

Deliu has taken it a step further, filing a pre-emptive Bill of Rights claim against the Law Society in the Auckland High Court. In his claim Deliu asserts that taking disciplinary action against him merely for complaining about a judge to the JCC is political oppression of free speech. He notes the Law Society's prosecutorial powers are largely confined to regulated services (an exception being if the lawyer robs a bank on his free time) and there is no suggestion the Law Society's pursuit of him relates to his conduct as a lawyer or any criminal offending. Deliu told kiwisfirst he was initially reticent to make comment which could be construed as provocative, but then offered "As an officer of the Court, I am obliged to raise concerns I have about a judge."

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New folder

Orlov - Deliu

Kiwisfirst articles

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Last year, Orlov and another lawyer, Frank Deliu, brought a case on behalf of a family whose three children were ordered seized without a hearing. CYFS claimed in an ex-parte application that the father was an alcoholic and the children were in imminent danger, despite no evidence the children had been abused. When counsel for the parents sought a defended hearing and cross-examination of the sole CYFS worker whose affidavit underpinned the order to seize their children, Judge Rogers of the Family Court criticized the lawyers for their virulent attack of CYFS's actions, then declared she was denying the parents a hearing because of their lawyers' "attitude".

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Take the case of Barrister Evgeny Orlov, who took a pro bono case against the Ministry of Social Development on behalf of a couple whose two children were taken away from them without a hearing. Judge Rhys Harrison dismissed the claim on the grounds the State agency could not be sued - then awarded costs against the lawyer! Mr Orlov sharply criticised Harrison J, resulting in a protracted prosecution of Mr Orlov by the New Zealand Law Society after Judge Harrison made a complaint.

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Joyce J had a problem with finding evidence supporting the actual defamation claim, although this was not apparent given his 93-page judgment. The Judge relied extensively on Ms Haden's own affidavit and emails occurring during the proceedings when Wells' lawyers were preventing her defence, threatening bankruptcy and her family was under siege as a result of the claim. While notably not part of the statement of claim, Joyce J did not stop there. In paragraph [314] of his epic judgment Joyce J crossed a clear legal threshold when he admitted to conducting and relying upon his independent Google factual research during deliberation.

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Attorney General Chris Finlayson was pressured to defer decisions concerning the make up of the panel to Ms Collins due to his own extensive personal and past business relationships with Judge Wilson. This was after the Attorney General had filed extensive legal briefs in support of Wilson's suspect conduct to the Supreme Court immediately after his appointment to Attorney General in late 200

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