

OTAGO LAW

Faculty of Law Newsletter
Winter 2018

IN THIS ISSUE

Greetings from the Dean	1
Staff News	2
Publications	3
Access to Justice at Risk	4
Public Engagement	5
Faculty Events	6
Undergraduate News	7
Postgraduate News	11
Faculty Visitors	11
Alumni Profiles	12



Join us on Facebook and like our page
facebook.com/otagolaw



Join us on LinkedIn
tinyurl.com/otagolawalumni

You can keep your contact details up to date at:

database.alumni@otago.ac.nz

law@otago.ac.nz

GREETINGS FROM THE DEAN

Many of you will no doubt have heard that Mark Henaghan ended his iconic Deanship in April this year. For many of you, Otago Law and Mark Henaghan are synonymous. His energy and charisma are second to none and his passion for Otago has been undeniable! I have no doubt that Mark has played a key role in Otago Law's success in his 19 years of being Dean. Students and alumni think fondly of Mark and there will be several emotional farewells in the next few months. Thank you, Mark, for your outstanding service.

While Mark's shoes may be impossible to fill, I am certain and excited that we have a Faculty of clever and talented people who all contribute to Otago Law's strong teaching and research. Otago Law is home to wonderful academics, students and alumni, as the following pages demonstrate.

The Faculty has been a special intellectual home for me for the past 13 years and I look forward to continuing to grow Otago's strength. As we celebrate Otago's 150th anniversary and the Faculty's own 150th in 2023 (note this in your calendars!), the Faculty will be focusing on what legal education should look like in the Aotearoa of tomorrow. It is an exciting project that we are setting ourselves and the challenge will be to honour all that has been good about the Otago Law degree and enhance it for the next few generations of students to come. It is a privilege to play a key role in shaping the lawyers of the future.

The first half of the year has been very busy. Over the past few months we have been visiting New Zealand's towns and cities to tell school students about the joys of studying law at Otago. We have also welcomed a steady stream of students with their parents (often looking with bemusement at our blue skies). They trek down to our campus to get a sense of life in Dunedin and in the Faculty. You can't help but be excited for each student and feel their parents' pride, as well as their apprehension, about sending their children here for four to five years. It is a responsibility we take seriously and is why we strive to maintain a strong and supportive community in the Faculty.



Thank you to the many recent alumni who have joined us in our talks from Invercargill to Kerikeri. Prospective students enjoy seeing and hearing where an Otago law degree can take them. Hearing from a graduate who shares a similar beginning and who is now working in a law firm in their home town, or in a big city, or running their own business, or advising the government or about to head to one of the world's best universities for more study, is inspiring.

Our current students have already chalked up many impressive achievements this year, in the legal world, the local community and internationally. Our Jessup mooting team represented New Zealand well in Washington D.C. in March. The event attracts teams from 95 countries – almost a UN General Assembly – and is one we have not reached for a few years so it was good to be back. We have had success in several competitions this year, which you can read about in this newsletter.

Our students also continue to stand out in the community. They have lead a youth delegation to the UN headquarters in New York, won a global innovation challenge, and are again raising thousands of dollars for the Dunedin Women's Refuge. Several of our graduates have earned prestigious postgraduate scholarships, and will head to top universities around the world over the next few months. We look forward to seeing where they venture next and eventually welcoming them back to New Zealand.

Our research continues to be strong and is having an impact on several national policy discussions, from relationship property to artificial intelligence and gene editing. Our honours students' theses have also generated public interest, covering topical issues such as the Housing NZ meth controversy and the rise of bitcoin markets.

The Faculty clearly continues to thrive! At the forefront of my mind is the need to ensure we have strong connections with practitioners, employers, schools and community organisations so that we serve all of these groups and the community well.

I look forward to establishing relationships and reconnecting with many of you in the years to come. Thank you for your support of Otago Law.

STAFF NEWS

Professor Mark Henaghan heading north

In December, Professor Mark Henaghan announced his decision to take up a Professorship in Auckland, where he will enjoy more time with his family. Mark has been at the Faculty for almost half a century, as a student, academic, and then as Dean. His departure will mark the end of an era, but not the end of his legacy of a supportive and collegial culture in the Faculty, and the hundreds of graduates that he has encouraged and supported over the years, first as students and then as alumni. Mark will continue to teach and research at the Faculty until the end of the year, so it is not goodbye yet!



Professor Jessica Palmer appointed Dean

Professor Jessica Palmer has been appointed as the Faculty's new Dean. Jessica joined the Faculty in 2005, after she obtained an LLM from Cambridge University with the support of the prestigious New Zealand Law Foundation Ethel Benjamin Prize. As well as being a fantastic and well-loved teacher, Jessica has contributed significantly to New Zealand's laws of trusts, contract and restitution, and her work is cited regularly by judges and other academics in New Zealand and overseas.



Farewell to long serving administrative staff

This year we bid a fond farewell to three people who have become familiar faces to law students over the past decade or two

Administrator extraordinaire [Valmai Bilsborough-York](#) and IT legend [Kyle Matthews](#), after many years of helping students and staff, left the Faculty to take up further study at the University of Otago. We are very thankful for their long service and wish them all the best.

After 19 years of leading the Faculty's administrative team and calmly solving a myriad of problems for students and staff, [Marie-Louise Neilsen](#) has taken on another adventure in the University of Otago, as a Manager in the University's new Shared Services Division. We are sure many of you would have received help and advice from Marie-Louise during your time at the Faculty. We will miss her but we are glad she has remained at the University of Otago.



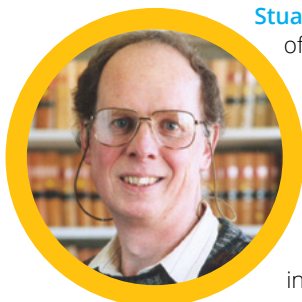
New Centre for AI and Public Policy

The University of Otago is forming a new Centre for AI and Public Policy, headed by [Associate Professor Colin Gavaghan](#) of Otago's Faculty of Law, and Professor James Maclaurin of the Department of Philosophy. This Centre will draw together a number of research initiatives at the University of Otago working on the social effects of AI including the Centre for Law and Emerging Technologies, the Artificial Intelligence and Law in New Zealand Project and the AI and Society Research Group. The Centre will have a formal relationship with the Government, and will act as a hub from which to examine this technology from technical, ethical, legal and social perspectives.



Emeritus Professor awarded

Stuart Anderson has been awarded the status of Emeritus Professor by the University Council, following his retirement in 2017. The title of Emeritus is awarded to those who have made a distinguished contribution to teaching and research in their academic field, and in service to the University in general. We are very proud of Stuart and grateful that he is still regularly in the Faculty. He is a treasured kaumatua.



Expert appointments

Dr Ben France-Hudson has been appointed to the NZLS Property Law Section's new Law Reform Panel.

Justice Minister Andrew Little has appointed **Professors Nicola Taylor** and **Jacinta Ruru** to the 'Expert Reference Group' to support the Independent Panel examining the 2014 family justice reforms. Professor Taylor is appointed as a family law research expert and Professor Ruru as a kaupapa Māori research expert.

Professor Mark Henaghan aids Solomon Islands' legal development

Professor Mark Henaghan visited the Solomon Islands in April with retired High Court Judge and Otago law graduate Sir John Hanson. They worked with the Solomon Islands Chief Justice Sir Albert Palmer, also an Otago alumni, to run workshops for judges and lawyers on processes aimed at helping the Solomons' legal system. The initiative was funded by the New Zealand Government.

To stay up to date with the latest Faculty news, like us on Facebook
facebook.com/otagoLaw

University of Otago 150th Anniversary Celebrations

The Faculty of Law is planning some special events to celebrate the University's 150th Anniversary in 2019, including a retrospective event and dinner at the Dunedin Club on Saturday 1 June, which is Queen's Birthday weekend. This will be a great chance to bring together Otago law alumni from many generations and corners of New Zealand and the world. It promises to be a great weekend in Dunedin! Save the date and watch for more details.

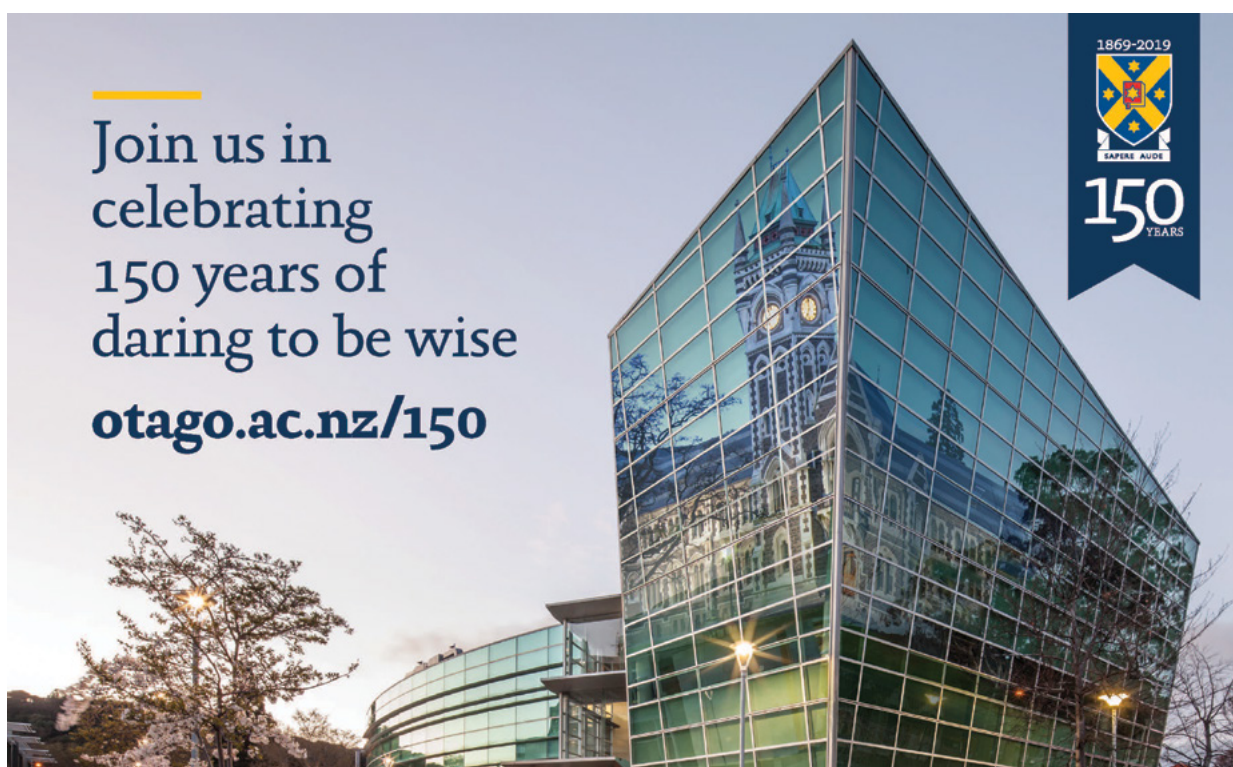
PUBLICATIONS

Otago academics publish book on NZ's family finance laws

New Zealand considers itself to be a progressive society when it comes to family law, but does its property sharing regime still meet society's needs and expectations? Perhaps not, according to a significant new book examining this question, *Law and Policy in Modern Family Finance – Property Division in the 21st Century*, published in early 2018 and edited by Otago Professors **Jessica Palmer**, **Nicola Peart**, **Margaret Briggs** and **Mark Henaghan**. This comprehensive and conceptual review of New Zealand's family finance law has arrived at a critical time, as the New Zealand Law Commission reviews *New Zealand's Property (Relationships) Act 1976*.

The 16 contributing experts, from New Zealand and other jurisdictions, address key questions about the legal division of property when a marriage, civil union or de facto relationship, or other close personal relationship ends. In fifteen chapters, the authors answer elements of three fundamental questions: who should be covered by the property sharing regime, what property should be covered, and how should property be shared at the end of a relationship.

Join us in
celebrating
150 years of
daring to be wise
otago.ac.nz/150



The book was made possible with the support of the New Zealand Law Foundation.



Family Finance authors with book in staff library.

Journals and Reports

The Faculty's publications in the past few months cover a range of topics, including:

Jacinta Ruru contributed to the inaugural *Journal of the Royal Society of New Zealand* review issue, titled "*Ngā Kete: The 2018 Annual Collection of Reviews*". Her review article is, "Listening to Papatuānuku: a call to reform water law" (2018) 48 (2-3) *Journal of the Royal Society of New Zealand*. Jacinta also contributed a chapter, "Te Tiriti me Ōna Whakataū: The Waitangi Tribunal and Treaty Settlements" to Michael Reilly et al (eds) *Te Kōparapara: An Introduction to the Māori World* (Auckland: Auckland University Press, 2018)

Nicola Wheen contributed an essay on "*Southern catchments and the evolution of New Zealand's environmental law*" to a book by the University of Otago Catchments Otago Research Theme, called *Riverscapes – Research Essays on the social context of southern catchments of Aotearoa New Zealand*.

Jane Adam's article on the development of courthouse architecture was published in the *New Zealand Law Journal*: *Majesty and modernity* – [2018] NZLJ 99. The article examines recent successes in restoring New Zealand's judicial heritage, but also asks whether this has been at the expense of ensuring that our courts are fit for the future.

Mark Henaghan and **Julie Everett-Hincks** submitted a report, *The NZ Regulatory Framework as it currently applies to genome editing for primary production*, to the Royal Society Te Apārangi.

Anna High describes how mindfulness can help us drink from the proverbial "fire hose" of law in "The case for mindfulness in New Zealand legal education" [2018] NZLJ 160. Anna's article looks at how other law schools incorporate mindfulness into their programmes, and how the mental technique helps today's digitally distracted law students.

Visit the Faculty of Law website
otago.ac.nz/law/

ACCESS TO JUSTICE AT RISK

The Legal Issues Centre has been shedding light on significant barriers to civil justice in New Zealand and is setting about overcoming them, through several research and engagement initiatives this year.

Factors widening the 'justice gap' include New Zealand's restrictive civil legal aid system, and a declining population of legal aid lawyers, according to a Legal Issues Centre report by **Dr Bridgette Toy-Cronin** and Assistant Research Fellow **Kayla Stewart**, released in May. *The New Zealand Legal Services Mapping Project: Finding Free and Low-Cost Legal Services Pilot Report* uncovers just how difficult it is for people who find themselves in a civil dispute to get free or low-cost legal assistance.

Piloting a method known as "mapping", the report inventoried legal services in Auckland and Otago (the pilot regions), to identify gaps in service provision. The report discussed the results of an audit of registered civil legal aid providers to identify whether they were offering civil legal aid services, and if so, how much of their workload involved providing these services.

The report highlighted that New Zealand's civil legal aid system deters people from taking up legal aid assistance because it is granted as a loan with the imposition of a user charge, interim repayments, interest, and sometimes a security taken over assets.

Legal aid lawyers are becoming as rare as the Kakapo, as the number of registered civil legal aid lawyers has decreased by 54 per cent between 2011 and 2016. Only 150 registered providers work in Auckland and 20 in Otago. Moreover, the audit suggests that approximately one third of these registered lawyers are not currently providing services to civil legal aid clients.

The study's next phase will examine why some legal aid providers no longer provide, or only offer limited, civil legal aid. It will also look at the scope, availability, and accessibility of pro bono legal services, which several lawyers mentioned as being a source of free or low-cost legal services. Thirdly the study will look at the type of fee arrangements or discount arrangements that lawyers are offering and for which categories of clients.

From kitchen tables to High Court benches - exploring access to justice in New Zealand

Access to justice issues were brought to life in the University of Otago's intimate Marama Theatre on 7 June, not in a performance but in a discussion about the unfortunate legal dramas playing out in people's lives across New Zealand. The Legal Issues Centre's inaugural public lecture, *Explorations in Civil Justice*, featured Frances Joychild QC, who writes and speaks widely on barriers to justice; and Sarah Sparks, who has been involved in complicated litigation in the High Court, Court of Appeal and the Family Court – with representation and without. Sarah talked about the millions of dollars she paid in legal fees, and about her experiences as a self-represented litigant, such as what it is like to prepare briefs of evidence at the kitchen table in preparation for appearing

against senior lawyers in NZ's highest courts. Frances Joychild Q.C. talked about receiving phone calls every day from people needing help when they can't afford lawyers' hourly rates or even court filing fees, and the changes that are needed to our justice system. The discussion is available on the LIC's YouTube channel.

Potential ways to halt the erosion and rebuild pathways to justice were discussed, including the raising of legal aid rates to attract lawyers back into the legal aid system, making legal aid and court processes more user friendly, involving students and graduates in pro bono work, and introducing a pro bono clearing house, as practiced in many other countries.



Justice Panel Discussion.

Otago animations developed to demystify the court room

To help people overcome the foreign and alienating feeling of going to court for the first time, the Legal Issues Centre teamed up with the Auckland Community Law Centre to develop a series of animated videos explaining common legal terms and situations for the general public, which were released earlier this year.

The Centre initiated this project after its own research found that people have difficulty accessing information about the process of bringing or responding to a civil dispute. To overcome the intimidating nature of first time appearances in court, the animations offer clear visual explanations that summarise and supplement the existing text-based information.

The Centre developed nine videos, including explanations of where to go to get help with a legal dispute, the different ways a person can be represented, and civil legal aid. Future videos will eventually span the length of a civil dispute.

The centre expects that clearer understanding of the court rules may lead to better access to justice and greater efficiency when lay people are representing themselves in court.

The videos are available on the Legal Issues Centre's YouTube channel: youtube.com/channel/UCLoNqwybxCeLOjX1MwmzxA/featured

The animations had significant input from the University's multi-talented students. The first nine videos were animated by Jacinda Kumar, a recent Media and Communications graduate of the University of Otago. Bayden Harris, a current law and history student, assisted with background research and script writing. Jacinda and Bayden received summer research scholarships.

The Centre has granted a research scholarship to Catherine Chin, a communication design student at Otago Polytechnic, who will work on animating the next videos in the series as a part of her third-year course work. The Centre is excited to be collaborating with the Polytechnic for the first time, on a project that brings together legal knowledge, artistic talent, and technology.

Is the future of justice online?

The Legal Issues Centre has commenced recruiting Dunedinites to participate in its study about how effectively people might explain a dispute to an online court. This is part of a larger project co-funded by the New Zealand Law Foundation and led by **Dr Bridgette Toy-Cronin**. The results will help answer the important question, can online courts improve access to justice? Participants will complete one session during which they will read material, talk with another participant, and use a computer to explain a dispute.

Dr Bridget Irvine is running the study.

ACADEMIC AND PUBLIC ENGAGEMENT

The Law faculty hosted 10 school students from Balclutha to Kerikeri in January, as part of the University of Otago *Hands-on* programme, in which young people experience a week of university life. The visiting school students found the unexpected around every corner during their programme. They began with a visit to the Dunedin Central Police Station, where they took part in a mock crime scene and arrest. They also visited the courts, where they observed a sentencing and afterwards spoke to Otago alumnus Judge Michael Crosbie. The students also learned about *The Innocence Project* and practiced some witness examination skills. Having enjoyed a rare glimpse into the inner workings of New Zealand's justice system, the students will now look at justice through very different eyes and with the ability to see situations from different points of view—surely great training for life!



Ruth Ballantyne spoke at the Rethinking Legal Parenthood Symposium (part of Te Kohūki Ture Kōpū Whāngai/the Rethinking Surrogacy Laws Project) at the University of Canterbury, sponsored by the New Zealand Law Foundation. Her presentation was entitled *Birth Certificates, Whakapapa, and Legal Parentage in Aotearoa New Zealand*.

Simon Connell spoke on 'Consensus, correction and conscience: formal and substantive reasoning in the requirements for rectification,' at the Ninth Biennial Conference on the Law of Obligations at Melbourne Law School in July.

Ben France-Hudson presented his paper *The Recognition of Covenants in Gross in New Zealand: A Dangerous Advancement?* at the 12th Biennial Modern Studies in Property Law Conference 2018, UCL, London. He also presented his paper "Continuity and Change – The Land Transfer Act 2017" to the NZLS CLE Ltd: *Property Law Conference – Change: it's inevitable*. Ben co-presented the paper with Robbie Muir, the Registrar General of Land. Ben cast a critical eye over some of the significant changes from a practitioner perspective highlighting some of the hidden fishhooks.

Two of our academics advised on the running of a citizens' jury on whether or not to legalise euthanasia and assisted dying in New Zealand, held at the University of Otago earlier this year. **Colin Gavaghan** spoke to the jury as an expert advisor and behind the scenes, while **Andrew Geddis** was part of the team advising on how to run the jury.

Colin Gavaghan joined a panel discussion on The End of Life Choice Bill with Drs Janine Winters and Simon Walker from the Bioethics Centre, in April. Colin also gave a Michael Kirby Seminar at the University of New England on 14 May on *Thinking Outside the (Black) Box: The Problems and Perils of Algorithmic Decision-making*. He also spoke at Privacy Week in Wellington on 9th May.

Andrew Geddis presented a paper co-written with Jacinta Ruru on recent legislative moves to declare geographical entities to be persons at the bi-annual Public Law Conference held at the University of Melbourne, Australia, on 12 July.

Mark Henaghan and **Julie Everett-Hincks** presented at Royal Society Te Apārangi Gene Editing Stakeholder Workshops in Christchurch, Wellington and Auckland to representatives of ministries, regulators, research institutions, and school students. The workshops engaged school students in discussions and live online polling.

Jessica Palmer spoke on trusts at the annual *Lawlink* Conference in Blenheim in May.

Nicola Peart spoke to the South Island District Court Judges, updating them on trust law. In May and June Nicola also addressed the NZLS Elder Law Conference in Wellington and Auckland with Law Commissioner Helen McQueen on the Property (Relationships) Act: Law Reform Issues. She also spoke to the STEP conference in Auckland on Relationship Property Law and Trusts.

Paul Roth was on a panel at the Privacy Commissioner's Privacy Forum 2018, "GDPR developments: Implications

for New Zealand", on 9 May. Paul was also contracted by a Berlin-based consulting firm that holds the contract with the European Commission to provide advice on New Zealand compliance with the GDPR. Paul also spoke to South Canterbury school principals in Timaru on the Privacy Act and the new Privacy Bill.

Marcelo Rodriguez Ferrere spoke about *Animal sentience and the limits of symbolic legal reform*, at the Global Animal Law Conference hosted by the University of Hong Kong Faculty of Law.

Jacinta Ruru delivered the University of British Columbia Law School Marlee Kline Memorial Lecture, *Honouring Our Ancestors in Law: Legal Personality and Indigenous Governance of Lands and Waters*, on 31 January, in Vancouver, Canada. Jacinta also delivered the opening keynote, *Nourishing Indigenous Ancestors: The Legal Empowerment for Revived Indigenous Peoples' Care for Lands and Waters* at the Society for Conservation Biology Oceania Conference, on the 3rd of July in Wellington. In March, Jacinta presented a keynote, *New Foundations: Cementing in a Place for Māori Law in Resource Management*, at Breaking New Ground, New Zealand Planning Association Annual Conference, in Tauranga.

Jeanne Snelling presented on *New Technologies Old Debates: Human Germline Genetic Modification in the 21st Century* at Victoria University in May. Jeanne outlined the legal, ethical and social challenges of new genetics technologies such as CRISPR/CAS-9 gene editing. Jeanne also presented with Associate Professor Debra Wilson at the ICM Neuroethic Network Symposium in Paris in June. The talk was entitled *Compulsion Orders for Neuro-Evidence*.

FACULTY EVENTS

May Graduation

Congratulations to the 154 of our law graduates who celebrated their capping on Saturday 19th of May. On a beautifully crisp Dunedin night we celebrated their achievement at the Toitū Otago Settlers Museum with over 350 graduates, friends and family.

Otago Law Society President John Farrow, and Dean Professor Jessica Palmer, presented the 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. The recipients were **Owen Wilkinson** and **Mitchell East**, who both completed LLB(Hons).

The Joshua Williams Memorial Essay Prize was awarded *in absentia* to **Alex Christie**, who graduated in December 2017. Alex's essay was on the preventive use of Community Treatment Orders under New Zealand's Mental Health Act, and was supervised by Professor John Dawson.

Professor Mark Henaghan awarded the Thomson Reuters prize for best research dissertation to **Olivia Klinkum**. Olivia's LLB(Hons) dissertation was entitled *Courts That Heal? A Critical Evaluation of New Zealand's Specialist Criminal Courts and Their Therapeutic Underpinnings* and was supervised by Professor Geoff Hall.





UNDERGRADUATE NEWS

Showing class outside of the classroom

Our law student **Hazel Heal** is a courageous campaigner for access to generic Hepatitis C medication. A Hep C survivor herself, Hazel has worked very hard to secure treatment for others by breaking down barriers to access to drugs that can cure Hep C. Hazel recently presented her story at the NO Hep Village, Global Hepatitis Summit 2018 in Toronto. You can watch her presentation on [YouTube](#). We are extremely proud of Hazel and the way she is deploying her legal skills to help so many!

For most students, crisp mornings and falling leaves signal the time to hunker down and get their assignments done, but this April saw Law and Commerce student **Cory Morrison** preparing for a different kind of test, this one in the heat and humidity of the tropics: international test match rugby. Cory, born and raised in Guam, was selected to play for Guam's 'Flying Proas' at the Asia Rugby Championship Division III East tournament in Brunei in May. Cory took a break from his readings and flew to Brunei just a day before the team's first game, against Brunei. "We played in sweltering 32-degree heat. We beat Brunei 66 – 12 but lost nearly four kilograms in sweat while doing so," said Cory, adding that playing for his country was an unforgettable experience. "Playing international test match rugby for your country is something not many get the opportunity to do. Many young Guamanians live throughout NZ, so hopefully my brother and I have paved the way for young athletes to embrace their roots and grab such opportunities with two hands." The Flying Proas beat China 55-12 to claim the tournament victory. After that it was back to Dunedin's chillier climes for some academic tests.



Law student and orchardist **Hamish Darling** won the Central Otago Young Fruit Grower of the Year competition in Cromwell, as reported in the [Otago Daily Times](#), in May. Hamish is a third-generation orchardist and a fourth-year law student at the University of Otago. Hamish's tasks in the competition included tractor maintenance, fertigation, first aid and pest identification. We bet he aced the latter due to his knowledge of *Donoghue v Stevenson*.



Third year law student **Ihlara McIndoe** led a New Zealand youth delegation to the UN Commission on the Status of Women in New York in March. An accomplished musician and music teacher, Ihlara is pursuing a degree in music as well as her degree in law, and is using this rare combination to help her community. Ihlara was selected to lead the delegation by the Aotearoa Youth Leadership Institute, which trains and inspires new generations of leaders for New Zealand. Each delegate participates in a supervised research fellowship and is encouraged to contribute new skills and knowledge to an organisation in their community. Ihlara intends to focus on how music helps women in the community. "I'm very interested in how community groups can provide platforms for women to connect with each other," says Ihlara, who is an ambassador for the New Zealand Symphony Orchestra and Chamber Music. Ihlara says her legal education is helping her take on leadership in issues she is passionate about. "Studying law has enabled me to critically examine problems and think out of the box to find solutions. It has prepared me well to lead a delegation to the UN."

Ihlara's account of her time at the United Nations was featured on the website [The Spinoff](#).

Otago students **Carolyn Ding**, **Rebecca Good**, and **Nick White**, who all happen to be our law students, have taken the top prize at this year's World's Challenge Challenge competition at Western University in London, Ontario, a four-day innovation competition aimed at generating solutions to significant global issues. The team earned \$30,000 (CAD) to put toward their winning innovation, which aims to increase people's uptake of electric vehicles: an electric car charging network app called E-Hop. "E-Hop is like Airbnb, but for electric vehicle charging points," Rebecca explains. It aims to overcome battery range anxiety and increasing the number of EVs on New Zealand roads. Find out more at otago.ac.nz/otago-connection/otago687163.html



Jessup Moot Odyssey: Otago goes to Washington

After six months of intense training and the preparation of 50 pages of preliminary submissions, in March our marvellous mooting team of **Patrick O'Boyle**, **Olivia Klinkum**, **Zared Wall-Manning**, and **Matthias Schorer** headed to Washington D.C. to represent NZ at the Philip C. Jessup International Law Moot Court Competition. Accompanying them was inspirational coach Marcelo Rodriguez Ferrere. The team's participation was made possible thanks to the generous support of the New Zealand Law Foundation.

In Washington, the team took up the international border and nuclear-tinged disputes of the (fictitious) People's Democratic Republic of Anduchenca and the Federal Republic of Rukaruku. In the early rounds they mooted against Lesotho, Turkey, India and Greece, but despite a tremendous effort did not make it through to the finals. We are very proud of the way the team represented the Faculty of Law and New Zealand in a field of 95 nations.



Student Law Competitions breed new generation of champions

SOULS organized an excellent round of competitions this year, with much appreciated help from senior practitioners and members of the judiciary who provided rigorous judging. The winning teams have already gone on to perform well in Australasian competitions.

Witness Examination

Two compelling performances captivated an enthusiastic audience as students **Robert McDonald** and **George Mander** competed in the final of the SOULS Otago Witness Examination Competition, sponsored by Minter Ellison Rudd Watts. Judge Michael Crosbie and MERW Partner Aaron Lloyd remarked on both competitors' natural talents and said with continued hard work they can go on to be excellent trial lawyers. Robert McDonald secured a closely fought win, after successfully defending his client, a student who had allegedly imported drugs couriered into the living room of his own flat, using his own computer.



Mooting Competition

Phoebe Clifford and **Sam Becroft** took out the Bell Gully Senior Mooting Competition, narrowly defeating **Erin Gourley** and **Isabella Hawkins**. Presiding as judges were Justice Miller from the Court of Appeal, Trevor Shiels Q.C. and Tim Smith, litigation partner at sponsor Bell Gully - an all Otago bench! It was gripping drama as the students tackled, in the words of Justice Miller, a magnificent mooting problem with practical and philosophical problems and with each party wanting relief from contracts they freely entered into. Each of these dimensions featured in the bench's

questions, which relentlessly (but not unkindly) cut to the bone of the students' submissions. The students met these challenges admirably and, in the end, the judges described their performance as extraordinary, particularly from the third years in their first moot. Justice Miller especially praised the students' written submissions for their brevity and well-structured laying out of the arguments.



Negotiation competition

Joe Bolton and **Grace Titter** won the Buddle Findlay Senior Negotiation competition, securing a good outcome for their professional tennis player client, after negotiating with **Artem Piatine** and **Tom Raine**, who represented another tennis pro in a financially tricky but amicable break up of a sporting and business partnership. All four negotiators did well to maintain a calm and constructive demeanour as they navigated a chess-like discussion, before making some big plays as the final time bell approached.



Client Interviewing competition

The client interviewing competition was judged by Anita Chan Q.C., Associate Professor Selene Mize, and Professor Mark Henaghan. From a large field of 54 participants, **Omar Shahin** and **Nick White** emerged victorious in the final, ahead of other finalists, Bryn Jenkins & Monica Bae, and Cait Addison & Alice Black.



Success in Australia

Having won the cliff-hanger Otago Moot, **Phoebe Clifford** and **Sam Becroft** went on to win the 2018 Allen & Overy Private Law Moot in Sydney on 21 May. This went one better than last year's Otago team and was the first final win in a long time. Phoebe and Sam overcame having to moot on their 'weaker' argument in the final. The Allen & Overy Private Law Moot, hosted by UNSW Law, is a prestigious inter-varsity mooting competition, bringing together some of the best mooters from Australia and around the world. The moot focuses specifically on private law and commercial topics.

At the Australian Law Student's Association conference in Adelaide in early July, **Rob McDonald** and **Omar Shahin**, and **Nick White**, won through to the semi-finals for witness examination and client interviewing respectively.

Student welfare

SOULS ran some fantastic Wellness Week activities to refresh the minds and bodies of their fellow law students, and a few staff as well. The week of refresh included a walk through the Botanical Gardens and back for breakfast, yoga, mindfulness, a very popular OWLS (Otago Women Lawyers) lunchtime talk on "What I wish I knew in law school," and a baking competition which produced some unbelievably good submissions.

Te Roopū Whai Pūtake

Te Roopū Whai Pūtake began the year with an intense week, binding course materials for students as a fundraising activity, with thanks to the many students who helped with the mahi. To kick off the year there was a very impressive turnout for the First Year Breakfast and Second Year Dessert night. Throughout the semester Te Roopū Whai Pūtake held fortnightly study evenings and waiata evenings, and whānau gatherings.

Te Roopū Whai Pūtake had the honour of two special visitors talk to the taura this semester:

Moana Jackson, a Māori lawyer specialising in Treaty of Waitangi and constitutional issues, visited the University on 26 April to meet Māori students from the wider campus. Jackson, of Ngāti Kahungunu and Ngāti Porou descent, is Director of Nga Kaiwhakamarama I Nga Ture (the Māori Legal Service) which he co-founded in 1987.

Judge Sarah Reeves, of Te Ātiawa, an Otago graduate and the resident Judge for the Te Waipounamu District of the Māori Land Court from the Māori Land Court visited on 27th April to the taura about "life after law school".

We are looking forward to celebrating Te Roopū Whai Pūtake's 25th Anniversary on 7 and 8 September. See the Te Roopū Whai Pūtake Facebook page for details.



The Pacific Island Law Students' Association

The Pacific Island Law Students' Association (PILSA) continues to grow and strengthen each year as shown by a busy first semester. A Pacific Law Welcome in early March saw a great turnout of new and returning Pacific law students. The new PILSA Curriculum Vitae and Interview skills workshops were very popular and helped Pacific students with the summer clerkship application period. A mentoring programme for junior Pacific law students, 'PILSA Buddies' also kicked off this year.

In the first ever joint SOULS and PILSA event, law students joined forces to clean up rubbish from St Clair and St Kilda. It was a great opportunity to foster the bond between SOULS and PILSA as well as provide the wider law student body the chance to engage with PILSA.

Otago shines at Pacific Law and Culture Conference

Otago Pacific law students contributed significantly to the Pacific Law and Culture Conference, hosted by Canterbury University and the UC Pacific Island Law Students Society on 2-4 July. The biennial conference aims to increase the understanding of Pacific legal issues. It was a great opportunity for Otago Pacific Island law students to meet other Pacific law students, academics and professionals from across NZ and the Pacific to discuss important legal issues that affect Pacific communities.



The conference attracted national media attention, with the President of the Pacific Island Law Students Association at Otago University, Nera Tautau, telling RNZ News that the conference was very important for the legal sector. "I think this might be the biggest gathering of Pacific law students and academics and practitioners in New Zealand and so it is a great opportunity for us to all meet and network with each other and talk about our ideas, voices and issues about Pacific," said Nera about the conference.

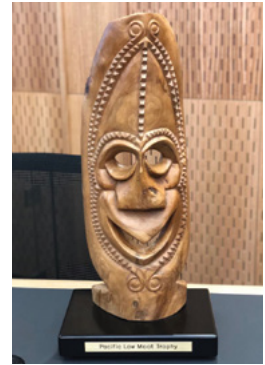
Otago staff and students gave five presentations at the conference:

- Student **Nera Tautau** presented on *Whangai, their status and legal rights in succession to Māori freehold land.*
- Student **Melania Napa'a** presented on child protection laws in NZ & Tonga, in her talk *"Comparing and Contrasting NZ and Tongan Law about Protecting Children from Abuse."*

- Student **Tausala Fruean** presented on *"The discrimination of women in Samoan customary law."*
- **Professor John Dawson** presented on *"The 'honour of the Crown' doctrine in New Zealand?"*
- **Dr Iati Iati** (from Otago's Department of Politics and also a law student) presented a talk asking *"Is Samoa's Land Registration Act 2008 constitutional?"*

Otago contributes Pacific Law Moot Trophy

This year Otago not only performed strongly in the Pacific Law moot, reaching the final, but also made a special contribution in the form of a new mooting trophy. In the Conference's early years, the University of the South Pacific donated a carving from Vanuatu to the University of Otago. Professor John Dawson had this made into a trophy and the Faculty has donated it as the new Pacific Law Moot Trophy.



This year's moot topic was on a customary land issue and freedom of religion, which are very topical issues for all Pacific Island nations. Otago's mooting team of **Donelle Rota** and **Patrick Gibson** did very well to make it to the final of the moot. Judging the final were Judge Moala (Auckland District Court), Judge Fatiaki (Vanuatu Supreme Court), and Professor Jennifer Corrin (University of Queensland). The PILSA team were edged in the final by a talented team from the Victoria University of Wellington.



POSTGRADUATE NEWS

Michael Morrison has been awarded a New Zealand Law Foundation PhD Scholarship to research and evaluate legal mechanisms regulating the placement of children in state care. His research is entitled *Long term care options for tamariki in Aotearoa New Zealand: A critical examination into long term fostering and adoptive practices in New Zealand*.

Hugo Dobson, 2016 graduate, has been awarded a W.M. Tapp Studentship to study at Gonville & Caius, Cambridge. This is a tremendous achievement. The last known recipient from Otago was Dr David Fox, who now holds the Chair of Common Law at the University of Edinburgh. After graduating Hugo clerked at the Court of Appeal and is working in commercial litigation for Chapman Tripp before heading off to Cambridge.

Subscribe to the Otago Law Review

In 2015 the Otago Law Review published its 50th Anniversary issue. The annual publication continues to be a widely recognised vehicle for articles relevant to students, academics, and legal professionals. The Otago Law Review contains content from domestic and international "town and gown" contributors on a broad range of topics, which means it consistently adds to the critical appraisal of legal practice in New Zealand and beyond.

If you are not a current subscriber and would like to subscribe to the Otago Law Review, please write to: The Secretary, Otago Law Review Trust Board, c/- Faculty of Law, University of Otago, PO Box 56, Dunedin, New Zealand or email law.review@otago.ac.nz.

For more information on the Otago Law Review and to access back issues, visit: otago.ac.nz/law/research/journals/otago036503.html.



2013 graduate **Rachael Jones** has been awarded the Fulbright-Ngā Pae o te Māramatanga Graduate Award, to undertake postgraduate study at a US institution in the field of Indigenous development. Rachael has been working in litigation for Chapman Tripp, and has advised iwi on issues relating to Treaty of Waitangi settlements, as well as growing post-settlement assets – most recently appearing in the Supreme Court acting for Ngāti Whātua Ōrākei. Rachael will complete a Master of Laws specialising in constitutional and Indigenous law at Colombia University in New York. Rachael has also been awarded the 2018 Yvonne A M Smith Scholarship, and the Spencer Mason Charitable Trust Scholarship, for Auckland-based lawyers.

Otago's first Samoan Law PhD, **Dr Fanaafi Aiono-Le Tagaloa**, has been elected President of the Samoa Otago Alumni. Fanaafi is CEO of the Samoa International Finance Authority, a role she was appointed to in 2016 by Samoa's Cabinet.

2012 graduate **Matthew Dodd**, has been accepted into the Harvard LLM programme, starting later this year.

FACULTY VISITORS

The Faculty of Law is always very pleased and grateful to host distinguished visitors throughout the year for discussion, seminars and guest lectures. They add depth and richness to our teaching and research, and the visitors we have hosted in the first half of this year are no exception.

Guest lectures

Katherine Beck, President, NZLS, spoke to the Ethics class on 27 April about the Law Society's response to the issue of sexual harassment and bullying in the legal profession.

Dr Emily Henderson, honorary research fellow at Auckland University and former Crown Prosecutor spoke to the Evidence class on 2 May. She discussed the cross-examination of children in criminal proceedings, including international developments aimed at improving protection for vulnerable witnesses and possible directions of reform in New Zealand.

Staff Seminars

Oliver Quick, University of Bristol, gave a talk on Medicine, Mistakes and Manslaughter – a Criminal Combination? on 24 April. He spoke about recent convictions of UK healthcare professionals for gross negligence manslaughter, traced the history of this controversial crime and considered whether such prosecutions are an appropriate response to medical failure.

Judge Reeves from the Māori Land Court visited on 27th April to the taura about "life after law school".

Emma Peart, Senior Solicitor, MinterEllisonRuddWatts visited on 21 May, and gave a staff seminar on the State of Play and Current Issues in Domestic and International Commercial Arbitration, and a student seminar on International and Domestic Commercial Arbitration.

David Rubenstein Washburn University School of Law, spoke on "Immigration Blame". His research is about how blame dynamics shape the politics, policies, and structures of the U.S. immigration system.

Vincent Rivollier from Université Savoie Mont Blanc visited on June 6-28 to study New Zealand's ACC and accident compensation system.

Matthew Harding, Deputy Dean, Melbourne Law School, spoke on 'Trusts and Purposes' on 12 July.

Alumni Profiles

Hamish McDouall: from Mastermind to Mayor



If you needed a protagonist to trace New Zealand's changing cultural, sporting and political fortunes since the late eighties, you would do well to pick up the story of Hamish McDouall as an Otago law student living on the beerline in late '80s Dunedin.

In the 30 years since he first roamed the corridors of the Faculty of Law, he has conquered New Zealand's most popular TV game shows, chronicled our cricket team's ups and downs, acted in Treaty of Waitangi cases and small-town disputes, and battled in the local and national political arenas.

It's no wonder his face looks familiar as I find him wandering through the Faculty, mobile to his ear, in jeans, trendy t-shirt and sports jacket, beneath a youthful yet tidy mop of fair hair. Don McGlashan? No, too young, though he does have the classic look of a Kiwi musician about him. As he ends his call and strides over, hand extended, the mystery is solved. "Hamish McDouall, Mayor of Whanganui." Of course, Hamish McDouall! Sale of the Century! Cricket!

Hamish is in town to support the Masters Games, which alternates between attracting hordes of weekend warriors to Dunedin and his hometown of Whanganui. It's a fortunate symmetry, as his love for Dunedin clearly endures. Before stopping into see us he has enjoyed wandering the sunny streets and listening to the Hocken Library's collection of rare Flying Nun records, perhaps reminiscing about the "good fun" of his Radio One days.

Sitting down to talk, we begin with the first of Hamish's two stints at the Faculty, the years 1987-1991. He is quick to mention his infamy for failing Jurisprudence twice. He remembers, after his third try at the exam, walking down the street and chancing upon Jurisprudence lecturer Michael Robertson, who simply said, "You got there."

He is not as quick to mention what he was 'really' famous for, at least for any avid follower of late 80s New Zealand Television: Hamish McDouall was 1989 Sale of the Century champion. These were the days when New Zealanders were still buzzing about having a third TV channel, and Sale's 7pm timeslot on channel ONE was a national post-dinner ritual. Hamish's win was a classic, rags to riches story, albeit on a Dunedin scale. "Going from a poor and struggling student to having a year's worth of study in my bank account overnight, it was staggering."

The following year the young law student cemented his place in television history, becoming 1990 Mastermind champion on the back of his knowledge of the life and works of David Bowie.

Hamish went on to apply his incredible capacity for trivia to New Zealand sport, and cricket in particular. Among his four published books is an official biography of '90s New Zealand cricket hero Chris Cairns. He took great pleasure in writing the book, though it took lot of hard work, at a time when he had returned to the Faculty to complete his law degree.

No sooner had he finished his law degree in 2003 than Hamish found himself working in another seminal area of

New Zealand history. "My first court appearance was in the Court of Appeal—as a junior but nevertheless it was an intense upswing from student life."

He was working on a Treaty of Waitangi case and was up against the Legal Services Agency (predecessor to the Legal Services Commissioner). Somewhat surreally, he suddenly faced a bench of names whose judgments he had studied while at Otago: Blanchard J, Tipping J and McGrath J. "It was amazing. [The judges] were funny, remarkable to watch, great jurists."

Most unexpectedly, at the hearing's end, McGrath asked Hamish to approach the bench. "That tie your wearing, where did you get it?" It was Hamish's old ("and only") school tie. Unbeknownst to the junior counsel, McGrath had attended the same Whanganui school as him. The newly-minted lawyer also enjoyed the result: "We smashed them, which was great!"

After 15 months of Treaty law, Hamish followed the winds of history to an unexpected place: The United States of America. "It was 2004, and I was dared to go and help change the US government. Back then we thought George Bush was a bad president," he says, alluding to a new bar which may have been set recently.

Finding himself in Jed Bartlett territory—New Hampshire—the Kiwi political pilgrim combined his legal skills with an emerging taste for political battles, and perhaps some Otago scarfie nous, to turn out the vote for the Democrats, as he recounts.

"Each party has a lawyer at the polling booth to monitor voter access. Democrats tend to want more people to vote, Republicans fewer. It was fascinating to see who was excluded."

Hamish credits his quick thinking and actions in getting more people passed Republican-led blocks before the polls closed. "It was 6:55pm, five minutes before closing, but the voting queue stretched out onto the street. A Republican lawyer insisted that anyone not on the booth grounds at 7pm would be turned away. So, I rounded up some volunteers to get those voters inside the gate. We herded them into a long snake around the grounds. I like to think I increased the franchise by 200 people."

Returning to New Zealand, Hamish began work at Bell Gully's law library. But politics beckoned again, this time in home territory—Whanganui, where he was invited to stand for the New Zealand Labour Party.

The fledgling politician stood for Labour three times, but while he showed the same grit that sealed his pass in jurisprudence on the third attempt, at the polling booth he did not quite there. His third loss, in 2014, he decided, was the end of his run.

Yet even as New Zealand's political tide looked to turn in 2017, he had no regrets. "[Running for Labour] was great. The timing was perhaps unfortunate—it was the Key years—but you have to run in the circumstances you find yourself in. By 2014 I had a wonderful family with two kids, and so I changed my focus to local politics."

Before his ascent to the mayoralty in 2016, Hamish put in the hard yards as a Community Lawyer. "It was hard work. We were often the last in a long string of professionals that our clients had seen. We had to tell them some hard truths."

The work immersed him in a marginalised layer of New Zealand altogether different from the world of commercial law and million dollar cases. He helped people who felt broken over the loss of a few dollars. "One client had all her shoes destroyed by a leak, to the value of \$100. For her that was a hell of a lot of money. We got it back."

Small victories mean the world to some people, he observes. "A man had lost his driving license because of injuries from an accident. We won it back for him, and suddenly he was independent again. There was a lot of frustration in these cases, but also immense satisfaction."

Back to February 2018, and Hamish is midway through his first term as Whanganui's Mayor, learning to navigate the corridors of power. "You may be Mayor, but you're only one vote. I've learned the importance of lobbying and the glory of compromise."

The words "nice guy" often feature at the mention of Hamish McDouall, yet he finds himself relishing the confrontations of politics. "While politics is a contest of ideas, overlaying it is the down and dirty. You have to play hardball and I really enjoy that. It's like captaining a cricket team; you need to assess your opponent's strengths and weaknesses."

As Mayor of Whanganui, Hamish is grappling with big issues about New Zealand's future. Local councils are bearing the brunt of climate change and social needs, without, in his view, adequate support from central government.

"A lot of local government is about infrastructure and regulation, but it's also about finding ways to pursue great ideas, like a response to climate change or build sustainable economic development. It's fun, but I don't underestimate the challenge."

With that we return to where we picked up the story. Hamish is off to a Dunedin bar with his old classmate and now Otago Law Professor, Andrew Geddis, where no doubt New Zealand's political challenges will be solved over a drink or two.

Emily Fry: following a new path



While at university we have the luxury of choosing our favourite subjects (leaving aside Torts and Jurisprudence!), but when you enter the 'real' world, the path is not so clear. Even if you know what career you want, it's hard to know where to start.

Last year Otago Graduate Emily Fry (LLB(Hons)/BCOM(Accounting)), struggled to begin her honours thesis on a topic about which there was little existing research. Her dissertation focussed on the nascent field of blockchain technology, specifically the legality of ICOs under NZ's financial markets regulations. She overcame the early challenges and now she works at PwC, where she co-founded a new team that focusses on Initial Coin Offerings, token economics and other crypto related matters.

We asked Emily how she got her research on track and then followed her interest into the workforce.

You were an intern at PwC before your final year, how did that inspire your interest in blockchain?

It was a culmination of different events. I was put in touch with the Fintech partner who is very much a futurist and big picture thinker. Our conversations really stimulated my interest in emerging technologies, and encouraged me to do more research in my own time. I eventually helped him to prepare a presentation which we presented at a client's board strategy day. The strategic context helped me to see how blockchain could improve existing business models, economies and social systems.

How did you tackle the challenge of researching this very new and 'mysterious' area, that even the law and authorities are only starting to grapple with?

The initial months were the hardest, as I spent a lot of time searching for information that simply didn't exist. My supervisor, Professor Shelley Griffiths, was incredibly helpful during this time, because she shared my excitement and had confidence in my ability to figure it out. When I eventually did pull enough material together she was able to guide me on what issues would be important to zero in on, and how best to narrow my scope. I also introduced myself to the library staff early on – they were great at sending through relevant articles and assisting with the databases.

How has the industry and your employers reacted to your research, and how has that experience been for you? How was this experience different from your expectations when you first started out on your dissertation?

The reaction has been very positive. The lack of legal certainty in this space stifles innovation, so all research is really welcomed.

In terms of expectations, I had decided that I wanted to work in the blockchain/emerging tech space after university before I started the dissertation. It made sense to channel this interest into my dissertation, leveraging it to learn more and open up future opportunities. It's awesome that PwC has been supportive of that.

In the Summer after your final exams, you worked for Blockchain Labs NZ, which develops and audits smart contracts and blockchain platforms. How did you link up with Blockchain Labs and what did you do there?

Early in 2017 I saw that Blockchain Labs was organising a major blockchain conference in Auckland. I attended the event, which was totally mind-blowing. It was awesome to meet so many people working in the space. Someone sent them a copy of my dissertation later in the year and they contacted me from there.

Blockchain and other fintech are exciting but uncertain and fast changing, with a lot of 'noise'. What advice do you have for students interested in this area and thinking of getting into it once they graduate?

Anything that is new will always come with risk, and you can't really de-risk anything entirely. In that sense it is important to keep your horizons wide, and do as much due diligence as possible. But if you do find something you are passionate about, I think you might as well steer your career in that direction – it means you'll be engaged and interested in the work you'll be doing! Not only will you set yourself up for a successful career, but a positive and happy life.

Michelle Wanwimolruk

What do you look for when you read an alumni profile? Do you want to find out about the different careers people go into after doing a law degree? Are you reading out of curiosity about someone you recognise?

These are the questions I asked myself before writing this.



I can tell the 'LinkedIn-ready' version of my career in one paragraph. Straight after law school I joined MFAT. I worked as a career diplomat on foreign policy and international trade negotiations, with stints in New York and New Delhi. After MFAT I went into management consulting, working on strategy projects in the not-for-profit, public and private sector. Now I work in the philanthropic sector as the 'Philanthropic Advisor' for the Michael and Suzanne Borrin Foundation. (Do visit our website!)

But our LinkedIn profiles rarely tell the full story. What we don't show to people is the hard stuff. Hard stuff such as experiencing 'imposter syndrome', feeling despondent or disillusioned about what we're doing, or feeling completely lost.

I've never been very intentional with my career, and I often say I 'accidentally fell' into working at MFAT (Ministry of Foreign Affairs and Trade). I didn't have my heart set on being a diplomat, but applied as part of the graduate recruitment and somehow found myself with a job offer. With no other plans, I thought I might as well give it a go.

When I first started at MFAT, I felt completely out of place – I had 'imposter syndrome'. I thought everyone was much smarter than me and that I didn't belong there. In my first year, I also felt completely underwhelmed. It didn't feel like I was doing the amazing, 'change-the-world' work I had always wanted to do. In hindsight, this was less about MFAT and more about me not understanding what I was suited for and what I wasn't suited for.

I knew early on that MFAT probably wasn't the right job for me, but it took a while to figure out why. It wasn't right for me because I didn't have a 'passion' for it – I didn't love it. There were other people at MFAT who did love it; they loved foreign policy or international trade negotiations or the UN work, or environmental law etc. I knew I didn't have that passion. Without it, working at MFAT would never feel like 'amazing' work.

So I left. It was really hard to leave. Not because of the economics of it – I'm in the privileged cohort of New Zealand that can quit a job and still be ok. The hard part was all to do with 'identity crisis'. Our work is a big part of our identities, and how others define us. People said I was crazy to leave such a 'dream' job. It was hard to start over, and 'be BLANK', be 'undefined'.

Shortly after leaving MFAT, as luck would have it, I ended up on a project for an NGO. This set me off on the management-consultancy path. I also became interested in social change, social enterprise and philanthropy.

So I became 'self-employed': I was my own boss and I could work the hours I wanted, as long I delivered for the 'client'. I loved it. But being self-employed has its drawbacks – sometimes you have work and sometimes you don't! Plus you've got to do business development' – sales/networking to ensure future work.

After a few projects I was head-hunted to join a small boutique private-sector management consultancy firm. Again, I soon found that I lacked the necessary passion for the role so it didn't feel like amazing work. So, again, I left without having anything else lined up.

Where am I at now? Does this story have a happy ending? All I can say is: don't put your faith in 'happy endings'. There's no 'destination' to get to in life, or in one's career. A career is constantly evolving and changing.

Currently I am doing work for the Michael and Suzanne Borrin Foundation. The Borrin Foundation is a new philanthropic organisation. We believe law is essential to a flourishing society – one that is just, inclusive, tolerant and free. The work I do is aligned with my values and beliefs and it is great to return to what interested me about law in the first place – 'law as a force for good'.

Some lessons I've learnt:

- Everything has a 'reason' or a place in your life. And you can only connect the dots by looking backwards. Looking back on my career, I see that I learnt many useful skills and lessons at both MFAT and the private consulting firm that are essential to my work now. Saying yes to opportunities and working at 'non-dream' jobs will still prove fruitful.
- 'Know thyself'. Don't look out there for your dream job – look inside and learn about yourself. What are you good at? What comes 'naturally' to you? And what are you really passionate about? I have learnt that I am very cause-driven or belief/values-driven – I need to really believe in what I'm doing. I've also learnt that I like a lot of autonomy in any role (a.k.a. – being 'impossible to manage' according to my husband!). Everyone is different.
- Be willing to take some risks, follow your curiosity and intuition, and trust that it will all work out!
- And most of all, don't compare yourself to others. Things are rarely what they seem, and there's a lot more to it than what meets the eye.

Charlotte Skerten

I was born and grew up in Dunedin where the University plays a big part in city life, so going to Otago was a natural choice for me. During my gap year I enrolled in Laws 101 on a whim, unsure whether I would enjoy it. But between Mark Henaghan's lively lectures and Tracey Epps' tutorials I soon became a passionate law student. After completing my first year, Tracey suggested that I might enjoy her trade and international law papers but, despite what would turn out to be great foresight by Tracey, I thought they sounded very dull. Instead, I focused my degree on corporate law and also undertook a BA in Philosophy, Politics and Economics.

After graduating, I worked as a solicitor at Bell Gully in Wellington under two fantastic partners, Mark Freeman and Otago alumnus Amon Nunns. In my second year I was seconded to Slaughter & May in London. While I enjoyed working on high-profile deals in the "magic circle", my favourite parts of the secondment were travelling around Europe in my spare time and representing Bell Gully (and New Zealand) overseas, so I decided to try to build my career with these as key components.

After three years at Bell Gully, I moved to the Ministry of Foreign Affairs and Trade (MFAT). I started in the trade law team, working under the same Tracey Epps who had encouraged me to take her classes while I was at Otago – I've since learned to listen to her advice! For two years, I worked as a legal advisor on the Trade in Services Agreement negotiations in Geneva and the Trans-Pacific Partnership negotiations around the Asia-Pacific. This role was fascinating



and fast-paced, allowing me to work with some of the best trade lawyers and negotiators in the world. I then moved to MFAT's international security and disarmament team, the highlight of which was participating in the negotiation of a treaty on the prohibition of nuclear weapons at the United Nations in New York.

Last August, I moved to New York to undertake a Master of Laws at Columbia University funded by Fulbright, Graduate Women New Zealand and the Sir Harold Barrowclough scholarship. This would not have been possible without the support of Otago faculty and staff, especially the incredible generosity and mentorship of Shelley Griffiths. My LLM has focused on international law but has included a range of courses in the law of the internet, national security, trade and human rights. I have loved living in New York and learning from professors such as Avril Haines and Amal Clooney, and participating in lectures and seminars with guest speakers like Edward Snowden. My next professional move will be to undertake a diplomatic posting to the New Zealand Mission to the United Nations in Geneva, where I will focus on security and disarmament issues.

My time at Otago provided me with a top quality legal education in a warm and collegial environment, fostered by Dean Henaghan. I am very grateful to have received such an introduction to the law, and for the friends and connections I made at Otago, which have shaped my journey to date.

Alex Beck



In the past two months I've really had the chance to use my legal degree, mostly reviewing shareholder agreements and term sheets for our company's first outside investment.

After an exchange year in Montreal and Hungary I moved to Berlin, frankly a little confused about what to do next. I was really interested in technology and encountered a really frustrating problem transferring my New Zealand savings to EUR. I

was losing around 10 percent of the money exchanged in fees and bad exchange rates.

So I got interested in Fintech (financial technology) a space where start up companies are using technology to innovate or add value to traditional banking products.

After a long journey of failed concepts, long nights, customer interviews and different co founders, a good friend and I teamed up and we landed on a concept that started to generate interest from banks and technology companies.

We started building a tool to help banks stay on top of the landscape and Fintech companies track their competitors and find customers.

We encountered some colourful people on the road to our first investment, including a prolific conman pretending to be a Rothschild investor in Berlin, to this day we're not sure what his con was, other than his interest in one of the founding members.

Early in 2018 we were accepted into a Norwegian business accelerator, TheFactory, based in Oslo. In the first month, March, eleven companies competed for five spots and funding. We were happy to be one of those five companies, and now we're currently building our product and looking to raise our second round of funding.

My legal training really kicked in when we needed to review our contract with our investors. There was some ambiguous wording that set out some pretty strange terms that needed clearing up.

Quite honestly taking a very different path to the legal one set out in front of the alumni of the law school meant I had taken my training a bit for granted. The last months have really given me pause for thought to reflect on how valuable that training, even sitting idle, has been and will be. Negotiation training has been immensely useful, especially when initially valuing our company and setting out contracts with some of our pilot customers. The CEO of the accelerator made a comment how jealous he was I could parley with their lawyers, and I have to agree.



Maintain total flexibility with an LLM from Otago

- Commence study anytime, study part-time and by distance
- Choose an area of law that interests you
- Study alongside world-class legal academics

For further information, contact:
postgraduate.law@otago.ac.nz

otago.ac.nz/law

POSTGRADUATE





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 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.

Follow these at:

otago.ac.nz/law/research/podcasts

Visit the Faculty of Law website

otago.ac.nz/law/

Faculty of Law Newsletter
Winter 18
University of Otago