

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

[2014] NZLCDT 28

LCDT 020/14

BETWEEN

**AUCKLAND STANDARDS
COMMITTEE 2**

Applicant

AND

MIRIAM HOLLINS

Respondent

CHAIR

Judge DF Clarkson

MEMBERS OF TRIBUNAL

Mr W Chapman

Ms C Rowe

HEARING at Auckland on 22 May 2014

COUNSEL

Mr M Hodge for the applicant

No appearance by the practitioner

DECISION OF NEW ZEALAND LAWYERS AND CONVEYANCERS TRIBUNAL
ON INTERIM SUSPENSION

[1] The Tribunal is considering an application for the interim suspension of Miriam Hollins.

[2] The application has been filed by the Standards Committee and is supported by the material in the file which also includes charges brought against the practitioner. Specifically there is an affidavit from Mr Maffey, the Inspector for the Society, which discloses serious irregularities in the management of the practitioner's trust account under a number of categories which cause concern to the Standards Committee and indeed to the Tribunal.

[3] The report has been provided to the practitioner but rather than engaging with the Society to seek assistance as recommended the practitioner has not responded in any way to the Inspectorate or the Society and further has failed to engage at the Standards Committee stage and unfortunately that has led to the laying of charges and this application before us.

[4] On the other side of the coin we can indicate that helpfully Ms Hollins' attorney Ms Stodart is well engaged with the Society and indeed has been good enough to appear this afternoon at this hearing and of course if the order is made her role will extend to take over the practice on a temporary basis and take care of the banking arrangements which have been briefly discussed in the course of this hearing.

[5] We are satisfied that the terms of subsection (2) of section 245 have indeed been met and that it is necessary or desirable having regard to the interests of the public and indeed to the financial interests of this practitioner's clients that an order is made for her interim suspension from practice as a barrister or solicitor pending further order.

[6] Having regard to the serious trust account deficiencies, the lack of engagement of the practitioner and more recently following attempts to serve these proceedings upon her, her apparent disappearance and inability to be located at all there are heightened concerns for her and for the public and for her clients. There is no current information as to whether she is continuing to practise or represent the clients whose files she still holds. For these reasons we propose to grant the interim suspension order which has been sought.

DATED at AUCKLAND this 22nd day of May 2014

Judge D F Clarkson
Chair