New Zealand Law Society
Te Kāhui Ture o Aotearoa

Certificate of Character referee report

Fit and proper person

When assessing whether an applicant is a fit and proper person to be admitted, the New Zealand Law Society Te Kāhui Ture o Aotearoa (Law Society) takes into account the functions required for the practice of law. This is essential to enable regulation of the profession in a way that protects both consumers of legal services and the wellbeing of practitioners.

These functions include (but are not limited to): adhering to lawyers' fundamental ethical obligations to clients and the courts; and making careful judgements sometimes in time critical and stressful situations. It will also be relevant to consider any behaviour which may potentially impact adversely on clients, other members of the legal profession, or members of the public.

While it is expected that applicant would declare a persistent or recurrent condition, minor mental health matters and one-off episodes of illness need not be declared, nor mild anxiety during exam time. For relevant guidance, please refer to the Guidelines for applicants declaring health conditions on our website *www.lawsociety.org.nz*

Referee information

Applicants must provide an employer reference and general character references.

A general character referee must be someone who:

- has known the applicant personally for five years or more, and
- knows the applicant well and can speak about the applicant's character and personal qualities.

General character referees could be:

- Lawyers (holding a current practising certificate)
- People who must be registered for their occupation; for example, teacher, doctors, nurses and other health professionals, social workers, legal executives, real estate agents and engineers
- Kaumātua
- Members of the New Zealand Police
- Serving members of the armed forces
- Ministers of religion

Who cannot be a referee?

- Members of the applicant's family (including in-laws).
- The spouse or partner of someone who has already provided a reference.

Form guidelines

If you are unsure of whether the provisions of the Criminal Records (Clean Slate) Act 2004 may apply to any previous conduct by the applicant, you should discuss this with them in advance of completing this form.

Please answer the questions in this form as fully as possible.

Inadequate responses may delay the processing of the applicant's application.

Sending this report

In order to be accepted, the original copy of this referee report must be posted to the Law Society.

A PDF version of this report sent via email will also be accepted, but only if the reference is:

- supplied by a lawyer (holding a current practising certificate) and emailed directly to the Law Society from the lawyer; or
- from a non-lawyer and emailed directly to the Law Society from a verifiable email address; for example, a government or recognised non-government organisation such as *[department].govt.nz* or *[public company].co.nz* or *[charity].org.nz*

In some cases, the original may still be requested.

Privacy and information handling policy

The personal information collected and held by the Law Society will be used to process and assess the applicant's application, and for purposes connected with the Law Society's regulatory functions.

Please note that the applicant may receive a copy of your reference, in the interests of natural justice.

Further information about how the Law Society handles information including personal information is set out in the Law Society's Information Handling Policy, which can be viewed at *lawsociety.org.nz/privacy*. This Policy also contains information about an individual's right to access and seek correction of their personal information. Please read the Policy before completing this form. If you have any queries about the Information Handling Policy, please email our Privacy Officer at *privacy@lawsociety.org.nz*.

1 Referee details

Title (optional)

◯ Miss ◯ Ms ◯ Mrs ◯ Mr ◯ Mx Please specify your own if you wish

Preferred pronouns (optional)

◯ She/her ◯ He/him ◯ They/them Please specify your own if you wish

Full name

Firm/employer name

Position title (please describe)

Address of place of work/employer

Professional memberships/registrations (please include name of body/authority and registration number(s))

Email

Contact number

2 Applicant details

Full name

Is the applicant related to you? ◯ Yes ◯ No

If yes, how are they related to you?

How long and in what capacity have you known the applicant?

How often do you have contact with the applicant and by what means, eg in person, email, social media etc?

When was the last time you saw the applicant in person?

In your opinion is the applicant a fit and proper person for admission as a barrister and solicitor of the High Court?

◯ Yes ◯ No

Please provide an explanation below for your opinion

Are there any personal or professional issues the Law Society should be aware of that may affect the applicant's ability to practise as a lawyer?

◯ Yes ◯ No

If yes, please provide further details below

2 Applicant details continued

To your knowledge, does the applicant currently have a mental or physical health condition that may affect their ability to perform the functions required for the practice of the law, or have they ever had a condition of that kind that may recur?

◯ Yes ◯ No

If yes, please comment on the applicant's ability to manage their health condition, and the support systems which they have in place that you are aware of.

Subject to the provisions of the Criminal Records (Clean Slate) Act 2004, to the best of your knowledge:

- **Has the applicant ever been convicted in any court in New Zealand or overseas?**
- **Does the applicant have any pending or current charges before a court in New Zealand or overseas?**
- **Has the applicant ever been the subject of disciplinary action by any authority in New Zealand or overseas?**

◯ Yes ◯ No

If yes, please provide further details below

To the best of your knowledge, has the applicant ever been adjudicated bankrupt, had an assignment for the benefit of creditors, or been a director of a company that has been put into receivership or liquidation in New Zealand or overseas?

◯ Yes ◯ No

If yes, please provide further details below

2 Applicant details continued

Do you have any further comments about the applicant's character?

3 Confirmation

I confirm that the above information is true and correct to the best of my knowledge.

Signed

Date (dd/mm/yyyy)

Contact

If sending your reference by post please be aware of current reduced mail delivery services and any time line as advised to you by the applicant. To avoid delays, you may prefer to send the reference by overnight courier or by hand to the nearest Law Society branch.

If you have any queries or require further information please contact us at the appropriate branch.

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09 304 1000
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