CLIENT NAMES ARE PERMANENTLY SUPPRESSED AS RECORDED IN PARAGRAPH [39] PURSUANT TO S 240 OF THE LAWYERS AND CONVEYANCERS ACT 2006.

NEW ZEALAND LAWYERS AND CONVEYANCERS DISCIPLINARY TRIBUNAL

[2022] NZLCDT 17
LCDT 023/21, 024/21, 025/21

IN THE MATTER	of the Lawyers and Conveyancers Act 2006
BETWEEN	**AUCKLAND STANDARDS COMMITTEE 5 and SOUTHLAND STANDARDS COMMITTEE** Applicant
AND	**MICHAEL RAWIRI TAIA** Respondent

DEPUTY CHAIR
Judge J G Adams

MEMBERS OF TRIBUNAL
Ms N Coates
Ms J Gray
Mr H Matthews
Mr K Raureti

HEARING 14 April 2022

HELD AT Remote hearing via MS Teams

DATE OF DECISION 9 June 2022

COUNSEL
Mr E McCaughan for the Standards Committee
No appearance by or for the Respondent

DECISION OF THE TRIBUNAL RE CHARGES AND PENALTY

[1] This formal proof hearing of three charges under the Lawyers and Conveyancers Act 2006 (the Act) against Mr Taia has taken place in the face of his protest. In a memorandum filed electronically on the morning of the hearing, he gave notice that he would not be participating, and that he intended to file a statement of claim with the Waitangi Tribunal concerning not only our refusal to adjourn this hearing but also concerning his previous disciplinary proceedings.

[2] We assert that this panel has the mātauranga base (including expertise, qualities and skills) to weigh the matters raised by Mr Taia in his memorandum. We found neither balance nor substance in his criticism.

[3] We regret that he has chosen not to participate. His repeated non-participation in these matters, right back from the time the underlying issues emerged (in some cases, several years ago), concerns us. The privileges of being a lawyer carry certain duties, one of which is to co-operate with complaints procedures and disciplinary processes. We note that he did not attend the hearing of his most recent prior disciplinary charge on 1 December 2020.

[4] Without revisiting the reasons given for the refusal to adjourn, we note that this hearing was always planned as a remote hearing. As was the position for counsel and the Tribunal members, Mr Taia was sent a link that enabled him to participate from home. He offered no proper evidential basis to suggest he could not have participated in that manner. We did not form a view that he was personally suffering from Covid-19, merely that he was isolating with his whānau.

[5] Because the matter was proceeding by formal proof, and because Mr McCaughan's submissions of 6 April 2022 fully set out the case for penalty, we dealt with both liability and penalty in the hearing. In this decision, we shall deal with each of the three charges, and then turn to penalty. Each of the three charges is laid in the alternative as misconduct under s 7(1)(a) or as unsatisfactory conduct under

s 12 of the Act. In each case, we need only consider the lesser charge if we do not find misconduct.

Complaint by N's

[6] Although the complaint stemmed from botched conveyancing, the more serious disciplinary aspects of the charges arose from Mr Taia's denials and avoidance of communication about the matter.[1] The details are that Mr Taia:

- misled the client that the work had been done;[2]
- he failed to respond to client requests for information;[3]
- failed to complete documentation relating to his former role as trustee;[4]
- failed to hand over his files in a timely manner;[5]
- failed to provide information to his client's accountant and when instructed to do so, failed to comply with a s 147 direction to provide documentation;[6]
- failed to respond in any meaningful way to the Standards Committee or the New Zealand Law Society (NZLS) investigator; and
- failed to inform a supervisor appointed pursuant to a Tribunal order[7] about this complaint, thereby failing to comply with supervision conditions.

[7] We find that the conduct occurred when Mr Taia was providing regulated services.[8] We also find that his conduct in misleading his client, and in ongoing failures to provide information, to yield up his file, to comply with the s 147 direction and to engage properly with the Standards Committee; would reasonably be regarded by lawyers of good standing as disgraceful or dishonourable. This is true of

[1] Fuller details appear in the schedule to this decision.
[2] 14 Sept 2017.
[3] 4 Oct 2017 to 31 May 2018.
[4] February 2019.
[5] Request 18 Dec 2018 required follow-up by Law Society Investigator before file finally handed to the NZLS on 14 January 2020.
[6] 17 May 2019 to 14 January 2020.
[7] Made 10 September 2018.
[8] Section 7(1)(a) of the Act.

the combined effect of those items but each of them is a weighty, and some of them a sufficient, component. The prolonged period of the ongoing underlying default is remarkable (approximately three years). In effect, he abandoned his client in messy circumstances, making no effort to rectify his errors.

[8] We find too, that his conduct contravened various rules of conduct, and we further find in these circumstances that the conduct was "wilful or reckless".[9] He failed to act competently,[10] he failed to act in a timely manner,[11] he failed to take reasonable care[12] and he ignored the s 147 direction.[13] His failure to inform his supervisor that the N's had complained raises warning flags for us because it demonstrates that the scaffolding provided by earlier order of the Tribunal was rendered ineffective by Mr Taia's lack of candour.

[9] Mr Taia's conduct in relation to the complaint by the N's qualifies as a substantial breach of s 7(1)(a)(i) and (ii) of the Act. We find the charge of misconduct proved under both subsections.

Complaint by LINZ

[10] This complaint arose after Mr Taia's authority to certify e-dealings was revoked on 23 May 2019. That occurred because he had not satisfied LINZ queries of 15 February 2015 relating to three e-dealing certifications.

[11] One query concerned an apparent High Risk transaction where Mr Taia was required to show that he verified the identity of the client. Another related to the requirement that he provide evidence of his authority to act for the parties. The third arose because a party was not constituted as a legal person and was therefore not capable of owning and dealing with land.

[12] Both LINZ (between February 2015 and May 2019) and the Standards Committee (between July 2019 and June 2020) made many attempts to engage with Mr Taia. LINZ sent at least 14 emails and made many telephone attempts to engage Mr Taia. Most of those produced no response. Mr Taia responded on four

[9] Section 7(1)(a)(ii) of the Act.
[10] Lawyers and Conveyancers Act (Lawyers: Conduct and Client Care Rules) 2008 (the Rules), r 3.
[11] Ibid.
[12] Ibid.
[13] *Hart v Auckland Standards Committee 1* [2013] 3 NZLR 103 at [108].

occasions, namely on: 4 May 2015 (indicating early resolution); 11 August 2015 (when he said he had been away from his office for some time); 16 September 2015 (when he said he had been ill); and 1 November 2018 (when he said he had had extended time off due to family health issues and bereavement and would come back to LINZ "next week").

[13] The Standards Committee sent at least eight written communications to Mr Taia. On 16 August 2019, he acknowledged receipt of an email and voice message. On 15 May 2020, when advised to provide submissions, he emailed to say: "With all due respect, over the Covid-19 lockdown levels 4, 3 and indeed 2, I have had no opportunity or indeed, inclination to focus on anything accept [sic] surviving the pandemic, managing to pay bills and caring for my family. My wife and I have 5 young children and have an 84 year old father, and their health and well being has been my sole concern." He concluded that given the Covid-19 lockdown levels combined with other circumstances, he had "no time, income or ability to address anything of any real nature."

[14] Since then, Mr Taia has taken no steps to address the underlying deficiencies in the three transactions queried by LINZ in February 2015. In the seven years subsequent to those queries, Mr Taia's rare responses consisted solely of attempts to postpone resolution.

[15] This charge is advanced as misconduct under s 7(1)(a)(ii) of the Act. Clearly, the conduct occurred while providing regulated services. We agree with Mr McCaughan's submissions that these were wilful or reckless failures to answer lawful requests by LINZ. We accept that these were breaches of: his fundamental obligations to uphold the rule of law and facilitate the administration of justice;[14] his duty to promote and maintain proper standards of professionalism in his dealings;[15] and the requirement that his practice must be administered in a manner that ensures that the duties of the court and existing, prospective, and former clients are adhered to, and that the reputation of the profession is preserved.[16]

[14] Section 4(a) of the Act and r 2 of the Rules.
[15] Rule 10.
[16] Rule 11.

[16] We have no hesitation in finding this charge proved as misconduct. Mr Taia's long course of conduct in relation to these LINZ requests brings the profession into disrepute.

Complaint of failure to be frank with Law Society

[17] On 29 June 2019, Mr Taia completed a declaration that he was "fit and proper" to obtain a practising certificate for the year to 30 June 2020. He declared he had one outstanding fine with NZLS which he "can clear by the end of July 2019." In fact, he had three unpaid fines and some unpaid costs orders. When invited to respond or to make submissions to the Standards Committee, Mr Taia made no response.

[18] Mr Taia owed a fine ($2,000) and costs ($500) since 14 November 2017. He owed a fine ($1,500) and costs ($10,330) since 10 September 2018. He owed costs ($1,000) since 9 November 2018. He arranged in February 2022 to reduce the amounts owing at the rate of $1,560 per month over 24 months and we understand he is up to date with those payments.

[19] There is sound authority for finding that Mr Taia's inaccuracy, in his declaration to obtain a practising certificate, amounts to misconduct. In *Auckland Standards Committee 2 v Brill*[17] it was observed: "Practitioners have a basic professional obligation to co-operate with the Law Society as the profession's governing body and to provide it with accurate information."

[20] Nonetheless, in the scale of this matter, we choose to mark this default at the lesser level as unsatisfactory conduct under s 12(b)(i) and (ii) of the Act. His application for a practising certificate is sufficiently connected to the provision of regulated services. His mis-statement "is conduct that would be regarded by lawyers of good standing as being unacceptable". It is both "conduct unbecoming a lawyer" and "unprofessional conduct".

Penalty

[21] These three charges do not sit in isolation. They comprise the latest chapter in a narrative of adverse disciplinary findings against Mr Taia. Our task is not to

[17] *Auckland Standards Committee 2 v Brill* [2022] NZLDCT 3 at [34].

punish the practitioner, but to further the purposes of the Act in maintaining public confidence in the provision of legal services and to protect consumers of those services.[18]

[22] The Standards Committee seeks an order striking off the practitioner, the most severe penalty order. We are obliged to consider the least restrictive outcome. The correct approach is described in *Daniels*:[19]

> Tribunals are required to carefully consider alternatives to striking off a practitioner. If the purposes of imposing disciplinary sanctions can be achieved short of striking off then it is the lesser alternative that should be adopted as the proportionate response. That is "the least restrictive outcome" principle applicable in criminal sentencing. In the end, however, the test is whether a practitioner is a fit and proper person to continue in practice. If not, striking off should follow. If striking off is not required but the misconduct is serious, then it may be that suspension from practising for a fixed period will be required.

[23] The question is whether Mr Taia should continue in practice. It is a forward-looking question. He does not currently have a practising certificate and says he does not intend to practise in future. That does not answer the fundamental question. He could change his mind. But even if not, he can hold himself out as a lawyer, albeit non-practising. The privilege of admission as a lawyer remains if he is not struck off. Our prediction of his future conduct lies at the heart of our discretion.

[24] We are also guided by the 2020 decision of the Supreme Court in *New Zealand Law Society v Stanley*[20] concerning whether a person is "fit and proper" to practise:

> [35] The first point to note is the obvious one. That is, the fit and proper person standard has to be interpreted in light of the purposes of the Act. Those purposes broadly reflect two aspects. The first aspect is the need to protect the public, **in particular by ensuring that those whose admission is approved can be entrusted with their clients' business and fulfil the fundamental obligations in s 4 of the Act**. The second aspect is a reputational aspect reflecting the need to maintain the public confidence in the profession at the present time and in the future. This second aspect also encompasses relationships between practising lawyers and between lawyers and the court.
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> [36] While some of the language is outdated, the essence of the first aspect is reflected in the judgment of Skerrett CJ in Re Lundon:

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[18] Section 3 of the Act.
[19] *Daniels v Complaints Committee 2 Wellington District Law Society* [2011] 3 NZLR 850 at [22].
[20] *New Zealand Law Society v Stanley* [2020] NZSC 83, [2020] 1 NZLR 50.

> The relations between a solicitor and his client are so close and confidential, and the influence acquired over the client is so great, and so open to abuse, that **the Court ought to be satisfied that the person applying for admission is possessed of such integrity and moral rectitude of character that he may be safely accredited by the Court to the public to be entrusted with their business and private affairs.**
>
> …
>
> [38] The second point is that the fit and proper person evaluation is a forward looking exercise. That is because the Court or the Law Society, as the decision maker, is required to make a judgement at the time of undertaking the evaluation as to the risks either to the public or of damage to the reputation of the profession if the applicant is admitted. Those risks have to be construed in light of the fundamental obligations on lawyers discussed above. Of particular relevance here are the obligations to uphold the rule of law and to protect the interests of the client, subject to duties as an officer of the Court or under any other enactment.
>
> (Footnotes omitted, emphasis added)

[25] The Supreme Court referred to Australian precedent too:[21]

> The High Court in Re M adopted the words used in Incorporated Law Institute of New South Wales v Meagher and said that the question is as to the applicant's "worthiness and reliability for the future". Further, as Lady Arden observed in Layne, what comprises fitness to practise must be referable to the good character appropriate to the particular profession. For an applicant for admission to the legal profession, as the authorities state, the appropriate aspects of the fit and proper person standard are whether the applicant is **honest, trustworthy and a person of integrity**.
>
> (Footnotes omitted, emphasis added).

[26] We quote the following passages which comprise paragraphs [9.11] to [9.13] of Mr McCaughan's submissions.

> 9.11 The Tribunal has also frequently referred to the following *dicta* from *Bolton v Law Society*:[22]
>
> > In most cases the order of the Tribunal will be primarily directed to one or other, or both, of two purposes. One is to be sure that the offender does not have the opportunity to repeat the offence. This purpose is achieved for a limited period by an order for suspension; plainly it is hoped that the experience of suspension will make offender meticulous in his future compliance with required standards. The purpose is achieved for a longer period, and quite possibly indefinitely, by an order of striking off. The second purpose is the most

[21] See above n 20 at [40].
[22] *Bolton v Law Society* [1994] 2 All ER 486 (CA) at 492.

> fundamental of all; to maintain the reputation of the solicitor's profession as one in which every member, of whatever standing, may be trusted to the ends of the earth.
>
> …
>
> To maintain the reputation of the solicitor's profession ... and sustain public confidence in the integrity of the profession it is often necessary that those guilty of serious lapses are not only expelled but denied readmission ... otherwise the whole profession and the public as a whole, is injured. A profession's most valuable asset is its collective reputation and the confidence which that inspires.

9.12 The Tribunal has also previously referred to the following statement in *Dorbu v New Zealand Law Society* regarding whether a practitioner should be struck off:[23]

> [35] The principles to be applied were not in issue before us, so we can briefly state some settled propositions. The question posed by the legislation is whether, by reason of his or her conduct, the person accused is not a fit and proper person to be a practitioner. Professional misconduct having been established, the overall question is whether the practitioner's conduct, viewed overall, warranted striking off. The Tribunal must consider both the risk of reoffending and the need to maintain the reputation and standards of the legal profession. It must also consider whether a lesser penalty will suffice. The Court recognises that the Tribunal is normally best placed to assess the seriousness of the practitioner's offending. Wilful and calculated dishonesty normally justifies striking off. So too does a practitioner's decision to knowingly swear a false affidavit. Finally, personal mitigating factors may play a less significant role than they do in sentencing.

9.13 In *Hart v Auckland Standards Committee 1* the High Court made the following comments (at para [185] onwards):[24]

> (a) The ultimate issue is whether the practitioner is not a fit and proper person to practise as a lawyer. Determination of that issue will always be a matter of assessment having regard to several factors.
>
> (b) The nature and gravity of the proven charges that have been found proved will generally be important. They are likely to inform the decision to a significant degree because they may point to the fitness of the practitioner to remain in practice.
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> (c) In some cases these factors are determinative, because they will demonstrate conclusively that the practitioner is unfit to continue to practice as a lawyer. Charges involving proven or admitted dishonesty will generally fall within this category.

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[23] *Dorbu v New Zealand Law Society* [2012] NZAR 481 (HC).

[24] *Hart v Auckland Standards Committee 1* [2013] 3 NZLR 103.

(d) In cases involving lesser forms of misconduct, the manner in which the practitioner has responded to the charges may also be a significant factor. Willingness to participate fully in the investigative process, and to acknowledge error or wrongdoing where it has been established, may demonstrate insight by the practitioner into the causes and effects of the wrongdoing. This, coupled with acceptance of responsibility for the misconduct, may indicate that a lesser penalty than striking off is sufficient to protect the public in the future.

(e) For the same reason, the practitioner's previous disciplinary history may also assume considerable importance. In some cases, the fact that a practitioner has not been guilty of wrongdoing in the past may suggest that the conduct giving rise to the present charges is unlikely to be repeated in the future. This, too, may indicate that a lesser penalty will be sufficient to protect the public.

(f) On the other hand, earlier misconduct of a similar type may demonstrate that the practitioner lacks insight into the causes and effects of such behaviour, suggesting an inability to correct it. This may indicate that striking off is the only effective means of ensuring protection of the public in the future.

[27] Our current findings of misconduct on two charges arise from a number of grave shortcomings. Our finding of unsatisfactory conduct contributes to our concerns that Mr Taia has a lax approach, lacks candour, and treats the proper interests of clients and regulatory bodies with disdain. These concerns relate to fundamental duties of a member of the legal profession. They would cause concern for members of the public as to character and performance of a practitioner who exhibited such conduct.

[28] Mr Taia's response to these charges (and to the underlying complaints and issues) has been determinedly one of avoidance. He has not engaged with these disciplinary processes in any usefully substantive manner. His energies seem to have been reserved for self-protective purposes. He has not prioritised the needs of clients, let alone regulatory bodies, in a manner that gives us any confidence in his future professional dealings.

[29] In the main, Mr Taia's former disciplinary matters contribute to our level of concern about his future practise. We disregard a 2013 finding of unsatisfactory conduct which the Standards Committee regarded as "at the lower end of the scale."

[30] The 14 November 2017 Standards Committee finding of unsatisfactory conduct bears similarities to the N's complaint in that Mr Taia failed to complete drafting a Deed of Trust as instructed.

[31] A November 2017 Tribunal finding of misconduct arose because Mr Taia had failed to comply with an order to refund monies to former clients and for failing to comply with written requests from clients to uplift documents and records. He was given time to pay the money and, on 10 September 2018, by order of the Tribunal, his practise was placed under supervision for 12 months and he was warned by the Tribunal that he was in last chance territory.

[32] On 1 December 2020, Mr Taia admitted two charges of misconduct and one of unsatisfactory conduct. He was suspended for nine months and censured. The unsatisfactory conduct concerned his failure to rectify an e-dealing issue in a timely manner. The misconduct findings concerned failure to comply with an investigator's request for a file and for failing to comply with a costs order. The Tribunal decision noted:[25] "A common theme running through all three charges is Mr Taia's failure to engage in a timely manner, whether with another practitioner, the Standards Committee, or the Law Society. This default is exacerbated by his multiple prevarications, fobbing off with promises that remain unperformed." This theme repeats in the current charges.

[33] When dealing with Mr Taia's unsuccessful application for name suppression on 1 December 2020, the Tribunal noted:[26] "Most of Mr Taia's heads of argument are asserted without evidential foundation." This was the case with his adjournment requests in the present case.

[34] Threads that emerged in earlier matters have woven into a fabric that reveals his practise as unreliable, insufficiently concerned about his clients, unresponsive and unhelpful. In this case, he left the N's in the lurch and failed to resolve the matter for them. Attempts to scaffold his practise through supervision failed because of his own lack of candour. In short, we find he lacks the essential attributes of honesty, trustworthiness and integrity. We have formed the unanimous view that Mr Taia's conduct demonstrates he is not a fit and proper person to practise as a lawyer.

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[25] *Auckland Standards Committee 5 v Taia* [2020] NZLCDT 39 at [9].
[26] *Auckland Standards Committee 5 v Taia* [2020] NZLCDT 39 at [23].

[35] We do not find a balanced basis for keeping alive his prospects of practising in the future. There is no evidence that suggests he will perform adequately as a responsible lawyer in the future. Regrettably, our future-looking assessment fails to see any sign of a pathway that would lead us to consider, say, a lengthy period of suspension. Accordingly, we make an order under s 242(1)(c) and s 244 of the Act that Mr Taia's name be struck off the roll.

[36] The N's incurred costs (accountant and new lawyer) to rectify Mr Taia's failure to carry out their instructions. These costs amount to $2,327.60. We order Mr Taia to pay that sum to the N's as compensation under s 156(1)(d) of the Act.

[37] We make an order that Mr Taia pay the Standards Committee's costs in the sum of $18,614, pursuant to s 249 of the Act.

[38] Mr Taia is ordered to reimburse the New Zealand Law Society for the Tribunal s 257 costs which are certified in the sum of $2,693, pursuant to s 249 of the Act.

[39] The names of Mr Taia's clients are permanently suppressed, pursuant to s 240 of the Act.

DATED at AUCKLAND this 9th day of June 2022

Judge JG Adams
Deputy Chairperson

Schedule

[1] This schedule provides a summarized narrative of Mr Taia's dealings with the N's.

[2] Before instructing Mr Taia, the N's had signed a contracting-out agreement (Property (Relationships) Act 1976). Among other things, it provided that two jointly-owned adjoining properties [L1 and L2] were to be owned as tenants-in-common in unequal shares: Ms N as to 84 per cent; Mr N as to 16 per cent.

[3] The N's instructed Mr Taia on 7 February 2017 about the purchase of another property ["W property"] and all related matters. A letter of engagement was provided.

[4] On 19 February 2017, Mr Taia accepted instructions to "put all our assets into trust." He was informed about the existence of the s 21 agreement.

[5] Mr Taia drafted Trust deeds that were signed on 22 March 2017. In each case, Mr Taia was "professional/independent trustee."

[6] The purchase of the W property settled on 31 March 2017. On 21 June 2017, the N's signed a "property sharing agreement": both parties signatures were witnessed by Mr Taia.

[7] By mid-2017, the N's changed their financing from one bank to another. Mr Taia was instructed to review loan documents relating to L2. Ms N advised him both properties needed to be put into trusts with an 85:15 division in her favour.

[8] When the bank later sent Mr Taia loan documents it became clear that the bank misunderstood the identity of the borrower. The bank had prepared documents on the basis the borrower was both trusts (as one entity).

[9] Mr Taia proceeded to complete documentation relating to the borrowing, and a guarantee given by the N's company. Property L2 was transferred from the N's name into the names of Mr Taia, Mr N and Ms N.

[10] When Mr Taia sent a bill for $3,350 to the N's, Mr N queried (14 September 2017) checking that the services in the bill included property L1 "going into our trust." Mr Taia responded "Absolutely, [Mr N], it does." However, Property L1 was never transferred into the Trusts.

[11] On 27 November 2017, Ms N emailed Mr Taia asking him to confirm property L2 had been placed 85 per cent into her trust and asked that the same be done for L1. Mr Taia did not respond to that, nor to a follow-up from Ms N on 3 October 2017.

[12] Before 5 December 2017 Ms N asked Mr Taia to provide documentation to their accountant to complete 2017 tax return. Reminders were sent. On 12 December 2017, Mr Taia emailed the N's apologizing for the delay and stating he was battling to save the assets and jobs of one of his major clients. Despite follow-up letters, Mr Taia did not respond until 28 March 2018 when he sent statements relating to the initial purchase of W property and refinance.

[13] Requests for further information (11 May 2018) were not satisfied. On 15 May 2018, Mr Taia wrote that he was out of Auckland and could not meet the deadline until the end of the week. In response to further request, Mr Taia said he had previously sent information to the accountant.

[14] On 20 September 2018, Ms N advised that she and Mr N were now aware Mr Taia had failed to put L1 and L2 into their trusts. On her request Mr Taia resigned as trustee.

[15] The 12 month supervision order of the Tribunal was imposed on 10 September 2018. One of the conditions was that the supervisor file a monthly report of his meeting with Mr Taia and that Mr Taia was advising him of any client complaints and was responding to them in a timely manner. Mr Taia never told his supervisor about the N's complaints.

[16] On 18 December 2018, the N's signed an authority to uplift their files from Mr Taia. He did not respond.

[17] On 18 February 2019, the N's new lawyer requested Mr Taia to sign documentation relating to his former role as trustee. He returned them incompletely done. He ignored a request of 25 February 2018 to complete them properly. The new lawyer was obliged to swear an affidavit to ensure Mr Taia's name was removed from the titles.

[18] The N's complained to the Law Society on 4 March 2019 (during the currency of the supervision order). Mr Taia did not respond to Law Society correspondence on 20 March and 18 April 2019. He did not respond to a s147 direction of 17 May 2019.

[19] The Standards Committee began an own motion investigation. Despite correspondence requesting responses, Mr Taia did not respond save for a request that documents be sent to him at his home address (15 October 2019), and (1 November 2019) that he had not had an opportunity to read the documents let alone prepare a response and would endeavour to do so by 4 November. On 4 November 2019 he emailed to say he was not in a position to meet the deadline of 5pm that day and that he was happy to address the matters but in a timely and appropriate manner. He described the Law Society timeline as "simply unacceptable."[27]

[20] An investigator was appointed in December 2019. As a result of communications with the investigator, Mr Taia delivered the N's file to the Law Society's office about 14 January 2020.

[21] The Standards Committee set the matter down for hearing on the papers and, on 21 April 2020, requested submissions by 15 May 2020. Mr Taia sought, and was granted a two week extension to 29 May. On 29 May, Mr Taia said he was unable to meet the extended deadline but intended to submit responses "after the long weekend." He never did so.

[27] Bundle 283.