not charge the client for any legal work done pursuant to a grant of legal assistance , other than the amount of the client contribution determined by the Commission;
- 2.16 is authorised to collect the client contribution the legally assisted client is required to pay and retain it unless the file is transferred to a new legal practitioner, at which time any balance of the contribution is also to be transferred to the new practitioner.

**3. It is agreed that the Commission–**

- 3.1 will, subject to clause 3.2, on receipt of a tax invoice pay the legal practitioner the cost scale amount as set out on the Commission's website from time to time, less any client contribution;
- 3.2 on receiving a tax invoice from the legal practitioner for work in respect of which a commitment certificate has been issued–
  - a) may decline to pay the invoice if the invoice is submitted more than three months after the conclusion of that work; and
  - b) will not pay the invoice if the invoice is submitted more than six months after the conclusion of that work unless payment of the invoice is authorised by the Director;
- 3.3 is not liable for any disbursement, including counsel fees, incurred by the legal practitioner without prior approval from the Commission;



## Practice Standards

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The Legal Services Commission (the Commission) has established a panel of private legal practitioners to provide legal services to legally assisted clients (the General Panel).

Clause 1.2 of the General Panel Agreement requires a legal practitioner included on the General Panel to provide services in a case for which legal assistance has been granted in accordance with the provisions of the General Panel Agreement, the General Practice Standards and any applicable specific practice standards, and any further conditions stipulated by the Director and attached to the Agreement.

A legal practitioner who breaches a practice standard may be removed from the General Panel and any other panel of which the practitioner is a member.

The Commission has determined that the following general and specific practice standards are to be complied with by a legal practitioner representing a legally assisted client.

The General Practice Standards apply to all legally assisted cases. Specific practice standards have been developed to apply to particular types of cases and clients with specific characteristics.

The practice standards are designed to ensure the effective, efficient and economic delivery of quality legal services. They apply to both in-house legal practitioners and private legal practitioners acting on a grant of aid.

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# General Practice Standards

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The General Practice Standards apply to all legally assisted cases.

## General Principles

A legal practitioner acting for a legally assisted client is to—

- apply the same skill and care as would be applied to a case for a fee paying client;
- ensure that legal assistance costs are only incurred where necessary and reasonable;
- seek to narrow the issues in dispute, resolve the case in a timely fashion and, where appropriate, avoid a fully contested adjudication if possible.

## Responsibilities to clients

1. A legal practitioner acting for a legally assisted client must—

- (a) ensure that, together with all relevant information and supporting documentation—
  - i. an application for legal assistance or for an extension of legal assistance; or
  - ii. a request for reconsideration or review of a decision concerning legal assistance,is lodged promptly with the Commission and, whenever possible, prior to an event that will incur costs;
- (b) advise the client that accurate, up to date and adequate information is to be provided to the Commission (including any supporting documentation, such as documents required for verification of means);
- (c) endeavour to establish contact with, and take instructions from, the client within a reasonable time of receiving an assignment from the Commission, having regard to the nature and urgency of the case;

- (d) communicate effectively with the client by using language appropriate to the client's age, maturity, education and cultural background and, if appropriate, through an interpreter;
- (e) keep the client informed of–
  - i. the progress of the case, including any delay or likely delay and the reason for the delay;
  - ii. the prospects for the case;
  - iii. any costs contribution required from the client;
  - iv. the imposition, or potential imposition, of a statutory charge; and
  - v. the implications of the funding cap;
- (f) respond promptly to–
  - i. reasonable requests by the client for information regarding his or her case; and
  - ii. telephone inquiries;
- (g) attend all court hearings on time and adequately prepared;
- (h) be aware of, and comply with, relevant practice directions;
- (i) maintain continuity of representation throughout the case to the extent possible and if this is not possible explain to the client who will be appointed to represent him or her on the next occasion;
- (j) before closing the file of a non-responsive client–
  - i. follow up with the client (or nominated representative) at least twice;
  - ii. comply with court or tribunal requirements governing withdrawal; and
  - iii. notify the Commission;
- (k) at the conclusion of a case, provide the client with a clear and comprehensive written explanation of the outcome, including–
  - i. the action the client is to take;
  - ii. appeal rights (if any) and relevant time limits; and
  - iii. any final costs contribution required by the Commission and any statutory charge imposed by the Commission.

## Responsibilities to the Commission

2. A legal practitioner acting for a legally assisted client must–
- (a) conduct all dealings with employees of the Commission in a courteous and professional manner and must not make comments of an offensive or adverse nature against the Commission or its employees on social media sites or other webpages;
  - (b) be familiar with and observe the provisions of the funding criteria and other guidelines made pursuant to the *Legal Services Commission Act 1977*;
  - (c) when forwarding an application for legal assistance on behalf of a client certify whether, in the opinion of the legal practitioner, the application is of a type for which assistance may be granted under the Commission’s means, merit and guidelines tests;
  - (d) comply with any conditions attached to a grant of legal assistance that are applicable to the legal practitioner;
  - (e) refuse the assignment of a case if the current workload of the legal practitioner is such that the case could not be attended to in a timely manner;
  - (f) notify the Commission as soon as practicable after the legal practitioner becomes aware of–
    - i. an actual or potential conflict of interest; or
    - ii. any other reason necessitating the withdrawal of the practitioner from the case;
  - (g) notify the Commission of any circumstances relevant to the continuation of a grant of assistance, including–
    - i. a change in the financial circumstances of the client;
    - ii. an adverse change in the prospects of the case;
    - iii. the failure of the client to provide instructions or the withdrawal of instructions by the client;
    - iv. the refusal or failure of the client to accept or act in accordance with legal advice; or
    - v. loss of contact with the client;
  - (h) obtain written approval from the Commission prior to incurring disbursements (including counsel fees and transcript fees);
  - (i) only engage agents or other service providers on the basis that the person will accept payment for services in accordance with the Commission’s disbursement fee scale;

- (j) maintain each client file in such a way that if another legal practitioner were to assume conduct of the case the new practitioner could easily ascertain the client's instructions, the current status of the case (including the progress of negotiations), court proceedings and the legal assistance costs already incurred;
- (k) inform the Commission of any concerns expressed by the court about the conduct of a legally assisted case;
- (l) notify the Commission immediately of any circumstances that could give rise to a claim for professional negligence, including a detailed statement in relation to the matter;
- (m) if counsel is engaged (including where another member of the practice appears as counsel)–
  - i. ensure counsel is–
    - a member of the General Panel; and
    - if relevant, a member of the appropriate specialist panel;
  - ii. inform counsel of the grant of legal assistance and the terms on which counsel is engaged;
  - iii. provide a brief to counsel marked with the authorised fees in accordance with the Commission's scale of costs;
  - iv. inform the Commission of the name of counsel and the date the brief was delivered to the named counsel; and
  - v. ensure all barrister commitment certificates are forwarded to counsel as soon as possible;
- (n) when submitting a tax invoice–
  - i. provide a progress report or a report on the outcome of the case (whichever is appropriate);
  - ii. comply within a reasonable period with a request by the Commission for further information concerning the legal costs claimed; and
  - iii. ensure the invoice–
    - is submitted within three months of the conclusion of work in respect of which a commitment certificate has been issued;
    - is in the prescribed form;
    - is in accordance with the Commission's scale of costs;
    - is in sufficient detail to enable the Commission to determine that the amount is properly payable; and
    - does not exceed the amount of funds committed to the case;

- (o) ensure each report to the Commission contains–
  - i. details of every court appearance for which payment is sought, including the outcome and any orders made;
  - ii. an outline of the work completed under the grant of legal assistance;
  - iii. the name of the person who appeared as counsel; and
  - iv. any other information the Commission requires or the legal practitioner considers relevant;
  
- (p) avoid any unnecessary expense or waste by ensuring that–
  - i. documents are served or filed on time;
  - ii. documents served, filed or given to the client are legible;
  - iii. the client is aware of medical appointments, conferences and hearing dates and understands the importance of attending and attending on time;
  - iv. witnesses are aware of conferences and hearing dates and understand the importance of attending and attending on time;
  - v. court commitments are kept;
  - vi. cases are ready to be heard as soon as practicable;
  - vii. issues in dispute are presented clearly and succinctly;
  - viii. the evidence, including cross examination, is limited to that which is reasonably necessary to advance and protect the client’s interests; and
  - ix. time in court is limited to as short a time as is necessary to advance and protect the client’s interests;
  
- (q) attend any meeting or other training session as required by the Commission.

## **Practice Standards relating to clients with specific characteristics**

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### **Aboriginal or Torres Strait Islander clients or clients from a culturally and linguistically diverse (CALD) background**

A legal practitioner working with an Aboriginal or Torres Strait Islander client or a client from a CALD background in a legally aided case must–

- (a) be aware of any cultural or religious factors that might–
  - i. influence the client’s instructions; or
  - ii. be relevant to the way the case is conducted and the outcome of the case;
- (b) ensure that a referral to, or engagement of, a third party service provider is appropriate to the cultural or religious background of the client.

### **Clients with a mental illness of disability**

A legal practitioner working with a client with a mental illness or disability in a legally aided case must–

- (a) maintain up to date knowledge of mental health and disability issues;
- (b) approach the case on the assumption that the client is competent and has the capacity to provide instructions and make informed decisions;
- (c) where it is obvious that the client cannot give instructions, consider–
  - i. what support the client needs to make a supported decision, including assistance from a third party; and
  - ii. whether it is appropriate and in the client’s interest to have a supported or substitute decision maker appointed;
- (d) confirm with the client the client’s understanding of the information provided;

- (e) conduct the case in a manner that does not unnecessarily–
  - i. cause or increase the client’s distrust towards clinicians or other medical professionals involved;
  - ii. cause or increase the client’s distrust towards family members or carers;  
or
  - iii. damage the client’s therapeutic relationship with the treating clinician or other medical professionals involved.

## Children

1. A legal practitioner working with a child client in a legally aided case must hold a current DCSI screening clearance and comply with the following requirements–

- (a) interview or meet with the child in an appropriate location that protects the child’s privacy;
- (b) consider whether a support person is appropriate when interviewing the child and, if so, ask the child to choose an appropriate support person;
- (c) be aware that an accompanying adult may not have the child’s voluntary and informed consent to be there, or may have a conflict, and act accordingly if this is the case;
- (d) identify and address relevant protective intervention issues and the relevance of such issues to the case;
- (e) explore and confirm the child’s understanding of words and concepts used and of the legal process;
- (f) assess the child’s capacity to give instructions to confirm that they can be represented on a direct instructions basis;
- (g) encourage the child to ask questions and answer those questions appropriately;
- (h) use language appropriate to the age, maturity, education, cultural background and language proficiency of the child;
- (i) be familiar with legislation and case law particularly relevant to children;
- (j) be aware of confidentiality and mandatory legislative or ethical obligations when a child makes a disclosure;
- (k) be aware of any cultural or religious factors that may be relevant to the outcome of the case, the way the case is conducted and referrals made;

- (l) refrain from charging or recovering any money from the client except with the approval of the Commission.
2. A legal practitioner working with a child client in a family law case must be familiar with and follow Part 1 section 4 and Part 6 of the *Best Practice Guidelines for lawyers undertaking family law work* (prepared by the Family Law Council and the Family Law Section of the Law Council of Australia).
3. A legal practitioner working with a child client in a criminal law case must–
- (a) make enquiries about the child’s living arrangements and any involvement with the child protection system in order to best represent the child;
  - (b) advise the child about–
    - i. child specific defences and any diversionary options available to the child; and
    - ii. sentencing hierarchies, types of orders and the release of criminal records in the Youth Court;
  - (c) have up to date knowledge of sentencing principles under the *Young Offenders Act 1993*;
  - (d) clearly explain to the child the sentence outcome and appeal options which must be considered in the context of the special jurisdictional issues that apply in the Youth Court.

## Practice Standards for specific areas of law

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### Criminal Law Practice Standards

The Criminal Law Practice Standards apply to all legally assisted criminal cases.

#### General Principle

The majority of people appearing in the criminal justice system are disadvantaged. A legal practitioner working in this area should have an understanding of cross-cultural issues and issues facing socially and economically disadvantaged people.

#### Responsibilities to clients

1. A legal practitioner acting for a legally assisted client in a criminal case must, in addition to complying with the General Panel Agreement, the General Practice Standards and any other applicable specific practice standards—
  - (a) open and retain a file for the client with a copy of the client's instructions, the police facts, bail conditions, criminal history and the brief;
  - (b) ensure the file contains sufficient records to indicate—
    - i. the information and advice given to the client; and
    - ii. that appropriate consideration was given to the matters contained in these Practice Standards;
  - (c) inform the client of the case against him or her and give advice about the applicable law including—
    - i. the charges;
    - ii. the benefits of an early plea of guilty;
    - iii. the strengths and weaknesses of the prosecution case;
    - iv. whether there is sufficient evidence to prove a prima facie case;
    - v. maximum penalties;
    - vi. whether there is a standard non-parole period;

- vii. possible defences;
  - viii. the likely time the case will take to be concluded; and
  - ix. the relevant legal process and procedure;
- (d) prior to entering a plea have all relevant prosecution evidence, including the charge sheet, the court attendance notice or summons, the police facts sheet, the brief of evidence where appropriate and the client's criminal record;
- (e) consider whether it is appropriate to negotiate with the prosecutor in relation to different or lesser charges or amendments to the police facts;
- (f) ensure the facts tendered by the prosecution contain any agreed amendments;
- (g) if a plea of guilty is to be entered, ensure the client reads and signs the instructions and the agreed facts prior to presenting the case in court;
- (h) obtain proper instructions from the client before presenting his or her case in court, including–
- i. relevant medical history, including any treatment for a psychiatric, psychological or other medical issue and prescribed medication;
  - ii. drug and alcohol history, including attempts at rehabilitation;
  - iii. family background; and
  - iv. any other relevant background information;
- (i) determine if the client has a mental health issue or an intellectual disability requiring a psychological or psychiatric assessment and, subject to obtaining approval from the Commission, arrange such an assessment;
- (j) consider whether a bail application or bail variation is appropriate and, if funded, obtain full instructions in respect of the factors necessary for bail or bail variation;
- (k) determine whether it is appropriate to request a pre-sentence report;
- (l) if the client is in custody–
- i. take instructions on whether the client wants to attend court events in person or by a telephone or video link;
  - ii. assist the client, where relevant, with–
    - custody management issues;
    - contacting family members;
    - any issues in receiving medical treatment;
  - iii. discuss evidence and case strategy, confidentially and in person where possible, prior to the court date.

- (m) following a court appearance (including where the client is in custody)–
- i. immediately speak with the client and confirm that he or she understands the result and any orders made by the court (unless this is not possible due to lack of time because of other court commitments that day); and
  - ii. inform the client, in writing, of the result and effect and (if applicable) the next court date and the obligation to attend;
- (n) if counsel is briefed ensure, as far as possible, that he or she
- i. will be available for the entire case;
  - ii. confers with the client at an early opportunity;
  - iii. advises the client of the strengths and weaknesses of both the prosecution case and the defence case; and
  - iv. advises of the benefits of an early plea;
- (o) at the conclusion of a case–
- i. speak to the client immediately following the court appearance and confirm the proceedings and the outcome are understood;
  - ii. provide the client with a clear and comprehensive written explanation of the outcome, including–
    - appeal rights, the prospects of an appeal succeeding and the time within which to lodge an appeal; and
    - advising of the likelihood of legal assistance being available for an appeal and, if so, the potential impact on a statutory charge;
  - iii. if appropriate–
    - take instructions for an appeal;
    - assist the client to complete an application for legal assistance for the appeal and for a bail application pending appeal; and
    - assist the client in lodging an appeal;
- (p) if appearing in an appeal, give advice about the law, the likelihood of the appeal succeeding and the possibility of the sentence being increased in sentence appeal proceedings;
- (q) if a member of the Complex Criminal Law Panel, complete at least one CPD points each year specifically relevant to the practice of criminal law.

## Responsibilities to counsel in criminal cases

2. A legal practitioner briefing counsel in a legally assisted criminal case must provide the brief and instructions to counsel in writing at the earliest opportunity including, where practicable—
  - (a) an index of the documents contained in the brief;
  - (b) sufficient observations on the facts to assist counsel in appreciating the issues and the background to the matter and any other observations the practitioner regards as being useful to counsel;
  - (c) the client's instructions;
  - (d) medical and expert reports;
  - (e) witness statements;
  - (f) the transcript of Magistrates Court proceedings, if available;
  - (g) copies of any subpoenas issued;
  - (h) advice of the fees payable to counsel in accordance with the Commission's scale of fees; and
  - (i) any other relevant information or documents for the particular case.

# Family Law Practice Standards

The Family Law Practice Standards apply to all legally assisted family law cases.

## General Principles

A legal practitioner conducting a legally assisted family law case should–

- recognise family violence as a serious problem and recognise the paramount need to ensure the safety of children and parents at all stages of a family law matter;
- take a conciliatory rather than a litigious approach to family disputes in order to lessen conflict and reduce impact on the parties and any children;
- ensure that his or her behaviour, comments or attitude do not inflame the dispute between the parties and ensure the practitioner’s own personal emotions or opinions do not influence the advice given to a client.

## Responsibilities to clients

1. A legal practitioner acting for a legally assisted client in a family law dispute must, in addition to complying with the General Panel Agreement, the General Practice Standards and any other applicable specific practice standards–
  - (a) adhere to the *Best Practice Guidelines for lawyers doing family law work* (prepared by the Family Law Council and the Family Law Section of the Law Council of Australia);
  - (b) in matters involving a child, advise the client of the principles set out in section 60B of the *Family Law Act 1975* and assist and encourage the client to pursue options that are in the best interests of the child;
  - (c) in matters involving child support, advise the client of the principles set out in section 4 of the *Child Support (Assessment) Act 1989* and assist and encourage the client to pursue options that ensure the child receives a proper level of financial support from his or her parents;
  - (d) advise the client of the benefits of making arrangements for any child in cooperation with the other party rather than through a contested court hearing;
  - (e) consider the appropriateness of family dispute resolution (FDR) for all cases and at each stage of proceedings and, if a case is referred for FDR, approach the case in a manner consistent with the philosophy of FDR, be fully informed about the case and participate constructively in any FDR conference;

- (f) encourage the client to be open and honest in all aspects of the case;
- (g) provide the client with copies of all applications, affidavits and reports filed in the proceedings and a sealed copy of any order or agreement, or a copy of any judgment;
- (h) if necessary, assist the client by providing referrals to medical professionals, counsellors and social workers;
- (i) where relevant, advise the client of the Family Court Chief Justice's guidelines for dealing with matters involving domestic violence and assist the client to avail themselves of the protection offered by those guidelines;
- (j) where appropriate—
  - i. explain the role of the Independent Children's Lawyer and any costs associated with such an appointment; and
  - ii. seek instructions in relation to making an application to the court for the appointment of an Independent Children's Lawyer for any child of the client;
- (k) use his or her best endeavours to ensure compliance by the client with section 121 of the *Family Law Act 1975* concerning non-publication of family law proceedings by advising the client of the effect of section 121 and providing information in relation to the sanctions that may be imposed if any material filed in proceedings under the *Family Law Act 1975* is published;
- (l) if the matter proceeds to hearing, ensure the client understands how evidence is given, how the hearing will be run, and how parties should conduct themselves in court;
- (m) if the other party is self represented, advise the client of how the court and the legal practitioner will deal with the other party during the hearing.

## **Responsibilities to other parties**

2. A legal practitioner must, if dealing with a self represented party, inform the self represented party of the information on the Family Court website for people representing themselves.

## Responsibilities to counsel in family law cases

3. A legal practitioner briefing counsel in a legally assisted family law case must provide the brief and instructions to counsel in writing at the earliest opportunity including, where practicable–
- (a) an index of the documents contained in the brief;
  - (b) sufficient observations on the facts to assist counsel in appreciating the issues and the background to the matter and any other observations the practitioner regards as being useful to counsel;
  - (c) the client's instructions;
  - (d) medical and expert reports;
  - (e) witness statements;
  - (f) copies of any subpoenas issued; and
  - (g) advice of the fees payable to counsel in accordance with the Commission's scale of fees; and
  - (i) any other relevant information or documents for the particular case.