

Media Release

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Banned solicitor applies to remove his own name from Court roll

A solicitor who was previously banned from practising law for four years has had his name removed from the Supreme Court's roll of legal practitioners.

Mr Sammy Bektas, a former Melbourne personal injuries solicitor from Victorian Compensation Lawyers Pty Ltd, took the unusual step of applying to the Court to have his own name removed from the roll, meaning he will no longer be able to work as a lawyer. The application was fully supported by Legal Services Commissioner, and CEO of the Legal Services Board, Michael McGarvie.

Mr Bektas had his practising certificate cancelled in 2013 after complaints made by ten former clients were prosecuted in the Victorian Civil and Administrative Tribunal.

Supreme Court Justice Kaye heard that the Commissioner had received a total of 80 complaints against Mr Bektas involving excessive overcharging, improper dealings with trust money, poor cost disclosure and billing practices, poor conduct towards his clients, undue pressure over costs and requests for itemised bills, and inadequate provision of advice and explanations to clients.

Mr McGarvie said that although none of these complaints involved allegations of fraud or dishonesty, the volume and their seriousness justified Mr Bektas being removed from the roll.

'Mr Bektas' application has achieved the greatest public protection possible. It also protects the complainants from the strain of a drawn-out investigation and prosecution process and saves considerable court time,' he said.

Mr Bektas has also agreed to pay compensation to certain affected clients.

'There is a lesson here for all lawyers,' Mr McGarvie said. 'Clients are entitled to know in advance what their legal work will cost them and what their rights are, and lawyers must be fair in what they charge.'

Justice Kaye accepted Mr Bektas' application and ordered his name be removed from the roll of legal practitioners. Justice Kaye also commended the Commissioner and Mr Bektas on the sensible way the application was conducted.

In 2013 VCAT found Mr Bektas guilty on eight counts of professional misconduct and five counts of unsatisfactory professional conduct for similar offences. At the time VCAT ordered Mr Bektas' practising certificate be cancelled for a period of four years and that any future practising certificate he applied for be subject to strict conditions, including that Mr Bektas not be able to run a law firm for a period of two years. Mr Bektas was also ordered to pay \$200,000 of the Commissioner's costs. No costs were awarded for the Supreme Court hearing.

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