

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

[2014] NZLCDT 30

LCDT 014/14

BETWEEN

**WELLINGTON STANDARDS
COMMITTEE 2**

Applicant

AND

SHAAN WINIATA STEVENS

Respondent

CHAIR

Judge BJ Kendall (retired)

MEMBERS OF TRIBUNAL

Mr W Chapman

Mr A Lamont

Mr G McKenzie

Mr W Smith

HEARING at WELLINGTON

DATE 30 May 2014

COUNSEL

Mr T Gilbert for the Applicant

No appearance for the Respondent

DECISION OF NEW ZEALAND LAWYERS AND CONVEYANCERS TRIBUNAL
ON PENALTY

[1] Shaan Winiata Stevens has a charge brought by the Wellington Standards Committee 2 of the New Zealand Law Society where, having been convicted of an offence punishable by imprisonment, that conviction reflects on his fitness to practice or tends to bring his profession into disrepute.

[2] Mr Stevens has indicated to the Committee and through it to the Tribunal that he does not wish to deny the charge or to be heard in respect of it.

[3] Briefly put the matter is that Mr Stevens in September 2011 pleaded guilty to 20 charges of using a document to obtain a pecuniary advantage; one charge of perverting the course of justice and one charge of filing a false tax return. He pleaded guilty to those charges and received a penalty which included a sentence of 150 hours community work, 10 months home detention and an order for reparation in the sum of approximately \$121,000.00.

[4] Those penalties from the Court have been complied with and Mr Stevens now does not practice. And according to the information before the Tribunal he now lives overseas.

[5] The Tribunal is satisfied that the charge is proved and so turns its mind to the issue of penalty. The Standards Committee argues that Mr Stevens should be struck off.

[6] The position is that the Tribunal takes into account the very serious nature of the offences for which Mr Stevens received convictions notably including the offence of perverting the course of justice. The details of that are set out in the submissions but importantly Mr Stevens attempted to influence a possible witness to divert attention away from Mr Stevens' offending.

[7] Accordingly the Tribunal today orders that Mr Stevens be struck off. It also orders that he pays costs pursuant to section 249 of the Act in respect of the Committee's charges and that figure is \$5,346.78.

[8] There will be an order for costs to be fixed pursuant to section 257 and that those costs, payable by the Society, are to be refunded by Mr Stevens. Those costs are certified in the sum of \$2,262.00.

[9] The Tribunal does note that the Chartered Institute of Accountants of whom Mr Stevens was also a member has reached the same conclusion as the Tribunal and struck him off from its Association.

DATED at Auckland this 17th day of June 2014

BJ Kendall
Chairperson