

NZBA AND AMINZ PRESENTS: **What are they thinking?**

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ARBITRATORS' AND MEDIATORS'
INSTITUTE OF NEW ZEALAND INC
Te Mana Kaitiwhakatau, Tokawaenga o Aotearoa

Speaker Bios

Hon. Paul Heath QC, Bankside Chambers

Since his retirement from the High Court Bench and re-entering into practice in 2018, Hon Paul Heath QC has been appointed as sole arbitrator in over 20 domestic/international arbitrations. His principal areas of expertise are dispute resolution, (primarily arbitration), commercial law, company law, equity, trusts and legal issues affecting Maori. Paul is widely acknowledged for his expertise in insolvency law, particularly cross border insolvency. He is the co-consulting editor of the leading text, *Heath & Whale on Insolvency*.

Paul has accepted numerous international advisory appointments, including advising the World Bank and the Asian Development Bank. He was New Zealand's delegate to Working Group V of the United Nations Commission on International Trade Law and chaired two of its meetings when holding the position of Vice Chair. Paul is well known for his work with UNCITRAL, including preparing the first draft of the *UNCITRAL Model Law on Cross Border Insolvency: The Judicial Perspective*.

Paul was appointed a Queen's Counsel in 1998. He was a consultant and member of the Law Commission between 1999 and 2002, and responsible for overseeing preparation of the Law Commission's 2003 report, *Improving the Arbitration Act 1996*.

In March 2002, Paul was appointed a Judge of the High Court of New Zealand, an office he held until his retirement from the Bench on 6 April 2018. During that time, he sat as a member of the Criminal and Civil Divisions of the Court of Appeal between 2003 and 2016.

Paul is based at Bankside Chambers in Auckland, but also has rooms at Maxwell Chambers in Singapore and is an associate of South Square in London.

Christine Meechan QC, Bankside Chambers

An accomplished advocate at all levels, Christine is very experienced in mediation and arbitration. She practises in the field of commercial litigation and has a wealth and depth of experience as a civil litigator. One of Christine's strengths is her ability to come to grips with factually, technically, and legally complex cases.

Commencing practice in a boutique insurance firm in 1985, then moving to Bell Gully in 1987, she worked for a specialist insurance firm in London in 1990, returning in 1991 to become a partner at Bell Gully's Auckland office. She joined the independent bar in 2008 and was appointed Queen's Counsel in 2013.

Since moving to the bar, Christine has continued to practise exclusively in commercial litigation, focusing on insurance and construction disputes. Those two broad practise areas involve a huge range of cases, from earthquake claims to directors' and officers' liability claims in the insurance space and defective building claims and contractual battles in the construction space.

Daniel Kalderimis, Thorndon Chambers, Richmond Chambers

Daniel is an effective and proven advocate in complex commercial and public law disputes. He appears across the full range of trial, appellate and ADR procedures.

Formerly a senior litigation partner at Chapman Tripp, Daniel has appeared at all levels of the New Zealand court system and in numerous arbitrations and mediations. He provides advice and representation on a wide range of international legal issues and has world-class expertise in public and private international law, cross-border litigation, and international arbitration. He is also active in the emerging area of legal duties and climate change.

Daniel publishes widely and has for many years been listed in Who's Who Legal: Arbitration, which says "he has real genius and a razor-sharp understanding of legal issues, which he translates into effective advocacy" (2019).

First admitted in New Zealand in 1999, he has also been admitted in New York and England and Wales. He holds an LLM from Columbia Law School.

Dr Anna Kirk, Chair, Bankside Chambers

Dr Anna Kirk is a barrister at Bankside Chambers, specialising in commercial and investment arbitration. Anna regularly sits as an arbitrator and an adjudicator in commercial and construction cases. She is a Fellow of AMINZ and the Chartered Institute of Arbitrators; she is also a member of the AMINZ Council.

Anna has a PhD in Public International Law from the University of Cambridge and spent a number of years practising international arbitration at Herbert Smith LLP in London, prior to returning to New Zealand in 2011. She co-lectures the international arbitration LLM course at the University of Auckland and is a contributing author to *Williams and Kawharu on Arbitration*.

Nicole Smith

Nicole is a specialist in all aspects of arbitration and an experienced dispute resolution lawyer.

She sits as an arbitrator and adjudicator on New Zealand and international disputes and chairs the Investigating Panel of the NZ Registered Architects Board. Recent appointments have included disputes about the construction of a hotel, management of a sports facility, cross-lease disputes, and disputes involving issues of tikanga.

Nicole has a strong interest in issues associated with climate change and is a member of the ICC Task Force on Disputes involving Climate Related issues and has worked with the IBA on climate change issues. She also recently authored a chapter on a claim before the Waitangi Tribunal on climate change issues.

She worked for four years in the litigation group at Simpson Grierson and 9 years in the international arbitration group of Clifford Chance in London. She set up as an independent arbitration consultant in 2006. She was admitted as a Barrister and Solicitor in New Zealand in 1993 and was admitted in the UK in 2000. She is a Fellow (Arb) of AMINZ and a Fellow of the Chartered Institute of Arbitrators (United Kingdom).

She is the author of the NZ report on the Recognition and Enforcement of New York Convention Awards (ICC Special Supplement).

Nicole is based in Tauranga and practices as a Barrister sole from Mauao Chambers.