

**Member Name:** Sara Sandford - MNIA

**Division:** Western Australia

**Date of Appeals**

**Tribunal Hearing:** 24<sup>th</sup> April 2009

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The NIA Investigations Review Officer and the NIA Investigations Officer resolved that Ms. Sandford:

- (a) had a case to answer for having breached clause 98(2)(b) of the NIA Constitution in that it was alleged Ms. Sandford failed to observe a proper standard of professional care, skill or competence in that it was alleged she was not able to locate documents belonging to a client despite the client requesting those documents well in advance of them being required; other clients alleged a failure to respond to their enquiries; and allegations were made that Ms. Sandford had closed her business but had not informed her clients of that nor returned their documents; and
- (b) had a case to answer for having breached clause 98(2)(f) of the NIA Constitution in that it is alleged the abovementioned is conduct that is not in the best interests of the Institute.

At a Tribunal Hearing on 14<sup>th</sup> November 2008, that Tribunal resolved that there was a case to answer under section 98(2)(b) of the NIA Constitution and a case to answer under section 98(2)(f) of the NIA Constitution.

The Tribunal further resolved that Ms. Sandford's membership is forfeit and costs of \$500.00 were imposed.

Ms. Sandford appealed against this Tribunal decision and the NIA Appeals Tribunal convened to hear the appeal in Perth on 24<sup>th</sup> April 2009.

The Appeals Tribunal resolved that Ms. Sandford had a case to answer under sections 98(2)(b) and 98(2)(f) of the NIA Constitution.

The Appeals Tribunal resolved that the original penalty was more extreme than was necessary and resolved to instead impose a penalty of censure with the member's name published and imposed costs of \$500.00.

The Appeals Tribunal further resolved that member Sandford is to be the subject of a Public Practice Quality Assurance review at her expense within three months of the date of notification this decision is deemed to have been received by the member. Member Sandford is also required to be subjected to a further Public Practice Quality Assurance review within twelve months of the aforementioned review, at no additional cost to member Sandford.

