

Letters to the Editor

LawTalk welcomes letters to the Editor. Letters should ideally be restricted to a maximum of 450 words, although shorter letters are most welcome. Letters may be abridged or edited, and *LawTalk* reserves the right to not publish any letter submitted. Letters should be sent to *LawTalk* as either a Microsoft Word document or in a form that can be copied and pasted into a Microsoft Word document. They can be sent to editor@lawsociety.org.nz.

Identity and money laundering but don't mention LINZ!

Much, probably too much, is written and discussed about the anti-money laundering regime which we as a profession have been dumped into but not a lot has been spoken about the blasé acceptance of a form of identity which is not always as good as it seems.

On two occasions this month (and for the first time in many years of practice) I

have been faced with a situation where the name of the person on their driver's licence is not who they are.

On the first occasion the authorities who produce drivers licenses accepted the colloquial name which he uses (let's say it was Bill) and that driver's licence had been accepted on several occasions for the buying and selling of real estate. You can imagine the surprise when a New Zealand passport was tendered as proof of identity on the recent occasion that the person known to me under one name turns out to be someone with a much more formal appellation. As usual the names have been fictionalised to protect the innocent. The real name is in fact, let's call him William (but not to his face) as stated on the passport.

The second occasion was similar where, this time a female, chose to assume the family name of her husband as well as her

own. She has a passport which is in her family name but, again, the organisation which issues licenses in New Zealand enabled her to become something which she was not – a hyphenated woman. The bank who were issuing mortgage instructions were quite bemused when I suggested to them that the person with whom they are contracting was not identified by a driver's licence but rather, and no stigma intended to the New Zealand issuing authorities, by the British passport. The bank had done everything correctly and followed explicitly the guidelines for the anti-money laundering regime.

So what does this mean? Do we change the practice which we were assured would be adequate by LINZ and the folk at the Launderette, that a New Zealand government issued photographic identification document is acceptable as proof of identification when quite clearly the precursor information that results in the issue of the driver's licence has been perhaps less than rigorous and as the two instances which I have come across show, is suspect?

Perhaps your readers have some suggestions as to what can be done to ensure that in both instances, the anti-money laundering and LINZ, and the profession, as the gatekeepers, do not expose themselves due to the deficiencies in a state-run system.

GRANT AISLABIE
Auckland

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DATE: Thursday, 20 October **TIME:** 12.30pm to 2.30pm

LOCATION: Level 8, College of Law Centre, 3 City Road Auckland

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