Branch AGM this month; the health of lawyers and ‘Practising Well’

By David Dunbar

As I write this, nominations for the Branch Council have just closed. I am looking forward to report on the new Council at the coming Branch annual general meeting, but before then I’d like to warmly thank my colleagues on the present Council for their thought, effort and commitment in the last year.

Two-year term

As previously reported, new Council members from this year will be elected for a two-year term. For those who expressed concern that the two-year term could reduce accountability, I reiterate the assurance that the Council will continue to welcome Branch members’ views and feedback. The coming AGM is clearly an important opportunity to have that conversation and I urge you all to attend.

In my view, the two-year term brings opportunity; allowing the Council to develop and implement a stronger strategic focus. One key theme I’ll be asking the incoming Council to look at is to examine the role that can play in highlighting practitioner health and well-being. Too many of us know of colleagues in law who have suffered from, or in some cases succumbed to, ill health and other stressors. Too many of those colleagues did not, or felt they could not, seek help or support.

Healthy lawyers

I commend to you a seminar report by researchers Jennifer Moore and Donna Buckingham (University of Otago) and Kate Diesfeld (AUT). As they report, international research has documented high rates of depression, anxiety, substance misuse and stress. The study reinforces the importance of the New Zealand Law Society’s “Practising Well” initiative – and its aims to raise awareness of issues that can bedevil us, promote positive strategies and minimise the adverse personal, family and professional impact of such issues.

It is a reality that all regulatory authorities face, and a balance that each must find; maintaining professional standards through robust processes to ensure that the profession both meets its obligations to, and retains the confidence of, the public it serves. Clearly, as lawyers, the maintenance of professional standards will always be fundamental to what we expect of the Law Society as a regulator. But equally, as a profession, we must accept that we have obligations of self-regulation and obligations to our peers.

‘Practising Well’

The report authors highlight what they call a “therapeutic jurisprudence orientation” in the regulation of health practitioners – and it’s true that the legislation governing health practitioners is more enabling in targeting and responding to health issues. That said, I know, through the Practising Well initiative and other strategic work within the Law Society, that the Society is doing what it can to tackle this complex issue.

The questions remain. What can we as a profession do to support our colleagues? What can your Branch Council do to identify opportunities and effect change? What will you do when you need or sense a need for help?

* Psychiatry, Psychology and Law, 2015 Vol. 22, No. 5, 649-672

Annual General Meeting

The Annual General Meeting of the Wellington Branch, New Zealand Law Society, will be held on Wednesday 21 June 2017 at 4.00pm, Level 8, New Zealand Law Society Building, 26 Waring Taylor Street, Wellington

Wellington Women Lawyers Association 30 years

OVER the past 30 years, the profile of the legal profession in New Zealand has been steadily changing. In 1987, 111 new lawyers were admitted to the Bar in the Wellington District Law Society, 60 were women and 51 were men: the beginning of a trend. Today there are 1467 women (and 1298 men) holding practising certificates in the Wellington Branch. It was recently reported that women lawyers nationally now outnumber men for the first time.

When the Wellington Women Lawyers’ Association (WWLA) was incorporated in July 1987, its primary aims were (and still are)

- working for equal opportunity and the advancement of women in the study and practice of law;
- working for the reform of the law and its administration, and for the advancement of social policy, in order to promote and protect the interests of women;
- promoting the use of women’s skills in law; and
- organising social contact amongst members.

WWLA is proud to be an independent organisation which advocates on behalf of women in the law and those involved in the legal system. This includes making submissions on Bills and raising issues of concern to women in the law.

Mentoring scheme

For women starting out in law, WWLA offers a mentoring scheme by matching up experienced practitioners with junior members of the profession.

WWLA also funds scholarships for women law students at Victoria University. The scholarships are funded in part by the popular and fun-filled annual Quiz Night: watch this space for this year’s highly competitive event, scheduled for early August.

The Association holds a variety of stimulating and relevant events throughout the year, with the aim of informing, challenging and entertaining members of the profession. Some events are for members only, so joining is a must if you don’t want to miss out.

Networking

Popular events over the past year included “Meet the Solicitor-General”, a presentation on pay equity, and a session with Professor Barbara Brooks about her book A History of New Zealand Women (in conjunction with the Branch’s Women in Law Committee). Casual drinks and networking opportunities are held from time to time. At this year’s recent AGM, new convenor Steph Dyhrberg took over from Wendy Aldred, and from the Branch Women’s Association.

Join a Branch Committee and make a difference

OUR 16 Branch Committees play an important role in the life of the Wellington Branch. Membership of committees provides the opportunity to work with like-minded colleagues in special interest areas of the law. New and existing members need to fill in the application form to join or rejoin a committee. The form may be downloaded from the Society website (see e-brief) or copied from page 3 in this issue of Council Brief.

An invitation to all women lawyers; don’t want to miss out.

For more information on Sarah’s background and work in Colombia, see these links to articles www.lawsociety.org.nz/lawtalk/issue-894/working-for-peace,-human-rights-and-justice-in-colombia


RSVP your attendance ASAP by 6 June 2017 as seats are limited: WLC@arabates@gmail.com

Please note that this is the same event that was originally advertised for 4 April 2017, but postponed.

For more information on Sarah’s background and work in Colombia, see these links to articles published in LawTalk last year:


Human rights, conflict and dancing in Colombia

(Note: this is a changed date!)

The Women in Law Committee warmly invites you to hear Wellington lawyer, Sarah Cates, share her professional and personal insights and reflections following her sabbatical working in human rights in Colombia in the framework of the armed conflict. Sarah worked as an international observer and accompanier, accompanying human rights defenders and lawyers whose lives are at risk for the work that they do in support of human rights.

The Committee is delighted to host Sarah, who will share about the human rights situation in Colombia, the grave risks human rights defenders and lawyers face, and the assignments she had. She will also give her view on the implication of Colombia’s recent Peace Agreement to end almost 70 years of conflict with the guerrilla group FARC. Sarah will also share about her enriching personal journey whilst in Colombia; the joys, challenges and learnings she experienced, which she applies in her everyday life here and role as a lawyer.

Hear about this, and more at the evening event kindly sponsored by Russell McVeagh. The event is free and some drinks and nibbles will be provided. All practitioners are welcome.

This event is CPD compatible and forms will be available on the night.

Please join us on Wednesday, 7 June 2017 from 5:30pm to 7:30pm at Russell McVeagh, Level 24, Vodafone Building, 157 Lambton Quay, Wellington CBD.

INSIDE:
Hon Paul Neazor 3
Gender equality 4
Legal executives 5
Drive to Mongolia! 8
New Zealand’s ‘ongoing love affair’ with alcohol

PROFESSOR Doug Sellman, who has worked in the addiction treatment field since 1985, is to speak on the NZ Law Commission major review of liquor laws, led by Sir Geoffrey Palmer in 2009/10, and worked on by Lecretia Seales.

The lecture is the Lecretia Seales Memorial Lecture in Law Reform, and is entitled “Law, Liquor, and Love.”

The Law Commission conducted the review in the light of 25 years of deregulation of the sale and supply of alcohol, and growing concern about alcohol-related harm.

Professor Sellman has been director of the National Addiction Centre, Christchurch School of Medicine and Health Sciences, since its inception in 1996 and professor within the University of Otago since 2006. His clinical work since 1994 has been as consultant psychiatrist to the alcohol and drug stream of the Youth Speciality Service in Christchurch.

Professor Doug Sellman will outline this review, and the government’s response in delivering what he describes as an “Alcohol (NON) Reform Bill” (passed in 2012).

He will describe New Zealand’s ‘ongoing love affair’ with alcohol: “This involves politicians, business people and the wider public, and the various desires associated with alcohol: pleasure, comfort, power, and money. This love affair continues to be a barrier to effective alcohol law reform."

Thursday 8 June 2017 at 5.45 - 6.45pm, GBLT1, Rear Courtyard, Old Government Buildings, 55 Lambton Quay, Wellington

RSVP: law-events@vuw.ac.nz

Deadline Council Brief July
Monday 19 June 2017

Wellington Branch Diary June

Tuesday 6 June
Unconscious Bias in the Workplace www.lawyerseducation.co.nz

Thursday 8 June
Parole Law Committee
Courts, Tribunals & ADR Committee

Monday 12 June
Criminal Law Committee

Tuesday 13 June
Earthquakes & Floods – Business Consequences, Webinar

Thursday 15 June
Human Rights Committee
Porirua Lawyers Dinner

Monday 19 June
Trusts & Estates Committee

Thursday 8 June

RSVP: law-events@vuw.ac.nz

MADESIGN

Answers for puzzles from page 7

1. (a) metaphor (b) resolution (c) multiple choice (d) mountain (mount 10) (e) many thanks (or thanks a lot)

2. 1 QULT - 10d - 2Rfls + Kp 3 Rfls

Crossword Solutions

From page 4

Cryptic Solutions

Across: 1 (drawnment, 9 daretac 10 nerse 11 Kned 12 Moonflag 13 Tempeg 15 Bagged 18 Ranchin 20 Gegen 21 Light 23 Wate 24 Unites. Down: 2 (i) 2m 3 Artiste 4 Maxim 5 Mangos 6 Nursing 7 Works in (key) 16 Nox 18 (VWV) 19 (M) 20 (Hd)

Quick Solutions

Across: 1 Accuracy 9 (Brendun 10 Dier 11 Thorn 12 Extreme 13 Utilis 15 Estate 16 Tractor 20 August 22 Vine 23 Fixens 24 Brotherhood.

Down: 2 (j) 3 (d) 4 Ramier 5 Aug 6 Chinese 7 (Ostrich) 8 (Heard) 14 (Train) 16 Stael 17 Trile 19 (Treat) 21 (Goss)

New Zealand Animal Law Association: Animal Law Conference 2017

The New Zealand Animal Law Association (NZALA) invites interested practitioners, students, and members of the public to its animal law conference in Auckland on Saturday 1 July at Kensington Church.

The conference will feature numerous national and international animal law experts, including: The Honourable Michael Kirby AC CMG Australia, former judge of the High Court of Australia, speaking about problems with New Zealand’s animal law regime and strategies for the future.

- Dr Jane Goodall, one of the world’s foremost experts on chimpanzees, speaking about her work around the world tackling animal welfare issues, including her work to combat the illegal wildlife trade
- Marcelo Rodriguez Ferrere, Lecturer of Animal Law and Administrative Law at the University of Otago, speaking on animal sentience and the law
- Natalie Walker, Crown Solicitor at Kayes Fletcher Walker, speaking on animal welfare prosecutions
- Mike Bodie, Prosecutions Counsel for the Department of Conservation (DoC), speaking on wildlife prosecutions
- Danielle Duffield, New Zealand Animal Law Association President, speaking on the practical operation of the Animal Welfare Act 1999
- Vernon Tava, Waitemata Local Board Member, speaking on animals and legal standing.

Registrations are open for $25 for paid NZALA members. Students can register for $15, or $10 for paid NZALA members. Register now by contacting Jenny Gibbs at jenny.gibbs@nzala.org

The New Zealand Animal Law Association acknowledges the generous support of the New Zealand Law Foundation and the Wellington Companion Animal Council Trust.
Justice Daniel Paul Neazor CNZN, QC, 1933-2016

The Hon Daniel Paul Neazor QC, who passed away on 8 October 2016, is remembered with respect and affection by Wellington practitioners and those further afield.

A memorial mass for Paul Neazor was held St Mary of the Angels on 17 May, RT Hon Dame Sian Elias the Chief Justice of New Zealand, who delivered the eulogy, said that while Paul Neazor did not stand on ceremony, he “understood the importance of marking things that matter…”

“Although we have had some time to adjust, there is still in our community a great sense of loss that we will never again walk out into Lambton Quay to see a familiar figure in a raincoat and be flooded with the reassuring sense that all is right with the world after all.”

Paul Neazor was born in 1933, went to St Patrick’s College and earned an LLM from Victoria University. In a long career of public service he began with the New Zealand Railways, joined the Crown Law Office and became Solicitor-General in 1980. He served as a Judge of the High Court and a member of the Divisional Court of Appeal for nine years. In 2004 he was appointed Inspector-General of Intelligence and Security, a position he held until 2013.

He was President of the Wellington District Law Society in 1985 and Vice President of the New Zealand Law Society in 1986 and 1988. Dame Sian commented that Paul’s family was the centre of his life, “Despite the long hours he worked and his devotion to the service he gave to the public, he never missed the evening meal at home. He kept himself grounded and knew what mattered.”

His time at Crown Law coincided with a tumultuous period in New Zealand law, Dame Sian said, “...when modern public law principles were being established, and significant litigation involving the Crown was before the courts. He was involved in the Samoan citizenship case, the furore arising out of the dawn raids in Auckland, the Clyde dam case, the Rainbow Warrior aftermath, the fallout from the Erebus Inquiry, the Environmental Defence Society case against the Aramouna smelter, and the Maori lands and fisheries cases.

“It helped that Paul was known to be meticulous in his work and someone entirely trusted by those in Government and by the profession, including in particular the counsel who opposed him...

“I was in the Court of Appeal as spectator or counsel in a number of these cases. They raised points of constitutional importance or pushed the existing boundaries in terms of procedure and reception of information. The stakes were very high. In the hands of someone less principled and fair, less secure (more anxious to impress) and less courageous, they could have caused real strains among the people involved. They never did. I have often wondered whether a lesser man would have fudged the answer to the single interrogatory administered in the New Zealand Maori counsel case: what, if any system, did the Crown put in place to ensure consistency with the principles of the Treaty? Paul’s answer was straightforward: a die – none: “I was delighted to see on a recent visit to the lovely new museum at Waitangi that the single photograph illustrating always of the obligations of office...

“He was someone who wore honours and high office lightly. He was entirely comfortable in his own skin and was deeply appreciated and loved. He was someone who lifted the spirits of those who worked with him. I think because in his life he was someone who was entirely constant and very happy. He had irrepressible optimism and high spirits and unflagging good humour. He helped very many people, including the young practitioners he encouraged, many of them women...

“Paul Neazor was someone who never lost the capacity to salute goodness and beauty in life. His heart was never corroded. He was a great judge, a great public servant, an outstanding New Zealander and one of the finest human beings any of us will encounter.”

Wellington Branch Committees 2017-18

Wellington is a vibrant Branch due, mainly, to the amazing work of our 16 specialist interest committees as they get together to discuss professional matters and specialist topics: network; arrange education and CPD forums; organise social functions; work with other professional groups; influence the culture of the Society; provide support for our profession; promote women in the law; provide a forum for lawyers in private and in-house practice to meet; provide opportunities for newly-admitted lawyers to benefit from the wisdom and experience of those who have been in practice for many years… the possibilities go on. The Wellington Branch aims to:

Promote, serve, and lead the legal profession in the Wellington region and build relationships of trust and confidence with its members and the community.

If this is something you want to be part of, now is your opportunity. Please complete and return this form to the Wellington Branch, Level 3, Law Society Building, 26 Waring Taylor Street or email: wellington@lawsociety.org.nz

(Existing committee members please note that all committees are dissolved on 30 June annually so, if you are already serving on a committee, you still need to complete the form to confirm your membership for the year starting 1 July 2017.)

Please return to Wellington Branch by Friday 30 June 2017

I wish to volunteer as an active member to the following committee(s):

- Courts, Tribunals & ADR
- Human Rights
- Public Law
- Criminal Law
- Immigration & Refugee
- Trusts & Estates
- Employment Law
- Independent Practitioners
- Women in Law
- Ethics Committee
- Legal Assistance
- Young Lawyers
- Family Law
- Library
- Health Law
- Parole Law
- Human Rights
- Public Law

Suggestion for new committee

Name:

Firm:

DDI:

Email:
Library News

While construction continues electronic resources are all go

By Robin Anderson, Librarian, Wellington

THE Wellington Library is still a construction zone as electricians work on the wiring for the new lighting to go into the library. The lights themselves are due soon. Once the lights have been installed, the ceiling tiles can be replaced and the space will look just like new!

Shelving, books, and any changes that need to be done for possible new shelving configurations, depend on engineers and floor loading tests being approved. We are still all waiting to hear about these so any news on this is further down the timeline.

In the meantime, our computers are all going, so access to the large range of electronic information is there waiting at your fingertips. You can see what online information we have available in the library and all the branch libraries here: [http://www.lawsoociety.org.nz/law-library/library-databases](http://www.lawsoociety.org.nz/law-library/library-databases)

We also have all of our closed reserve books. We have any new materials, law reports, books and CLE seminars that we have received since the earthquake so do check with the library new materials, law reports, books and CLE seminars that we are available in the library and all the branch libraries here.

N.B. The library has access to extensive online materials and can still do document delivery and carry out legal research.

Law reform for gender equality and improvements in the workplace part of recent discussion

By Dhazna Sothieson

ON 17 May Jan Logie MP, the Green Party’s spokesperson for social development, led a discussion hosted by the Women in Law Committee on her efforts at law reform for gender equality and improvements in the workplace.

The discussion centered on Ms Logie’s private member’s bills recently put before Parliament: the Domestic Violence – Victims’ Protection Bill and Equal Pay Amendment Bill.

Domestic Violence – Victims’ Protection Bill

Currently before the Justice and Electoral Select Committee, the Bill aims to enhance the legal protections for victims of domestic violence and the role of the workplace in addressing the effects of domestic violence. Ms Logie explained that for victims of domestic violence who are in employment, the workplace is often a “safe zone” and a place of support to enable victims to escape abusive relationships.

The Bill garnered considerable media attention for the proposed additional paid leave entitlements for victims of domestic violence to access support and other services. The Bill also intends to provide the ability for victims of domestic violence to request flexible working arrangements, and inserts into the Human Rights Act 1993 a prohibited ground of discrimination for “being a victim of domestic violence”. A point of discussion was that similar rights in the Employment Relations Act 2000 (regarding flexible working arrangements, good faith, and anti-discrimination) and the Health and Safety at Work Act 2015 may already be used to support victims of domestic violence. Ms Logie emphasised that education about legal rights and employer policies is crucial to help victims feel comfortable discussing these issues with their employer, with systemic changes also needed.

Equal Pay Amendment Bill

The Bill did not pass its first reading on 10 May 2017 (by one vote). The purpose of the Bill was to improve the likelihood of successful cases under the Equal Pay Act 1972. The Bill provided that in addition to information employers are already required to collect about employees (including number of hours worked and wages paid), an employer must collect information about the gender of an employee. The Bill provided that a copy of these records must be sent annually to MBIE. An employer would also be required to disclose to an employee the aggregated data showing the pay and gender for all employees doing the same work.

Ms Logie discussed how confidentiality and privacy concerns should not be used to hide pay discrimination. The Bill aimed to provide transparency for employees to access credible information. Countries including Norway and Sweden (and recently, the United Kingdom) have implemented transparency laws which are attributed to closing the gender pay gap. By collecting this data, employers would also be able to review the information to address any pay inequalities caused by actual or unconscious bias based on gender. With many businesses conducting their own gender pay gap audits and achieving accreditations for being equal pay employers, the onus still rests with employees to prove pay discrimination without good data.

Ms Logie also discussed her concerns with the Government’s draft Employment (Pay Equity and Equal Pay) Bill released for public consultation which increases barriers for employees to file pay equity claims. One issue discussed is that the draft Bill provides that a comparator must be selected which is closely related to the employer’s business. A comparator from an external industry or sector may only be selected if no other appropriate comparator exists: an approach at odds with the Court of Appeal’s decision in Terranova Homes and Care Ltd v Service and Food Workers Union Nga Ringa Tota Inc [2015] 2 NZLR 437 (CA). Feedback has been given on the draft by many groups, and the Bill is expected to be introduced in this Parliamentary term.

New books at Wellington branch library

ADLS sale & purchase agreement Wellington : New Zealand Law Society 2016 KN73.L1 NEW

Construction Contracts Amendment Act Wellington : Continuing Legal Education, New Zealand Law Society 2017 KN84.4.L1 NEW


N.B. The library has access to extensive online materials and can still do document delivery and carry out legal research.

Electrician Harrison Alderdycy from Ross Monk Electrical working on ceiling wiring at the library using the nifty vertical mast lift.

While the library is still a construction zone, the librarians are on hand and will be pleased to assist you.
Wellington area legal executives’ graduation ceremony for 2017

THE 2017 graduation ceremony for the Wellington area NZLS Legal Executive Diploma was held on 17 May.

Attendees report a relaxed and warm occasion that everyone enjoyed. The event was hosted by the New Zealand Institute of Legal Executives Inc Wellington & Central Districts Branch at the offices of Kensington Swan who generously provided the venue.

NZILE Wellington & Central Districts Branch President Cheryl Whitworth welcomed the graduates and their families, as well as guests, in particular, Nerissa Barber, Mark Wilton and Mary Ollivier of the NZ Law Society and Cedric Hunt from The Open Polytechnic.

NZ Law Society Wellington Branch President David Dunbar was the keynote speaker. In his address he acknowledged the NZILE and said the Law Society was “proud of its association with NZILE”. He congratulated the graduates on their achievement and mentioned the important role legal executives play in the law profession.

He encouraged legal executives to keep learning, take ownership of their role and to get involved in their professional organisation.

“Be involved with your profession and the Institute. You get what you give back. In fact, seek out colleagues and connections within your profession,” he said.

“Know that you will play a key role in the places you work. Feel confident in your knowledge and the strong foundation you have – but do not be afraid to ask questions of senior colleagues – and in turn be willing to help others.”

Six graduates from The Open Polytechnic and Whireirea were awarded their diplomas by David Dunbar and Cheryl Whitworth: Mary Gardiner, Sacha Grant, Fiona Jordan, Senerita Nuu, Rochelle Warren, and Andrea Lin Lin Yap.

A further three graduates, Daniel Ingeldew, Kerriynne Mai Forbes and Natalie Selby were unable to attend the ceremony.

NZ Law Society – Wellington Branch

Branch Manager: Annelies Windmill
Branch Administrator: Jacque Shailer
Librarian: Robin Anderson
Assistant Librarian: Julie Matthews
Research Librarian: Nicola Stedman
Library Assistant/LINX: Julie Kirkland
PO Box 494, Wellington
Phone: 04 472 7837
Email: Wellington@lawsociety.org.nz
Website: www.lawsociety.org.nz

NZ Law Society Library, Wellington
Phone: 04 473 6202
Fax: 04 471 2568
email: wellington@nzlslibrary.org.nz

Restructuring the world of work

A RADICAL restructuring of work and care is proposed by Professor Jennifer Nedelsky who will speak at the Victoria Law School on 6 June.

Professor Nedelsky says three critical problems arise out of dysfunctional norms of work and care. “Unsustainable stress on families, persistent inequality for women and others who do care work, and policy makers who are ignorant about the care work that life requires. Only a radical transformation of the structures of work and care can solve these problems.”

Professor Nedelsky is the co-author of the forthcoming book A Care Manifesto: (Part I) Time For All (Oxford, 2017), which argues for a “new norm”: 12-30 hours of unpaid care from everybody, along with 12-30 hours of paid work. The lecture will present the main arguments from the book, which aims to move public discussion around “work-family balance” toward the fundamental change needed to address the problems.

Professor Jennifer Nedelsky is Professor of Law and Political Science at the University of Toronto and Professorial Fellow at the Institute for Social Justice. Her teaching and scholarship have been concentrated on feminist theory, legal theory, American constitutional history and interpretation, and comparative constitutionalism.

Professor Nedelsky’s lecture will take place on Tuesday 6 June 2017, 5.30 - 6.30pm, in GBLT3, Ground Floor, Old Government Buildings, 55 Lambton Quay, Wellington

RSVP: law-events@vuw.ac.nz

Address by prime minister of Tibetan government in exile

DR Lobsang Sangay, prime minister of the Tibetan government in exile, spoke at the Victoria University law school recently.

The Tibetan Government in Exile is based in Dharamsala, India, and represents the 130,000 or so Tibetan refugees living in India.

Dr Sangay was born in Darjeeling, India, the child of refugees who fled from Tibet to India after the 1959 uprising against Chinese rule. Sangay went to school in Darjeeling, then gained an LLB from University of Delhi. He won a Fulbright scholarship to Harvard Law School where he earned LLM and SJD degrees and became a senior fellow there until his election as chief minister in 2011.

Dr Sangay spoke of difficulties within Tibet, such as the destruction of monasteries, and the 145 self-immolations in the last six years, a sign, he said, of the desperation of people whose culture, environment and way of life are under threat.

Despite these signs of pressure on the native Tibetan population Dr Sangay said Buddhism and its philosophy of non-violence and impenance had contributed to the “middle way” policy, now enunciated by the Tibetan Government in Exile, pleading for genuine autonomy for the Tibetan people as guaranteed under Chinese law, but wanting in reality. “The Chinese government says sovereignty and territorial integrity cannot be compromised, that the unity of the motherland cannot be compromised… His Holiness the Dalai Lama says fine, but repression of Tibetan people, environmental destruction, cultural assimilation, social discrimination has to end, and we have genuine autonomy according to Chinese laws. On paper autonomy exists, in reality not so.”

Tibetans will settle for genuine autonomy, he says, and in that case not seek separation from China.

Dr Sangay spoke particularly about environmental issues. Tibet is a vast plateau of about 2.5 million square kms, as big as all of western Europe, or of California and Texas combined. There are many large mineral resources including gold, zinc, copper and lead. The largest copper mine in China is there.

The plateau is also the “water tower” of Asia. After Antarctica it has the highest reserves of ice and the 10 major rivers of Asia originate from its melt water, providing water for billions of people.

The elevation of the Tibetan Plateau averages about four thousand metres and has significant impact on world’s climate and weather. The ecosystem is fragile and Dr Sangay noted that around half the Tibetan glaciers have disappeared since 1959. Accelerating development, such as rail and road construction, has raised ambient temperatures. Environmental changes on the plateau could have incalculable effects on water supplies in Asia and on worldwide climate.

Dr Sangay noted that Chinese environmental scientists have recently recommended to the Chinese government that the Tibetan Plateau be declared a national park to preserve its fragile ecosystem.
ON 21 February 2017, the Taxation (Business Tax, Exchange of Information, and Remedial Matters) Act 2017 received royal assent.

The Act contains several changes to the Residential Land Withholding Tax (RLWT) rules in an attempt to reduce compliance costs and the burden of additional record keeping. As a result of the changes, calculating the RLWT amount is now a much more complex exercise.

The RLWT rules came into effect on 1 July 2016 and introduce a withholding tax in relation to income derived under the two year bright-line test where the vendor is an "offshore RLWT person". The rules impose an obligation, primarily on conveyancers, to withhold RLWT from settlement monies in certain circumstances.

In LawNews Issue 25 last year (29 July 2016), we considered the group of companies as an "offshore person" for the purposes of the RLWT rules. The rules contain definitions for natural persons, companies, limited partnerships and trusts. In many cases, the definition is different from the definitions of an "offshore person" for the purposes of the Tax Statement. In particular, many New Zealand discretionary trusts will find themselves to be an offshore RLWT person, notwithstanding that they would normally be regarded as on-shore entities and may not be an "offshore person" for the Tax Statement.

RLWT now even more complex for conveyancers

By Amanda Martin, Tax Advisor, NZA Tax Limited

The Solicitors’ Benevolent Fund – ways to donate

Donations to the Solicitors Benevolent Fund can be made through:

• “Give a Little” http://www.givealittle.co.nz/org/Solicitors, which will be automatically receipted, or
• by Direct debit: Bank of New Zealand: 02-0506-011018-097

All donations go directly to the capital reserve. The Solicitors’ Benevolent Fund Trust is registered as a charitable trust (number CC48709) and has tax deductible status.

If a receipt is required when making a direct debit, please email wellington@lawsociety.org.nz with your name, the amount deposited and a contact number to ensure a receipt is issued and sent to the correct place.
Hagar – a charity that changes lives
By Ken Lord, partner at Parry Field Lawyers, board member of Hagar NZ

Hagar’s work concentrates on the recovery of such women rather than rescue. Over the years the organisation has developed well-respected expertise in their recovery and after care in Cambodia.

What happened had a profound effect on my hitherto calm unsettled but productive professional career.

The women, whose ages ranged from mid-teens up to late twenties, had been asked to tell us how they were finding their new lives, learning trades and new occupations after their rescue. They were, after early counselling to help them recover, learning about hairdressing, catering and other businesses. Some were preparing for court cases against their abusers.

It had been difficult to get into the place. There were guards at the gate and our bags were searched. Hagar was sitting in a cramped room in a secure facility (a “safe house”) with about 20 country leaders and workshop to be held at Victoria University in September.

TEN years of the Evidence Act 2006 is to be reviewed at a conference and workshop to be held at Victoria University in September. The event will mark the decade since the Act came into force and also the second five-year review by the Law Commission.

Speakers and consultants include: Fionnghuala Cuncannon, Meredith Connell; Professor Jeremy Gans, University of Melbourne; Professor David Hamer, University of Sydney; Professor Jill Hunter, University of New South Wales; Professor Elisabeth McDonald, University of Canterbury; Associate Professor Scott Optican, University of Auckland and Hon Douglas White QC, President of the New Zealand Law Commission.

The event is to take place at The Old Government Building, 55 Lambton Quay, Wellington, on Friday 8 September 2017, 8.30am-5pm.

For more information email elisabeth.mcdonald@canterbury.ac.nz

This conference is CPD compatible.

Wellington Medico-Legal Society
The Wellington Medico-Legal Society is an amalgam of practising lawyers and doctors, and students with an interest in medical law. Regular meetings are held featuring speakers with particular expertise in areas that affect medical law. If you are interested in joining the Society please contact either of the below email addresses:

Jenny Gibson: jgibson@legalchambers.co.nz
Marina Kapua: marina@legalchambers.co.nz

Review of Evidence Act 2008
TEN years of the Evidence Act 2006 is to be reviewed at a conference and workshop to be held at Victoria University in September.

The event will mark the decade since the Act came into force and also the second five-year review by the Law Commission.

Speakers and consultants include: Fionnghuala Cuncannon, Meredith Connell; Professor Jeremy Gans, University of Melbourne; Professor David Hamer, University of Sydney; Professor Jill Hunter, University of New South Wales; Professor Elisabeth McDonald, University of Canterbury; Associate Professor Scott Optican, University of Auckland and Hon Douglas White QC, President of the New Zealand Law Commission.

The event is to take place at The Old Government Building, 55 Lambton Quay, Wellington, on Friday 8 September 2017, 8.30am-5pm.

For more information email elisabeth.mcdonald@canterbury.ac.nz

This conference is CPD compatible.
By Chris Ryan

‘Flightless’ Kiwi lawyer on Mongol Rally

Hawkes Bay farm so I can turn my hand to most things, and Nico is doing an evening class in car maintenance, so we should be OK.”

The aim obviously is to have fun and survive, but there is a serious purpose as well: to raise money for two worthwhile charities, Doctors Without Borders and Cool Earth.

Doctors Without Borders go into war-torn areas and areas where there’s little to no access to healthcare. “They’re active in most of the countries we’ll be visiting, particularly Afghanistan where they have set up many field hospitals. So, while we’ll be benefiting from the hospitality of locals and generosity of inevitably necessary small-town mechanics, we want to give something back to those communities.

“And, we’ll be travelling a damn long way in an old car which will no doubt spit out smoke. So, we thought the perfect way to offset our environmental footprint was donating to Cool Earth who fight deforestation around the world. They work with communities in developing countries to find economic alternatives to chopping down the rainforest to sell wood.”

The team is currently looking for sponsors, to assist in raising money for their charities, in exchange for branding to be plastered over their car.

You can get in touch with and follow Team Flightless on their Facebook page www.facebook.com/teamflightless/

And assist if you wish on their give a little page https://givealittle.co.nz/cause/flightless-mongol-rally