

CHAIR



Dr Matthew S R Palmer QC, Wellington

Matthew is a leading public lawyer practicing in Thorndon Chambers. He is a former Deputy Solicitor-General, Dean of Law at Victoria University of Wellington. Director of the New Zealand Centre for Public Law, Deputy Secretary for Justice and Treasury analyst. He has appeared in numerous public law cases and has numerous publications in public law. Matthew has taught law at Victoria University of Wellington, Hong Kong University, Yale Law School, Chicago Law Faculty and will be teaching at National University of Singapore in January 2016.

SPEAKERS



Victoria Casey, Barrister, Wellington

Victoria joined Thomas More Chambers in November 2012 following five years as Crown Counsel with the Crown Law Office's Human Rights and Tax & Commercial Teams, previously working for Bell Gully, Meredith Connell and Sly and Weigall (Canberra). Specialising in public law litigation, she was counsel assisting the Inquiry into allegations regarding the Hon Judith Collins and the former director the Serious Fraud Office.



Karen Clark QC, Barrister, Wellington

Karen specialises in judicial review and civil and commercial litigation advising and representing both private and public sector clients. She has a particular expertise, and interest, in the interpretation and operation of statute law. A former Deputy Solicitor-General, Karen was appointed Queen's Counsel in 2007 when she joined the independent bar.



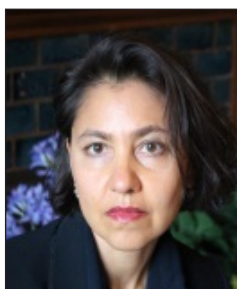
Francis Cooke QC, Barrister, Wellington

Francis is one of New Zealand's leading public law lawyers. He has argued a number of significant cases before the higher courts involving questions of public importance, including the leading Supreme Court decisions in *Quake Outcasts*. He commenced practice as a junior barrister in 1993 after periods with major law firms in the UK and New Zealand and was appointed silk in 2004.



Andrew K Irwin, Barrister, Wellington

Andrew specialises in public law, Treaty of Waitangi issues and Maori land law. Andrew acts for the Crown in the Waitangi Tribunal's Te Paparahi o te Raki/Northland inquiry and has acted for the Crown in a number of Waitangi Tribunal inquiries. Prior to joining the independent bar in 2013, Andrew was a Crown Counsel in the Crown Law Office's Treaty Team.



Janet Mason, Phoenix Law Ltd, Wellington

Janet is a Senior Legal Counsel with Phoenix Law, who specialises in public and constitutional law, international law, Treaty of Waitangi issues, natural resources allocation issues, environmental law and commercial law. Janet also lives and works in Fiji where she was involved in advising the Great Council of Chiefs and continues to advise the confederacy chiefs. Prior to working in the private sector, Janet acted for the Crown, as a solicitor for the Department of Conservation and then as Principal Advisor in the Ministry of Justice Public Law Group.

SPEAKERS



Simon Mount, Barrister, Auckland

Simon specialises in public, regulatory and criminal law. His first inquiry as counsel assisting was Sir Thomas Thorp's review of firearms control. He acted as counsel assisting the Pike River Royal Commission, legal advisor to the Government inquiry into the Fonterra whey protein incident, and counsel assisting the Inquiry into the escape of Philip Smith/Traynor to Brazil.



Professor Ron Paterson, Office of the Ombudsman and University of Auckland, Auckland

Ron is a New Zealand Parliamentary Ombudsman and Professor of Law at the University of Auckland (currently on leave). He was New Zealand Health and Disability Commissioner 2000-2010 and Chairman of the New Zealand Banking Ombudsman Scheme (2010-2013). Ron is co-editor of Skegg and Paterson *Health Law in New Zealand* (2015) and author of *The Good Doctor: What Patients Want* (2012).



Stacey Shortall, Partner, Minter Ellison Rudd Watts, Wellington

Stacey is an experienced litigator with expertise in dealing with the interplay between regulatory investigations, criminal prosecutions and civil lawsuits. A former Wall Street lawyer and recognised by *Chambers* as a leading individual in dispute resolution, Stacey handles all types of litigation matters and regularly assists clients to engage with regulators.



John Sneyd, Civil Aviation Authority of New Zealand, Wellington

John is currently Chief Legal Counsel with the Civil Aviation Authority and Aviation Security Service where he manages a small team specialising in aviation, international and public law. Prior to joining the CAA John spent five years as Chief Legal Advisor at the Department of Building and Housing.



Garth Stanish, Financial Markets Authority, Wellington

Garth is Director of Markets Oversight, leading the team responsible for overseeing licenced product markets, secondary market conduct, crowd funding/peer to peer lending, licensed supervisors, auditors and KiwiSaver. Prior to joining the FMA, Garth had extensive dispute resolution experience at Simpson Grierson and Crown Law, then was the head of Issuer Regulation and an Acting Head of Regulation at NZX.



Stephanie Wilson, Maritime New Zealand, Wellington

Stephanie has had a varied and long public and international law career and has advised Crown Entities for over 14 years. She is a member of the NZLS Public and Administrative Law Committee and currently works for Maritime New Zealand as the General Manager Legal and Policy and Chief Legal Counsel.

CONTENTS

In session order

Session 1 Regulators

Dealing with Regulators: The Regulators Perspective 1

Garth Stanish

Dealing with Regulators: The Lawyers Perspective 7

Stacey Shortall

Session 2 Crown Entities

Crown Entities and Ministerial Directions and Expectations 13

Stephanie Winson

Safeguarding Statutory Independence of Crown Entities 21

Karen Clark QC

Session 3 Inquiries

Inquiries in New Zealand 33

Simon Mount

Gathering and Disposing of Information under the Inquiries Act 2013 – Practical Insights
from the Collins Inquiry 49

Victoria Casey

Session 4 Quake Outcasts

There is no paper for this session

Session 5 Low Flying Planes and other Administrative Challenges

The Ombudsman and Public Law 59

Professor Ron Paterson

Lawyers, Technical Experts and Good Administrative Decisions 69

John Sneyd

Session 6 Treaty

He Whakaputana Me Te Tiriti/The Declaration and the Treaty 77

Andrew Irwin

The Tiriti/Treaty of Waitangi: From Subjugation to Legitimate Partnership 111

Janet Mason

CONTENTS

Alphabetical by author/presenter

Author		Title	Page
Casey	Victoria	Gathering and disposing of information under the Inquiries Act 2013 – practical insights from the Collins inquiry	49
Clark	Karen	Crown Entities	21
Irwin	Andrew	Treaty	77
Mason	Janet	Treaty	111
Mount	Simon	Inquiries in New Zealand	33
Paterson	Ron	Low Flying Planes and other Administrative Challenges	59
Shortall	Stacey	Regulators <i>Co-written by Briony Davies</i>	7
Sneyd	John	Low Flying Planes and Other Administrative Challenges	69
Stanish	Garth	Regulators	1
Winson	Stephanie	Crown Entities	13