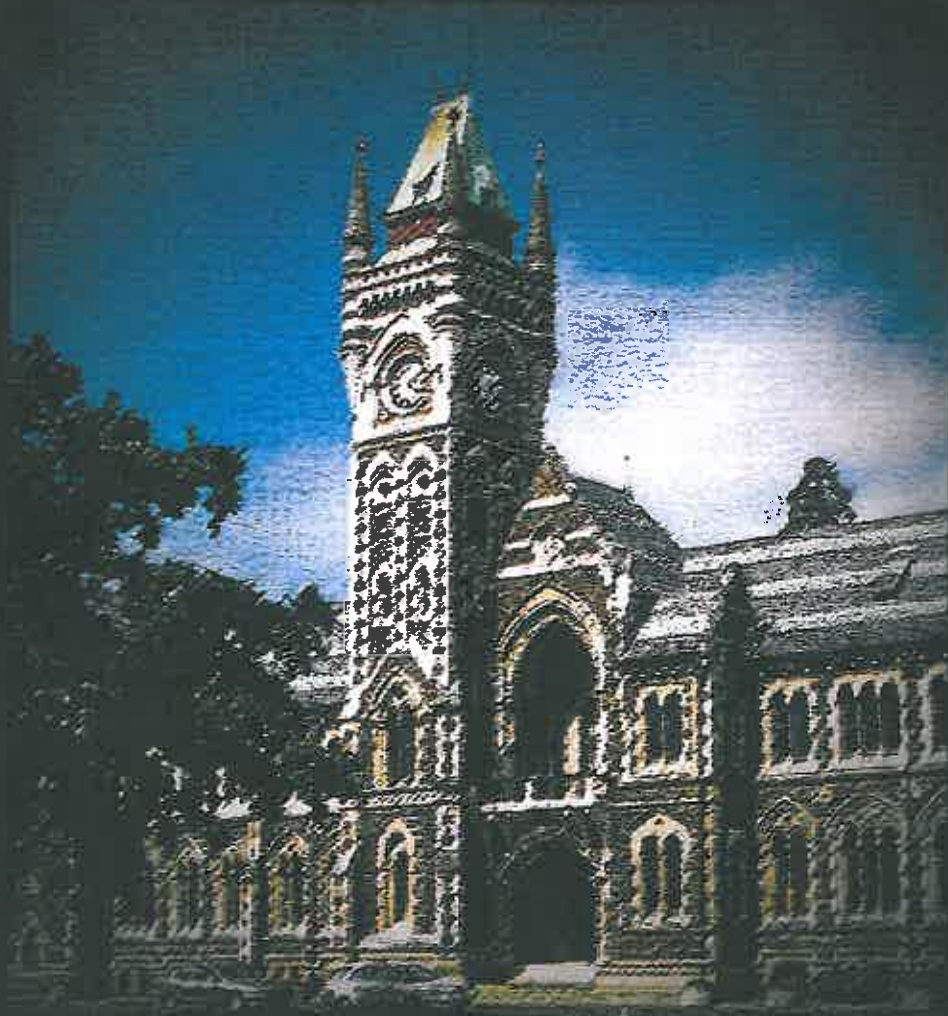




NEW ZEALAND  
LAW SOCIETY

NZLS EST. 1869

# Otago Southland Conference 2013



University of Otago Law Faculty

2nd November 2013

# Programme

Saturday 2nd November 2013

- 8:30am Registration
- 8:45am Opening, welcome and introduction of keynote speaker – Gerard DeCourcy – President NZLS Otago branch
- 9am Keynote Address – Sir Andrew Tipping – *Tort Law in the 21st Century: Costs and Benefits*
- 10am Morning Tea – SR5
- 10:30am Session 1 *e-Discovery, Fraud and Computer Forensics – programmes and technical support* – presenter Chris Budge, Forensic Technology Lead, KPMG New Zealand
- Session 2 *Current Tax Issues for Legal Practices* – presenter Scott Mason, managing principal tax consulting, Crowe Horwath NZ
- Session 3 *Property (Relationships) Act Toolbox – when to pull out the accountant* – presenters Rochelle Crossman, family law barrister, and Jo Hambleton, associate, Gallaway Cook Allan
- 11:30am Session 4 *Complaints and Discipline – lawyers' duty to co-operate and other developments and trends since the advent of the Lawyers and Conveyancers Act 2006* – presenters Paul Collins, barrister, Shortland Chambers, and Fergus More, family lawyer and partner of Scholefield Cockroft Lloyd
- Session 5 *The Art of Effective Communications and Having Fun Learning How To* – University of Otago Centre for Innovation – Hilary Halba, senior lecturer and head of programme in theatre studies, University of Otago, and Sara Georgie Tunoka (maximum 16 attendees)
- Session 6 *The Practice of Arbitration and Mediation – how, when and why?* – presenter Jim Guest, partner of Downie Stewart
- 12:30pm Lunch – SR5
- 1:15pm NZLS Update – Christine Grice – Executive Director NZLS
- 1:45pm Session 7 *Current Issues in Civil Litigation* – presenter Raelene Kelly, barrister, Kelly Chambers
- Session 8 *The Criminal Procedure Act Three Months In* – a panel discussion (interactive) – presenters Vance Kapene, Southern Regional Change Manager (Criminal Procedure Act Implementation) Ministry of Justice; Tim Hambleton, senior Police prosecutor; Anne Stevens, defence counsel; and Len Andersen, barrister
- Session 9 *Legislative Changes in Employment Law* – Presenter Janet Copeland, principal, Janet Copeland Law
- 2:45pm Session 10 *The Art of Effective Communications and Having Fun Learning How To* – University of Otago Centre for Innovation – Hilary Halba, senior lecturer and head of programme in theatre studies, University of Otago, and Sarah Georgie Tunoka (maximum 16 attendees) – rerun of session 5.
- Session 11 *Consumer Credit Law Changes – the consumer and financial services law reform 2013* – presenter Sarah Simmers, partner/owner, Anderson Lloyd
- Session 12 *Tales from Employment Land: some things commercial lawyers should probably know* – presenters Rachel Brazil, Otago Southland Employers Association, and Geoff Bevan, consultant, Gallaway Cook Allan
- 3:45pm Afternoon tea – SR5 and close
- 7pm for 7:30pm **Conference Dinner** – Customhouse, corner Fryatt and Wharf Streets
- Guest Speaker – Dr David Clark, MP for Dunedin North – *The rise and rise of an MP and the many trials therein*
- Partners welcome [Numbers are strictly limited, so registration will be on a first in, first served basis]
- Welcome drinks on arrival then cash bar

# Registration Form

NZLS OTAGO/SOUTHLAND BRANCH CONFERENCE, UNIVERSITY OF OTAGO, 2 NOVEMBER 2013

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

Telephone: \_\_\_\_\_

I will be attending Conference

I/we will be attending the Conference Dinner (please indicate number attending)

I enclose the amount of \$ \_\_\_\_\_

## Price – Conference

if registration & payment received at NZLS by 11 October 2013 \$55 per person  
if registration & payment received after 11 October 2013 \$75 per person

**Price – Conference Dinner** [Price includes welcome drink on arrival, followed by cash bar] \$75 per person

Please indicate the session/s you are interested in attending (this is to help with room planning, and does not mean you cannot attend a session you do not indicate):

Session 1  Session 2  Session 3  Session 4  Session 5  Session 6  Session 7

Session 8  Session 9  Session 10  Session 11  Session 12

Do you have any questions for presenters? Presenter \_\_\_\_\_

Question \_\_\_\_\_

(continue on separate sheet)



Return with payment to:  
Queenstown Conference Registrations  
New Zealand Law Society  
Private Bag 1901  
Dunedin 9054



## The sessions

### Session 1 eDiscovery, Fraud & Computer forensics – programmes and technical support

Ever received an email file or a USB stick containing many documents as part of discovery and wanted a way to review, highlight and present or redact? This session will focus on eDiscovery litigation support methodologies utilising current technologies following the securing and preservation of small through to large electronic evidence data sets. The global methodology of EDRM (Electronic Discovery Reference Model) will be presented along with self-help and hosted solutions utilised in NZ today.

### Session 2 Current Tax Issues for Legal Practices

This session will traverse some of the key tax issues facing legal practices from a tax perspective, including structural and income distribution issues, timing of income and other topical tax matters. There will be an opportunity to pose questions.

### **Session 3 Property (Relationships) Act Toolbox – when to pull out the accountant**

The aim of this session is to help family law practitioners identify situations where they could better advise their client and advocate more successfully (and then sleep more easily at night) by obtaining accountancy advice on a relationship property file. The session will take examples from case law and involve a guest presenter from outside the profession. The knowledge gained will help practitioners know when to seek accountancy advice and then how to do so.

### **Session 4 Complaints and discipline – lawyers duty to co-operate and other developments and trends under the Lawyers and Conveyancers Act 2006**

*Paul Collins*

Some important developments and themes in professional discipline under the LCA:

- The duty of all lawyers to co-operate in the complaints and disciplinary processes, and the consequences of failing to do so;
- The concept of unsatisfactory conduct: is it a standard of unattainable perfection?
- Dealing with mental or psychological impairment in professional life: can discipline and compassion co-exist?

*Fergus More*

The lighter side of standards – there is one!

### **Sessions 5 & 10 The Art of Effective Communications and Having Fun Learning How To**

How to actively listen, how to obtain the most and best information from those you interact with, how to create a relationship of trust quickly, how to recognise and remove barriers to information exchange and many more such interpersonal skills. The session translates ideas and processes from the world of performance into a format that will be of significant practical use to professionals and business people.

### **Session 6 The Practice of Arbitration and Mediation – how, when and why**

An overview of arbitration and mediation processes, including tips for getting into this area. This session will cover the basic things that people ought to know, the best techniques and the worst mistakes, and why to use these processes.

### **Session 7 Current Issues in Civil Litigation**

Civil litigation is often portrayed in the media as being in a state of crisis. Ignorance, partisanship and lobby group attack are only partially responsible: often the attack emanates from the executive branch of government, and experience here and overseas demonstrates how devastating attack from that quarter can be. This session will address some current issues in civil litigation, attempting to sift out farce and fiction, and whether current quests for enhancement and modernity are genuine, well-directed, and likely to deliver. Issues such as case management, registry structures, the actuality of cost regimes, transcripts, judicial rigour will be discussed and solutions proposed.

### **Session 8 The Criminal Procedures Act Three Months In**

*Vance Kapene*

The role of Change Manager for the Criminal Procedure Act has meant predicting the impact of the changes on courts staff and court users, and mitigating that impact.

Vance's contribution to this panel discussion will lean toward the disposal rates of cases under the Act in its first three months of operation, compared with the same three-month period the year before under the Summary and Indictable regime. As well, Vance will discuss changes in expected and observed behaviours of registrars, prosecutors and counsel.

*Tim Hambleton*

CPA from the Police Perspective

*Anne Stevens*

CPA is designed to achieve efficiencies largely by using strict timetabling and enabling the "lowest level of competence" to process matters. I hope in three months we have gained some idea as to whether these improved entry processes have resulted in improved exits from the system.

*Len Andersen*

CPA – there are no diamonds in the mine. The effectiveness of the changes made by the new Act.

### **Session 9 Legislative Changes in Employment Law**

An update of changes to employment legislation that have occurred in the past six months and key aspects of the Employment Relations Amendment Bill 2013.

### **Session 11 Consumer Credit Law Changes – the Consumer and Financial Services Law reform 2013**

Credit law and lending practices have come under scrutiny as a consequence of the global financial crisis, third-tier lenders' practices and recent litigation involving lenders. The Credit Contracts and Financial Services Law Reform Bill was introduced into Parliament on 18 April 2013 and will amend the Credit Contracts and Consumer Finance Act 2003 to protect consumers including introducing new responsible lending requirements.

### **Session 12 Tales from Employment Land – some things commercial lawyers should know**

This session is aimed at commercial and employment lawyers. It will have a particular focus on key issues (and recent game changers) that arise in business sales. This session will also touch on the recent major shifts in redundancy law.

Anyone interested in putting forward particular questions for any of the presenters to answer during their session, please indicate the same on your *early bird* registration form.