

**BEFORE THE NEW ZEALAND LAWYERS AND
CONVEYANCERS DISCIPLINARY TRIBUNAL**

[2014] NZLCDT 65

LCDT 020/14

BETWEEN

**AUCKLAND STANDARDS
COMMITTEE 2**

Applicant

AND

MIRIAM HOLLINS

Respondent

AND

VIRTUAL LAW LIMITED

Respondent

CHAIR

Judge DF Clarkson

MEMBERS OF TRIBUNAL

Mr W Chapman

Ms C Rowe

Mr W Smith

Mr I Williams

HEARING at Auckland

DATE OF HEARING 12 November 2014

APPEARANCES

Mr R McCoubrey for the Standards Committee

Mr C Pidgeon QC for the Practitioner

ORAL DECISION OF NEW ZEALAND LAWYERS AND CONVEYANCERS
TRIBUNAL ON PENALTY

[1] In this matter the practitioner has acknowledged for herself and on behalf of the Incorporated Firm of which she is the sole Director the negligence alternatives of the charges laid and in response to that the Standards Committee have sought the Tribunal's leave to withdraw the Charges of Misconduct and Unsatisfactory Conduct respectively and leave is granted.

[2] We have had discussion with counsel and have read the written submissions and so we were able to have a productive discussion about the large level of agreement between counsel and the practitioner, as to the proper orders to be made as a result of the acknowledgement of the charges, and in order to form penalty in relation to this matter and the orders we now make are as follows:

1. The Tribunal formally censures you Ms Hollins pursuant to s 156 of the Act.
2. We make an order suspending you from practise for a period of 12 months commencing 1 March 2014 so that will expire the end of February 2015.
3. We make an order pursuant to s 242(1)(g) that Ms Hollins you are not to practise on your own account in partnership or otherwise until authorised by the Tribunal to do so. We note that this order largely reflects the health issues that have recently been faced by you and so any application would need to be accompanied by medical evidence as to your recovery in due course.
4. An order pursuant to s 257 against the New Zealand Law Society for the costs of the Tribunal. Those are to be fixed and certified in due course. Those costs will be provided with the written reasons which are reserved.

5. Because the practitioner is legally aided there will be no order for costs against her.

DATED at AUCKLAND this 12th day of November 2014

Judge D F Clarkson
Chair