

**BEFORE THE IMMIGRATION ADVISERS
COMPLAINTS AND DISCIPLINARY TRIBUNAL**

Decision No: [2013] NZIACDT 2

Reference No: IACDT 047/11

IN THE MATTER

of a referral under s 48 of the Immigration
Advisers Licensing Act 2007

BY

Immigration Advisers Authority
Authority

BETWEEN

Susan Brighton and Robert Brighton
Complainants

AND

Glen William Standing
Adviser

DECISION
(COMPENSATION)

REPRESENTATION:

Complainant: In person

Adviser: In person

Date Issued: 18 January 2013

DECISION

Introduction

- [1] In its decision on disciplinary sanctions dated 28 September 2012 the Tribunal reserved leave for:
- [1.1] The complainant's daughter Victoria Louise Brighton to lodge a claim, on or before 12 October 2012, for an order directing compensation; and for
- [1.2] The Tribunal to issue further, or other, orders.
- [2] The reasons are set out in that decision, and the factual background is set out in the Tribunal's decision dated 24 August 2012, which upheld the complaint.
- [3] Ms Standing withdrew an application for a residence visa Ms Brighton had lodged, he had no authority to do so. He did not arrange for Ms Brighton's work visa to be renewed, it expired. As a direct result of Mr Standing's unprofessional actions, Ms Brighton was unable to work. In all probability, if Mr Standing had acted competently and in accordance with his instructions, Ms Brighton would have been able to continue working.
- [4] For an extended period following his actions, Mr Standing engaged in a course of dishonest, deceptive and manipulative behaviour.
- [5] The result was that Mr Brighton was out of work for 37 weeks. The Tribunal's previous decisions outline the deception and other conduct that caused Ms Brighton to be out of work for that extended period.
- [6] Ms Brighton produced a letter from her employer. The letter explains Ms Brighton had to resign from her employment, and had a period of 37 weeks not being paid, at which point she was able to resume her employment as at that point a new visa issued.
- [7] The loss of income was \$20,260. Had Mr Standing performed the professional services he was engaged to provide, and conducted himself professionally, it is evident Ms Brighton would have been in work and had the income she lost.
- [8] Mr Standing has not responded, and not otherwise disputed the reasons for the loss, or the calculation of the loss.
- [9] I am satisfied a loss of income of \$20,260 was the direct result of Mr Standing failing to discharge his professional obligations. Ms Brighton is entitled to compensation for the loss.

Order

- [10] Pursuant to section 51 of the Immigration Advisers Licensing Act 2007 the Tribunal orders: the adviser, **Glen William Standing**, is to pay compensation of \$20,260 to **Victoria Louise Brighton**, the daughter of the Complainants.
- [11] This order is in addition to, and does not affect, the orders previously made in this proceeding.

DATED at WELLINGTON this 18th day of January 2013.

G D Pearson
Chair