



Rōpū Whakawawao
Tautohe Tauwhiro

**Social Workers
Disciplinary Tribunal**

Name Suppression Practice Note

**[INTERIM NAME SUPPRESSION WHEN CHARGE FIRST LAID
NON-PUBLICATION (SUPPRESSION) ORDERS: INTERIM AND PERMANENT]**

August 2026

The purpose of this practice note is to set out procedures the Tribunal intends to follow in relation to interim and permanent non-publication in disciplinary proceedings.

See sections 79 and 80 of the Social Workers Registration Act 2003 (the Act).

- [1] Section 79 of the Act provides that all hearings are in public, unless the Tribunal makes an order for hearing whole or part of the charge in private.
- [2] When the Tribunal first receives a Charge, it is referred to the Chair or Deputy Chair of the Tribunal and the Disciplinary Tribunal Executive Officer. Counsel appointed to act for the PCC will also receive a copy as well as the complainant (S76(2)).
- [3] The Tribunal does not disclose the names or details of the charge to other persons at this time to allow time for any application for interim non-publication (suppression) of any details under section 79 and/or section 80.
- [4] When the Tribunal receives a Charge, a copy is then sent to the parties, along with a Directions Checklist. **A date for filing an application for interim name suppression** will be set. A social worker or the Professional Conduct Committee / Director of Proceedings prosecuting the charge who wishes to make an application for interim non-publication orders must make an application or give an indication of their intention to make an application that to the Tribunal by that date. If no application is made the Chair / Deputy will consider whether orders are desirable, of its own motion.
- [5] The grounds on which an order for non-publication may be made are set out under s 79 of the Act. The Tribunal must be satisfied that it is desirable to make the order, having regard to the interests of any person (including the privacy of any complainant), and the public interest. While the test is the same for interim and permanent orders, the relevant considerations may

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be different if a social worker is found guilty of a disciplinary charge. This means that even if interim non-publication orders are made, further consideration is required in relation to the Tribunal making any permanent orders.

[6] There are no strict requirements for the format of an application or any supporting documents. The Tribunal may receive evidence in support of any application for interim or permanent non-publication. The information that is relevant will vary from case to case and the individual circumstances of the social worker and others directly affected by the orders. By way of example only the Tribunal may receive evidence relating to non-publication from the social worker, an employer, a health practitioner or persons otherwise affected by publication.

[7] If both parties agree, the Chair or Deputy Chair may make interim orders. If one party objects to an order being made, a properly constituted panel of the Tribunal will consider the application for interim name suppression.

[8] If interim orders for non-publication are made this does not mean that permanent orders will follow. The full Tribunal will consider any application for permanent non-publication orders at the hearing of the charge. If the Tribunal declines an application for name suppression, the person affected may appeal the Tribunal decision in reliance on section 88 of the Act. In the case of an appeal, the parties should consider whether it is necessary to apply to the Tribunal for interim orders pending the filing and/or resolution of any appeal.

Catherine Garvey



Chair

Social Workers Disciplinary Tribunal