

Chief Registrar v Vosarogo (No 4); Chief Registrar v Lagilevu-Vodo (No 3)
ILSCJ03/2017; [2017] FJILSC 6 (6 February 2017)

This summary is not intended to be a substitute for the reasons of the Independent Legal Services Commission or to be used in any later consideration of the Commission's reasons

Facts

See *Chief Registrar v Vosarogo (No 3)* [2017] FJILSC 1 (6 February 2017); *Chief Registrar v Lagilevu-Vodo (No 3)* [2016] FJILSC 10 (8 December 2016). The first respondent, Mr Vosarogo, and the second respondent, Ms Lagilevu-Vodo, were both without practising certificates from 1 March 2016 and 18 March 2016 respectively, until 23 September 2016. This judgment concerns the outcome of their interlocutory oral applications seeking the continuation of their respective interim practising certificates until 28 February 2017.

Judgment

The Commissioner held that both Mr Vosarogo's and Ms Lagilevu-Vodo's applications would be successful, and as such their interim practising certificates should be renewed. In reaching this decision, the Commissioner noted that the fact that the Commission sits part-time could have a detrimental effect on legal practitioners. Further, he noted that in both cases, the allegations against both practitioners were in relation to negligent, not fraudulent behaviour.

For Mr Vosarogo, the grant was subject to four conditions, namely that:

1. he was not allowed to operate any trust account, specifically the Trust Account No. 7703648 held at the Bank of the South Pacific, unless approved in writing by the Chief Registrar;
2. he was required to provide monthly bank statements for Mamlakah Lawyers Trust Account No. 7703648 to the Office of the Chief Registrar at the end of each month, unless further notice was provided;
3. he could only practice as a barrister and receive payment upon issuance of an invoice after completing his work; and
4. he had to conduct his work under the supervision of Mr Simione Valenitabua.

For Ms Lagilevu-Vodo, the grant was subject to two conditions, namely:

1. she was not permitted to operate any trust account or receive any monies personally in relation to any legal work undertaken; and
2. she was only permitted to practice as an employee of an existing firm, and could not re-open her practice.