CHAIR



Margaret Casey QC, Auckland

Margaret has been a barrister since 1992, specialising in cases involving international conventions, relationship property as well as mediation of family and property disputes. She is an expert in Hague Convention matters, adoption and surrogacy. She was appointed to The Hague Experts' Group on Parentage and Surrogacy in 2015. She has been a regular presenter at conferences in New Zealand and internationally. Margaret was appointed Queens Counsel in 2015 and was the inaugural Chair of the Family Law Section when it was established in 1997.

KEYNOTE/INTERNATIONAL SPEAKERS



His Honour Judge Laurence Ryan, Principal Family Court Judge, Wellington

His Honour Judge Ryan was educated at Selwyn College, obtained an LLB at Auckland University and was admitted to the Bar in 1973. He joined the late Brian Shenkin in partnership in 1975, becoming a Barrister sole in 1988 specialising in Family Law. Judge Ryan was appointed to the District Court bench in 1996 and has been Principal Family Court Judge of New Zealand since November 2012. He has presented at a number of conferences and seminars, both in New Zealand and internationally. He is also, together with the Chief District Court Judge, one of New Zealand's International Hague Network Judges.



Dr Bruce Smyth, Australian National University, Canberra, Australia

Bruce is Associate Professor of Family Studies at the Centre for Social Research & Methods, Australian National University, Canberra, Australia. He is in the final stages of an Australian Research Council Future Fellowship exploring the high-conflict post-divorce shared-time family. Bruce has published widely in the area of post-separation parenting, and is on several journal editorial boards.



The Honourable Justice Joseph Williams, High Court, Wellington

Justice Williams was appointed a Judge of the High Court on 10 September 2008. He graduated from Victoria University with an LLB in 1986 and from the University of British Columbia, Canada, with an LLM (Hons) in 1988. Justice Williams then joined, and later became a partner of the law firm Kensington Swan in Auckland. After practising as a partner of Walters Williams & Co between 1994 and 1999, he was appointed Chief Judge, Māori Land Court in December 1999. Shortly thereafter Justice Williams was appointed as Deputy Chairperson of the Waitangi Tribunal and appointed the Chairperson of the Waitangi Tribunal in 2004. He is a former Vice President of the Māori Law Society and a former President of Te Runanga Roia o Tamaki Makaurau, the Auckland Māori Lawyers Association. While in practice, he had extensive experience as a company director including sitting on the Board of MAI FM in Auckland for some years. He was the lead singer of "Aotearoa", a popular R&B/reggae band in the 1980s. He is a fellow of the International Academy of Trial Lawyers, a fellow of the Law Faculty at Victoria University of Wellington, an Honorary Lecturer, Faculty of Law at Waikato University and an adjunct professor at the Ngāi Tahu Research Centre at Canterbury University. His tribal affiliations are Ngāti Pukenga and Te Arawa (Waitaha, Tapuika).



Judge Andrew Becroft, Children's Commissioner, Wellington

Judge Andrew Becroft was appointed the Children's Commissioner for New Zealand for a two year period from June 2016. Prior to that he was the Principal Youth Court Judge of New Zealand from 2001 to 2016; and was appointed a District Court Judge in 1996. After graduating from Auckland University in 1981 with a BA/LLB (Honours) degree, he practised in Auckland until 1986 when he then assisted with the establishment of the Mangere Community Law Centre and worked there until 1993. He then worked as a criminal barrister in South Auckland until his appointment to the District Court in Whanganui, from 1996. Judge Becroft is a former council member of the Auckland District Law Society and the New Zealand Law Society. He is the Patron of the New Zealand Speak Easy Association Inc., which assists those with various forms of speech impediment, and is the Chairperson of the Board of the Tertiary Students Christian Fellowship (NZ) Inc. Judge Becroft is married with three children, aged 22, 21 and 17.



Vanessa Bruton QC, Auckland

Vanessa is an Auckland litigator, practising almost exclusively in trust and estate disputes. She was lead counsel for the successful plaintiffs in *Thurston v Thurston* and *Green v Green*, and acted for the successful trustees in *Thompson v Thompson*. She went to the independent bar in 2014 and took silk in 2016.



Sarah Calvert, PhD. Clinical Psychologist, NZPsS. NZAP, IARPP, Auckland

Sarah Calvert PhD is a Registered Psychologist holding the Clinical Scope of Practice. She has been a practicing psychologist for over thirty years primarily specialising in working with trauma in adults and children and in working with children and families. In addition, Sarah has an interest in longer term psych-dynamic work with adults and she provides supervision for both psychotherapists and psychologists. Most of Sarah's work is currently assessment work for both the Criminal and Family Courts here and in Australia and ACC.



Maurice Casey, Carlile Dowling, Napier

Maurice graduated from Otago University in 1998 and joined Carlile Dowling in 2006 after working in general practice (including time spent in Auckland and a year overseas for the Civil Service). Maurice's work includes appointments as lawyer for child, for the subject person in PPPR Act proceedings and in Mental Health proceedings.



Raewyn Crow, Registered Alcohol and Drug Practitioner, New Plymouth

Raewyn works with substance abuse and substance dependent clients providing assessments, reports, and treatment. She is especially involved in the area of child care and protection work.



Amanda Donovan, Haigh Lyon, Auckland

Amanda leads Haigh Lyon's specialist family law team. Her practice covers all areas of family law with a particular focus on relationship property, trust issues, estate litigation and children matters. Amanda is a contributing author for the *Westlaw Family Law publication* (NZ) and while working in London, she was a consultant editor for *Hershman and McFarlane: Children Law and Practice*.



Tracey Gunn, Barrister, Hamilton

Tracey exclusively works in the area of family law. She has a general family law practice with a particular focus on representing children in proceedings under the Care of Children Act and Children Young Persons and Their Families Act 1989.



Dr David Harvey, Director, Centre for ICT Law, University of Auckland, Auckland

Dr Harvey (LLB; MJur; PhD) is Director of the New Zealand Centre for ICT Law at the Faculty of Law, University of Auckland. Prior to his appointment to that position in July 2016 he was a District Court Judge for 27 and a half years after having practiced as a barrister and solicitor in litigation for 18 years. He has taught Law and Information Technology, an undergraduate paper, for the last 17 years and has written the leading text on Internet Law in New Zealand internet.law. nz – Selected Issues published by LexisNexis and now in its 4th edition. His PhD dissertation was published by Hart Publishing in Oxford as The Law Emprynted and Englysshed: The printing press as an agent of change in law and legal culture 1475 – 1642. His new book, published in March of 2017 is Collisions in the Digital Paradigm: Law and Rule Making in the Internet Age. He is currently engaged in co-authoring a text on Media Law. He has also written a book on Tolkien's mythology entitled *The Song of Middle Earth: J R R Tolkien's Themes Symbols* and Myths which was re-released by Harper Collins in 2016. He has written numerous journal articles and has presented at conferences in New Zealand and internationally on Law and Technology issues and wrote the New Zealand section of The International Handbook of Social Media Laws edited by Paul Lambert and published by Bloomsbury Professional in 2014. He has been involved in a number of Judicial Education programmes particularly in the area of cybercrime, evidence and the judiciary and the media. He has also presented at Judicial Orientation programmes on the judiciary and media issues. He has been closely involved with judicial use of technology since 1990 and advised and consulted in this area throughout his judicial career. Prior to ascending the Bench he played a significant part in the introduction of technology to the law firm of which he was a partner. He is married with two adult children – one a teacher, the other a lawyer.



Isaac Hikaka, LeeSalmonLong, Auckland

Isaac has particular expertise in disputes involving interactions between trusts and other areas of the law, including complex relationship property claims and international trust disputes. He regularly appears in cases in New Zealand and the Pacific Islands.



Kathryn Lellman, Hollister-Jones Lellman, Tauranga

Kathryn specialises in family law, divorce law, disputes around Estates and child care issues. This includes pre nuptial and post nuptial agreements, challenges to wills, child care issues including national and international relocation and getting orders for property and welfare issues when someone is incapacitated.



Dr Darren Malone, Lakes District Health Board, Rotorua

Darren is a psychiatrist and psychogeriatrician. He has undertaken private medicolegal work for the past 10 years. Darren is the clinical director of Mental Health Services, Lakes DHB.



Lynda Manning, Till Henderson, New Plymouth

Lynda is a Partner and has practised in the Family Court for many years, she appears regularly as Lawyer for the Child and is a mediator. Lynda is regional representative for Taranaki to the Family Law section and is involved with the local Family Courts Association.



Helen McQueen, Law Commission, Wellington

Helen was a partner at Chapman Tripp before joining the Law Commission in 2016. She is the Lead Commissioner on the three year review of the Property (Relationships) Act 1976.



Gráinne Moss, Ministry for Vulnerable Children, Oranga Tamariki, Wellington

Gráinne's career spans over 25 years in the public and private sectors across three countries. She is currently leading the new Ministry for Vulnerable Children, Oranga Tamariki.



Kevin Muir, Morgan Coakle Lawyers, Auckland

Kevin leads the Family law team at Morgan Coakle Lawyers. His practice includes relationship property, trust and estate claims, employment law and insurance litigation with focus on claims against lawyers and disciplinary issues.



Associate Professor Jessica Palmer, University of Otago, Dunedin

Jessica is a contributing author of three leading textbooks in New Zealand on Equity and Trusts, Civil Remedies, and Consumer Law. She was a member of the reference group assisting the New Zealand Law Commission in its Review of the Law of Trusts and much of her recent writing has been directed to the problematic relationship between trusts and matrimonial property.



Professor Devon Polaschek, University of Waikato, Hamilton

Devon is a clinical psychologist and professor in the School of Psychology and the New Zealand Institute of Security and Crime Science, University of Waikato. Her research interests include understanding and preventing reoffending in serious violent and sexual offenders, family violence, psychopathy, desistance, reintegration and parole.



Dr Jan Pryor, Victoria University of Wellington, Wellington

Jan is the editor of *The International Handbook on Stepfamilies*. *Policy and Practice in Legal, Research and Clinical Environments*, published in 2008. She is the author of *Stepfamilies*. *A Global Perspective on Research, Policy and Practice* published in 2014 by Taylor and Francis. She is now an Adjunct Professor in the School of Psychology at Victoria University.



His Hon Judge Philip Recordon, District Court, Manukau

Judge Recordon practiced as a lawyer in his hometown of Auckland for 30 years prior to his appointment in 2003 to the District Court at Waitakere and then Manukau. His interest in disabilities, substances and related law developed whilst a teenager. Community-minded and sensitive parents triggered what became a passion.



Kate Scarlet, Community Law Wellington and Hutt Valley, Wellington

Kate has been working for Community Law for five years. In her spare time she volunteers for Naming NZ, a charity that supports transgender and non-binary youth based in Wellington.



Dr Judith Sligo, Department of Preventative and Social Medicine, University of Otago, Dunedin

Judith manages the Next Generation Studies of the Dunedin Multidisciplinary Health and Development Research Unit at the University of Otago. She has a twenty year history of research with children and families.



Sharyn Titchener, Senior Advisor, International Casework Team, Ministry for Vulnerable Children, Oranga Tamariki, Wellington

Sharyn holds a Masters in Philosophy (Social Work) and has a special interest in child protection and child rights. Her professional background spans over 25 years working in social work, research and development roles in New Zealand, the UK and the Pacific. Currently, Sharyn is a Senior Advisor on the International Casework Team at the Ministry for Vulnerable Children. Sharyn also works as an international consultant for the United Nations and other international NGOs in the Pacific, providing technical assistance to projects aimed at addressing violence against women and children.



Jerome Webby, Manukau District Court, Auckland

Jerome qualified with a BA/LLB (honours) from the University of Auckland in 2013. Since qualifying, he has gained experience in family law and worked as a Judges' Clerk.



Dr Henry B Wolfe, Associate Professor, University of Otago, Dunedin

Dr Wolfe has worked as an ICT professional for 58 years, the last 35 of those years has been devoted to security. He has advised and trained law enforcement in electronic forensics, surveillance and cryptography.

CONTENTS

In session order

Opening Address
(There is no paper for this session)
Principal Family Court Judge Laurence Ryan
Children's Commissioner
Talking a Good Game – is New Zealand Delivering for Our Children?
Judge Andrew Becroft
Dynamic and Complex Family Lives: Results from the Dunedin Study's Nex Generation Project
The Dynamic, Complex and Diverse Living and Care Arrangements of
Young New Zealanders9
Dr Judith Sligo
Once Bitten, Twice (Thrice) Shy?
Once Bitten, Twice (Thrice) Shy?
Amanda Donovan and Kevin Muir
Capacity and PPPR/EPA Changes
Capacity and the PPPR Act75
Kathryn Lellman and Dr Darren Malone
Drugs and Alcohol – What you Need to Know
Understanding the Person Behind the Substance, Bridging the Gap and
Substance Testing 95
Raewyn Crow
Drugs and Alcohol – What you Need to Know
Working with a Client with Addiction Issues
Lynda Manning

Trusts Litigation	
Trust Litigation in the Relationship Property Context	1
Vanessa Bruton QC and Isaac Hikaka	
Lawyer for Child – Know Your Role	
Lawyer for Child – Back to Basics	3
Maurice Casey and Tracey Gunn	
Mental Health Changes	
Substance Addiction (Compulsory Assessment and Treatment) Act 2017 18	5
Judge Recordon and Jerome Webby	
High-conflict Shared-time Parenting After Separation – Recent Insights	
Shared-time Parenting After Separation in Australia: A Recent Snapshot	3
Dr Bruce Smyth and Dr Jan Pryor	
Property (Relationships) Act 1976 Review	
Property (Relationships) Act 1976 Review	7
Helen McQueen	
Trusts and Relationship Property	
Trusts and Relationship Property	9
Assoc Prof Jessica Palmer	
Ministry for Vulnerable Children, Oranga Tamariki	
(There is no paper for this session)	5
Gráinne Moss	
Responding to the Perpetrators of Family Violence	
Responding to Perpetrators of Family Violence	7
Prof Devon Polaschek	
What to do with Parental Hatred?	
Entrenched Post-separation Parenting Disputes: When Love Turns to Hate	1
Dr Bruce Smyth and Sarah Calvert, PhD	

The Changing Landscape of Adoption Applications – What This Means for Both Applicants and Children
The Changing Landscape of Adoption Applications
Margaret Casey QC and Sharyn Titchener
Acting For the Transgender Client – Legal Issues and Options
Gender Diversity and the Family Court – A Post <i>Michael</i> World
Kate Scarlet
I'll Be Watching You
Digital Evidence
Dr David Harvey
I'll Be Watching You
I'll Be Watching You
Dr Henry B (Hank) Wolfe
Tikanga in the Family Court
Tikanga in the Family Court
The Hon Justice Joe Williams

CONTENTS

Alphabetical by author/presenter

Author		Title	Page
Becroft	Judge Andrew	Chidren's Commissioner	3
Bruton QC	Vanessa	Trusts Litigation Joint paper with Isaac Hikaka	121
Calvert, PhD	Sarah	What to do with Parental Hatred? Presenter only	281
Casey QC	Margaret	The Changing Landscape of Adoption Applications – What this Means for Both Applicants and Children	301
		Joint paper with Sharyn Titchener	
Casey	Maurice	Lawyer for Child – Know Your Role Joint paper with Tracey Gunn	153
Crow	Raewyn	Drugs and Alcohol – What You Need to Know	95
Donovan	Amanda	Once Bitten, Twice (Thrice) Shy? Joint paper with Kevin Muir	29
Gunn	Tracey	Lawyer for Child – Know Your Role Joint paper with Maurice Casey	153
Harvey	Dr David	I'll Be Watching You	325
Hikaka	Isaac	Trusts Litigation Joint paper with Vanessa Bruton QC	121

Lellman	Kathryn	Capacity and PPPR/EPA Changes Joint paper with Dr Darren Malone	75
Malone	Dr Darren	Capacity and PPPR/EPA Changes Joint paper with Kathryn Lellman	75
Manning	Lynda	Drugs and Alcohol – What You Need to Know	115
McQueen	Helen	Property (Relationships) Act 1976 Review	227
Moss	Gráinne	Minisry for Vulnerable Children, Oranga Tamariki	245
		There is no paper for this session	
Muir	Kevin	Once Bitten, Twice (Thrice) Shy? Joint paper with Amanda Donovan	29
Palmer	Assoc Prof Jessica	Trusts and Relationship Property	229
Polaschek	Prof Devon	Responding to the Perpetrators of Family Violence	247
Pryor	Dr Jan	High-conflict Shared-time Parenting After Separation – Recent Insights Presenter only	203
Recordon	His Hon Judge Philip	Mental Health Changes Joint paper with Jerome Webby	185
Ryan	His Honour Judge Laurence	Opening Address There is no paper for this session	1
Scarlet	Kate	Acting for the Transgender Client – Legal Issues and Options	313

Sligo	Dr Judith	Dynamic and Complex Family Lives: Results from the Dunedin Study's Next Generation Project	9
Smyth	Dr Bruce	High-conflict Shared-time Parenting After Separation – Recent Insights	203
		What to do with Parental Hatred?	281
Titchener	Sharyn	The Changing Landscape of Adoption Applications – What this Means for Both Applicants and Children	301
		Joint paper with Margaret Casey QC	
Webby	Jerome	Mental Health Changes Joint paper with Judge Recordon	185
Williams	The Honourable Justice Joseph	Tikanga in the Family Court	365
Wolfe	Dr Henry B (Hank)	I'll Be Watching You	349