

4 November 2025

Muhammad Yasir Shaikh  
s9(2)(a)

Our ref: OIA 126588

Tēnā koe Muhammad

**Official Information Act request: Removal and reappointment of lawyers for children**

Thank you for your email of 7 October 2025 to the Ministry of Justice (the Ministry), requesting under the Official Information Act 1982 (the Act), information regarding the removal and reappointment of lawyers for children in the Family Court. Specifically, you requested:

*I request the following information covering the period 1 January 2015 to 30 September 2025:*

1. *Removal or Replacement of Lawyers for Child*
  - *The number of Lawyers for Child who were removed, replaced, or had their appointment terminated by the Court, and*
  - *The reasons for removal including (but not limited to):*
    - *Demonstrated or alleged bias or partiality;*
    - *Providing misleading, inaccurate, or false information to the Court;*
    - *Breach of confidentiality or ethical obligations;*
    - *Conflict of interest;*
    - *Failure to represent the best interests of the child;*
    - *Complaints upheld by the New Zealand Law Society or judicial officers;*
    - *Any other reasons recorded by the Court or Ministry.*
2. *Re-appointment After Removal*
  - *For each Lawyer for Child who was removed or replaced, please provide:*
  - *Whether they were re-appointed in any subsequent Family Court case, and if so:*
    - *The length of time (in months) between their removal and their next appointment;*
    - *The reason or justification given for their re-appointment;*
    - *The Court location (if available) where re-appointment occurred;*
    - *Whether any review or assessment was done prior to their re-appointment*

3. *Oversight, Policy, and Accountability*

- *Please provide:*
- *Any policies, guidelines, or internal procedures that govern the re-appointment of an LFC who has previously been removed or found to have acted inappropriately;*
- *Details of any oversight or review mechanisms in place to ensure that LFCs with prior removal or disciplinary issues are not re-appointed without proper vetting.*

4. *Summary Format Request*

*If available, please provide the data in a tabular format containing:*

- *Name or anonymised code of LFC*
- *Year and reason of removal*
- *Date (month/year) of re-appointment*
- *Time gap (months) between removal and re-appointment*
- *Reason or policy reference for re-appointment*

In response to your request, I have interpreted the information sought to relate to the removal and reappointment of lawyers for a child following a complaint. The Ministry does not hold information relevant to parts 1, 2 and 4 of your request.

As stated in a previous response (OIA 122634) dated 30 June 2025, the appointment of a lawyer for child is a matter for the court. Any complaints, concerns regarding conflicts of interest, or reassignments are matters for the court's consideration. This includes the removal and reappointment of a lawyer for a child.

Please note the courts are not subject to the Official Information Act under section 2(6)(a). Therefore, your request is refused under section 18(g)(i) of the Act, as the information requested is not held by the Ministry and there are no grounds for believing it is held by another agency subject to the Act

In response to part 3 of your request, I refer you to the Principal Family Court Judge's Practice Note: Lawyer for Child: Selection, Appointment and Other Matters, which is publicly available at: [Lawyer-for-Child-practice-note-updated-July-2024.pdf](#).

Regarding your request for information on any oversight or review mechanisms, while there is no specific process dedicated solely to Lawyer for Child complaints (LFC), concerns about lawyers—including those acting as Lawyer for Child—are addressed under the broader framework of the Lawyers and Conveyancers Act 2006 ("the Act"). This legislation outlines the laws that apply to the legal and conveyancing professions. It sets out the fundamental obligations of lawyers, including that they must uphold the rule of law and facilitate the administration of justice in New Zealand, and act in accordance with all fiduciary duties and duties of care to their clients. The Lawyers and Conveyancers Act (Lawyers: Conduct and Client Care) Rules 2008 set out the rules and obligations on lawyers for how they are expected to engage with their clients. The obligations include a duty of care to their clients and that they must protect the interests of their clients.

When there are concerns that a lawyer has not fulfilled their responsibilities, complaints can be made to the Lawyers Complaints Service which is described in s 132 (1) of the Act. The service is run by the regulator, the New Zealand Law Society ('the Law Society'). Detailed information about the complaints process can be found here [NZLS | Lawyers Complaints Service](#).

Broadly, the Law Society receives complaints about lawyers and will try to find early solution to a complaint where it is appropriate to do so. If complaint is unable to be resolved early, the Law Society will send the complaint to a Lawyers Standards Committee for consideration. If a complainant disagrees with the decision of the Lawyers Standards Committee, the Legal Complaints Review Officer at the Ministry of Justice may then be asked to review that decision. See [Legal Complaints Review Officer | New Zealand Ministry of Justice](#) for more information.

The Standards Committee will refer disciplinary charges against a lawyer to the New Zealand Lawyers and Conveyancers Disciplinary Tribunal ('the Tribunal') at the Ministry of Justice. If a lawyer (or former lawyer) is found guilty of a disciplinary offence, the Tribunal can order that they be struck from the Roll of Barristers and Solicitors of the High Court of New Zealand. The orders are made under [section 242\(1\)\(c\)](#) of the Act. When struck off, a lawyer is not able to hold a practising certificate or practise law in New Zealand. A struck off lawyer can apply to the tribunal to be restored to the roll after a period of time, but restoration to the bar is very uncommon.

The tribunal can also order the suspension of a lawyer for a period of up to 36 months. These orders are made under section 242(1)(e) and s 245(1) of the Act. The suspended lawyer will not be able to continue to practise law for the period of the suspension and will need to apply to the Law Society for a new practising certificate if the suspension was more than six months. When considering the application, the Law Society will consider a range of factors including evidence of rehabilitation, professional development and steps that have been put in place to ensure that factors that led to the suspension will not reoccur.

Please note that this response, with your personal details removed, may be published on the Ministry website at: [Official Information Act responses | New Zealand Ministry of Justice](#).

If you are not satisfied with this response, you have the right to make a complaint to the Ombudsman under section 28 of the Act. The Office of the Ombudsman may be contacted by phone on: 0800 802 602, by email at: [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz), or via the webform: [Make a complaint \(for members of the public\) | Ombudsman New Zealand](#).

Nāku noa, nā

  
Jacquelyn Shannon  
**Group Manager, Courts and Tribunals, Regional Service Delivery**