

Practise on own account referee report

Fit and proper person

When considering whether an applicant is a fit and proper person to practise on own account the New Zealand Law Society (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; making careful judgments 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 applicants 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 Applicant's declaring health conditions on our website www.lawsociety.org.nz

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 candidate's application.

Sending this report

In order to be accepted, a physical copy of this referee report must be posted to the Law Society by the referee or the applicant.

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

- supplied by a lawyer (i.e. someone with a current practising certificate) and emailed directly to the Law Society from the lawyer's registered email address; or
- from a non-lawyer with a verifiable email address. For example, a recognised organisation such as police.govt.nz or justice.govt.nz.

In some cases, the original may still be requested.

1 Referee details

Title (optional)

Miss

Ms

Mrs

Mr

Other, please specify further if you wish

Full name

Firm/employer name (if applicable)

Position title (if applicable)

Address for correspondence

Email

Phone number

2 Applicant details continued

Full name

Is the applicant related to you by blood, marriage, civil union or de facto relationship?

Yes

No

Firm name

Position title

Applicant's period of employment/period that you are commenting on

From (dd/mm/yyyy)

to

Was the applicant working full time or part time?

Full time

Part time

If part time, how many hours per week on average?

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

Privacy and information handling

The Law Society will collect, use, hold and disclose your personal information only for the purposes of assessing the candidate's application, and as provided for under the Lawyers and Conveyancers Act 2006 and regulations, Privacy Act 2020 or otherwise as permitted or required by law. Only authorised staff will have access to your information which is held in a secure environment.

The provision of information by you is voluntary. However, if you do not provide full information, the Law Society may not be able to assess the candidate's application.

Under the Privacy Act 2020 anyone may request access to and request correction of their personal information held by the Law Society. Please note that it may also be necessary to disclose the reference to the applicant in the interests of natural justice.

For more information about the Law Society's Privacy and Information Handling Policies please refer to www.lawsociety.org.nz/privacy. General information about the Privacy Act 2020 is also available on the website of the Privacy Commissioner at www.privacy.org.nz.

3 Declaration

I confirm that the above information is true 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 candidate. To avoid delays, you may prefer to send the reference by email, overnight courier or deliver 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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