



10
CPD HOURS

IT'S ISLAND TIME

PACIFIC LAWYERS ASSOCIATION INAUGURAL CONFERENCE

21 - 23 NOV 2019

AUT SOUTH CAMPUS, MANUKAU



AUT

MAJOR SPONSORS

CONFERENCE PROGRAMME



CONFERENCE DAY ONE

THURSDAY, 21 NOVEMBER 2019 | AUT SOUTH CAMPUS 11:00AM – 3:00PM

10:30 – 10:55	Registration desk open for check in
11:00 – 11:15	PŌWHIRI In acknowledging our ties to our home in Aotearoa, the conference will be officially opened with a pōwhiri led by Kaumātua Te Teira Rawiri from Waikato Tainui. The pōwhiri is an official welcome from the host (tangata whenua) to the visitors/delegates (manuhiri).
11:15 – 11:30	LOTU Faith and religion are central to the beliefs, identity and way of life for Pasifika people. Lotu is a term used by many Pacific Island cultures for church, prayer and devotion. Reverend Pennie Vaione Togatama-Otto will lead us in prayer to mark the opening of the conference.
11:30 – 11:50	AVA O LE FEILOAIGA The Ava ceremony is one of the most important customs in many Pasifika cultures. Ava o le Feiloaiga is a traditional custom in Samoa to welcome and have fellowship with visitors to mark an important occasion.
11:50 – 12:30	LUNCH
12:30 – 12:40	WELCOME Tania Sharkey – President, Pacific Lawyers Association
12:40 – 1:00	KEYNOTE SPEAKER The Hon Aupito William Sio – Minister for Pacific Peoples
1:00 – 2:45	BREAKOUT ROTATIONAL WORKSHOPS
	JUDGES PANEL The Hon Justice Rebecca Edwards, Her Honour Judge Ida Malosi and Her Honour Judge Soana Moala
	SURVIVAL TIPS FOR TERTIARY STUDIES Representatives from the respective Pacific Island law students associations in Aotearoa
	A DAY IN THE COURTROOM His Honour Judge Alan Goodwin, His Honour Judge Antony Mahon, Ataga'i Esera, Semisi Pohiva and Hemi Arthur
	FINDING YOUR GATEWAY TO A LAW CAREER Frances Fuamatu and Blake Wong-Ling
	WHAT ELSE CAN I DO WITH MY LAW DEGREE? Leaupepe Ta'ala Ralph Erika, Lotu Fuli, Tupe Solomon-Tanoa'i, Ronji Tanielu, Sieni Voorwinden
2:45 – 3:00	CLOSING

PACIFIC STUDENTS AND PARENTS EXPO EVENING AUT SOUTH CAMPUS 6:00PM – 8:00PM

This event is for high school students, law students and their parents/family to meet, mingle and network with future prospective employers, law graduates in non-legal roles, lawyers, Judges and other members of the legal profession. Our guest speaker is Her Honour Judge Ida Malosi, the first female Judge of Pasifika descent and the Executive Judge of the Manukau District Court.

5:30 – 6:00	Registration desk open for check in
6:00 – 6:20	WELCOME Executive Committee, Pacific Lawyers Association
6:20 – 6:30	SPONSOR'S PRESENTATION - Auckland University of Technology - Dr Alison Cleland Senior Lecturer (Law), Associate Head of School
6:30 – 6:50	GUEST SPEAKER Her Honour Judge Ida Malosi – Executive Judge, Manukau District Court
6:50 – 8:00	NETWORKING AND EXPO EVENING

CONFERENCE DAY TWO

FRIDAY, 22 NOVEMBER 2019 | AUT SOUTH CAMPUS 8:40AM – 4:30PM

8:00 – 8:40	Registration desk open for check in
8:40 – 8:50	WELCOME Tania Sharkey – President, Pacific Lawyers Association
8:50 – 9:10	CHIEF JUSTICE ADDRESS The Rt Hon Chief Justice Dame Helen Winkelmann
9:10 – 9:40	KEYNOTE SPEAKER Tiana Epati – President, New Zealand Law Society
9:45 – 10:35	BREAKOUT SESSION ONE
	OPTION 1: FAMILY Lawyer for Child/Lawyer to Assist – Know your Role!
	Assisting self-represented respondents in Family Violence hearings; assessing the need for a Litigation Guardian; the impact of s 10 & 11 OTA 1989 – these are just a few of the many tasks set for lawyer to assist or lawyer for child. This session is open to all family lawyers to learn about what the role is (and what it is not), so everyone knows what to expect from the court-appointed lawyer in a case.
	SPEAKERS: His Honour Judge Antony Mahon – District Court Judge, Manukau Fuimaono Gardenia Atimalala – Barrister, KAM Legal Chambers
	OPTION 2: GENERAL Lawyering in the Government
	The public sector offers complex but interesting work. With first-hand accounts of life working as lawyers for government Ministries, our speakers will provide an overview of some of the benefits and challenges that in-house government lawyers face, from having to work beside a business unit client (sometimes in the same office!) to providing high-level legal advice to a Ministry Chief Executive.
	SPEAKERS: Fonoti Seti Talamaivao – Legal Manager - Northern, Ministry of Social Development Sisilia Eteuati – Chief Legal Counsel Operations, NZ Customs
	OPTION 3: CRIMINAL Pacific culture in the role of the Criminal Advocate
	Using the context of the Criminal Advocate, we examine the role various cultures of the Pacific have to play in informing professional responsibility and advocacy.
	SPEAKER: Chris Merrick – Barrister, Mānuka Chambers, Manukau
10:35 – 10:50	MORNING TEA
10:50 – 11:05	GUEST SPEAKER Una Jagose QC – Solicitor-General
11:05 – 11:15	SPONSOR'S PRESENTATION - Michael and Suzanne Borrin Foundation - Michelle Wanwimolruk Chief Philanthropic Officer
11:15 – 12:05	PLENARY SESSION: MĀORI AND PACIFIC COLLABORATION Lore and Law – A Māori and Pacific collaboration from our two most recently appointed Māori and Pacific Judges
	We examine the importance of being grounded in our own cultures, touch on recent legislative changes and consider the impact through a cultural lens. With reflection on the KAM Legal story and how the different cultural teams within the Firm served to strengthen each other's cultures, we will discuss the challenges for lawyers moving forward – how do we maintain our identity?
	SPEAKERS: Her Honour Judge La-Verne King – District Court Judge, Northland Her Honour Judge Faumui Penelope Ginnen – District Court Judge, Manukau
12:05 – 1:00	LUNCH



1:00 – 1:50	BREAKOUT SESSION TWO
	<p>OPTION 1: IMMIGRATION Staying updated on immigration and the Tribunal process</p> <p>The Immigration & Protection Tribunal (IPT) hears appeals regarding decisions made by Immigration New Zealand on residence class visas, deportation (including appeals on humanitarian grounds) and claims to be recognised as a refugee or protected person. IPT member Peter Fuiava will speak about the latest updates in immigration and the Tribunal process.</p> <p>SPEAKER: Peter Fuiava – Member, Immigration and Protection Tribunal</p> <hr/> <p>OPTION 2: CRIMINAL/YOUTH Use of communication assistants/cultural context</p> <p>Court-appointed Communication Assistants (CA) are specialists who are neutral, impartial Officers of the Court for vulnerable witnesses or defendants, whether children, youth or adults. We explore the implications of communication barriers in a legal context and especially with Pasifika in the court system.</p> <p>SPEAKER: Maggie Winterstein – Barrister, Liberty Law Barristers</p> <hr/> <p>OPTION 3: FAMILY Care and Protection – Oranga Tamariki Act 1989</p> <p>We will discuss from a judicial and Oranga Tamariki perspective the recent changes to the Oranga Tamariki Act and the outlook ahead. The speakers will share their thoughts on the very niche role that care and protection proceedings has in the Family Court.</p> <p>SPEAKERS: His Honour Judge Alan Goodwin – District Court Judge, Manukau Tufuga Tasi Malu MCOT – Legal Services Regional Manager, Oranga Tamariki</p>
2:00 – 2:10	SPONSOR'S PRESENTATION - NZ Bar Association
2:10 – 3:00	<p>PLENARY SESSION: QUEEN'S COUNSEL SESSION Ethics. Courtroom etiquette. Advocacy.</p> <p>This session looks at new and emerging ethical issues that give rise to changes in the way litigation is conducted. We also examine whether the traditional reluctance to call the defendant to give evidence in criminal cases is still appropriate and, to the extent that it is, the potential pitfalls in both courses. We follow this with a consideration of the implications of not calling a litigant (or witnesses to the events or transactions that comprise the cause of action) in civil cases.</p> <p>SPEAKERS: James Farmer QC Stuart Grieve QC</p>
3:00 – 3:15	AFTERNOON TEA
3:15 – 3:25	SPONSOR'S PRESENTATION - CheckMates PI, Men's Health Trust New Zealand
3:25 – 4:25	<p>PLENARY SESSION: MOANA RESEARCH - A NEW WAVE OF THINKING Unconscious Bias, Resilience and Wellbeing: what does this mean for Pacific?</p> <p>With the launch of the Wellbeing Budget and a new Child and Youth Wellbeing Framework on the way, what does resilience and wellbeing look like for our Pacific people? This talk addresses unconscious bias, describes a structure for understanding resilience and how we can adapt our policies and systems to better reflect both the needs and strengths of Pacific professionals, families and communities.</p> <p>SPEAKERS: Jacinta Fa'alili-Fidow – CEO, Moana Research Dr Seini Taufa – Research Lead, Moana Research</p>
4:30	CLOSING

CONFERENCE DAY THREE

SATURDAY, 23 NOVEMBER 2019 | AUT SOUTH CAMPUS 9:15AM – 2:30PM

8:45 – 9:15	Registration desk open for check in
9:15 – 9:30	WELCOME Tania Sharkey - President, Pacific Lawyers Association
9:30 – 10:15	KEYNOTE SPEAKER Sir Anand Satyanand GNZM QSO KStJ
10:15 – 11:05	BREAKOUT SESSION THREE
	OPTION 1: CRIMINAL Evidence Law Update: Recent Cases from the Court of Appeal
	No matter how diligent you are at reading the Capital Letter, it's a challenge to keep up with the 450-odd criminal appeal judgments delivered by the Court of Appeal in the last two years. Retired Court of Appeal Judge, The Hon Tony Randerson QC and his former clerk, Crown Prosecutor Anna Devathanan, review recent highlights from the Court's criminal work.
	SPEAKERS: The Hon Tony Randerson QC Anna Devathanan – Crown Prosecutor, Kayes Fletcher Walker
	OPTION 2: CIVIL Climate change and litigation affecting the Pacific
	In this session, we will review climate change litigation, focusing on international attempts to hold companies accountable for their trans-boundary pollution, and the potential lessons for Pacific nations for whom global warming presents unimaginable consequences. Find out how the law plays a part in one of the biggest challenges our Pacific nations are facing.
	SPEAKER: Satiu Simativa Perese – Barrister
	OPTION 3: FAMILY How to find your time in Island time
	Family law is a tough and challenging area to practice in. In this session, Margaret Casey QC will examine how to find your happy place in family law, provide an honest account of the challenges she faced and how she found her groove and niche in her specialist areas.
	SPEAKER: Margaret Casey QC
11:05 – 11:20	MORNING TEA
11:20 – 11:30	SPONSOR'S PRESENTATION - CareSaver KiwiSaver
11:30 – 12:20	PLENARY SESSION: PRACTISING IN THE PACIFIC There are green pastures in the Pacific too
	Qualified lawyers are in high demand in the Pacific Islands. Although life in the Islands may not be as financially rewarding compared to New Zealand, there are hidden opportunities that qualified and experienced Pacific lawyers should consider in the Pacific Islands, such as legal drafting, Government legal advice and litigation. Hear how you can practise law in the Pacific region.
	SPEAKERS: Lemalu Hermann Retzlaff – Attorney General, Samoa 'Aminiasi Kefu – Former Attorney General (Tonga) and Senior Crown Prosecutor, Kayes Fletcher Walker
12:20 – 1:10	LUNCH



1:10 – 2:00

BREAKOUT SESSION FOUR

OPTION 1: CIVIL

Dealing with Government – Ways to maximise effectiveness

This session will canvas ways lawyers can influence Government. Whether acting on behalf of clients to obtain favourable outcomes or avoiding adverse ones, promoting or responding to initiatives, influencing policies or legislation, or challenging decisions made, lawyers have a key role. We focus on the role of lawyers in acting for clients affected by or wanting to promote changes in the law at every stage.

SPEAKER:

Michael Webb – Barrister, Princes Chambers

OPTION 2: MINISTRY OF JUSTICE - THERAPEUTIC COURTS

Therapeutic Courts: what are they, why do we need them and how do they work?

Therapeutic Courts exist in both New Zealand and Samoa, offering offenders the opportunity to address the drivers of their offending prior to sentencing. Using the Alcohol and Other Drug Treatment Courts as an example, this presentation will explore the place of such Courts in the sentencing regime, their effectiveness and their challenges.

SPEAKER:

Her Honour Judge Ema Aitken – District Court Judge, Auckland

OPTION 3: YOUTH/MENTAL HEALTH

If there was one word to describe your childhood, what would it be? Bloody, there was always blood everywhere

Assessing trauma and its relevance to offending behaviour is a key focus in the world of psychologists working in the Justice system. But what relevance does this have within the law profession? We will explore trauma within the realms of psychology and law with a particular focus on understanding trauma from a Pasifika perspective.

SPEAKER:

Folasātiu Dr Julia Ioane – Senior Lecturer, Auckland University of Technology

2:00 – 2:30

PANEL SESSION

A PASIFIKA PERSPECTIVE

The purpose of this panel is for genuine talanoa about issues that are relevant to our Pasifika community and the wider NZ society. The panel talanoa has a key focus on how Pacific Island professionals can really take advantage of Island Time.

SPEAKERS:

Toeolesulusulu Damon Salesa – Associate Professor of Pacific Studies and Pro Vice-Chancellor (Pacific), University of Auckland
Jannitta Pilisi – Director, Pacific Poppies Consulting
Fa'anānā Efeso Collins – Councillor, Auckland Council

CHAIR/MODERATOR:

Ali'imuumua Sandra Alofvae – Barrister and Commissioner, Royal Commission of Inquiry: Abuse in Care

2:30

CONFERENCE CLOSING



THE PACIFIC LAWYERS ASSOCIATION

ABOUT US

The Pacific Lawyers Association was established in 2001, with members from all around New Zealand including Wellington, Christchurch, Waikato, Dunedin, Auckland and the wider South Pacific. Our members include law students and graduates, lawyers and members of the Judiciary, who are of Pacific descent and/or who have Pacific affiliation. The Association aims to promote and respond to matters of relevance to Pacific lawyers and to Pacific peoples more generally.

OUR PURPOSE

- To promote fellowship and mutual support amongst Pacific peoples
- To identify and respond to the legal needs of Pacific peoples
- Support and encourage Pacific initiatives
- To promote and conduct research on any issue of relevance to Pacific lawyers and Pacific peoples
- To monitor legislation and promote law reform as it affects Pacific peoples
- To promote awareness of the roles of Pacific lawyers both generally and specifically
- To promote the education and ongoing training of Pacific lawyers and law students
- To communicate with and affiliate with similar bodies throughout the world
- To promote and conduct any other activities consistent with the spirit of the foregoing objects



CONTACT US

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