We have turned 150 and we celebrated

The 150 year celebrations were a huge success and enjoyed by hundreds of practitioners.

Profession photo

The timing of the profession photo was not the best as it was raining, however, everybody was “herded” into place and a great photo was the result (photo on page 5).

Formal Dinner:

Grant Tyrrell, Branch President, welcomed guests to the formal dinner and Hannah Reuben of Williams McKenzie gave the opening and closing karakia. The lawyers’ choir entertained and Peter Penlington QC proposed a loyal toast to the Queen.

Chief Justice Dame Sian Elias spoke of the significance of achieving a 150 year milestone and Justice Sir William Young spoke of his time in the Canterbury profession and proposed a toast to the past. Both speeches were warmly received and the Chief Justice received a standing ovation acknowledging that this event would most likely be the last time she would speak to the Canterbury Westland Area as Chief Justice before her retirement in 2019. The three younger members of the 150 year organising committee, Emily Nind, Rachel Walsh and James Pullar, produced a video of judges and lawyers speaking of the past and future of the profession. This was played on the night to much applause and laughter (The Omar Sharif lookalike will never be forgotten!). The video was a reminder of how technology and presentation channels have changed in 150 years. Emily then proposed a toast to the future of the profession.

An excellent night of formality and collegiality (photos on pages 6 & 7).

Gala Ball:

The glamour and glitz of the ball celebrated our 150 years in fantastic grand style. On arrival guests were offered their first glass of champagne by a golden girl in a gorgeous gold hooped...Continued on page 5
President’s Column

By Grant Tyrrell

150th celebrations

The feedback from the 150th celebrations in late October has been overwhelmingly positive. It was fantastic to see so many of the profession involved in celebrating this milestone – it is fair to say that Canterbury Westland has set a high bar for NZLS to follow when our parent body ‘catches up’ and marks 150 years of a law society in New Zealand next year.

The celebrations are only as good as the profession itself and it was, in my view, a testament to the collegiality that we enjoy in Canterbury Westland that the celebrations were so well supported, including by many firms, chambers and barristers who contributed financially. We could not have committed to the three events without that support.

The branch is incredibly grateful to the special events committee – Lana Paul, Susie Tait, Sarah Holder, Zylpha Kovacs, James Pullar, Rachel Walsh and Emily Nind – for organising the spectacular events. I know that there were a few sleepless nights in addition to the scores of voluntary hours that culminated in a very successful week.

Tiana Epati – President elect

Tiana Epati was elected the next president of the New Zealand Law Society at the October Council meeting. Tiana’s drive, enthusiasm and talent will make her a worthy successor to Kathryn Beck when she takes over the reigns in April 2019. I also acknowledge Nerissa Barber for running a strong campaign. It is important that talented people are willing to serve in such an important role. The campaign is a gruelling process not least for the fact that candidates submit themselves to the judgement of their colleagues and both should be congratulated.

Timaru function

Thanks to Anne-Marie McRae for organising a very successful ‘mix-and-mingle’ function in Timaru. Around 40 South Canterbury lawyers caught up with their colleagues.

Community Magistrates

A special sitting was held for the swearing in of Christchurch’s first local permanent magistrates. Community Magistrates Heale and O’Brien bring legal experience and, perhaps at least as important, a wealth of community involvement experience to their roles.

Christchurch Courthouse

The development of a protocol to better define the essential separation of powers between the courts and executive (through the police) is ongoing. In conjunction with NZLS the branch has provided detailed feedback. The starting point for the Law Society is that any such protocol should be principles based, have national application and should flow from the essential principle of constitutional separation.

The issues are not simple but are, in my view, important. We are assisted by the positive engagement from the Ministry of Justice, the Criminal Bar Association (Canterbury), Police and Judiciary.

Security and safety concerns

Safety concerns within the Christchurch Courthouse remain unresolved. Court security officers provide committed support but cannot be everywhere at once. The design flaws of the courts was highlighted with a serious violent incident in the main list court where a defendant was attacked by people in the public gallery launching themselves across counsel’s desk. Significantly smaller than the previous ‘number one’ court there is little separation for counsel. The bar provides no demarcation and, indeed, the natural path for defendants and public is to walk immediately behind counsel and in front of the bar. The branch continues to advocate for safety improvements.

Industrial action

Hopefully by the time of publication the industrial action will have been resolved.

It is having a significant impact on all court users. Court staff and managers are grateful for the patience of counsel at this difficult time. Obviously, the Law Society is not a party to negotiations and is strictly neutral. It is hard not...Continued on page 3
Canterbury Westland branch of the New Zealand Law Society thanks the sponsors of the 150 year Celebrations.

President’s column continued...

to empathise with the human side of the dispute with dedicated court staff feeling so undervalued that they need to take action and the impossible juggle faced by court managers as a result.

The branch is alive to issues that are arising and have engaged with the ministry to ensure that there is access to the registry even where strike action is occurring, priority to arrest courts and access to sitting courts for counsel. It is, nonetheless, a concern that courts are having to sit without public access. Not only as an access to justice issue but the entitlement of those appearing to have family and friends present in support. I acknowledge that closed court is better than no court, especially for bail matters, but a closure of a court is a matter for judicial discretion in rare cases and should not become an administrative tool.

On at least two occasions counsel have been prevented from accessing the court building despite arriving in advance of scheduled hearings. This is plainly unacceptable and assurances have been sought from the ministry that this will not occur again.

Lighter notes

To the amusement of many an (uncharacteristically!) sarky aside highlighting the irony of the ease of an untimely end from the third floor with a building that did not allow the café to have a toastie maker gained some greater traction than I expected.

I am, however, delighted to report that Little Laneways does now have a toastie maker.

From time to time those that appear before our judges can unintentionally provide some levity to serious situations. One such exchange has come to my attention:

Judge: “So are you still smoking a lot of marijuana?”

Person appearing: “It’s only a fifty bag a day, that’s not a lot.”

Judge: “That seems a lot.”

Person appearing: “Well you don’t look like you smoke a lot of marijuana so I don’t think you’re really an expert on what’s a lot.”

The desired outcome of the person appearing did not, I understand, occur.

Christmas

As this will be my last column of the year it simply remains to wish you all, and your families, a happy and relaxing Christmas and all the best for the challenges and opportunities of 2019.
Has 2018 been your shortest year ever?

By Andrew Nuttall

Reflections of 2018
Well, hasn’t the year flown by? Everyone seems to be busy. Not only are there clients to serve but many of you have had to deal with Anti Money Laundering, Customer Due Diligence et cetera, et cetera and so have your clients.

As we start to look back on the year I thought it would be very helpful to provide a brief summary of my 2018 articles.

Stress is inevitable
But don’t let it beat you as not all stresses are negative. An article in LawTalk (November 2016) by Emily Morrow stated that stress is a chronic and ubiquitous risk in NZ law offices. There are three key things that we can do to help control it: exercise (do something every day), a healthy diet, and sufficient sleep.

Business is truly the ultimate team sport
The world’s best 11 wicket keepers would not be a successful cricket team. It’s important to celebrate and acknowledge individual capabilities and build on them. A most important task for any team member might be to help their team mates have a good day.

Is your workplace as good as it can be?
» What are you most proud of at work?
» What are your greatest strengths?
» What do you deeply care about?
» What are your most exciting opportunities?
» What does success look like for partners, staff, families and new clients?

Our light receptors create work “peaks” during the late morning followed by “troughs” in the afternoon and “rebounds” in the late afternoon and early evening.

Analytical tasks will be better completed in the morning, administrative tasks, such as returning phone calls, filing and answering emails in the afternoon and the more creative tasks late afternoon.

Sleep should be prescribed.
A University of California study suggests that we are in the midst of a catastrophic sleep loss epidemic.
» Adults need eight hours of sleep.
» Go to bed and rise at the same time.
» Avoid all-nighters at the desk and on the dance floor.
» Remove mobiles and computers from the bedroom.

What makes us happiest?
Steve Jobs, died a billionaire, and left us some messages.
Material things, when lost, can be found, but the one thing that can never be found when it is lost, is your health.
Treasure your buddies, old friends, brothers and sisters. Chat often, laugh, sing songs with them.
If you want to walk fast, walk alone, but if you want to walk far, walk with friends.

Thank you to all you readers who have provided feedback on my articles during the year. I hope they have been of some value and of benefit.

Best wishes for the holiday season, take time away from work and really enjoy yourselves.

Andrew Nuttall is an Authorised Financial Adviser with Cambridge Partners, an independent and fee only financial advisory firm in Christchurch. Andrew has worked members of the legal fraternity for nearly 30 years and his disclosure statement is available on demand and free of charge. www.cambridgepartners.co.nz Telephone 3649119.

Andrew Nuttall
evening gown festooned with “Glasses of Bubbly”. Guests were called through to the Cirque du Soleil-themed ballroom by “The Ringmaster” where they were greeted with awe-inspiring acrobatic performers hanging from the ceiling plus roving entertainers dancing the can-can and stilt walkers carefully manoeuvering around the tables.

The Beat Girls got the evening into the swing with their upbeat singing which had guests on the dancefloor before the main meal was served. The evening progressed with fine dining and fine wine and The Little Cabaret Band came on, entertaining the guests right through to the “little hours”. The dance floor was packed all night, however, when a change of pace was required (which for some was never and they consequently danced all night) guests could retire out to the magically themed Whisky Bar which had everything expected of an authentic whisky lounge – even a “crackling log fire”.

A night to be remembered by all who attended. An unusual feature of this NZLS celebration which did receive a few positive comments was that there were no speeches – it was purely a celebration which is another word for one big party! (photos on pg 8 & 9).

A big thank you to our sponsors listed on pg 3 along with Shipleys and Vino Fino – without you all these events would not have been possible.

We have set a very high threshold for those that will be organising the 175 year celebrations.

Photo of the profession

NZLS Canterbury Westland Branch will be having a profession photo framed and names placed under it. The names will be in alphabetical order. If you are in this photo please go to the bookwhen site at link below and register your name and position in photo by progressing through the ticket booking process. There is of course no charge as it is only your name and position in photo we are collating. The deadline for registration will be 31 January 2019. https://bookwhen.com/nzls Canterburrywestland

All photos from the Gala Ball, Formal Dinner, and Profession photos can be viewed and downloaded for printing from the Law Society website: www.lawsociety.org.nz/law-society-services/law-society-branches/canterbury-westland

Continued from page 1...

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Update from the New Zealand Institute of Legal Executives Canterbury Southern Districts Branch

By Pam Harliwich

Our seminars have finished for the year. Our next seminar will be in February 2019.

The branch has been busy socially and even more so with the festive season upon us. A Christmas function was held on 29 November 2018 at the Chi Kitchen and the outer regions of our branch have also had Christmas functions. Our members are now hard at work to deal with the pre-Christmas rush that seems to occur and will be looking forward to a well-deserved break.

The branch wishes you all a very Merry Christmas and Happy New Year.

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NZLS Continuing Legal Education (CLE Limited) To register and for other information check the CLE website, www.lawyerseducation.co.nz.

**Christchurch**

**February 2019**

- 12 Feb – CPD Top Up day

**March 2019**

- 6 March – Webinar – Privacy Landscape – key developments
- 11-12 March – Intro to Company Law
- 13 March – Webinar – Health and Safety Recent Developments
- 18 March – Webinar – Estate Challenges
- 21 March – Webinar – PRA Key Recent Issues
- 27 March – Webinar – Litigation Issues for In House Counsel
- 28 March – Employment – Investigations in the #metoo Era

**Out of Christchurch:**

- 19 Feb – Auck – No Will – an intestate estate
- 21 Feb – Auck – Franchising – Key Issues
- 7-9 March – Auck – Stepping up
- 19 Mar, Napier, 20 Mar Wgtn, 21 March Nelson – Trust Account Administrators
- 20-22 Mar – Wgtn – Lawyer for Child
- 26 Mar – Auck – Valuation and Expert Financial Evidence in PRA Cases

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For more information and for details on how to apply, check out our website [www.corcoranfrench.co.nz/about-us/careers](http://www.corcoranfrench.co.nz/about-us/careers)
South Island Devil’s Own Golf Tournament photos continued from page 12...

Making it easy to accept credit card payments

In NZ, there is no longer any valid reason not to accept credit cards in your practice. With the increased use of credit cards as a method of payment, it has reached the point where you could actually be harming your practice financially if you don’t provide card acceptance as an option. While some people will make an argument that paying merchant fees is expensive and a waste of time, isn’t it smarter to have more business, no receivables, no collections and cash in hand for the cost of a merchant fee? Besides, depending on your card payment provider, you can apply a surcharge to recover merchant fees.

Not only are credit card payments more convenient for clients, but an abstract pledge of payment in the future is very different than parting with physical cash. Clients are more inclined to pay your fees faster when they are not immediately parting with cash and can simply ‘put on their card’ to be worried about later. If you are not accepting credit cards, then this message can be a catalyst to rethink your business strategy. However, if you are already accepting cards, it could be a good opportunity to review the costs you are being charged.

Cut your card processing costs

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<td>Merchant Fees:</td>
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* Early termination fee if services cancelled within 24 months of commencement
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South Island Devil’s Own Golf Tournament

By Julian Clark

This year saw an increase in the number of attendees at the South Island Devil’s Own Golf Tournament which is a great reflection of the tireless efforts of the organising committee and the NZLS Canterbury Westland branch.

Great care has been made to introduce events suitable for novice golfers – with the introduction of nine-hole competitions throughout the weekend – and also the ability for people to participate in as much or as little golf as they wish. Some keen golfers play in every event they can whilst this year some others only attended for the Saturday afternoon Ambrose social golf and dinner. All were welcomed. Everybody had a fantastic time.

More than 75 lawyers, retired lawyers, judges, legal executives, sponsors and others travelled from all over the country to partake in the fun golfing weekend at Methven. Some competitors went round in under 80 whilst others hit the ball more than 135 times. But invariably all the golfers returned to the clubhouse laughing and regaling stories about the antics they got up to during their round.

The weekend provides incredible value with first-time participants this year paying only $120. Participants receive free golf all weekend ($80 alone), a significant goody bag filled with golf paraphernalia and nibbles, drinks and nibbles at the opening function on Friday night, lunch, afternoon tea, evening meal and drinks on the Saturday (both at the dinner and at the Blue Pub afterwards) and a delicious lunch at the conclusion of the event on the Sunday. Many players win a prize. Most players are getting around $400 worth of value for their entry fee thanks to the generosity of the sponsors.

Far more importantly is the camaraderie, networking and friendships that form, rekindle or blossom at the event. It is fabulous to participate in and watch as attendees run into each other either on the course or at the various social events throughout the weekend. There truly isn’t enough time to catch up with all that you would like to.

The Saturday night dinner was a great occasion with delicious food, some jokes by Ben, great direction by new convenor Hamish Douch and the honouring of two long-time attendees, Venning J and Mike Kerr into the Hall of Flame. Congratulations to them both.

Thank you to the sponsors that support the tournament. They are all also incredibly valued socialising partners. It is great to be able to sit and chat with these experts in other industries either as you play your round or at the dinner table and to form new relationships or strengthen existing ones.


This year the forecast for the weekend was utterly appalling. However, the golf gods smiled and the conditions for Friday afternoon, Saturday morning and Sunday morning were very pleasant indeed. A raging north-westerly that sounded like a train approaching did indeed come through late during the very optional Saturday afternoon round and threatened to disrupt those playing Ambrose champagne afternoon golf. However, overall the weekend involved applying a lot of sunscreen.

For the last few years the Methven golf course has been in fabulous condition with the greenkeepers agreeing to core the course after our event to keep the greens in tip top condition just for us. The Methven course was in immaculate condition this year which was truly appreciated.

It was heartwarming to watch the number of people shaking hands and saying goodbye at the conclusion of prizes as they headed to their cars at 2:30pm on Sunday. Another fantastic weekend completed, more relationships built, and some more youngsters blooded into the event who have vowed to return next year.

A reminder from the Committee to ALL law firms (it was great to have someone there from Anthony Harper this year) that these events succeed in helping our profession stay collegial via the support of senior practitioners in their firms to encourage their junior members to attend. Have conversations with your junior practitioners now so that your firm is ready for a weekend of golf in 2019. The event is suitable for weaker golfers both male and female and all are welcomed and encouraged to attend. Please do not hesitate to contact the committee if you would like more guidance on who can return next year.

The winners of the significant prizes for 2018 are: Willie Hamilton, Toby Giles, Peter Quinn, Gerard DeCourcy and David Mackenzie.