

CONCERNING

an application for review pursuant to section 193 of the Lawyers and Conveyancers Act 2006

AND

CONCERNING

a determination of Auckland Standards Committee 4

BETWEEN

KD

Applicant

AND

WW

Respondent

DECISION

Background

[1] In 2004, Mrs WW's son WV married WT. In September 2004, the couple went to live with WT's family in England. Their son, WS, was born on ... 2004.

[2] In November 2005, WV returned to New Zealand ahead of WT and WS on the understanding that they would follow as soon as WS's passport had been issued. Instead, shortly thereafter, WT advised WV that she had met and moved in with a person called WR, and did not intend to follow WV back to New Zealand.

[3] Contact between WT, WS and WV over the next few years was made difficult by the fact that WT was not cooperative in maintaining contact, although she sought money from WV from time to time.

[4] In November 2009 WV, his partner WU and Mrs WW consulted Ms KD to seek general advice about formalising access to WS with a view to ultimately seeking custody. Mrs WW lodged the sum of \$5,000.00 with Ms KD to be used in payment of her costs.

[5] Ms KD advised WW, WV and WU that she would not be able to devote much time to the matter prior to Christmas, but that she would read the file, and in the meantime they should continue with their efforts to obtain assistance from the English social services to make contact with WS.

[6] Following a telephone conversation with the Assistant Team Manager of Children's Services at Norfolk County Council, WV received an email from her on 20 November 2009, in which she advised that she had made contact with WT who was not agreeable to providing WV with her contact details, or details of WS's school.

[7] WV sent this email to Ms KD who responded on 23 November in the following way:-

"Thanks for that information [WV]. Now it looks like the only way forward would be through the Courts system. I will look into that."

[8] On 6 December, Ms KD made further contact with WV by email. She advised him that no options were open to him under the Hague Convention, and that there appeared to be no other way but to instruct a lawyer in the UK. The only reference to a lawyer in the UK that she had identified in the material supplied to her by WW, WV and WU was to the lawyer representing WR. She noted however that she was not sure if it was a good idea to use the same lawyer as in her words "it may become an issue of conflict of interests."

[9] Mrs WW then supplied Ms KD with the name of a lawyer who she had previously made contact with. Ms KD responded and indicated that she would help to set up the contact and gave a brief indication of her role. She finished the email in the following way:-

"I will make contact and brief the UK lawyer in the meantime."

[10] However, shortly thereafter, WV was contacted by WT. The tone of her communication appeared to be somewhat more conciliatory, but WV was wary and sought guidance from Ms KD on the content of his reply.

[11] Ms KD responded and confirmed the content of the reply. She also advised WV to maintain whatever contact he could as it would support any proceedings that he brought in the Court subsequently. Given the fact that contact had been established with WT who was apparently then disposed to allow WV to have contact with WS, she asked whether he wanted her to hold off making contact with the UK solicitor.

[12] On 22 December, she again sought instructions from WV, and rendered an invoice for her attendances to date.

[13] It would seem that the next contact was by way of a telephone call from WU on 26 February 2010, in which WU expressed a desire to progress arrangements to have contact with WS. Ms KD recorded in her file note that she advised WU that to do this it would be necessary to contact a lawyer in the UK.

[14] By that stage, regular contact with WR had been established. WR and WT had separated, and WS and their two boys were living with WR. WR was happy to facilitate contact between WV and WS but did not want to take any steps to seek custody of the children as he did not want to "rock the boat."

[15] On the morning of 30th March WU received a telephone call from WR, advising that WT had filed an application for custody of the children, and that he was required to be in Court the following morning. He had made contact with a solicitor prior to that, but had not met with her at that stage.

[16] WU then emailed Ms KD to advise her of these developments and forwarded her a draft affidavit which she had prepared on WV's behalf. This provided a comprehensive picture of WV's relationship with WT and the events which had occurred. WW, WV and WU had decided that they should support WR in opposing WT's application, for the reason that WR was amenable to facilitating access for WV while WS was in his care.

[17] That night, Ms KD made telephone contact with WR's lawyer (Ms WQ of the firm ADP) and the following day she reviewed the draft affidavit and sent it by email to Ms WQ.

[18] On 6 April, Ms WQ reported that WV had been joined by consent as a party to the proceedings. To facilitate matters, she agreed to accept service of documents on behalf of WV.

[19] Subsequently, on 14 April 2010, Ms WQ reported that documents had been served by WT's lawyers. She forwarded to Ms KD a copy of WT's application, the order, and the undertaking that had been provided by WT to the Court on 31 March. Ms WQ pointed out to Ms KD that statements from the parties were to be filed in Court by 21 April.

[20] Ms KD sent this email to WV's email address on 15 April. For whatever reason, this was not seen by WU or WV until Tuesday 20 April. Arrangements were made for

WV to attend Ms KD's office at 4:30 p.m. that day, and from then until about 9:30 p.m., Ms KD worked on the draft affidavit while WV waited. The document was finally sworn by him in front of Ms KD and sent by email to Ms WQ at 9:31 p.m.

[21] In conjunction with this, Ms KD had downloaded and completed a form from the internet which was an Application for Contact under the Children Act 1999. This application was presumably sent to Ms WQ under cover of the same email.

[22] Mrs WW, WU and WV, were by that stage extremely dissatisfied with Ms KD's advice and service and instructed an alternative solicitor.

[23] In the course of her instructions, Ms KD had rendered three bills of costs:

- 22 December 2009 for \$1,012.50
- 13 April 2010 for \$1,329.38
- 28 April 2010 for \$1,350.00

[24] Payment was made by way of deduction from the funds in Ms KD's trust account.

The complaint and the Standards Committee determination

[25] Mrs WW and her husband had provided the funds for WV to instruct Ms KD and it was Mrs WW who lodged the complaint with the Complaints Service on behalf of herself, her husband and WV. She outlined the events that had unfolded. Her complaint in general was that Ms KD had not provided timely or appropriate advice. In the first instance, the affidavit required for the Court appearance on 1 April, was dealt with at the last minute and was not an appropriate document for the English Courts. More importantly, it was doubtful if it was of any benefit in furthering WV's objectives to obtain access to his son WS. In addition, WW, WV and WU found it difficult to communicate with Ms KD as she was often unavailable and had issued instructions that communication was to be only by way of email. WV was a builder and did not have daily access to a computer, as he was always on site. He was however, always able to be contacted by telephone but Ms KD did not make contact with him at any time in this manner.

[26] The Standards Committee expressed Mrs WW's complaints as being;

- Overcharging;

- Incompetence. Failure to handle the case in a competent manner added to costs;
- Failure to follow some of the client's instructions;
- Failure to provide the client with important information ; and
- Failure to act promptly at crucial times during the case.

[27] The Standards Committee issued its determination on 3 March 2011. In the section headed "discussion" the Committee had this to say:

"The Committee considered all of the material before it. The Committee was of the view that a lawyer with experience in this area of family law would have instructed a lawyer in the UK as soon as practicable. The Committee noted that Ms [KD] failed to take this necessary step despite informing the client that she had experience in this area of family law. The Committee noted that Ms [KD] had failed to lodge documents in time, had failed to progress matters in a timely fashion and had failed to keep the client informed or provide invoices to the client."

[28] The Committee's view was that Ms KD's conduct

"...amounted to a lapse in her obligations under Rule 3 to always act competently and take reasonable care and under Rule 10 to promote and maintain proper standards of professionalism in her dealings, and was also unacceptable measured against the standards of "competent, ethical and responsible practitioners (*see B v Medical Council [2005] 3 NZLR 810 per Elias J at 811*). The Committee concluded that the bills issued were not fair and reasonable against the backdrop of the circumstances referred to above and that those fees were in breach of Rule 9. In all the circumstances, the Committee was of the view that Ms [KD] had breached Rules 3, 9 and 10 of the Rules of Conduct and Client Care and accordingly determined that there had been unsatisfactory conduct on the part of Ms [KD] pursuant to section 152(2)(b) of the Act."

[29] Having reached this view, the Committee made the following orders:

1. That Ms [KD] cancel all fees charged (s 156(1)(f)).
2. That Ms [KD] pay the New Zealand Law Society an amount of \$750.00 in respect of costs and expenses pursuant to section 156 (1)(n) of the Act.
3. That Ms [KD] pay the New Zealand Law Society an amount of \$750.00 by way of fine pursuant to section 156 (1)(i) of the Act.

[30] Ms KD has applied for a review of the Standards Committee's determination and orders.

Review

[31] In the application for review filed by ADO the following grounds for review are submitted:

1. That while the determination recites the facts as submitted by both parties in some detail, the “discussion” section of the determination does not contain any analysis of the facts and does not state the reasons for the determination.
2. That the basis on which the determination was made was factually incorrect.

[32] A review hearing took place in Auckland on 20 March 2012 attended by Ms KD, her counsel Mr KE from ADO, and Mrs WW, WV and WU.

[33] In their submissions, ADO referred to six findings of the Standards Committee to which they take exception.

Delay in instructing UK solicitors

[34] The Committee considered that a lawyer with experience in family law would have instructed a lawyer in the UK as soon as practicable and that Ms KD failed to take this necessary step despite informing WW, WV and WU that she had experience in this area of family law.

[35] ADO submit that Ms KD did in fact suggest to WV on a number of occasions shortly after she had been engaged that he should instruct a UK lawyer. They refer in particular to her email correspondence of 23 November 2009 and 6 December 2009. They further submit that Ms KD repeatedly sought instructions from WV about instructing a UK solicitor but did not proceed with this as WV informed her that he wished to try and establish contact with his son by communicating with the child’s mother before resorting to the Court.

[36] In the agreement for legal services provided to WV, Ms KD expressed her instructions in the following way:

- “1. Research legal issues surrounding international/British aspects v NZ aspects of child custody and access;
2. Seek access/contact for your child [WS] through either NZ Courts and/or English Courts; liaise with English lawyers and other parties. Instructions will change as necessary.”

[37] The Committee determined that a lawyer with experience in this area of family law would have instructed a lawyer in the UK as soon as practicable.

[38] The Auckland Standards Committee 4 is established to consider complaints relating to family law work. It includes lawyers who are experienced in this type of work. WS was living in England, his mother was living in England and was an English citizen, and WR, who WS was living with at various times also lived in England. It must have been obvious that sooner or later WV would require an English lawyer to represent him and appear on his behalf in the Court.

[39] Mr KE refers to Ms KD's emails of 23 November and 6 December 2009 as evidence of her advice that an English solicitor was required. In addition, her email of 22 December also seeks instructions as to whether or not she should take steps to appoint an English solicitor.

[40] Her position is that although she was promoting the need to instruct an English solicitor, it was WW, WV and WU who made the decision not to pursue that, at least initially.

[41] WV consulted Ms KD for advice as to what was required to obtain access to WS, and ultimately, custody. She says that she did not pursue the appointment of an English solicitor at first, because WW, WV and WU wished to establish contact with WS before pursuing legal action. As a result, she advises that her initial instructions from WW, WV and WU were to assist in establishing that contact.

[42] By 23 November 2009, it was clear that little progress was going to be made in this manner through the English social services. It is worth noting that the Local Authority that WW, WV and WU had communicated with was based in Norfolk as this is relevant to subsequent discussions relating to Ms KD's attempts to locate a suitable lawyer to instruct.

[43] In her email to WV on 23 November she says:

"Thanks for that information [WV]. Now it looks like the only way forward would be through the Court system. I will look into that."

[44] On 6 December 2009, she wrote in an email to WV as follows:

"There appears to be no other way now but to instruct a lawyer in the UK. The only details of a lawyer in your papers that I see, are [WR]'s lawyers (unless I am missing a document or the name of the lawyer your mum referred to). However, I am not sure if it is a good idea to use the same lawyer as it may become an issue of conflict of interest. I could ask them to refer me to another lawyer but will wait for my response to my email below."

[45] "Below" in that email, she advised WV that she had decided to write to the Children's Services of the Norfolk County Council again, in an attempt to have them

intervene. Consequently, the suggestion that there was a need to instruct an English solicitor was somewhat neutralised by this further attempt at enlisting the aid of Children's Services.

[46] That email to Children's Services was responded to promptly by the Team Manager of the Norfolk County Council Children's Services on 8 December 2009, in which it was again stated that the Services would not become involved in "what is essentially a private matter".

[47] It was clear at that stage that the only appropriate course would be to take the matter through the Courts, and on 9 December 2009 Mrs WW provided the name of a solicitor in North London that she had spoken to. Mrs WW however asked whether "it would be better if we didn't have the cost of two lawyers dealing with this matter and wondered what you thought. Not at all sure about this".

[48] Ms KD responded on 10 December advising that she thought it would be sensible for her to remain involved, but that her involvement would be minimal.

[49] It was at that stage that WV sought advice from Ms KD as to how he should respond to an approach from WT. Ms KD noted the possibility of the matter being resolved directly and asked whether WV "wanted her to hold on" appointing an English lawyer.

[50] Having presumably not received any instructions, she again wrote on 22 December 2009 asking whether WV wanted her to go ahead and instruct a lawyer in the UK and rendered her first invoice.

[51] From then on, there appears to have been little further contact until 26 February 2010, when WU contacted Ms KD to discuss the communications received from WT. In a file note provided to me at the hearing, Ms KD recorded that she had told WU that it was necessary to contact a lawyer in the UK. There is no note that WU instructed Ms KD not to take that step, and indeed, although Ms KD points to several occasions where she pointed out the need to take action to appoint a UK solicitor, she has not provided any evidence that she was instructed not to take that step.

[52] From the evidence I have seen, it seems that WW and WV were accepting of her advice. While Mrs WW had queried whether it was necessary to retain Ms KD if they were going to appoint UK solicitors, it seems to me that they were expecting Ms KD to take steps to instruct UK solicitors.

[53] Subsequently, in late March, Ms KD did make some attempt to make contact with an English solicitor. It seems that she made contact with a firm in Southern England with whom she had been in contact on some other matter. A quick check would have revealed that Southern England is quite some distance from Norfolk, and as noted by the firm with whom Ms KD made contact, it would be impracticable for that firm to accept instructions. I have not noted whether Ms KD made contact with the solicitor whose name had been provided by Mrs WW, but whether she did or not, no solicitor was engaged to act for WV.

[54] Matters became somewhat urgent when WU heard from WR on the morning of 30 March that he was required to be present in Court on the following day with regard to an application which WT had made for orders affecting WS. WU was told by WR that the statement filed by WT stated that WV had not been in contact with WS and it was WV's choice not to be involved with his child. That representation needed to be corrected and WU emailed Ms KD on Tuesday 30 March for urgent assistance.

[55] As recounted in [16] to [18] WV was joined to the proceedings by consent.

[56] The next series of events arose when Ms WQ emailed Ms KD on 14 April and provided copies of WT's application and associated documents. Events unfolded as recounted in [19] to [21] culminating in completion of WV's affidavit for the hearing on 21 April.

[57] Mr KE submits that Ms KD had recommended that an English lawyer be appointed from the outset but that this did not take place because WW, WV and WU did not want to incur additional costs. He then says that, faced with the series of urgent events at the end of March through to 21 April, she did the best she could. He submits that she proceeded in this way because she could not abandon WV when matters became urgent and that if she had she would be facing disciplinary proceedings for that.

[58] A client comes to a lawyer for advice and direction. That advice needs to be proactive and anticipate how matters could unfold. Steps need to be taken to ameliorate potential consequences to a client.

[59] The Standards Committee came to the view that a lawyer with experience in family law matters such as WV was involved with would have instructed a lawyer in the UK as soon as possible. Indeed, it would have been necessary to instruct a lawyer in the same part of England where WT and WS were residing. Ms KD's instructions were to take steps to secure access to WS in the short term, ultimately leading to taking

steps to secure custody. A proactive lawyer would have established contact with an English lawyer immediately, if for no other reason than to seek some initial guidance on how to proceed and what would be required, but to then also be in a position to have immediate representation if the need arose.

[60] Even if it can be said that Ms KD was not required to take this step, her conduct in endeavouring to instruct a lawyer was ineffectual. No further attempts were made to secure separate representation and no inquiry was made of WR's lawyer to recommend another firm.

[61] Mr KE submitted that it takes time to arrange representation in the UK. That in itself supports the view that Ms KD should have taken steps to do so much earlier. Speedy contact with law firms in the UK is facilitated by electronic communications, and I doubt whether it would not have been possible to arrange representation in the two week period after WV was joined as a party.

[62] What is important to note however, is that Ms KD made absolutely no attempt at all to arrange separate representation in this period. Instead, Ms KD seemed to take the approach that somehow ADP could also represent WV.

[63] It could be considered that it was a little odd that ADP agreed to assist with having WV joined as a party and then agreed to receive his affidavit without making it clear that they were not acting on WV's behalf. However, all of this activity by Ms KD and WW, WV and WU assisted their client (WR) in his opposition to WT's application and it was in their client's interests to assist in this regard.

[64] An Application by WV for contact was not part of the proceedings between WT and WR and Ms KD seems to have been somewhat misguided in her completion of the Application for Contact and supporting affidavit. This was a separate application from the proceedings to which WV had been joined. The rules relating to conflicts of interest would be the same in the UK as they are in New Zealand and ADP could not be instructed to represent WV. It should have been apparent that WV required separate representation

[65] None of the steps taken by Ms KD have the hallmark of a lawyer who is experienced in international issues involving children as she had represented to WW, WV and WU. Even applying the principles that operate in New Zealand, it was clear that WV should be separately represented and that should have been the firm and unequivocal advice given to him. Ms KD's emails and suggestions that a UK solicitor

be appointed were not put in terms that made it clear to WW, WV and WU that this was a necessity and there was a lack of direction from Ms KD.

[66] It is not a fair response to suggest that no steps were taken because WW, WV and WU wanted to pursue other options. They consulted Ms KD for advice and direction and they did not receive firm and clear advice from her. They therefore proceeded in a way which they thought was the best option.

[67] In addition, it seems to me, that they were accepting of her advice that separate representation was needed, but Ms KD took no steps to arrange that.

[68] Having considered all of the material, and heard from the parties, I have come to the view that the service and advice provided to WW, WV and WU fell short of the standard of competence and diligence that they, as members of the public and Ms KD's client, were entitled to expect of a reasonable competent lawyer. This constitutes unsatisfactory conduct in terms of section 12(b) of the Lawyers and Conveyancers Act 2006.

[69] The Committee determined that Ms KD had breached the requirements of Rules 3 and 10.

Rule 3 provides:-

“In providing regulated services to a client, a lawyer must always act competently and in a timely manner consistent with the terms of the retainer and the duty to take reasonable care.”

Rules 10 provides:-

“A lawyer must promote and maintain proper professional standards of professionalism in the lawyer's dealings.”

The Committee also determined that Ms KD's conduct would be regarded as unacceptable by lawyers of good standing.

[70] I concur with those views and in the circumstances, the determination of the Standards Committee will be confirmed in this regard.

Failure to lodge documents in time

[71] The two dates which are relevant here are 31 March 2010 and 21 April 2010. Mr KE submits that the documents prepared by Ms KD were provided in time. That is accepted inasmuch as the documents were relevant. However, the issue really is that the documents provided were not directed towards obtaining access for WV - they were of assistance mainly to WR in his opposition to WT's custody application.

[72] As reported by ADP, WV was joined to the proceedings by consent. The affidavit provided by Ms KD was only relevant to the extent of indicating that WV, as WS's father, was a party who should be joined in the proceedings and wished to participate in the process.

[73] I have seen no evidence that the second affidavit (which was the same affidavit but modified by Ms KD) was filed as asserted by her, and statements made by WW, WV and WU that the affidavit was not in a form acceptable to the English Courts would support this.

[74] In addition, the application completed by Ms KD was not filed, and at least one section was not completed appropriately. In section 3 of the Application completed by Ms KD, she refers to WT as the "applicant" whereas the "applicant" in that case was WV. She also refers to WR as "the first respondent" when in the Application being made, WR was not named as a party. This "Application for contact" by WV then included a statement that he "supported the application of the first respondent."

[75] Ms KD was clearly confusing this application, with the application made by WT. It was not filed as a separate application and was ineffective and of no use. In this context, it is perhaps of little relevance that the documents were provided at all.

[76] The fact that the documents provided by Ms KD did not advance WV's instructions is part of WW, WV and WU's complaint. They have been charged \$475.00 plus \$1,275.00 (plus GST) for completing documents which have been of little benefit to them.

[77] In addition, whilst it may be argued that the second affidavit was provided in time, it is clear that Ms KD took no steps to have the document completed in a timely manner. After having sent through an email on 15 April noting that responses were required by 21 April, she took no steps at all to contact WV or WU directly when they did not respond. Instead, it was not until WU made contact on the morning of 20 April that she made an appointment with WV to attend at her office that afternoon. When he did attend, it was apparent that she had not prepared in any way for the appointment or taken steps to ensure that all required exhibits were to hand. Instead, it seems that she worked through the affidavit for four or five hours whilst WV waited in her office. WU was asked to locate documents required as exhibits at the last minute. This does not reflect a level of diligence that a member of the public is entitled to expect of a reasonably competent lawyer.

[78] Although it may be correct to say that the documents were filed in time, the level of diligence applied by Ms KD in attending to these matters does not reach the standard required by section 12(b) of the Lawyers and Conveyancers Act.

Failure to keep the client informed

[79] Mr KE answers this aspect of the determination by noting that WV was Ms KD's client and that her only obligation was to him.

[80] WW, WV and WU state that when they instructed Ms KD they asked that Mrs WW be kept informed as to all developments. This was not an unreasonable request and it has not been suggested that this was not their instructions. Consequently, by failing to keep Mrs WW informed, Ms KD failed to follow her client's instructions.

[81] She submits that this would have added to the costs involved. However, if those were her client's instructions, it was not for her to unilaterally alter those on the grounds that additional costs would be incurred. In any event, it is difficult to see what additional costs would have been incurred by copying Mrs WW into all emails.

The bills of costs

[82] The determination of the Committee was that Ms KD's bills of costs were not fair and reasonable against the backdrop of the circumstances set out in the determination. Very little if any of the work carried out by Ms KD was well directed or advanced WV's position.

[83] Coupled with the lack of timeliness, and failing to follow instructions, the Committee formed the view that the bills were not justified and ordered that Ms KD's three bills of costs be cancelled. This could be considered to be somewhat harsh and indeed even WW, WV and WU themselves in their complaint sought "most" (not all) of their funds back. However, to alter the finding of the Standards Committee in this respect would not only be an interference with the Committee's discretion, but could be seen to be something of a tinkering exercise which is no longer appropriate under the Lawyers and Conveyancers Act. In the circumstances I confirm the Standards Committee decision in this regard.

Failing to progress matters in a timely fashion

[84] This aspect of the Standards Committee determination, and the submissions made by Mr KE have been largely addressed in the comments made in each of the other sections of this decision. Whilst it is accepted that Ms KD was often in Court

attending to other matters, and attending to other clients, the Lawyers and Conveyancers Act (Conduct and Client Care) Rules 2008 do place some emphasis on timely action as part of expected client service. It is pertinent to reflect on these: -

- Rule 3 – “In providing regulated services to a client a lawyer must always act competently and in a timely manner consistent with the terms of the retainer and the duty to take reasonable care.”
- Rule 3.2 -- “A lawyer must respond to inquiries from the client in a timely manner.”
- Rule 7 – “A lawyer must promptly disclose to a client all information that the lawyer has or acquires that is relevant to the matter in respect of which the lawyer is engaged by the client.”
- Rule 7.2 – “A lawyer must promptly answer requests for information or other inquiries from the client.”

[85] WW, WV and WU complain that it was difficult to make contact with Ms KD, and they formed the view that they were “at the bottom of the pile” when it came to attending to their file. In particular, it was evident that no preparation had been done to complete WV’s affidavit, and instead he was required to wait late at night while the document was completed. If Ms KD did not have the capacity to attend to these instructions in a timely way, then she should have declined to accept the instructions in the first place.

Summary

[86] In considering all of the matters involved in this complaint I am drawn to the conclusion that WW, WV and WU were justified in feeling dissatisfied with the service they received from Ms KD as somebody who held herself out as being experienced in family law matters involving different jurisdictions.

[87] As noted above, all of the persons involved apart from WV were in the UK and critically, WS the child, was within the jurisdiction of the English Courts. I concur with the Standards Committee’s view that in those circumstances it should have been clear to Ms KD, and have been firmly put to her clients, that they needed to have an English solicitor. She did not take steps to even identify an appropriate solicitor immediately, and when she did her attempts were ineffective. Instead she relied on solicitors acting for other parties to somehow represent WV which in most jurisdictions would immediately be recognised as a conflict of interest.

[88] The steps she took were ineffective to advance WV’s instructions in any meaningful way and in the process, relations with her client were somewhat neglected.

[89] Overall, I am satisfied that the decision of the Standards Committee was correct and it will be confirmed.

Decision

Pursuant to Section 211 (1)(a) of the Lawyers and Conveyancers Act 2006, the determination of the Standards Committee is confirmed.

DATED this 30^h day of March 2012

O W J Vaughan
Legal Complaints Review Officer

In accordance with s.213 of the Lawyers and Conveyancers Act 2006 copies of this decision are to be provided to:

Ms KD as the Applicant
Mrs WW as the Respondent
Mr KE as representative for the Applicant
The Auckland Standards Committee 4
The New Zealand Law Society
Secretary for Justice (Redacted)