

**NEW ZEALAND LAWYERS AND  
CONVEYANCERS DISCIPLINARY TRIBUNAL**

[2023] NZLCDT 15

LCDT 003/22

**IN THE MATTER**

of the Lawyers and Conveyancers  
Act 2006

**BETWEEN**

**NATIONAL STANDARDS  
COMMITTEE (No 1)**  
Applicant

**AND**

**RICHARD DEAN PALMER**  
Practitioner

**CHAIR**

Ms D Clarkson

**MEMBERS OF TRIBUNAL**

Ms S Hughes KC

Mr G McKenzie

Prof D Scott

Ms S Stuart

**HEARINGS** 24 February 2023 and 20 March 2023

**HELD AT** Auckland Tribunals Centre (Practitioner appeared remotely)

**DATE OF ORDERS** 28 April 2023

**COUNSEL**

Ms S Carter and Ms N Town for the Standards Committee

Ms P Fee and Mr G Potter for the Practitioner

**PENALTY ORDERS OF THE TRIBUNAL**

[1] The Tribunal make the following penalty orders:

1. Mr Palmer is suspended for a period of 18 months, pursuant to ss 242(1)(e) and 244 of the LCA, commencing three days from the date of this decision.
2. There is an order, pursuant to s 156(1)(d) of the LCA and s 242(1)(a) awarding compensation for emotional harm to Ms X who is able to be identified by the New Zealand Law Society who can arrange the facilitation of such payment. The award is in the sum of \$10,000.
3. The practitioner is to pay 80 per cent of the Standards Committee costs of \$48,304.51, namely \$38,643.61.
4. The New Zealand Law Society is to pay the Tribunal costs under s 257 in the sum of \$26,725.00.
5. The practitioner is to reimburse the New Zealand Law Society for the full Tribunal costs.
6. There is a censure imposed upon the practitioner. The form of censure is attached as Appendix 1 to this decision.

**DATED** at AUCKLAND this 28<sup>th</sup> day of April 2023

DF Clarkson  
Chairperson

### Censure

Mr Palmer, although we accept that the disciplinary process has provided a salutary lesson to you, we determined that a more permanent consequence ought to exist, in the form of a formal Censure.

Your conduct towards the complainants was reprehensible and disturbing to them. In our Penalty Decision we stated that we were concerned at your lack of insight into the harm caused by your actions. We trust that you will use the period of suspension imposed on you to reflect on these matters.

Your serious misconduct brings the reputation of the profession into disrepute. It was disgraceful and dishonourable conduct.

You also failed to disclose to the Tribunal at the time of the penalty hearing that you were already suspended from your employment.

You are formally censured. This Censure will form a part of your professional record.