



Publication Guidelines

- 1) The decisions of the LCRO may be published if it is in the public interest to do so.
Decisions of the LCRO (and summaries of them) with identifying details removed will routinely be published. Parties who are of the view that publication of the decision of the LCRO in this manner (or particular parts of it) is not in the public interest should make their view known and provide supporting arguments for their view.
- 2) In general the LCRO will not publish details which identify individuals in matters in which no adverse finding has been made against the practitioner who was the subject of the complaint.
- 3) There is no particular presumption for or against publication of identifying details where a practitioner is found to have breached professional standards. Parties who have a view as to the appropriateness of publication should make submissions to the LCRO at the substantive hearing of the matter (and if the matter is heard on the papers, prior to it being heard on the papers).
- 4) In determining whether it is in the public interest to publish a decision with identifying details of the practitioner the LCRO will take into account:
 - a) the extent to which publication would provide protection to the public including consumers of legal and conveyancing services;
 - b) the extent to which publication will enhance public confidence in the provision of legal and conveyancing services;
 - c) the impact of publication on the interests and privacy of—
 - i) the complainant;
 - ii) the practitioner;
 - iii) any other person;
 - d) the seriousness of any professional breaches; and e) whether the practitioner has previously been found to have breached professional standards.
- 5) Where the LCRO resolves that charges will be laid with the New Zealand Lawyers and Conveyancers Disciplinary Tribunal the name of the practitioner will not be released and any question of further suppression of the name will be a matter for the Tribunal.
- 6) Publication will be effected by making the decision available on the LCRO web site, and by providing it to organisations and publications which disseminate legal and professional information (such as Lawtalk and NZLII). Where the LCRO considers the public interest will be served, publication may also be effected by wider publication (such as in newspapers).
- 7) These guidelines replace the approach previously set out in the Guidelines for Parties to Review and will be applied to decisions which are made on or after 1 November 2009.