

Faculty of Law Newsletter
Winter 2015

OTAGO LAW



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GREETINGS FROM THE DEAN



Dear Otago law alumni

We are half way through another busy year, however I have been fortunate to catch up with many of our wonderful alumni at various events over the last few months. We are nearing the end of our Law Career Day promotions around the country, and I would like to once again thank the many alumni who have come along to help out with role-plays and speak to the secondary school students, who are looking to follow in your footsteps. We are very proud of you and your achievements and it's great to see the Otago Law spirit is still alive and well!

It was also a pleasure to be able to meet up with many of our London and UK based alumni in London recently. I am always delighted to see you all and hear about the wonderful work you continue to do. The success of our alumni all around the world continues to buoy the status of the Faculty of Law and contribute positively to our reputation. Thank you very much to Dame Judith Mayhew Jonas for opening her wonderful home and also making available Goodenough College for the London events. Thanks also to Leighton Cassidy who is a fantastic supporter of Otago Law alumni events in London.

One of the things we discuss on our Law Career Day road show is just how adaptable a law degree can be and the array of career opportunities available. In this issue, we highlight a number of alumni who have pursued a career in the sporting arena – just one of the many areas that a law degree can take you. You can also read some additional profiles of our graduates who are working in a range of other exciting careers.

Our staff and students continue to shine, and you will be able to read about the many prizes and scholarships that have been awarded throughout the first half of the year. All are richly deserved and it is a great testament to the strength of the Faculty. It is a great pleasure to see the Law for Change law students using their volunteer time to improve the legal system for the good of others. That is the primary focus behind our Legal Issues Centre, generously funded by The Gama Foundation. We have highlighted the current work going on in the Legal Issues Centre in this edition.

Remember, to keep up to date with news and events in the Faculty, make sure to follow us on Facebook (OtagoLaw) and LinkedIn. We always love to hear from you and find out what you are up to, so please do keep in touch. Best wishes for the remainder of the year.

STAFF NEWS

Academic Promotions

Congratulations to Jessica Palmer and Nicola Wheen who have been promoted to Associate Professor.



Recognition for Outstanding University of Otago teachers

Associate Professor Jacinta Ruru in the Faculty of Law was one of four lecturers honoured by colleagues and students in this year's University of Otago Teaching Excellence Awards.

The 2015 recipients were Dr Roslyn Kemp, a Senior Lecturer in the Department of Microbiology and Immunology; Dr Rachel Zajac, a Senior Lecturer in Psychology; Associate Professor Christine Jasoni, in the Department of Anatomy, and Associate Professor Jacinta Ruru, in the Faculty of Law, who received the kaupapa Māori award.

Associate Professor Ruru was recognised for challenging the teaching of law to create culturally safe and stimulating indigenous learning opportunities for law scholars, particularly Māori students.

The University offers three Teaching Excellence Awards in the general category, and one kaupapa Māori award. The award for each recipient comprises a certificate and \$7500 to support their learning and teaching.



Photo credit: Sharron Bennett

Carl Smith Medal awarded to rising Otago researchers

Two up-and-coming University of Otago researchers are the latest recipients of the Carl Smith Medal and Rowheath Trust Award.

Associate Professor Jessica Palmer (Faculty of Law) and Associate Professor Suetonia Palmer (Department of Medicine, Christchurch) are co-recipients of the Award and Medal which recognise outstanding research performance of early-career staff at Otago and are accompanied by a \$5000 grant for personal scholarly development.



Announcing the honours, Deputy Vice-Chancellor Professor Richard Blaikie warmly congratulated both researchers saying the pair had already made important international contributions to their respective disciplines.

"Both Jessica and Suetonia have outstanding records of scholarly achievement and are richly deserving of this recognition. Their research accomplishments, academic and professional contributions are seen as truly world class.

"The international referees highlighted the impacts that the research findings of Jessica and Suetonia have made on the practice of Law and Medicine respectively, and the assessment committee was compelled to make a joint award. They are outstanding examples of the calibre of translational research being undertaken at Otago."

Jessica Palmer's research primarily focuses on the areas of trusts and restitution. Trusts being very popular in New Zealand, her innovative work has been influential on the development of trust law in this country and is regularly cited by the courts.

While Jessica is as yet unsure how she will allocate the award money, the former recipient of the Law Foundation's Ethel Benjamin Scholarship says she feels "very lucky to be acknowledged in this way".

"This award is a strong vote of encouragement from the University that the work I am doing is worthwhile and that I am doing it well. Otago is a wonderful place to teach and research and I know that I have benefitted from many discussions with colleagues, students and visitors that have helped to develop my thinking and direct my research enquiries.

"I am also grateful for the support I have had to develop relationships with academics from other universities in New Zealand and internationally which has been crucial to progressing my research."

Suetonia Palmer is a kidney specialist and Rutherford Discovery Fellow, who is interested in evaluating whether medicines are effective. Her particular research focus is in applying meta-analysis (the mathematics of combining research studies together) to study the evidence behind treatments used for people with kidney disease, which has previously awarded her a L'Oréal UNESCO For Women in Science Fellowship.

Of receiving the award, she says: "I feel much honoured, particularly given the high standard of research done by many outstanding researchers at the University. It is also gratifying to see recognition for the usefulness of meta-analysis in clinical medicine.

"This award will allow me to spend more time with my international collaborators to generate more research ideas and strengthen connections."

The two researchers will each give public lectures later this year, at which they will be presented with the Medal.

The Rowheath Trust was established in 1964 by Carl Smith – whose family lived in the Rowheath area of England – to support the University. Mr Smith received an honorary doctorate from Otago in 1968.

Earlier this year, Jessica was also awarded the Rex Mason prize for her article on "Controlling the Trust", a further tribute to her outstanding academic scholarship.

Otago researcher wins prestigious Harkness Fellowship

Dr Jennifer Moore, an affiliate Senior Research Fellow in the Faculty of Law, and Senior Lecturer in the Department of Preventive and Social Medicine, has won a prestigious Harkness Fellowship in Healthcare Policy and Practice.

As the recipient of the Commonwealth Fund-endowed Fellowship, Dr Moore will spend one year in the US researching alternatives to medical malpractice, starting in August 2015.



"I am thrilled to be the New Zealand 2015-2016 Harkness Fellow in Health Care Policy and Practice. It is an honour to receive such a prestigious fellowship. The Commonwealth Fund and the Harkness programme have an outstanding reputation. Like the Commonwealth Fund, I'm committed to using high-quality research to improve health systems," says Dr Moore.

Her multi-disciplinary research will aim to inform the design of communication-and-resolution programmes (CRPs) in the US. Such CRPs seek to identify and disclose medical injuries, improve quality of care, and offer apology and compensation.

"The core of the research is the impact of compensation on the doctor-patient relationship. I will collect data in New Zealand and the United States to investigate the factors that harm or help the doctor-patient relationship after a medical injury," says Dr Moore.

"There is speculation and anecdotal evidence that recent ACC medical injury case law in New Zealand is discouraging doctors from assisting their patients to make claims with ACC. This will be the first empirical health law study in New Zealand to investigate that. So the findings will be useful for ACC policymakers, providers and injured patients here too. The results of the study will contribute to health policy and law reform both here and in the United States."

Dr Moore says it is perfect timing to perform this research because the Obama administration has shown a keen interest in CRPs. This year, the United States Agency for Healthcare Research and Quality stated that they plan to continue developing CRPs, including an implementation toolkit and training modules. One major aim is for the research findings to inform these toolkits and modules, and the overall design of CRPs.

Dr Moore adds: "I have always wanted to work with the preeminent health law and policy scholars in the United States. My proposed US mentors, Professor Michelle Mello and Professor David Studdert, are unquestionably two of the leading empirical and theoretical scholars in my proposed area of research. My proposed home-country mentors, Dr Marie Bismark and Professor Peter Crampton, are both Harkness alumni with outstanding track records in health policy research.

"I'm delighted that I have received the Harkness Fellowship at this time. I have been following President Obama's recent health reforms and waiting for the appropriate time to undertake my study. The time has arrived, and I cannot wait to begin the work!"

Otago key partner in Māori Centre of Research Excellence

University of Otago researchers are set to make key contributions to Ngā Pae o te Māramatanga, New Zealand's Māori Centre of Research Excellence (CoRE), which has been selected to receive a further five years' funding from the Tertiary Education Commission (TEC).



The CoRE will continue be hosted by the University of Auckland and the co-directors will be Auckland Associate Professor of Sociology Tracey McIntosh (Auckland) and Associate Professor of Law Jacinta Ruru (Otago).

Ngā Pae o te Māramatanga will involve wide engagement of researchers and teams from universities, wānanga, Crown Research Institutes, museums, polytechnics, iwi research groups and commercial entities.

Otago's Dr Emma Wyeth (Preventive and Social Medicine) will be co-deputy director alongside Dr Jamie Ataria (Lincoln).

Associate Professor Ruru says she is honoured and excited that the new vision for Ngā Pae o te Māramatanga 2016-2020 has been funded by the Government.

"This is great news for collaborative Māori research across the country, including for Māori researchers at the University of Otago.

"Ngā Pae o te Māramatanga has a new strong national research leadership team who together with Māori researchers across the country will work on new foundational economic, environmental and wellbeing research projects, all underpinned by te reo me tikanga Māori.

"Our vision is for Māori leading New Zealand into the future. Our research realises Māori aspirations for positive engagement in national life, enhances our excellence in Indigenous scholarship and provides solutions to major challenges facing humanity in local and global settings.

"Otago has a great opportunity to become a Ngā Pae o te Māramatanga hub that will contribute towards conducting and showcasing Māori research excellence, capacity and capability building of Māori researchers and connections with our Māori communities including our iwi partners," Associate Professor Ruru says.

The named Otago Principal Investigators in the CoRE are Bridget Robson, Dr Emma Wyeth (Health Sciences), Professor Paul Tapsell, Associate Professor Poia Rewi, Associate Professor Merata Kawharu, Associate Professor Paul Whitinui, Dr Lyn Carter and Associate Professor Jacinta Ruru (Humanities) and Dr Diane Ruwhiu (Commerce).

Professor Paul Roth advising European Commission on data protection

Professor Paul Roth is a member of an international consortium, based in Berlin, that has recently tendered successfully to provide legal research and advice to the European Commission (Directorate-General for Justice) on data protection regulation over the next four years.

Professor Roth has previously provided legal research for the European Commission. In 2009 he wrote a report for

the European Commission on data protection compliance with European Union standards by New Zealand that was adopted by the EU Article 29 Working Party (Opinion 11/2011 on the level of protection of personal data in New Zealand, 00665/11/EN, WP 182, 4 April 2011) and in 2012 led to New Zealand being recognised as having “adequate” data protection standards for the purposes of the EU Directive on the protection of personal data. This means that for all practical purposes, New Zealand privacy law is deemed to be on par with EU requirements, which has implications for New Zealand trade with Europe and international consumer protection.



With the European Union currently in the process of replacing the Directive on the protection of personal data with a Regulation, which will be directly enforceable in law in all EU member states (rather than having to be transposed), advice on the implications for countries outside the EU, including New Zealand, will be necessary.

Research shortlisted for Legal Research Foundation Awards



The 2014 Legal Research Foundation Writing Awards saw Professor Rex Ahdar's article *“Contract Doctrine, Predictability and the Nebulous Exception”*, Cambridge Law Journal March 2014, as one of the three shortlisted for the Sir Ian Barker Published Article Award.

Simon Connell submits PhD

Well done to Simon Connell who has recently submitted his PhD! We wish him well for the examining process.



LEGAL ISSUES CENTRE



Marilyn and Grant Nelson.

The University of Otago Legal Issues Centre, established through the dynamic vision and exceptional generosity of Marilyn and Grant Nelson (The Gama Foundation) and the University of Otago Foundation Trust, is furthering efforts to promote a more accessible, affordable and efficient legal system for the benefit of all citizens. The Centre is also examining how courts can best ascertain the truth and arrive at fair and just outcomes.

Following a preliminary study of the time taken for general civil proceedings, Acting Director of the Legal Issues Centre, Professor Mark Henaghan, is carrying out the next stage of research into ‘court delays’ to investigate the reasons for protracted litigation (e.g., lawyer and litigant behaviour, a local legal culture not geared towards efficiency, lack of specialisation, finite court resources, and an increase in case complexity). As well, a study will be conducted to investigate at which points in the process cases have been ‘stalling’ and to analyse the variation across different types of cases.

Other studies looking into various aspects of the justice system include the merits of wider use of the Disputes Tribunal and its procedures; psychological consequences of litigation; doctoral research being carried out by Bridgette Toy-Cronin on issues concerning self-represented litigation; and difficulties faced by ACC claimants in dealing with adverse expert evidence.

The Legal Issues Centre has completed two important research projects in recent months. A comprehensive examination of the New Zealand coronial system was undertaken and published by Professor Henaghan and Dr Jennifer Moore who was the Acting Director of the Centre at the time. The research, which also received funding support

from the New Zealand Law Foundation, looked into how the recommendations of NZ coroners have been acted upon. In addition, a study led by Dr Moore that investigated issues concerning 'complaints against lawyers' has been accepted for publication in the peer-reviewed periodical *Psychiatry, Psychology and Law* and will be available in a couple of months.

Dr Moore's research has successfully built and advanced the capacity of the Legal Issues Centre in carrying out empirical/ socio-legal research to provide evidence-based data to influence law and policy reform. Professor Henaghan says, "Dr Moore has done outstanding work for the Centre which is having a major impact on the work of coroners in New Zealand. The publication on complaints about lawyers also fills an important gap, showing lawyers can get into health and ethical issues, which need to be addressed early so that clients do not suffer and the legal profession upholds its high standards."

Dr Moore will continue to work with the Centre as Affiliate Senior Research Fellow with the Faculty of Law.

Looking ahead, the Legal Issues Centre is looking to appoint a new director. The Gama Foundation has further enhanced its support of the Centre with an additional generous endowment earlier this year. Professor Henaghan says, "Thanks to the incredibly generous support of The Gama Foundation, the Legal Issues Centre has a strong financial base for significant ongoing research. Presently, research is focused on the cost and delays in taking civil court action in New Zealand. We hope to appoint a director within the next few months, who will continue to lead this important research and make our legal system more accessible, affordable, efficient and usable by a wide range of New Zealand citizens."

University of Otago alumni in legal practice or involved with public policy/law reform are encouraged to make contact in sharing views and experiences about the legal system in New Zealand and other jurisdictions.

Please contact Professor Henaghan (mark.henaghan@otago.ac.nz) or Richman Wee (richman.wee@otago.ac.nz) who is the project manager providing assistance to the Centre.

Tel: +64 3 479 5324
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Additional references:
Preliminary Study on Civil Case Progression Times in New Zealand:
otago.ac.nz/law/research/legalissues/otago036732.html
Better Government reforms are needed for NZ Coronal system, study finds:
otago.ac.nz/law/news/otago084806.html

New Zealand Coroners' Recommendations 2007-2012:
lawfoundation.org.nz/?page_id=2565

UNDERGRADUATE NEWS

Faculty of Law launches Māori Leaders in Law Programme

On Friday 20 March, the Faculty of Law launched the inaugural Building Māori Leaders in Law programme, which received University Equity funding.



The programme aims to build on the positive momentum in both the Faculty and the wider University, providing greater inspiration for our Māori law students to achieve success in their law studies, from LAWS101 to LLB graduation (and beyond to post-graduate studies).

The first component of the programme commenced with a Māori Career Workshop, led by two of New Zealand's leading Māori lawyers: Rachel Mullins (nee Hall) and Aidan Warren (current co-leaders of Te Hunga Roia Māori (Māori Law Society)).



Otago Alumni Scholarship Recipients

The 2015 Otago Alumni Scholarship recipients were welcomed to the Faculty of Law and University of Otago at the beginning of the year.



Professor Mark Henaghan, Nikita Rosenbrock, Manon Blackman and Lauren Julian.

Congratulations also go to other first year law students who have been awarded various performance scholarships for 2015. We wish them all the best for their studies!



Back row: Professor Mark Henaghan, Nathan Kay, Florence Wilson, Front row: Lily Leishman, Tasha Lea, Asheligh Neill, Nikita Rosenbrock.



Tom Sycamore, Jack Trevella, Professor Mark Henaghan, Diana Lai, Professor Richard Blaikie, Hannah Brown.

Jordan Grimmer receives Clarrie Stevens Memorial Scholarship



Final year law student Jordan Grimmer was recently awarded the 2015 Clarrie Stevens Memorial Scholarship. The scholarship was established by the Trustees of the Rua and Clarrie Stevens Charitable Trust in memory of the late Clarrie Stevens, for many years a prominent Dunedin lawyer. The scholarship panel of Professor Nicola Peart, Sarah Simmers (Partner, Anderson Lloyd) and David Smillie (Partner, Gallaway Cook Allan) presented Jordan with the scholarship at a ceremony in the Faculty in early June.

Scholarship 'extremely humbling' for inaugural recipient



Associate Professor Jacinta Ruru, Tame Te Rangi and Adam Tapsell. Photo credit: Emma Allen.

Inspirational Māori lawyer and Otago alumna Jolene Patuawa-Tuilave was remembered recently with the presentation of the inaugural Jolene Patuawa-Tuilave Māori Leadership in Law Scholarship to Law and Māori Studies student Adam Tapsell.

Jolene (Ngati Whatua) played a prominent role in the University while a student and was making her mark as a lawyer when she died of cancer at the age of 33.

The inaugural Jolene Patuawa-Tuilave Māori Leadership in Law Scholarship was presented at a special ceremony held at the conclusion of Otago University's Hui Poutama Māori research symposium last month.

Having known Jolene during her time at Otago, Associate Professor Jacinta Ruru believes she would have been "stoked" for Adam to be the inaugural recipient.

"Like Jolene was, Adam is strong in both Te Ao Māori (the Māori world) and in the profession of law, he has grace, humility and humour," she says.

"As was evident at the scholarship award ceremony, he is highly respected and loved by his fellow students and by staff both in the Faculty of Law and Te Tumu, just as Jolene was."

An accomplished student and committed leader, Adam was tumuaki of Te Roopu Whai Putake last year (as Jolene was in 1999) and is this year working closely with Associate Professor Ruru as the inaugural coordinator of a newly launched Faculty of Law Te Ihaka Project – the Building Māori Leaders in Law Programme.

Of receiving the inaugural award, he says: "It is extremely humbling to be presented with an award that honours an extraordinary woman. I am very grateful to Jolene's family, to Ngāti Whatua and to the Faculty of Law at the University for their work in creating this opportunity."

In a statement read out at the ceremony by Jolene's good friend Rachel Mullins, Jolene's whanau offered the following words to Adam:

"Adam, her message to you we believe would be to work hard, serve your people well, share your gift with others, but never forget your roots, never forget the people who have supported you and contributed to your success. Love and keep your family and friends close – you never know when they might not be there. E kore te tōtara e tū noa I te pārae, engari me tū I te wao nui a Tāne. The tōtara does not stand alone in open country but stands in the forest of Tāne."

For her part, Associate Professor Ruru feels fortunate to have known Jolene and to be able to work with Adam during his time at the University.

"Otago was lucky to have Jolene study here and we are similarly lucky to have Adam studying with us now. He is a wonderful first recipient of this award."

About the Jolene Patuawa-Tuilave Māori Leadership in Law Scholarship

Established by the University of Otago Council in 2013 in remembrance of Jolene Patuawa-Tuilave, a promising University of Otago graduate treasured by both colleagues and whanaunga in her short professional career. The contributions towards this scholarship serve as a testament to her lifetime that became her legacy upon her passing in June 2010.

Applicants must be University of Otago Māori students studying full-time towards the final year of a double degree, which includes a Bachelor of Laws.

Find out more or to donate to the scholarship fund, visit: otago.ac.nz/alumni/donations/#gifts

Law student wins 2014 Unpublished Undergraduate Student Paper Award

James Watson has won the 2014 Legal Research Foundation Unpublished Undergraduate Student Paper award for his Honours Dissertation *The Performance Interest in New Zealand Law of Contract*. A University of Otago law student has won this award for the last nine consecutive years.

James was also welcomed to the Faculty of Law as a Research Assistant in 2015.



Loman Friedlander prize awarded to Honours student, Kari Schmidt

Sixth-year University of Otago law student, Kari Schmidt, has been awarded the Loman Friedlander Award for her dissertation titled *Appropriation in the Fine Arts: Fair Use, Fair Dealing and Copyright Law*.



The award is presented by The New Zealand Institute of Patent Attorneys, Inc., and is awarded to the student with the best paper of between 5,000 and 10,000 words on any subject within the area of Intellectual Property Law. The prize is valued at \$1000.

Kari's winning dissertation examined the conflict between art which she says "appropriates imagery from other artists or pop culture" and copyright which, according to Kari, "appears to disallow this taking as it stipulates that whatever one produces, one owns exclusively".

"The mechanism which I explored for navigating this conflict was fair dealing/fair use – a legal exception to copyright which allows creators to appropriate imagery in certain circumstances – for the purposes of news reporting and private study, for example."

Unfortunately, says Kari, New Zealand is behind other countries such as the US, England, Canada and Australia, in that it hasn't extended its fair dealing provisions to include parody and satire.

"This is greatly limiting for artists, many of whose practices fundamentally necessitate appropriation."

In her dissertation, she recommended that New Zealand adopt broader fair dealing provisions in its upcoming review of the Copyright Act 1994, which will take place after the Trans-Pacific Partnership Agreement later this year.

Upon completion of her studies later this year, Kari plans to pursue a legal career focussing on intellectual property.

"There are so many different, fascinating aspects to intellectual property; it's relevant to science/technology, the arts and the commercial world," she says. "I'm also really interested in the ownership of ideas which is fundamentally a part of intellectual property, as well as its links to innovation, creativity and freedom of expression."

Kari received her prize at an awards ceremony in April this year and will begin working as a graduate at Simpson Grierson next year.

Otago students previously won the Loman Friedlander Award in 2009 and 2006.

Animal Law Week

The Faculty of Law in conjunction with the Otago Student Animal Legal Defense Fund held another successful Animal Law week from April 20 – 24 this year.

There were a variety of events and lectures during the week, open to the wider public. Marcelo Rodriguez Ferrere presented a lecture on domestic level animal protection legislation, and Associate Professor Nicola Wheen delivered a lecture on international animal law agreements.

Special guest Dr Tobias Linne of the Lund University, Sweden, also presented an analysis of how speciesism intersects with other forms of oppression.

Minter Ellison Rudd Watts Witness Examination



(Photo from left) Professor Mark Henaghan, Megan Paterson, Morgan Speight (finalist), Aaron Lloyd (Partner), Dr Royden Somerville QC.

Law student Megan Paterson was the winner of the recent Minter Ellison Rudd Watts Witness Examination Competition. The competition was judged by Aaron Lloyd, Partner at Minter Ellison Rudd Watts, Dr Royden Somerville QC and Professor Mark Henaghan, Dean of the Otago Law Faculty.

The scenario involved the plaintiff, a young woman, who underwent plastic surgery to become a celebrity look-alike. Whilst the plaintiff knew the surgeon was a specialist in another area, she was impatient to get the procedure carried out (a nose job) so that she could work as a celebrity look-alike. The surgery was carried out with no medical complications and the surgeon believed the result was a complete success. The plaintiff, however, was completely dissatisfied as it was not her desired outcome. The plaintiff claimed that she was entitled to her money back for the surgery, plus compensation for her pain and suffering.

Russell McVeagh Client Interviewing Competition

Law students Brendan Austin and Mark Evans were the winners of the recent Russell McVeagh Client Interviewing Competition. This was judged by John Powell, Partner at Russell McVeagh, Lesley Elvidge, HR Director at Russell McVeagh and Otago Faculty of Law staff Associate Professor Selene Mize and Professor Mark Henaghan (Dean).

The scenario or problem involved a young plumber seeking legal advice for a potential careless driving problem, as well as some recent plumbing work they had carried out on contract, which had subsequently failed causing serious damage. The client was after advice on whether they were liable for damage to the car as well as the plumbing failure.



(Photo from left) Associate Professor Selene Mize, John Powell (Partner at Russell McVeagh), Lesley Elvidge (HR Director for Russell McVeagh), Brendan Austin, Mark Evans, Professor Mark Henaghan.

Senior Mooting Competition

Congratulations to George Niven and Sam Cathro who won the Senior Mooting final on 8 May this year. The problem was based upon the legality of a decision by the Dunedin City Council to build a new Lacrosse Stadium. It involved close analysis and application of various administrative law authorities.

Thanks go to the many Faculty of Law staff involved in the judging throughout the various rounds of the competition. Professor Mark Henaghan, Marcelo Rodriguez Ferrere and Justice Christine French from the New Zealand Court of Appeal judged the final.



Buddle Findlay Negotiation Competition

On Wednesday 20 May the Negotiation competition finals were held with the winning team named as Jamie Rohan and Ellie Domigan.

The problem for the final was a negotiation between the owner of the hugely successful food company and a former employee, regarding a possible breach of intellectual property rights.

Professor Mark Henaghan and Associate Professor Selene Mize from the Faculty of Law, alongside Bassam Maghzal, a Senior Associate from the Buddle Findlay office in Christchurch, judged the competition.



Otago Law for Change projects

Law For Change was established in 2012 by a group of Otago University law students, with the goal of enabling lawyers and law students in Aotearoa to harness their legal skills to serve the public good.

Today, Law for Change is now also an active part of campus in Waikato and Canterbury University, as well as having a young professional focus in Wellington. Law for Change is now a registered charity and holds executive meetings annually.

Current Otago President, Alice Eager, is overseeing some wonderful projects currently on the go, as well as the planning of future developments. Her fellow Otago executive is made up of Elisabeth Larsen (Vice-President), Christian Hardy (Secretary), Sanaa Basharati (Social Representative), Katherine Lee (Communications), Rebecca Ness (Education Coordinator) and Jesse Hall (Treasurer).

The Criminal Justice Team, led by law students Edana Sparks and Erwin Ricketts, have successfully set up the third year of the Prison Volunteering programme. The success of this programme has led to the Otago Corrections Facility (OCF) approaching the group about the possibility of starting student run legal clinics out at the prison, similar to the work students do with the Dunedin Community Law Centre. A similar scheme has been implemented in Christchurch and the OCF are keen to try it here. Alongside this, the team has been investigating possible academic projects within the Criminal Justice domain, looking into a research project that builds on volunteers' experiences in the prison.

Andrew Row, an Otago Law graduate and Clerk to the Hon. Justice Glazebrook in the Supreme Court of New Zealand, has been invited to visit Dunedin to talk about his experience in the Courts and, predominantly, the work he intends to do in the US. Andrew will be volunteering for University of Houston professor David Dow, founder of the Texas Innocence

Network, which campaigns to spare the lives of prisoners on death row. A joint presentation with Bridget Irvine, research co-ordinator for the Innocence Project New Zealand, is also on the cards.

Fellow Law for Change members, Laura MacKay and Jonathan Martin, are coordinating this year's Women's Refuge Appeal Week in Dunedin. They are busy planning venues for a full week of fundraisers and have a fantastic committee to help with this.

In conjunction with the developing relationship, Women's Refuge have asked Law for Change Otago to write a research paper into the effects of restorative justice in domestic violence cases. Women's Refuge will provide testimonials and information from their clients and Law for Change will do further research. Karen Heine and Clare Poulgrain are the lead members of this project.

The Moots in Schools programme is continuing again this year, with Education Coordinator Rebecca Ness at the helm, assisted by Law for Change Vice-President Elisabeth Larsen.

Last but certainly not least, Alice Eager and Hugo Van Dyke are working on the Handbook Project, which they originally started a few years back. They have received additional funding to update this, which will be targeted at a national level.

Ship for World Youth Leaders Global Youth Leaders Development Programme (SWY)

A report by Jade Aikman-Dodd



In January and February of 2015, I had the privilege of participating in the Ship for World Youth. At its heart, SWY is designed to encourage cross-cultural understanding, and promote mutual cooperation and respectful engagement between distinct and diverse communities. Other participating countries included Bahrain, Brazil, India, Kenya, Oman, Perú, Sri Lanka, Turkey, and the United Kingdom. Ten delegates represented each country, and Japan was represented by 100 participating youth. I was the Assistant National Leader for the New Zealand Delegation, and in this role I was fortunate enough to meet Shinzo Abe, Prime Minister of Japan. Organised and funded by the Government of Japan Cabinet Office, ours was the 27th voyage of SWY, and the sixteenth time New Zealand has been asked to participate in the programme.

From the outset, SWY was an incredible opportunity to open dialogue and critical discussion within a safe environment, between ourselves and members from other delegations. This characteristic – of opening respectful and critical discussion – is a hallmark of SWY, and has proved to challenge and debunk common and prejudicial stereotypes we hold of

other peoples and their cultures. For me, this was particularly revealing throughout my conversations with delegates from the participating Muslim countries, during our free time as we chatted over a shared meal or a cup of tea.

Our trip throughout Japan was illustrated with a colourful variety of experiences. Whether that be home-staying with a family in Kagawa (from where Udon noodles originate), listening to the local Okinawa community's frustration and anger regarding the on-going American military presence, walking through the empty remains of what used to be expansive suburbs home to thousands of people prior to the 2011 Great East Japan Earthquake, or hearing the stories of loss and survival during the subsequent tsunami, SWY was an unparalleled opportunity that has enabled me to forge links with an expansive network of young and innovative thinkers that literally spans across the far reaches of the planet. I am inspired by the passion of the Government of Japan because of their genuine belief that such initiatives are the foundations for changing the world, as we strive towards a better future for our people and our communities.

My SWY experience provided me with numerous opportunities to promote the University, and I spoke with many delegates regarding degrees in the Humanities (such as Anthropology and Māori Studies), Law, and the sciences. I distributed a number of general University marketing materials, as well as advertisements for specific disciplines (such as law and anthropology). Many were unaware of Otago's prestigious humanities, science, medicine, and law faculties, which sparked wide interest in future potential study in Dunedin.

My deepest thanks go to the University of Otago Division of Humanities, the Anthropology and Archaeology Department, the Faculty of Law, and the University of Otago International Office for supporting me in this programme and allowing me to proudly represent our University, our people, and New Zealand. Having now returned home, my experiences of SWY have reinforced who I am, what I stand for, and what I want to contribute to our society, to ensure that New Zealanders live long, prosperous, and happy lives within a resilient and innovative community.

Triple crown achievement

University of Otago Law and Music student Latafale Auva'a now has a third crown to add to her already impressive collection. The multi-talented student triumphed over talented representatives from across the Pacific region to be crowned Miss Pacific Islands in December.

The win capped off a tremendous year of pageant success which saw Latafale crowned Miss Samoa NZ and Miss Samoa earlier in 2014.

Ask Latafale if she ever imagined such success when she entered her first pageant in August 2014 and she'll answer with a resounding, "Never!"

"My thoughts entering the first pageant were on the ability to see my Grandma in Samoa before she passed away. Now, I represent her legacy of valuing education, faith and family as a Samoan Tama'ita'i (girl)."

After her latest win, she says her mindset has changed toward giving back to the wider Pacific region.



"It is a stark contrast living here in Samoa compared to New Zealand and I am continuously sobered when thinking of how fortunate my lifestyle back home is against the lifestyle of students here."

It's observations like that which motivate much of the activity Latafale is engaged in during her year as Miss Pacific Islands.

Just a few months into her tenure and already she has partnered with several NGOs whose efforts are focused on the region, participated in roundtable discussions on youth issues (the results of which were to be presented to the United Nations in New York), and connected with the Samoan Conservation Society to support environmental efforts.

As well, she has led several of her own initiatives serving in village schools systems setup by various non-profit organisations such as Youth With A Mission, Samoan Victim Support Group and 'Fortress of Faith' Prison Ministries.

She has already journeyed back to New Zealand to represent the Pacific Islands community at Sevens Wellington in February and at Auckland's Polyfest and Pasifika festivals in March.

As if her pageant success wasn't remarkable enough on its own, Latafale was also selected to the Samoan National Women's Touch Rugby Team. In April, she competed in the Touch World Cup in Australia.

"It is not every day one can say they represent their nation at a World Cup event."

In order to dedicate herself fully to her role as Miss Pacific Islands, Latafale is taking a year away from her studies at Otago with the exception of one music paper.

She regularly uses Skype to keep up with speech and singing lessons via correspondence with Otago's Nick Hollamby.

Though she is enjoying the break from coursework this year, she definitely misses her studies, she says.

"It is amazing how much I have craved getting back into some serious thinking with a law reading or a difficult theory to get my head around. Exercising your head in the workforce here with creativity is definitely a different stretch of muscles - but I am learning to enjoy the break I have before I crash back into study next year."

Otago University to Host the 2015 NZLSA Conference

The University of Otago Faculty of Law will be the host to the 2015 New Zealand Law Students Association Conference, which will be held from 25 August – 29 August. The conference is an annual event providing an opportunity for the competition winners of each New Zealand law school to compete at a national level. All the best to our Otago representatives!

Law students compete at the UNICC2015

In early March this year a University of Otago team of Ella Darroch (Law/Marketing), James Little (Law/Finance), Marco Wilkins (Law/Finance) and Hilary Derrick (Marketing) competed in the UNICC2015 case competition, which was hosted by the University of Navarra, Pamplona, Spain. The team competed very well winning the first of the three case rounds.

Hands-on Science

In January this year, the University of Otago held its 26th annual Hands-On Science programme, where 240 high school students from across the country descended on the Dunedin campus to participate in a range of programmes and activities.

The Faculty of Law relished the opportunity to host 24 of the students for an afternoon 'Law Snack'. Students learned the ways in which law and science overlap, with the aim of exposing them to the many practical applications there are with the integrated disciplines.

The students heard from a number of leaders in the field and discussed topics on regulating cyberspace, legal issues in the genetic defence, and legal issues surrounding the public and electronic display of donated bodies.

Discussions were facilitated by Faculty members, Associate Professor Colin Gavaghan (Director, NZ Law Foundation Centre for Law and Policy in Emerging Technologies), the Centre's Research Fellow, Jon Cornwall and Faculty of Law PhD student, Amir Bastani.

The hosts have particular specialties in the areas of legal, ethical and policy issues around new technologies, (including biotechnology, nanotechnology, neurotechnologies and the internet).

The Faculty of Law is also home to the respected Centre for Society, Governance & Science (SoGoS) which promotes and undertakes research on the challenges of integrating medical and scientific advancements with society in the face of changing approaches being used to govern citizens and institutions, as well as their rights, relationships and responsibilities.



POSTGRADUATE NEWS

Bridgette Toy-Cronin

I'm almost there! After three and a half years, including six months away from research for the birth of my second child, I'm almost ready to submit my thesis for examination. Entitled "Going to Law without a Lawyer: Litigants in Person in the New Zealand Civil Courts", the research looks at why people litigate in person and the successes and barriers they encounter through the litigation process. The field research involved interviewing litigants in person, judges, lawyers and court staff, as well as observing litigants in person in court and reviewing court documents.



I had initially envisaged a career in international human rights law and that was the focus of my LLM at Harvard Law School. After a year in human rights practice in Cambodia I decided my future lay in New Zealand. I returned to work in civil litigation with a focus on insolvency. Researching in the area of access to justice has meant I could draw on both my academic background and litigation experience.

I've been very fortunate with my choice of topic as it has become a "hot" subject internationally since I began the research in 2012. The changes to the New Zealand Family Court, which make litigating in person mandatory in many cases, and a string of high profile criminal trials with self-represented litigants, have meant that interest has grown in New Zealand as well.

While I live in Hamilton and completed my undergraduate study at the University of Auckland, I chose to undertake my doctoral studies at Otago because of the reputation of the University and the Law Faculty's Legal Issues Centre. The Legal Issues Centre was established to produce high quality research that has policy impact on access to justice issues, a goal I share. I've been able to work from a distance as Otago has great services for distance students and my supervisors (John Dawson and Nicola Taylor) have been happy to supervise via Skype and email. This has worked well for all of us as we've been able to keep up regular meetings even though we all live in different cities (Nicola is at the Auckland campus, and John is in Dunedin). This arrangement also meant minimum disruption even while John was away on sabbatical for a year.

Doctoral education has many challenges but I consider the payoff has been well worth the effort, it has transformed the way I look at the law and how it is practiced. It is a privilege to be able to spend three years focussing on a topic of my choice and I'm very grateful to the University of Otago and the New Zealand Law Foundation for the generous funding that has made it possible.

One windy Wellington weekday I came home from work as a solicitor in the Treaty team at Crown Law and once more moaned to my wife that legal practice didn't give me enough time to think about things in detail and that I felt like I never had an opportunity to spend enough time on a single idea. Given this was a fairly frequent rant of mine, my wife challenged me to stop moaning and instead make a positive change by taking the enormous step of giving up full time work and starting a PhD. In retrospect, this was not a very surprising decision given I had grown up in a household of academics and many people had told me it was inevitable that I would end up researching and teaching, but it did mark a big departure from the career path I thought I wanted. Up until this point I had been full steam ahead towards litigation, having worked as a Judges' Clerk, a solicitor in London and for the Crown Law Office. However, the academic in me had finally got the upper hand!



Having made the decision to undertake a PhD, the next question was where I would study. I sent off an email to Mark Henaghan, with a very preliminary thesis idea. His response was typically enthusiastic and is what really encouraged me to look at Otago closely. He immediately put me in touch with people who were helpful in developing my initial ideas and he was so supportive, not only about the PhD, but also personally, in terms of a move from Wellington to Dunedin.

After a whirlwind of planning, I started my PhD full-time in Dunedin in 2010. My thesis topic was initially focused on whether it would be possible to tie our system of land registration more closely to our system of resource management, particularly given that, in some senses, resource consents appear to be 'property'. It was not long, however, before Struan Scott and Michael Robertson had me reading deeply into property law theory and coupled with Ceri Warnock and Nic Wheen's environmental law expertise

I quickly developed the genesis of my thesis. What became apparent as I explored the literature was that over the last 50 years private property has become an accepted tool for managing the environment. For example, it is central to both the NZ Emissions Trading Scheme ('NZ ETS') and our Quota Management System for fish ('NZ QMS'). However, many people have concerns about this approach. In large part these concerns are driven by the fact that the prevailing idea of property ("my house is my castle") allows people to assume they can do anything they want with what they own. This leads to concerns that using property to manage the environment may have detrimental outcomes. In essence, it seems crazy to trust the solution to environmental problems to the institution that got us into all these problems in the first place.

What I found fascinating, however, was that when one really looks into the theory and practical reality it becomes clear that private property is, and always has been, a social institution which imposes obligations on owners in addition to rights. This point has been somewhat obscured by the dominant focus on property rights and interests, but nonetheless, when closely considered it is clear that private property is not an absolute right. This observation is very exciting as it helps to explain the way that property operates in environmental schemes such as the NZETS and QMS, and why it is a useful tool of environmental management. Overall, this enabled me to suggest that property need not be viewed as incompatible with environmental protection. In fact, it is being deployed in creative ways to achieve positive environmental results.

Four great supervisors, four years, two children and a lot of new friends later I completed my PhD. Now that it is finished ... I can truly say that it has been one of the most rewarding things that I have done and I am so pleased I chose Otago. Not only was the Faculty of Law a very supportive place to study but the experience has set me up wonderfully for my current adventures in academia as a lecturer at the University of Canterbury. The process of undertaking a degree of this kind has opened up so many new and exciting avenues to explore and I look forward to delving into many of them over the course of my new career.



The Master of Emerging Technologies Law (METL) focuses on ways in which law is responding to the challenges and opportunities afforded by emerging technologies.

Investigate an area of law that has growing international relevance and importance.

For more information, visit otago.ac.nz/law

ALUMNI NEWS

May Graduation

On Saturday 16 May more than 130 students graduated with degrees in law. It was wonderful to celebrate this achievement with both the graduates and their families at the Toitu Early Settlers Museum. As well as wishing the newest Otago Law alumni well with the next stage of their lives, it was also a chance to award the following prizes:

Otago Branch New Zealand Law Society's Prizes

For students completing the LLB/LLB (Hons) degree who have shown general excellence throughout the degree course.

Alec Dawson and Josh Pemberton

Joshua Williams Memorial Essay Prize (Otago Branch New Zealand Law Society)

Sarah Reese – *Rebuilding Babel: Negotiating Meaning in Multilingual Legislation (LAWS453 Advanced Legislation Research Assignment 2014)*

In addition, it is always a particularly special occasion when our students graduate with their PhD, so special congratulations to **Ben France-Hudson**. Ben's thesis was on the topic: *Private property rights and natural resources*.



ALUMNI UPDATES

Don McRae made a Companion of the Order of Canada in the Canadian New Year's Honours List

Donald (Don) Malcolm McRae, C.C. was appointed a Companion of the Order of Canada by the Governor General of Canada, David Johnston, at the end of last year. This is the top rank and a real mark of great achievement in Canada.

Don was recognised for his seminal contributions to the law of the sea and to international trade law as a scholar and advocate. Don is planning to visit the Faculty of Law in 2016, which we very much look forward to.

Kathy Grant appointed Commissioner to the Southern District Health Board

Kathy Grant has recently been appointed Commissioner to the Southern District Health Board.

Originally from Otago, Kathy has spent most of her life in the region and is currently working as a legal consultant at Gallaway Cook Allan in Dunedin.

Kathy is the chair of the Otago Polytechnic Council and a trustee of Sport Otago. She also holds three directorships – Dunedin City Holdings Ltd, Dunedin City Treasury Ltd and Dunedin International Airport Ltd.

Kathy was previously chair of the Dunedin College of Education Council and a member of the Anglican Family Care Board and the University of Otago Council.

Rebecca Thomson wins Ethel Benjamin Scholarship

Congratulations to Otago Law alumna Rebecca Thomson, who is a joint winner of the 2015 New Zealand Law Foundation Ethel Benjamin Scholarship.

Rebecca graduated from Otago University in 2010 with an LLB(Hons) and BA(Hons) in Philosophy and Political Studies.

Rebecca works as a solicitor in Meredith Connell's High Court and proceeds of crimes teams. She will use the scholarship for study towards an LLM at Columbia University on a proposed research project entitled *New Zealand's Crown Solicitor Network: ethical and practical concerns*.

From 2010 to 2011 Rebecca worked as a judge's clerk to Justice Tipping in the Supreme Court. Rebecca has also won a 2015 Pegasus Scholarship to the Inner Temple, London, and in 2009 she won the Otago District Law Society Prize for general excellence throughout a law degree.



ALUMNI PROFILES

SPORTS and the LAW

Bart Campbell – Executive Chairman of TLA Worldwide plc (“TLA”)

Bart is the co-founder of TLA Worldwide plc, a UK listed sports marketing and athlete management agency. Since December 2011 Bart has been Non-executive Chairman and from January 2014, Executive chairman of TLA. The company is head quartered in New York City, with offices in California, Texas, Florida, South Carolina, London, Melbourne, Sydney and Brisbane.

From 2009 until June 2013, Bart was the Group COO of Chime Communications plc (“Chime’s”) sports division, called CSM Sport & Entertainment which had 670+ staff, in 15 offices across 13 countries. During that period he was a member of the executive board of Chime.

Prior to that, Bart was the Group CEO of the sports marketing and management business, Essentially Group plc (“Essentially”) which is part of Chime today, starting this role in 2006. During his tenure as CEO of Essentially, Mr Campbell led the IPO of the business with offices in London, Australia, South Africa, New Zealand, India and Japan.

Since June 2013 Bart has been a shareholder and Chairman of the Melbourne Storm, a premiership National Rugby League team in Australia.

Bart is a former practicing sports and commercial lawyer, with a BA and LLB from Otago University in his native New Zealand. He was admitted to the bar in 1994 before going on to complete a Masters in Commercial Law (Hons) from Auckland University in 1999. He is a Harvard Business School Alumnus, having completed the Advanced Management Program at HBS in 2010 (AMP 179).

Warren Alcock

When I left Napier to begin my degree I wondered how I would survive five years in Otago away from home. In the end, my time at Otago has been among the most enjoyable years of my life, in fact I have never left Dunedin.

I will never forget my first lecture, legal history with Nigel Jamieson. I didn't understand it and I didn't see the relevance of it. However Nigel taught me a lesson I have never forgotten: “If you don't understand something then read it again, and if you still don't understand it read it again ... and so on. Every time you read it you will gain a little more understanding.” It's fair to say I read “Windeyer Legal History” a few times.

I did eventually graduate with a First Class Honours degree in Law and a BA in Economics and I also spent time in the Faculty, first, as a teaching fellow and later as an Assistant Law Lecturer with a primary focus to establish a new course in Māori Land Law.

In 1992 I decided to enter private practice at Gallaway Haggitt Sinclair where I worked for the next 14 or so years (the firm later becoming Gallaway Cook Allan) specialising in civil and criminal litigation, with eleven of those years being spent as a partner.

Many of our graduates have gone on to work in a range of fields. In this edition, we highlight some who have pursued a career incorporating both sports and the law. Find out more about their journeys and careers below.



Richie McCaw and Warren Alcock, photo credit: Paul Daly.

When rugby turned professional in 1995 I was fortunate to have the local Otago and All Black players ask me to represent them. From those beginnings I managed to grow a significant stable of players throughout New Zealand. Eventually I joined fellow Otago graduate Bart Campbell and Lou Thompson in Global Sports Management which specialised in rugby in New Zealand, Japan and the UK.

That business is now part of a UK listed company Chime Communications, chaired by Lord Sebastian Coe and trading as Essentially Group. Bart has departed to become an owner of the Melbourne Storm Rugby League club.

Essentially operates primarily in rugby with offices in every major rugby playing nation in the world. Fundamentally we provide a full service to professional rugby players which includes contract negotiation, placement in rugby clubs in New Zealand and overseas, sponsorship and general management. In addition we have a focus on event management, hospitality and sponsorship activation. Without question we are currently the largest rugby management business in the world.

We represent a significant group of New Zealand's top rugby talent and it's been a real privilege to be involved with such elite athletes. I have no doubt that having a legal background gives you a real advantage in this industry as compared with our competitors who do not have any legal training. I have always believed that an Otago Law degree is the best in New Zealand.

Simon Porter

Growing up in Napier I had settled on pursuing a career in law from a relatively young age. None of my family were lawyers and I didn't even really know a lawyer back then so I can only assume I was inspired by cheesy American TV shows and movies.

Initially my heart was set on attending Victoria. However, my dad took me aside for a little chat after visiting my sister who was studying medicine in Dunedin. After he recounted what he had seen in his week on campus I readjusted my thinking and followed the well-worn path from the Hawkes Bay to the deep south.



Thankfully (maybe for Dad more than me), the University's law school and the Dunedin lifestyle well and truly lived up to expectations and I literally had the time of my life.

After spending a summer clerking in Bell Gully's Wellington office I was approached by Warren Alcock one night at the Dunedin Rugby Club. Professional rugby was still very much in its infancy and whilst I was vaguely aware that Warren represented rugby players I had never really thought about pursuing sports law as a career. However, after spending some time with Warren and the partners at Gallaway Cook Allan, I decided to forego my opportunity in Wellington to remain in Dunedin and work in Gallaway's litigation department alongside 2 very talented practitioners in Warren and Diccon Sim.

Although I now work fairly exclusively in the sporting realm, whilst in private practice (initially with Gallaways and then with Bell Gully and Duncan Cotterill) it was necessary, both from a work flow and development perspective, to work across numerous practice areas. This gave me experience across a number of fields including public law, insurance, employment, criminal, banking and even a little oil and gas.

After spending a season playing very semi professional rugby in Cornwall, England, Warren got back in touch and said there was an opportunity with the Essentially Group in London as a rugby agent. This was really my first foray out of private practice and although I did spend another 18 months with Bell Gully when I got back from England, I have more or less been working exclusively in the sporting field with the Essentially Group since 2004.

Nowadays my work with the Essentially Group can probably be described as 40% legal and 60% client engagement/relationship building. In terms of my day-to-day legal work; I provide in house human resources advice, I draft sponsorship contracts for our athletes, I provide general contract advice for our commercial department and then there is also the dispute resolution side of the sporting world.

I have appeared at numerous on-field disciplinary hearings, a particular favourite being when I represented the Italian team during a 6-nations campaign. Everyone wore headsets and translations were relayed through the headphones in real time. It was a wonderfully formal, British set up that everyone played along with even though it was rendered completely redundant because everyone spoke perfect English. But, we thought a bit of extra time and increased confusion might help our cause so we were happy to play along with it!

There has also been an increase in recent years of off-field misconduct matters to deal with. I don't think that today's rugby players are more poorly behaved than previous generations

but with social media and an increasingly tabloid-like media players are now subject to much more public scrutiny. Most of the players understand that they have standards they need to live up to but whilst you or I can leave our work at the office, being a professional rugby player is a 24/7 profession. This inevitably leads to trouble which it seems inevitably leads to me attending an internal misconduct hearing.

Although my day-to-day activities are not purely legal, I have no doubt that my grounding in law serves me well in 100% of what I do. The ability to be objective, to see matters from all sides of the spectrum, analyse risks and then make a decision are skills that are undoubtedly essential when it comes to helping guide athletes through their professional careers.

Henry Bates

Born and raised in Dunedin I was never in much doubt that I would attend the University of Otago. I was much less certain however, about what I would study. In my final year at Otago Boys' High School I sought some advice from my parents (both Otago Law School graduates) and also managed to persuade members of the PE and Law Faculties to allow me to combine a Bachelor of Laws and a Bachelor of Physical Education.

I started at Otago University in 2003 and my course of study provided a number of challenges including a large number of timetable clashes. This unusual combination of degrees meant my University career was a bit longer than most and included a couple of Summer School papers. It was not until 2008 that I entered the real world joining Wilkinson Adams Lawyers in Dunedin where I worked in a number of different practice areas but developed an interest in criminal and employment law.

In 2009 I moved to Auckland and joined Auckland law firm and holder of the Crown Warrant – Meredith Connell, where I worked on a mix of criminal and civil litigation matters.

Late in 2010 my persistent annoyance of sports lawyer Warren Alcock finally paid off and I was approached by his colleague Simon Porter about a job at the sport management firm the Essentially Group based in Auckland. The opportunity to apply my two areas of study and my interest in sport was one I could not turn down.

I joined Essentially in 2011 at what was a particularly a busy time. New Zealand was hosting the Rugby World Cup and Essentially and its parent company CSM were heavily involved in the commercial aspects of the RWC.

Around this time there was also change within New Zealand rugby as the professional environment evolved. Super Rugby Franchises, and Provincial Unions had become more active in the emerging player space and the pressure on rugby to keep talent from other codes had intensified. This change meant younger athletes were now being approached and contracted by teams at a much younger age. As a result of this change more and more of these young athletes needed specialist advice when considering their futures.



I now have a strong focus on recruiting the next generation of New Zealand's rugby talent and manage Essentially's Talent Identification Network. This is an endless task involving constant communication with athletes, their families, coaches and those involved in high performance roles at the NZRU, Super Rugby Franchises, Provincial Unions and leading High Schools.

Once we are instructed by a client our primary role is to source and negotiate playing contracts either here in New Zealand, or when the time is right, overseas. This process involves ongoing communication and negotiation with the various Provincial Unions, Super Rugby franchises, foreign clubs and representatives from Essentially's global offices. My legal training and experience from my time working in law firms is invaluable during these negotiations and even more so at contract drafting time.

Essentially is also very active in trying to source commercial work, sponsorship opportunities and appearances for our clients. Work in this area involves maintaining close relationships with footwear companies and other major sponsors as well as negotiating and drafting any agreements our clients may enter into.

One of the highlights of the job is when Essentially is able to achieve a result for a young player that will make a real difference to him and often to their family's future. That result may not always be a big financial win but can be as simple as finding an opportunity for a player to pursue his or her dream to be a professional sports person.

As well as the day to day rugby management part of my job, my role at Essentially has given me experience in event and hospitality management, sponsorship and allowed me to be part of some really exciting sporting events both here and overseas.

Stephen Cottrell

Law and sport, how do the two mix? Well quite well actually. I have my own niche firm based in Auckland and solely focused on sport. My clients include New Zealand Rugby, New Zealand Cricket, Valerie Adams, SANZAR, and the NRL.

How did it begin?



I had completed my LLB/BCom at Otago University in 1990 and stuck around for an extra year to do Film Studies and to play rugby (not necessarily in that order). After six mighty years in Dunedin it was finally time to go and I joined Bell Gully in Wellington as a law clerk at the bottom of the food chain. Working life was reduced to research and discoveries with not a sporting case or client in sight.

That changed in 1992 when the New Zealand Rugby Union (NZRU) introduced new disciplinary rules for rugby and the first player charged was a teammate and friend, Filo Tiatia. I represented him at his hearing and thus begun a career long interest and specialty in sports disciplinary hearings.

The next player I represented with Garth Gallaway was Johan Le Roux who infamously bit Sean Fitzpatrick's ear during a Test match in full view of the television cameras. We turned up to the hearing before a three man Disciplinary Committee including none other than the Springboks Team Manager who had already made the decision to send Johan home in disgrace. There was some pretty rough justice handed out in the early days.

After nearly three years at Bell Gully, I spent two years at Cambridge University completing both a Masters in Law and a Masters in Criminology. I kept up the sports law connection by writing a thesis on sports disciplinary hearings.

After three years working in the sports and media departments of London law firms and playing professional rugby for Richmond, I headed home to New Zealand in 2000 to become the NZRU's first in-house legal counsel.

Working the coalface of rugby was a heady mix of commercial, corporate, broadcasting, employment, IP issues and disputes. I was part of the senior management team helping set the strategic direction for New Zealand Rugby as the sport struggled to fully embrace professionalism at all levels of the game. I learnt a lot in my time at the NZRU and that experience has stood me well in terms of my current role as an external adviser to other sports.

My time now is spent on advising mostly sports governing bodies on a mix of legal and commercial issues which range from collective bargaining to broadcasting. I am still heavily involved in advising sports or players in relation to both on and off field disciplinary issues.

I often get approached by lawyers looking to get into sport. Invariably they are looking to work in an area they are passionate about and see sport as the answer. My response is to encourage them to go for it but to temper their enthusiasm with the reality that New Zealand sport is a small market with a limited number of organisations able to afford in-house or external legal resource.

The key is to build contacts and gain experience. To do that you need to create an 'in' – for me that was my mate Filo being the first player cited under rugby's new disciplinary rules. A good way for others to create their 'in' is to get actively involved with their local club or sports organisation at whatever level in whatever capacity they need – board, management, advisor or volunteer.

Law and sport have mixed well for me in my working career to date. Looking forward to seeing how the second half plays out.....

Rose Sewell

If you'd told me when I was 12 that one day I would end up working for Rowing New Zealand, I would have laughed and said, "No, I'm going to be a lawyer." Had you told me again when I was 16, I would have said, "I don't see how a lawyer could end up working for them."

But here I am, after practising as a lawyer for four and a half years, I was lucky enough to be offered a job at Rowing New Zealand and I was able to move my career from one passion to another.

Ever since I was a child I wanted to be a lawyer and I didn't just want a law degree from anywhere – this proud Dunedin-born but Christchurch-raised girl decided my law degree would come from Otago University.



I'm happy to say that law has always been my passion. I'm also lucky enough that at the age of 13 when I first sat in a boat for my high school team, rowing fast became another passion of mine.

I rowed all through high school before heading to Dunedin to study Law and Arts at Otago. While at Otago, I was able to indulge both passions when I rowed for the university team but it's fair to say that during my five years of study, my main focus was becoming a lawyer.

I accepted a job at Christchurch law firm, Cavell Leitch Law, and following my graduation in May 2008, I completed my Admission to the Bar and got on with my law career. However, my other passion was never far from my mind and once settled in Christchurch, I quickly got back into rowing. I initially got back into the sport as a competitor, then as a coach and finally I moved into a managerial role for the top club in Christchurch. I really enjoyed experiencing the sport from a different perspective and I quickly became intrigued about what else this world had to offer.

I think it's safe to say that on the 22 February 2011, life changed for everyone in Christchurch, and I'm no exception to that. Not long after the earthquake, I accepted a position with another law firm in Christchurch, Anderson Lloyd and continued to work at advancing my career but something wasn't 'there' anymore. As much as I loved my job, my commitment to rowing was opening doors and in May 2012

I accepted a job as the Manager of the Southern Regional Performance Centre (Southern RPC). The Southern RPC is part of Rowing New Zealand's High Performance Programme. The main goal of the Southern RPC is to select and develop aspiring young talent from every club south of Blenheim. Looking back, had it not been for the earthquake, I may not have taken up the opportunity with Rowing New Zealand, but when life gives you lemons...

There was definitely an adjustment period as I grew into my managerial role but having recently completed my third National Championships as the Southern RPC Manager, I'm proud of how our team has developed.

My role at Rowing New Zealand has also provided me with many opportunities to further my career. As well as the main national tournaments, there are several age-group and elite competitions that New Zealand competes in all over the world.

I have been fortunate enough to manage three New Zealand Under-18 campaigns and a New Zealand Under-21 campaign in Sydney. I will complete my second Under-21 campaign later this year. One of the biggest highlights for me so far was managing the New Zealand Men's 8 at the Windermere Cup in Seattle in May this year. Our win at the Cup wasn't the only highlight; being part of a team that represented our country so far away from home was a real honour.

Some might argue why I worked so hard to become a lawyer only to end up in another profession. I am proud to say my Otago University Law Degree has helped me immensely in my current line of work – from negotiating sponsorship deals and preparing athlete contracts, to challenging race officials when things aren't right, I will always be happy with my decision to study law. Then there is also the big similarity between lawyers and professional athletes – winning is everything and no effort is too much to get there.

Having experienced first-hand how a law degree permeates a range of industries, I am a strong advocate for the field of study. My job as a lawyer was to best serve the needs of my clients and now my job as manager of the Southern RPC is to best serve the needs of my athletes and when those athletes include the likes of Hamish Bond and Fiona Bourke, it's easy to be excited for the future.



You can also read about some other interesting careers our graduates have embarked upon in the following profiles.

Michael Frawley

I made the fatal mistake of popping into the Law Faculty when I was in Dunedin in May as I ended up being leant on by Mark Henaghan and Lauren Julian to provide a profile for the magazine. So here it goes and the most obvious place to start is at the beginning.

I never intended to be a lawyer, I wanted to be a chef but in the late 70s you had to earn your right to an apprenticeship by washing mountain loads of pots and pans. After 6 months of working late into the night removing carbon and other deposits from various types of containers my employer and I decided to part company - basically I got fired. Upon my return home my grandfather, who thought that I was young and stupid (and he was probably right), presented me with two options - I could either join Air New Zealand with a view to becoming an airline steward or I could go to university and he would cover the fees for the first year. Being young and stupid I took what I thought was the easy option and chose Otago University.

I arrived in Dunedin in 1980 and covered all of my options by studying Law, Psychology and Philosophy. It was at a hop towards the end of the first term that I met my long-suffering girlfriend and now wife Kathrine Hughes. Kathrine went on to be the General Counsel and Company Secretary of the Alliance & Leicester/Santander Bank but that is another story.

In my third year of law I joined the newly established Law Centre so that I could try out some of my new found knowledge on the unsuspecting public under the watchful eye of some of Dunedin's leading lawyers. I paid my way through University by working at the infamous Robbie Burns, which also got me into the world of wine tasting competitions. This culminated in our team of amateurs winning the Wilson Neill National Wine Tasting Championship 1985 much to the consternation of some of the wine makers, judges and writers taking part in the competition.

I graduated in 1983 but decided to study for a Masters of Law degree as I was waiting for Kathrine to finish her degree. I worked out that I could do the professionals course and the first year of my masters together and do the second year while practicing law.



Mark Henaghan will probably shoot me for saying this but I was his first Masters student and I learnt more from him and Kevin Dawkins during the two years that I studied with them than the whole of my law degree.

Another major influence was Peter Churchman QC who was, at the time, a partner at Caudwells (now Anderson Lloyd). Peter took me under his wing and taught me everything I know about letter writing and negotiation and he helped with my thesis in 1985.

I started at Caudwells with a mixed bag of commercial litigation, legal aid criminal and family work. I saw myself as the next Rumpole of the Bailey, albeit younger and then slimmer. However, the turning point came on Christmas Eve in 1985 when my client, who had been caught for a minor traffic offence, punched his girlfriend out in the Court and threatened to kill the Judge. The Judge was busy telling me at a party at the Court later that evening that he wasn't going to hold my client in contempt or for threatening to kill him because it was Christmas, when I had an epiphany and concluded that a life of criminal and family law was not for me.

In 1986 Kathrine and I headed for Auckland, with Peter's blessing and I moved into the world of finance and corporate recovery, ending up at McElroy Morrison, the first of the mega mergers between an Auckland and Wellington firm.

Kathrine and I started to get itchy feet so we did what all self-respecting New Zealanders do and headed for the UK in 1989 for our overseas experience. We didn't know it at the time but it would take us over 20 years to return!

We started in a small firm in Portsmouth that specialised in corporate recovery and restructuring and from there Kathrine headed to the Alliance & Leicester and I headed to Taylor Johnson Garrett, a 52 partner firm in London in 1990 to join their banking department. Their Senior Partner Michael Morrison thought that a recession was coming, and how right he was. The firm was inundated with work over the next 12 years ranging from the restructuring of a wide range of businesses including hotels, football clubs, car manufacturers and restaurants.

The firm's reputation for corporate recovery and restructuring was cemented during this time and it culminated in my becoming a salaried partner in 1992 and the head of the corporate recovery team and an equity partner in 1996. I subsequently became the head of the banking litigation team and in 2002, the head of the litigation department and a member of the management board.

In 2002 Taylor Johnson Garrett merged with Wessing in Germany and this was followed by a merger with the French law firm DeSenilhes & Associates in Paris, 18 months or so later.

I was appointed the managing partner of Taylor Wessing UK and the Chair of the combined firm in 2004 because of my restructuring experience. My role was to make the combined firm, which had 280 partners and 1325 employees work in a joined up way across 11 offices and 5 countries. It suffices to say that I learnt a lot about cultural conflict, law firm leadership, management, processes and strategy during this time and the firm's turnover grew during my tenure from NZ\$254m to NZ\$370m.

While all this was going on Kathrine and I got married in New Zealand in 2001 and our daughters Sophia and Grace were born in 2003 and 2007 respectively.

I stepped down from Taylor Wessing in 2009 and we retired to a lifestyle block in the South Island, as we wanted to bring our daughters up in New Zealand. We spent the following few years renovating a historic lodge and chasing various animals around our pastures but Kathrine concluded in 2012 that I was going “feral” and I needed to find something more intellectually stimulating! I didn't fancy the idea of going back to law with the grindstone of chargeable hours and most of the larger law firms in New Zealand are using a fairly traditional management model and are oblivious to the threat that international firms pose. So what did I do – I applied for and was appointed the chief executive of the Museum of Technology and Transport in February 2013; the repositioning of the museum, so that it is more relevant, is an interesting challenge and something different from law. Will I succeed – watch this space.

Anna Coppage

I recently completed my law degree at the end of 2014, balancing this with an Arts degree, majoring in politics and minoring in English Literature. During my time studying law, I dabbled in commercially oriented papers, irrespective of my non-commerce background. Although I quickly found my passion in the world of business, it would still entertain my peers on a regular basis when I had to google basic definitions of the obligations directors owe to their shareholders.



As my knowledge base grew, so did my desire to work in areas such as business operations, patent, intellectual property and energy regulation. I was unsure how my future was going to play out in these areas but I had decided early on that I could see myself with a career in these types of fields. I was also aware that these were fields that lawyers often grew into, after spending time in a law firm they transition into the industries as opposed to starting in the middle of them. Following several unsuccessful rounds of law firm graduate program applications, I reserved myself to the fact that I was not going to be continuing down the path many law students take. Little did I know this curve ball was going to give me faster access to the industries I wanted to work in than I had ever imagined possible.

Four days after my final exam, I was on a fourteen-hour flight to start my first job and my destination was the land of the maple leaf, Canada. Based in Vancouver, or rather Rain-couver as the locals fondly called it, I was fortunate enough to be offered the opportunity to work for Accenture Consulting in their Energy Customer Services Team. The team provided thought leadership and business strategy solutions for Utilities across the globe in both regulated and competitive markets. The primary piece of research I was involved in, the New Energy Consumer Research Program, is in its sixth years of

publication. The program helps gas, electric, and water utilities understand emerging consumer needs and preferences, to identify new challenges and opportunities and to bring focus to the critical competencies required to succeed in the evolving energy marketplace. Although this opportunity was not law oriented, I thoroughly enjoyed working in the energy sector, which further enforced my initial suspicions that this is where my future will lie.

I am currently completing my Professional Legal Studies, taking the opportunity to spend some well deserved time off and hopefully, weather permitting, ski some of the world class snow New Zealand has on offer.

However, my time off relaxing extends only to a short three months, after which I will be picking up my passport again to migrate north, Singapore to be exact. There, I will be commencing a role at SAP Asia Pacific as Assistant Legal Council to work closely with their legal team and resident QC. The six month in house placement will diversify my knowledge of software licensing, regulatory framework management for IT, employment and intellectual property concerns across a plethora of jurisdictions, nations and languages. Working in house is often a direction many lawyers transition to after working the fast paced lifestyle of the law firm. I, on the other hand, will be coming to the role as a blank slate, ready to absorb advice, information and direction offered by my employer and my colleagues. This role may not directly build on my previous consultancy role in Vancouver, however it will give me some insight into exactly what an in house lawyer does on a regular basis, the thought leadership they are involved in and the management of the legal team within a global technology company.

My experiences so far have taught me that things might not always go to plan. There are multiple pathways in one's working life that may not have been on your horizon. From studying at university, to following the summer internship and through to the field of your choice may not be a path that happens directly as it is not necessarily a prescriptive process. The most important thing is to be as well equipped as possible. For me, it was to be willing to travel, to grasp hold of any opportunities that present themselves and to be prepared that you may be placed in a situation where there are no creature comforts without getting on an international flight. I never realised the currency of an Otago Law degree until I started to apply abroad. The qualification is held in extremely high regard and I continue to be surprised the number of people who not only know of Dunedin but also speak fondly of the campus. Whatever may lie in my future, Otago Law has equipped me with the degree and the life skills that will carry me to wherever my Airbus A380 may take me. I wouldn't have an idea of where I will end up for my next job, however I will always make sure my passport stays valid.

Ryan Everton

Not just a degree.... an opportunity. For me, my tertiary choices were between Harvard, Berkeley or Otago University. I chose Otago. Most people said that I was an idiot for choosing Otago and that I was limiting my opportunity. However, everyday we create our own opportunities, which can come from anything. Often the problem is that we fail to believe in this.

Everyone has a different 'raison d'être' about what University is for. Most people think it is about education. Others think it is about connections. Some say it is about experiences.



It can be all of these and none of these. What is it really? It is another 'opportunity'.

I grew up in Levin, where there were kids who didn't have enough to eat and were without parents who cared. A little further away, a few hours by plane is a local community unable to satisfy their dreams because there is no infrastructure to support them. For me, I saw opportunity. From a young age I always dreamed of being an Entrepreneur, where I could do what I wanted, when I wanted, how I wanted.

My good friend Hamish Pinkham (founder of Rhythm and Vines) changed my view on University. Like myself, Hamish studied Law. His view was, 'you have an abundance of time, hundreds of connections, unlimited resources, everything is cheap and money from the government. Otago is the easiest place in the world to set up a business.'

It is true. University is far more than the degree or the connections you will make. It is a place where you have time to explore. Create and make anything and anything you want.

In my first year of Otago, I set up a pie shop called "Just Pies" selling pies late at night from BBQs outside the Cook. It worked. We sold out. But it was hard work. It was cold. We shut down.

By my third year of Law school I founded Valueroad. Together with my French girlfriend Helene, Valueroad won the Otago Audacious Entrepreneur award with our product 'Globelet', New Zealand's first reusable eco-cup with systems that help reduce waste at major events around the country.

Valueroad has since taken me around the world to meet amazing kiwis doing remarkable things. A lot of those people I met studied law. A lot have careers doing something completely different. Law is a fantastic degree. You can do anything with it. It is what you do with it that counts.

Now, Valueroad is not just about Globelet. It is a blogging platform forming the backbone of our transformation business. Performance coaching. Helping people optimise their physical and mental health, optimise time and learn about setting up lifestyle businesses.

Otago Law offered me the chance to explore and make more than I ever imagined possible. It gave me opportunity.

Eirenei Vailaau-Ah Kuoi

My story goes something like this...

I have always known that I wanted to be a lawyer and I took the 'which Law School?' question very seriously. The answer came in the form of Mark Henaghan who at the last minute request of my Aotea College student advisor, made a detour during a trip to Wellington to visit the handful of us who wanted to know more about



Otago Law. We gathered in the small school library and listened to an animated, humorous and genuine Mark talk about everything from the course requirements to the infamous Wine and Cheese night at the Captain Cook Tavern. I was sold.

The next time I saw Professor Henaghan was while standing in what appeared to be the longest line in history, waiting to sign up for Laws 101. He came right up to me and said 'Hi Eirenei, how's Porirua?' Ha! I made the right choice. Where else does the Dean of the Law Faculty know every student by name and city? I can confidently say that without the absolute support and encouragement from the Law Faculty Staff I probably never would have graduated. But I did, eventually.

I was admitted as a Barrister and Solicitor in Wellington High Court in 2008 which was around the time I started working as a Staff Solicitor at the Whitiwhiri Community Law Centre in Porirua. There is just something about working at the grass roots level of legal service. Clients are largely vulnerable people from disadvantaged backgrounds with diminished access to justice for a variety of reasons. They are beautiful people who more often than not find themselves in a bad situation due to poor socio-economic conditions. It is our job to deliver high quality legal services and find the light at the end of the tunnel. It was my absolute pleasure and honour to serve the people of Porirua through its Law Centre for four years.

The education I received at Otago Law, both in the classroom and out, prepared me for this role. It taught me the importance of empathy, the value of comradery and the pure joy in helping others. The Pacific Island Law Students Association, Pacific Island Centre, Otago Samoan Students Association and the various Samoan Churches in Dunedin provided a much needed support network for me as a Pacific Islander.

In 2013, my husband and I moved to Sydney Australia with a toddler and a newborn in tow. I was admitted as a legal practitioner in the Supreme Court of New South Wales in 2014. I currently work with the Diversity Services Unit of the Department of Justice New South Wales where I volunteer in between being a stay home mum (top job) and a full time student. I currently carry out legal research and resource review for the Department in the area of 'Capacity'. This is an evolving area of study for me as I discover how the legal system seeks to uphold the principles of the United Nations Convention – Article 12 "Equal Recognition before the Law"

Every stage of my career leads to a reflection on lessons taught at Otago. An education which came in the form of tutorials and lectures as well as 'open door policies' and student-staff debates over drinks. An education in 'Law' and in 'Life'. An education so unique and so rewarding. Professor Mark Henaghan after teaching me Family Law in 2nd Year, years later still updates my written reference. That is the beauty of Otago Law. The relationship gets stronger after you graduate and for this I am truly grateful and forever in debt. I am now in the final stages of my Graduate Certificate in a progressive qualification of Masters in Business Administration which I expect to complete early 2016.

Being mum comes first, and spending time with these treasures has inspired me that much more to be better and aim higher. I have every intention of returning to the court room and doing my bit to serve our communities with the tenacity and confidence gained at Otago. I would like to Thank God for his unwavering Love, thanks to the Otago Law Faculty for this honour, thanks to my dear parents Penina and Nove for their prayers, my loving siblings, my darling husband Fred and my precious babies Nove and Eseta for their endless support. #ProudScarfie

FACULTY VISITORS

The Faculty of Law had the pleasure of hosting a number of distinguished visitors this year, some of whom you can read about below.

Suzanne Janissen from Chapman Tripp has been in the Faculty over the first semester this year teaching the LAWS415 paper, Resource Management Law.

Henry J. Lischer, Jr., Emeritus Professor of Law at Dedman School of Law in Texas visited the Faculty in February this year and presented a seminar on the topic: *"Multi-National Enterprise Structuring (for the non-specialist): The Basics of International Tax Planning by Amazon, Apple, and Starbucks"*.

Dr David Fox was in the Faculty on sabbatical from Cambridge and presented the following staff seminars in March: *"Monetary Obligations and the Fragmentation of the Sterling Monetary Union"* and *"Roman and Pre-Modern Origins of the Common Law of Mixed Goods"*.

Andrew Row and Henry Benson-Pope, both recent graduates of the Otago Law Faculty returned to the Faculty to talk with current senior law students about Judge's Clerkships. Henry is a Clerk to the Rt. Hon Dame Sian Elias Chief Justice of New Zealand and Andrew is a Clerk to the Hon. Justice Glazebrook in the Supreme Court of New Zealand.

Dr Richard Cornes from Essex Law School, England was a Visiting Fellow for the Centre for Legal Issues at Otago in March. During his visit, Richard presented a staff seminar on the topic: *"Making up the Judge – Neither dispassionate umpire nor ordinary person. The fair minded and informed observer on Dr Freud's couch"*.

Professor Kathryn L. Tucker, Executive Director of The Disability Rights Legal Center, Los Angeles, USA visited the Faculty of Law to present a public lecture on the topic: *"Advocacy to Expand Autonomy at the End of Life in the US: Evolving Law, Medicine and Policy"*. The Disability Rights Legal Center is a cross-disability civil rights organization, which includes the Cancer Legal Resource Center and the HIV Law and Policy Project. Kathryn was visiting New Zealand as a Fulbright Specialist.

Sabine Brels, Manager of the Global Animal Law Project presented a public lecture on the topic *"Global Animal Law & New Project"*. Sabine was hosted by the Faculty of Law in conjunction with the Otago Student Animal Legal Defense Fund.

The Faculty was also pleased to host **Dr Haythem Ganouchi** and **Professor Daniel Gardner** from Laval University, who were visiting on sabbatical.



Suzanne Janissen



Andrew Roe and Henry Benson-Pope



Kathryn Tucker



Sabine Brels

Save the Dunedin Courthouse!



We are seeking your support to re-open the iconic Dunedin Courthouse.

On 15 May 2015, the Courthouse was closed on the basis that the building needs earthquake strengthening. The tower on the Stuart Street side of the Courthouse has a 15-20% NBS rating, however, the remainder of the building is above code.

The Government has recently identified Dunedin as a low risk area. Low risk areas have 35 years to undertake strengthening work. The Government Department of Justice owns the building and it is the Government that determines the NBS rating required. It would therefore be very poor if the Government refused to bring a building it owns, one of such importance, up to standard.

Many of you would have carried out your plea & mitigation in this beautiful landmark; therefore we are seeking your support for its re-opening.

Anne Stevens, an alumna and local Barrister who is one the champions of this worthy cause, and has outlined some arguments below in favour of re-opening the courthouse:

1. Economic

- i) The Ministry of Justice ("MoJ") owns the courthouse, it leases the temporary courthouse in High Street and in John Wickliffe House. The cost of leasing is in the order of \$500,000.00 per annum. The MoJ invested \$14m in the courthouse in 2001 to refurbish, strengthen and bring its functionality into the 20th century. That investment will be wasted if the building is permanently abandoned.
- ii) The loss of the foot traffic in the lower Stuart Street area impacts on businesses in the area.
- iii) The gradual loss of value in Dunedin's historic precinct if the building is abandoned.
- iv) The costs to court users, for example police prosecutions pay \$12 per fare for taxis to get to the temporary courthouse. Probation use a driver and a

car. These professionals walked to Stuart Street but the distance to High Street and the number of files they have to transport makes that prohibitive.

- v) The potential loss to the Faculty of Law in enrolments because admission in an architecturally significant, category 1, historic court is used as one of its marketing tools.

2. Administration of justice

- i) The Stuart Street courthouse is a dignified, imposing building. It looks the part. Cannot be said of High Street.
- ii) It was built for purpose. High Street is poorly adapted, e.g. one entranceway for all clients, family, civil and criminal.
- iii) The administration of justice is jeopardised by poor facilities, e.g. lack of privacy in talking to clients because of lack of interview rooms at High Street.

3. Dunedin

Its image is irreparably damaged each time it loses an iconic building. Of late Dunedin's historic buildings are being refurbished and strengthened, e.g. Post Office, National and BNZ Banks in Princes Street. It is a backward step to walk away from an historic building particularly one that is already well maintained and functional. It is entirely possible that loss of use could lead to destruction of the building.

What can you do?

- Write to the Hon. Amy Adams, Minister of Justice and copy in the Minister of Finance
- Contact Anne Stevens directly on +64 3 477 8583 or annestevens@xtra.co.nz
- Help to create awareness and build public momentum to bring the courthouse back to life



Michael Robertson – Misty University
To purchase photos you can contact:
The Faculty of Law Administrator
Email: marie-louise.neilsen@otago.ac.nz

The Faculty of Law sends out the alumni OtagoLaw newsletter twice a year.

If you would like to receive this and other information for alumni you can ensure your contact details are up to date at:

database.alumni@otago.ac.nz

To follow Faculty of Law news on Facebook:

facebook.com/otagoLaw

Many of our public and guest law lectures are available to view or you can subscribe to RSS feeds when lectures are available.

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