

Antipodean Advocacy: Queenstown 2019 joint conference

23-24 August 2019, Rydges Hotel, Queenstown, New Zealand

Attending an international barristers' conference as a 'baby' barrister can be somewhat daunting. Luckily for me, Queenstown was not 'my first rodeo'¹, having attended the 2017 London and Dublin Conference and the Sydney Rise Conference in 2018. Even if it had been my first conference, the friendliness of the delegates and welcoming hospitality of the New Zealand contingent would have removed any first-time jitters by the first morning tea session at the latest!

The conference sessions were held at the Rydges Lakeside Hotel which boasted a spectacular view across Lake Wakatipu to the snow-capped mountains. Had there been any dull moments in the conference sessions, it would have been quite cruel to have the view we had from that conference room. There was, however, no opportunity for daydreaming of shredding up the slopes² when the papers presented were so engaging.

There was a star-studded line up of speakers and after a welcome, introduction of sponsors and further introduction by the NZ Attorney General, we were welcomed further by the Chief Justice of the host nation, Dame Helen Winkelmann with a key note address on the Rule of Law. Dame Winkelmann then remained at the conference as a delegate and was often called upon to answer questions from the panel that had come from the audience, which I thought was quite a privilege!



By Emily Graham

Most of the papers were panel style which allowed for some diversity in opinion and also gave the opportunity to hear from both sides of the ditch! It was excellent to see the NSW Bar represented on these panels.

A further keynote address from Dr Anne Aly MP on Balancing National Security and Civil Liberties in Western Democracies was a highlight of the conference. It was particularly poignant to be having those discussions in the post-Christchurch massacre era in NZ and there was a recognition of the unfortunate shared experience of global terrorism and extremism even in the farthest reaches of the antipodes.

The stream B session on what criminal lawyers can teach civil litigators was instructional, informative and included many anecdotes from Kiwi and Aussie

lawyers alike that reminded us that to be 'servants of all, yet of none' may require us to have an understanding of all aspects of the community and humanity.

Through the other conference sessions on Advocacy in Inquiries, the Rights, Responsibilities and Role of the Media, Indigenous Rights, Appellate Advocacy and the Culture of the Bar, it was clear that, notwithstanding the jurisdictional division (across Australian jurisdictions and between Australia and NZ), there are shared values and challenges facing our societies that the legal system is being called on to address. It occurred to me while hearing of the two separate inquiries currently being conducted in NZ: the Royal Commission of Inquiry into Abuse in Care and the Royal Commission of Inquiry into the Christchurch Massacre – that those inquiries will almost certainly have similarities to those conducted recently in Australia, such that the initial uptake of recommendations or findings from our inquiries may provide some guidance in NZ. Further, we may be able to learn from any additional or different findings that are made in the NZ inquiries.

The closing session of the conference was an entertaining and educational session all about the America's Cup. This was presented by Dr James Farmer QC and Dr Hamish Ross. Until this session, the only thing I knew about the America's Cup was that Australia won it and Bob Hawke said

'any boss... was a bloody bum'. As it turns out, the Cup was set up by a Deed and there was a lot of discussion about whether the original was actually the original and whether signatures were forged in creating the Deed. The session also included some videos of some people messing about on pretty cool boats. So, it was one of those rare moments where equity boffins and sports fans could unite!

Finally, in respect of the conference sessions, one of the comments that I think should be shared far and wide (not just in the antipodes!), was made during the paper on Harassment and Culture of the Bar. Kieran Pender of the International Bar Association provided some of the concerning results on the IBA's research on bullying and sexual harassment in the legal profession and then provided these choice words: 'to be a good lawyer and to be a good barrister does not require you to be a dickhead'.

After the final conference session, we were treated to various Queenstown activities. They ranged from the adventurous ziplining or mountain-bike riding (with wine tasting!) to the more sedate super yacht cruising. It was an absolutely glorious sun-drenched afternoon and there was not a single "dud" activity. Most of the activities allowed us to indulge in the region's excellent pinot noir, which of course assisted our enjoyment and collegiality!

The official close of the conference saw us ascend to a peak on the gondola to the Gala Dinner at the Skyline Queenstown. As I shared the cab of the gondola with my new Kiwi friends, I wondered whether a gondola ride after an all-inclusive drinks package would be considered a 'dangerous recreational activity' pursuant to s 5L of the Civil Liability Act 2002. Thankfully, we were in the land of the ACC (Accident Compensation Corporation), so my torts-lawyer mind could switch off! I can, however, report that I managed to board and disembark the gondola in ball gown and stilettos without incident.³

Ms Nomchong SC aka 'Our Kylie', was the MC for the evening's festivities and what a great job she did! Maybe it was the friendly and welcoming attitude of our Kiwi hosts (perhaps it was the altitude!), but Our Kylie ensured a jovial and enjoyable evening was had by all with humour that perhaps was assisted by being out of the jurisdiction. Our Kylie's MC role extended to moderating the Great Debate between Australia and New Zealand with the topic 'Bigger really is better'. For the Australian affirmative side, we had: Peter Dunning QC from Queensland and Ray Sharp from Victoria. For the NZ negative side: Simon Foote from Auckland and Kathryn Dalziel from Christchurch. There were many jokes made and laughs had (far too many about our recent Bledisloe loss for my liking)...and let's just say that the newfound friendship

between the Australian and New Zealand Bars was the winner on the night! We danced the night away to a wonderful covers band – they even played *Slice of Heaven* as proof that we were in NZ – and then took our gondola back down to town.

I was lucky enough to stay a few extra days to enjoy some skiing and a famous Fergburger!

As an under 5 Barrister, I found the conference a most rewarding experience. I met some wonderful barristers from home and abroad and really enjoyed both the learning and collegiate experience. This was a particularly good conference because it did not require too much time away from chambers with a shorter program and a shorter distance to travel than some of the other overseas conferences. The ABA also provided a special discounted rate for junior barristers under 7 years which made it a more affordable conference than some.

I hear on the grapevine that there will be a 2020 conference on the Gold Coast. I will certainly be interested in attending the next ABA conference, wherever it may be!

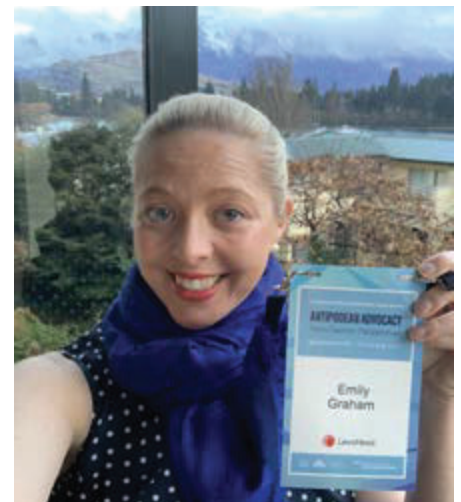
Special thanks to Kylie Nomchong SC for some of the photographs and ideas for this article. **BN**

ENDNOTES

- 1 Similarities between Bar Conferences and rodeos: there are lots of chaps!
- 2 This trip to Queenstown was my first skiing experience since 2009 and only the third in my life, so I am sure I have not got the lingo!
- 3 I now wonder whether this should be an extra part of the Bar Exams or Bar Practice Course?



Keynote speaker Dr Anne Aly MP's paper on Balancing National Security and Civil Liberties in Western Democracies.



Conference selfie!



View over Queenstown from the chair lift at Coronet Peak.



Peter Dunning QC (Qld Bar), Rae Sharp (Vic Bar), Chief Justice Venning of the High Court of New Zealand, Kylie Nomchong SC (NSW Bar), Justice Niall of the Victorian Court of Appeal, Kathryn Dalziel (Christchurch Bar), Simon Foote (Auckland Bar).