

**LEGAL PRACTICE COMMITTEE OF QUEENSLAND**

**OFFICE:** Brisbane  
**NUMBER:** 007/05

**Applicant:** LEGAL SERVICES COMMISSIONER

**AND**

**Respondent:** PETER ARNOLD MURRELL

**DISCIPLINE APPLICATION**

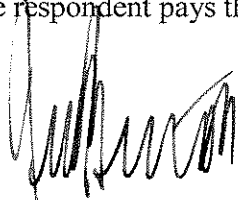
**A. DETAILS OF APPLICATION**

This application is made under section 276 of the *Legal Profession Act 2004* ("Act").

On the facts stated in the particulars of charge set out below, the applicant seeks the following orders:

1. Pursuant to section 282 of the Act that the respondent is guilty of unsatisfactory professional conduct.
2. Such further or other orders or directions as may be just.
3. The respondent pays the applicant's costs of the application.

Signed:



Description: Legal Services Commissioner

Dated:

25/5/05

RECEIVED  
25 MAY 2005

**DISCIPLINE APPLICATION**  
Filed by the Applicant  
R 4(1) Legal Profession  
(Tribunal and Committee) Rule 2004  
Form LPC1

**LEGAL SERVICES COMMISSION**  
Level 25, 307 Queen Street  
Brisbane 4000  
Telephone: (07) 3406 7737  
Facsimile: (07) 3406 7749  
DX: 148

## B. PARTICULARS OF CHARGE

The Commissioner alleges that the following charge constitutes unsatisfactory professional conduct:

### Charge

On or about 16 June 2003, Peter Arnold Murrell (the respondent) wrote or caused a letter to be written to Dr Elaine Kløver that was, without reasonable justification, offensive, insulting and acrimonious.

### Particulars

1. At all material times the respondent was a principal of the firm Murrell Stephenson Solicitors.
2. At all material times the respondent was retained by Mr Arthur Knight, Ms Maxine Cook and Ms Marilyn Campbell (respectively the husband and daughters of the late Mrs Gladys Knight) in relation to a prospective claim for professional negligence against Dr Kløver.
3. On 16 June 2003 the respondent forwarded a letter by facsimile to Dr Kløver that stated:

*As you will remember, I acted for Gladys Knight who unfortunately, died on 28 May 2003. Her husband and daughters happened to note that your mother also passed away last week. At their request they have asked me to write to you and to remind you of what you did to their mother and to tell you of the pain, suffering and problems that she experienced as a result of the incompetent manner in which you treated their mother when she was alive.*

*Although my clients are not privy to the circumstances in which your mother died, they hope that she experienced the same hurt, harm and detriment before she died, or if not, that you experience suffering of the likes that their mother suffered and the pain and anguish that they went through as a consequence thereof.*

4. The respondent did not have instructions from his clients to write the letter referred to in paragraph 1.3.

---

### DISCIPLINE APPLICATION

Filed by the Applicant  
R 4(1) Legal Profession  
(Tribunal and Committee) Rule 2004  
Form LPC1

RECEIVED  
25 MAY 2005  
by *T. Harman*  
LEGAL PRACTICE COMMITTEE

### LEGAL SERVICES COMMISSION

Level 25, 307 Queen Street  
Brisbane 4000  
Telephone: (07) 3406 7737  
Facsimile: (07) 3406 7749  
DX: 148

**C. TO THE RESPONDENT(S)**

**PETER ARNOLD MURRELL**

**Level 8, 388 Queen Street, Brisbane in the State of Queensland.**

This application will be heard by the Committee at a time and date to be fixed.

Filed with the Committee on 25 May 2005.

RECEIVED  
25 MAY 2005

Secretariat: by *L. Medmen*  
LEGAL PRACTICE COMMITTEE

If you wish to contest this application, or to make submissions on penalty, you must lodge a Notice of Address for service with the Secretariat within fourteen [14] days of service of this application on you. The Notice should be in Form 8 to the Uniform Civil Procedure Rules. If you fail to file a Notice of Address for service with the Secretary within fourteen [14] days of service of this application on you, the matter will be heard in default of your appearance, on a date to be fixed being not less than twenty one [21] days after service of this application on you.

**D. SERVICE**

**APPLICANT'S ADDRESS FOR SERVICE:**

Name:	Legal Services Commission
Applicant's business address:	Level 25, 307 Queen Street. Brisbane Qld 4000
Address for service:	As Above
DX:	DX 148
Telephone:	(07) 3406 7737
Fax:	(07) 34067749
E-mail address:	<a href="http://www.lsc@lsc.qld.gov.au">www.lsc@lsc.qld.gov.au</a>

---

<b>DISCIPLINE APPLICATION</b>	RECEIVED	<b>LEGAL SERVICES COMMISSION</b>
Filed by the Applicant	25 MAY 2005	Level 25, 307 Queen Street
R 4(1) Legal Profession		Brisbane 4000
(Tribunal and Committee) Rule 2004	by <i>L. Medmen</i>	Telephone: (07) 3406 7737
Form LPC1	LEGAL PRACTICE COMMITTEE	Facsimile: (07) 3406 7749
		DX: 148