

Practising certificate referee report

Fit and proper person

When considering whether an applicant is a fit and proper person to hold a practising certificate, 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 well-being 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 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 applicants 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 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 *[publiccompany].co.nz* or *[charity].org.nz*

In some cases, the original may still be requested.

Privacy and information handling

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 report, 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 (if applicable)

Position title (if applicable)

Address for correspondence

Email

Contact number

2 Applicant details

Full name

Previous name (if applicable)

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

Yes

No

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

2 Applicant details continued

What is your assessment of the applicant's professionalism, reliability, integrity and honesty?

Are there any personal or professional issues the Law Society should be aware of?

In your opinion is the applicant a fit and proper person to hold a practising certificate?

Yes No

Please provide an explanation for your opinion below

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 you have any queries or require further information, please contact:

✉ registry@lawsociety.org.nz
📍 PO Box 5041, Wellington 6145

☎ 0800 223 030
🌐 www.lawsociety.org.nz