

**NEW ZEALAND LAWYERS AND  
CONVEYANCERS DISCIPLINARY TRIBUNAL**

[2010] NZLCDT 22

LCD 005/10

IN THE MATTER OF

THE LAWYERS AND  
CONVEYANCERS ACT 2006

BETWEEN

MICHAEL RICHARD DEXTER GUEST  
Appellant

AND

NEW ZEALAND LAW SOCIETY  
Respondent

Hearing: 9 August 2010

On the papers

Chair: Judge D F Clarkson

Tribunal: Mr S Grieve QC  
Ms T Kennedy  
Dr I McAndrew  
Mr P J Radich

Judgment: 10 August 2010

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**DECISION OF THE NEW ZEALAND LAWYERS  
AND CONVEYANCERS DISCIPLINARY TRIBUNAL AS TO SUPPRESSION**

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[1] In our decision of 14 July 2010 we continued an interim suppression order for a period of 14 days following the release of the decision to allow the appellant to make further submissions. This period was extended further following some delay in transmitting the decision to the appellant and we have now received submissions from the appellant and from the respondent in relation to final submissions. The Tribunal has conferred and determined that the full decision ought now to be released with suppression only remaining in relation to the name of any clients and the name of the Tauranga firm, particularly where it appears at para [19] of the 14 July decision. It is merely to be referred to henceforth as the Tauranga firm.

[2] We have considered the matters raised by Mr Guest in favour of final suppression. We weigh these against not only the Law Society's submissions and opposition but also the provisions of the Act, particularly s.238 which provides that hearings are to be in public, that the purposes of the legislation include maintenance of public confidence in the provision of legal services and protection of the consumers of legal services as well as recognition of the status of the legal profession. Whilst s.240 does provide for circumstances where privacy can be maintained that must be proper, having regard to the public interest.

[3] The Tribunal, in its decision of 14 July made very clear and firm findings about Mr Guest and his conduct before the Tribunal. It is in the public interest that both the decision and those findings be openly available.

## **COSTS**

[4] Mr Guest and counsel for the Society are now to have the opportunity of making submissions as to any orders for costs.

Signed at Auckland this 10th day of August 2010

D F Clarkson  
Chair