

**JUNE 2023, ISSUE 16**

# **WELLINGTON BRANCH NEWSLETTER**

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**New Zealand  
Law Society**  
Wellington Branch

# PRESIDENT'S COLUMN – ĒTAHI WHAKAARO NŌ TE TUMUAKI



This is my last column in this Newsletter as your Branch President. The Annual General Meeting of the Branch will be held from 5 pm on 21 June 2023 at Level 7, JacksonStone House, Level 7, 3 - 11 Hunter Street, Wellington. During the meeting, I will hand over to my successor as Branch President, Julius Maskell. Julius is a partner of boutique Wellington firm, Tripe Matthews Feist. He has been an important part of the Branch Council team during the two years of my presidency. After seven years on the Branch Council, it is time for me to step aside for new talent and new ideas. I wish Julius and his new team all the very best in what will be, I have no doubt, a challenging term. I ask you all to support him with this task in any way you can.

We will be joined at the AGM by Frazer Barton, our national President. This will be your opportunity to directly ask him the questions which you think should be answered. I will be surprised if none of you have questions concerning the Independent Review, given the impact it could well have on the practices of every single lawyer in this country. Nevertheless, I have been surprised on that front before. On 24 March 2023 I wrote to you all, asking you to participate in the NZLS survey in respect of the Independent Review Panel's recommendations and indicating that I would cast the votes of the Wellington Branch in accordance with the will of the majority expressed through that survey. In the last edition of this Newsletter I summarised the main issues and renewed my call to vote. I have to tell you that I was a little shocked by the low response rate, given what is at stake. Only 133 of our 3,270 members (around 4%) responded to the survey. Of those, no more than 104 respondents addressed each of the recommendations.

My intention (and that of my colleagues on the Council of the New Zealand Law Society) had been to seek a democratic mandate for what must be one of the most important decisions in the 154 years of the Society's existence. Plainly, the

Tēnā koutou e hoa mā. E tukua ana āku mihi nui ki a koutou katoa. Ko ēnei āku whakaaro whakamutunga ki tēnei niupepa, hei tumuaki mō tō koutou wāhanga o Te Kāhui Ture o Aotearoa. Kua tuhi au i te whakaputanga tuatahi, "he whakahirahira te whakaritenga o te reo Māori ki ō tātou kōti me ā tātou tuhinga ā-ture hei whakapakari me tiaki tēnei taonga ātaahua". Nā te mea nei, kua timata ia whakaputanga ki āku whakaaro i te reo Māori. Ko tāku tūmanako, he pai ki a koutou te pānui. I runga i te whakahoki a Simeon Brown MP ki te whakatau a Waka Kotahi kia whakaputahia ngā tohu rori ki te reo Pākehā me te reo Māori, e kitea ana kei tēnei whenua tonu ētahi o ngā kaiārahi kāore i te mārāma ki te tikanga kia nui ake i te kotahi ngā reo whai mana ā-ture. Mēnā kei te timata tō rerenga reo Māori, he tino mōhio koe i te reo Māori rānei, e akiaki ana au i a koutou ki te kōrero me te tuhi i te reo Māori ki ngā kōti me ō koutou tari. Me tiaki tātou katoa i tēnei taonga whakahirahira.

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responses of only 4% of the Branch cannot properly be regarded as such a mandate. In view of that, I took the precaution of calling a meeting with the Branch Presidents (current and elect) of the four large metropolitan branches which hold the majority of votes on the NZLS Council, namely Auckland, Waikato-Bay of Plenty and Canterbury-Westland in addition to Wellington. The purpose of that meeting was to ascertain whether the poor response was replicated across the country and form a consensus on next steps. I have to tell you that Wellington's response rate was far from the lowest in the country. But even the best response rate among the large metropolitan branches was only 7.9%.

The consensus formed at that meeting was that the report of the Independent Review Panel has proved to be simply too large and far-reaching for the profession at large to engage with it effectively. We recognise that you all have a lot on your plates. The recommendations need to be broken down into more manageable chunks, so that you have a proper and informed opportunity to engage with them and make your voices heard. We will be discussing how this can be achieved with the whole of Council shortly.

After two years as Branch President, it is appropriate to look back at the promises the Branch Council and I made to you in the first edition of this Newsletter, following our strategy day in 2021. I said I would do what I could to reverse the trend of reducing engagement between Wellington members and the Law Society. I would be the first to admit that I have not achieved everything I set out to do. I could wish that the Branch had a better level of engagement with Wellington's large law firms.

However, while the low response to the Independent Review survey was a little disheartening, it is really only an aberration in what is a fairly healthy picture. In only the last six months, 742 members have attended Branch



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events (recognising that some of those might be double-ups!). We had a very successful Wellington Law Dinner at Pipitea Marae in February, building on the success of other dinners and social events across the region. I have been particularly pleased to see the resurgence (or emergence) of dinners and other social events in our new (and old) “twigs” in Kāpiti, Porirua, the Hutt Valley and of course Wairarapa. These events are the glue which holds the Law Society – and in fact our profession – together. Without them, there is a real danger of practitioners retreating into their own silos. These activities followed a very difficult start to this term in the midst of the pandemic. I am hopeful that we will see this trend of ever-increasing social engagement continue during Julius’ term as your Branch President. With that in mind, the Law Society has entrenched the role of “twig” representatives from Kāpiti, Porirua and the Hutt Valley in the Branch’s rules. Some of those roles are now vacant, so I encourage local members to step forward where they can.

In 2021 the Branch Council committed to a Vision to be the leading positive voice for lawyers in Aotearoa. Even a cursory review of the NZLS Council’s minutes over the last two years would reveal that, through me, Wellington Branch has been an active contributor and a leading voice at the Council table. We have brought forward motions on enhanced transparency and supporting the implementation of the NZLS

Rule of Law Committee’s recommendations on judicial independence. We successfully called for increased transparency in the rationale underpinning the recent increase to practising fees. We have been prepared to challenge proposals which we felt contrary to the interests of our members, and have wholeheartedly supported those which benefit you. We have also implemented a more transparent approach at Branch level, including the publication of all our minutes to members.

None of this mahi would have been possible without the tireless efforts of my fellow Branch Councillors (some of whom have now followed the well-trodden paths of the young to London and Melbourne) and, most importantly, our wonderful Branch Manager, Leonie Vines. I cannot thank them enough.

It has been my privilege to lead this Branch for the last two years. While it is a time-consuming role and has required me to grapple with some challenging matters, it has also allowed me to meet with you and enjoy your company at important points in your professional lives. I have been able to celebrate the achievements of members, such as writing to newly appointed judges and presenting taonga to long-serving practitioners on their retirement. I recently spoke to the graduating class at the Law Faculty of Victoria University of Wellington about the “broad



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church" which is our profession and encouraged them to look beyond traditional pathways. During my presidency I have instituted a monthly meeting with the Dean, which promises to yield great benefit to both "town and gown". I have been present at many of the admission ceremonies at the Wellington High Court and moved the admission of young people who did not know anyone else in the profession. Finally, I have recently had the honour and pleasure of hosting a lunch for those of our members who have reached the milestone of 50 years' post-qualification experience. These are the moments on which I will look back with the greatest pleasure.

He aha te mea nui? He tangata, he tangata, he tangata.

Nō reira, tēnā koutou, tēnā koutou, tēnā rā tātou katoa,



Christopher Griggs



# Victoria University of Wellington – Faculty of Law – Dean’s column – Professor Lee Godden



## Intergenerational Community

Earlier this month, the 2023 Māori Moot took place at the Old High Court. This is a highlight in the law school calendar which provides an important platform for taura Māori to showcase legal excellence and advocacy skills, whilst mooted on kaupapa Māori matters.

This year’s Māori Moot was a wonderful opportunity to acknowledge te ao Māori in the law. The evening began with karakia and tikanga formalities, before six talented mooters presented their oral submissions to a distinguished Judges Bench comprising Tara Hauraki (Senior Associate—Kāhui Legal), Māmari Stephens (Faculty of Law, Te Herenga Waka—Victoria University), Hon Justice Sir Joe Williams, Judge Damian Stone, and Matanuku Mahuika (Chairperson/Founder—Kāhui Legal).

It was inspiring to see the mana, talent, and dedication of all the mooters, some of whom presented their submissions entirely in te reo Māori. It was a privilege to be invited.

Kia ora koutou,  
2023 has been a busy year so far, but the pace of our Law Faculty does not seem to be waning in the least. This year has seen us host a number of high-profile events already, including the [first indigenous Supreme Court Judge from Canada, Justice Michelle O’Bonsawin](#), and launch a new Centre: [The Centre for Justice Innovation](#). While we still have much to celebrate, we are dealing with a period of significant change in our university.



Judges and mooters at this year’s Māori Moot held at the Old High Court. (Judges: Matanuku Mahuika, Hon Justice Joe Williams, Māmari Stephens, Tara Hauraki, Judge Damian Stone. Mooters: Tamati Durie-McGrath, Ella Young, Kaea Hudson, Kelly Mitchell, Katie Wells, Israel Elkington)

# Victoria University of Wellington – Faculty of Law – Dean’s column – Professor Lee Godden

The evening highlighted the intergenerational community that has been built in the law school and in the Wellington legal profession by this event. It offers an opportunity for the Ngā Rangahautira student group to build organisational capacity, and for mooters to take first steps to becoming an advocate in a culturally safe but still ‘tough’ learning environment. It is an environment that is supported by the generous mentoring of Victoria University alumni who perhaps remember the complexities of transitioning from student to legal professional. It was a point of celebration for families and communities to see and be proud of what a new generation of Māori law students is able to achieve. In this very tangible way, a community is ‘growing up’ a new generation of Māori practitioners.

## Commitment to excellence

Announcements about the financial position of the Victoria University of Wellington may have caused some concern among the legal profession. It is important to clarify that the Faculty of Law will not be reducing its academic staffing or cutting back on its course offering. Instead, we are seeking to expand opportunities for students. The Faculty of Law is reviewing its courses to ensure that these meet our students’ needs. New options planned include graduate entry to the LLB and programmes for legal professional development. Given its long history of academic excellence, the Faculty of Law will continue to offer a leading law programme that leverages its proximity to the courts, parliament, and government. We will continue to offer high levels of choice and support to our students.

## Civic Values

As a civic law school, dedicated to the public interest, we are proud of our academic staff who continue to pursue world-class research and an ongoing commitment towards teaching excellence. This creates a vibrant and engaged



Dean Knight receives his award for “Critic and Conscience of Society 2023”—seen here with Emeritus Professor Pat Walsh.

institution. Earlier this month, Associate Professor Dr Dean Knight received the "Critic and Conscience of Society" Award for 2023— a great honour that reflects the vital role he has played in contributing analysis and academic expertise to areas of public interest.

## You are invited

The Faculty of Law is delighted to present the International Winter Series, a full and exciting programme of international events taking place on our Pipitea campus at the end of June. The Series includes philanthropically funded public lectures and two international conferences— ANZSIL and ICON-S—featuring high-profile, international academics and law practitioners.

The Series will begin on 27 June 2023 with the annual Ian Borrin Lecture, delivered by Professor Aileen Kavanagh, Chair of Constitutional Governance at Trinity College Dublin.

# Victoria University of Wellington – Faculty of Law – Dean’s column – Professor Lee Godden

This is followed by the inaugural Ivor Richardson Lecture delivered by Sarah Grimmer, Faculty of Law alumna and internationally renowned arbitrator and member of Twenty Essex Chambers.

The third public lecture, The Sir Kenneth Keith Lecture, will take place during the ANZSIL Conference and will be delivered by Professor Tim McCormack—Professor of International Law at the University of Tasmania and Special Adviser on war Crimes to the Prosecutor of the International Criminal Court in The Hague.

These lectures are followed by the ICON-S Conference (CPD-Compatible) and a public lecture by Professor J.H.H. Weiler of the NYU Law School and Senior Fellow at the Center for European Studies at Harvard.

It is a testament to the international reputation of this Faculty that it attracts eminent academics and

practitioners to Wellington to share their scholarship with the Faculty and the Profession.

We invite NZLS members to make the most of the many opportunities for further learning, development, and connection, and to hear the latest thinking and international perspectives in legal matters. Registrations are essential.

We look forward to welcoming you to our Pipitea campus.

Noho ora mai  
Lee



Professor Lee Godden, Te Kauhanganui Tātai Ture - Faculty of Law Dean



Special guests at the Faculty of Law’s “In Conversation” Event between the Honourable Justice Joe Williams of the Supreme Court of New Zealand, and the Honourable Justice Michelle O'Bonsawin of the Supreme Court of Canada. The judges discussed their experiences as the first Indigenous Supreme Court judges in their respective jurisdictions. (Mele Tupou Vaitohi, Professor Rawinia Higgins, Hon Justice Joe Williams, Justice Michelle O'Bonsawin, Professor Mark Hickford and Professor Lee Godden)



## Victoria University of Wellington – Faculty of Law – Dean’s column – Professor Lee Godden



Distinguished guests, speakers and co-directors gathered for the launch of the Centre for Justice Innovation at the Faculty of Law, Te Herenga Waka-Victoria University of Wellington. Front row: Mike Ross (Lecturer Te Kawa a Māui), Judge Walker (Director), Everard Halbert (Director), Tupe Solomon-Tanoa’i (Borrin Foundation), Professor Yvette Tinsley (Director), second row: Judge Heemi Taumaunu, Chief Justice the Right Honourable Dame Helen Winkelmann, Justice David Goddard, Professor Lee Godden, back row: , Professor Mark Hickford, Jane Warren.

# WELLINGTON BRANCH COUNCIL AGM

## Wellington Branch Council AGM, Pizza and Quiz night

Calling all members of the Wellington Branch!

Mark your calendars for an exciting evening of branch engagement at the Annual General Meeting. This event promises not only insightful discussions on council matters but also an opportunity to unwind, bond with fellow members, and put your knowledge to the test with an engaging quiz.

We will be joined by special guest Frazer Barton, President of New Zealand Law Society.

Don't miss this unique chance to participate in the AGM, followed by delicious pizza, stimulating conversations, and friendly competition.

Please RSVP below to indicate if you will come for just the AGM or both the AGM and quiz night so we know how many pizzas to order!

**Where:** Chamber of Commerce, JacksonStone House, Level 7, 3-11 Hunter Street, Wellington 6011

**When:** 5pm for a 5.30pm start, Wednesday 21 June 2023

**Cost:** FREE

[Register here](#)

[21 June 2023 AGM Agenda](#)

[Minutes from AGM 15 June 2022](#)

[Appointment of Proxy form 2023](#)



## PRACTITIONERS REACHING 50+ YEARS PQE MILESTONE

It has been six years since the branch has celebrated practitioners reaching the fantastic milestone of 50 years PQE. This year we had an amazing cohort of 30 invited to celebrate, capturing those that have reached the milestone since the last celebration, and are still practicing. The amazing John Upton KC is even coming up 60 years!

The Wellington Branch Council and NZLS congratulate:

- Con Anastasiou
- Patrick Bowler
- Robert Brace
- Colin Carruthers KC
- Tim Castle
- Mark Chiu
- Christopher Cripps
- Nat Dunning
- Ernie Gartrell

- Hamish Hancock
- Roger Hayman
- Doug Holloway
- David Kember
- John Langford
- Richard Laurenson
- Andy Marshall
- Richard Martin
- John Meads
- John Meo
- Peter Morhan
- John Morrison
- Paul O'Regan
- Sam Perry
- John Prebble KC
- Chris Rickit
- Alan Ritchie
- David Robinson
- Neville Trendle
- Gary Turkington
- John Upton KC



# MENTAL HEALTH QUESTIONS ON CERTIFICATE OF CHARACTER APPLICATION FORMS

Tēnā koutou katoa,

Those of you who are close to the end of your university studies may already be looking into the various steps in the admission process. One of those steps involves applying for a certificate of character from the Wellington Branch of the New Zealand Law Society | Te Kāhui Ture o Aotearoa.

The certificate of character application form includes questions about mental health. We understand these questions can feel confronting and think it is important to clarify the intent of the questions. The Law Society is committed to supporting and assisting its prospective and current members dealing with mental health challenges. The questions in the application form are included to inform us of those challenges so we can be there for you and offer you support. Importantly, disclosing any details will not necessarily affect your ability to be admitted as a lawyer: it will mean the Law Society will be better informed as to the best way to support you.

If you have any questions or concerns, please feel free to contact the Wellington Branch – we are happy to help.

Aroha nui,

Wellington Branch Council



## **SUPPORT FELLOW BRANCH MEMBER ELLA SCOWN IN HER FIGHT AGAINST CANCER**

Ella Scown is criminal lawyer with 5 years' experience. She began her career, and has been based in the Hutt Valley/Wairarapa District. She briefly left the area in 2022 to spend 9 months working in Queenstown before returning to the Wellington region in December 2022. Ella had completed her study to become qualified as a lawyer in British Columbia, Vancouver. She had obtained a position in a criminal defence firm and had plans to immigrate in April 2023. Unfortunately, these travel plans were interrupted when she was diagnosed with Breast Cancer in March 2023.

Ella remains in New Zealand and is undergoing expensive Immunotherapy

Treatment in her fight against triple-negative breast cancer, an aggressive and rapidly growing form of the disease. The immunotherapy treatment involves a drug called KEYTRUDA that works with your immune system to detect and destroy cancer cells. This is not funded in New Zealand despite being proven effective as a treatment for triple-negative breast cancers overseas.

If you would like to help Ella fund this treatment, any donation would be gratefully received through her Give A Little page [Ella's Fight Against Cancer: Join Us in Raising Funds for Immunotherapy Treatment - Givealittle](#)



## **WOMEN IN LAW COMMITTEE EVENT - CONFIDENT COMMUNICATION WITH MARY SCHOLTENS KC**

On 10 May 2023, the Women in Law Committee hosted an event on Confidential Communication at The Wellington Club. Mary Scholtens KC presented on the difference between women and men in terms of confidence, her own journey with confidence, and what has challenged and assisted her on that journey. It was a sold out paid event, which included drinks and nibbles, and was also sponsored by Black Door Law.

The purpose of the Women in Law Committee is to advance women - in the

law and through the law - by addressing legal issues affecting women and advocating for women lawyers. A particular focus is to address the ongoing challenges and inequities that women face in the legal profession. The Committee runs regular events and seminars, writes articles, and lobbies on relevant issues. It encourages everyone, including men, to come to its events. If you are interested in joining the Committee, you can do so at any time by emailing [wellington@lawsociety.org.nz](mailto:wellington@lawsociety.org.nz). - Sarah Cates, Committee Member.



# WOMEN IN LAW COMMITTEE EVENT - CONFIDENT COMMUNICATION WITH MARY SCHOLTENS KC

2033



## NOTICES AND EVENTS

### Rex Mason Trust Award for excellence in legal writing 2023

The Wellington Branch of the New Zealand Law Society, as Trustee of the Honourable Rex Mason Trust, advises that it will be accepting submissions for the Honourable Rex Mason Prize for excellence in legal writing from 4 April 2023 until 4pm 30 June 2023. There is a payment of \$1000.00 from the Rex Mason Trust for the winning entry.

All entries must have been published in a New Zealand legal publication between 1 January 2022 and 31 December 2022.

Please read the [information sheet](#) and download an entry form [here](#). Further information can be found on the [website](#).

### Plain Language in the legal world

Writing that your clients can understand quickly and easily? That's what plain language is. Come to this webinar to find out how structure, language, and design can work together to help your clients.

And in related news, New Zealand now has a Plain Language Act! Clarity is now law for public-facing government writing. If you have clients in the government sector, or work in the sector yourself, it helps to know more about this Act.

Where: Zoom webinar

When: Tuesday 18 July 2023

Cost: \$45 members, \$55 non members

CPD: 1 hour

[Register here](#)

### AML v AI: A new era of cat and mouse webinar

2023

In the fast-evolving world of financial transactions and increasingly savvy criminals, AML has become a fraught task. Add to it the recent mass-introduction of AI and we're on the brink of an epic game of money laundering cat and mouse.

This webinar explores:

- The current AML landscape, highlighting the risks and regulatory frameworks surrounding money laundering.
- The role of AI in current AML practices.
- Predictions on AI and AML for the next 3 years.
- Ethical considerations and limitations in AI implementation

This webinar will be presented by Milan Cooper, CEO - First AML

Reference article:

<https://www.firstaml.com/nz/resources/artificial-intelligence-vs-money-launderers-who-would-win/>

Where: Zoom webinar

When: 17 July, 12pm - 1pm

Cost: \$40 members, \$50 non-members

Register here:

<https://bookwhen.com/wellington-branch/e/ev-snch-20230717120000>



# NOTICES AND EVENTS

## YLC Movie Night Fundraiser

This Barbie invites you to hang out for a good cause!

The YLC invite you to spend an evening at the movies with Barbie as a fundraiser for the Breast Cancer Foundation. Movie is Thursday 27 July at 6 pm (doors open from 5.30 pm).

Tickets are \$20, and are on sale now!

Get in before they're gone:  
<https://events.humanitix.com/barbie-movie-fundraiser>



## Discharge without conviction applications and permanent name suppression - seminar

Join the Criminal Law Committee for a discussion about discharge without

conviction applications and permanent name suppression – the latest cases, tips, and the interplay between the two. Presented by Lucie Scott, Barrister with a judicial perspective from His Honour Judge Hobbs.

Attendees will be educated in the latest relevant authorities; will gain a working knowledge of the interplay between a successful discharge without conviction application and the impact that may have on an application for permanent name suppression; and will learn tips to assist in making successful applications.

Where: PDS Wellington, Level 9, 86 Lambton Quay

When: 5.30pm, 22 June 2023

CPD: 1.5 hours

Registrations: Please contact Catherine Gisler via email [Catherine.Gisler@PDS.govt.nz](mailto:Catherine.Gisler@PDS.govt.nz) or call 027 3000 836.

## Call for branch committee members for 2023

Wellington is a vibrant branch due mainly to the amazing work of our 17 specialist interest Committees. If you would like to be a member of a Committee, [read more here](#).

To join a Committee [click here](#) for an application form.

Applications close Friday 30 June 2023.