



BELL GULLY

2014/2015

A HELPING HAND

Bell Gully's
Pro Bono & Community Report



Hugh Kettle
CHAIRPERSON
PRO BONO COMMITTEE

WELCOME

Following Ralph Simpson's departure to charity Nvader last year, I have accepted the position as Chairperson of Bell Gully's Pro Bono Committee. The position brings with it a responsibility to maintain the impetus and continue the remarkable work that our Pro Bono and Community Programme has done over the past six years, and it's a responsibility that the firm and I take seriously.

We continue to target an ambitious \$1 million annual fee equivalent for our pro bono work.

When we established our formal Pro Bono and Community Programme, we made a conscious decision not to define our support too narrowly. There is a vast amount of charitable work going on in New Zealand, and we help a wide range of not-for-profit organisations,

including the not so big guys, achieve some great results.

While our formal programme captures our commitment as a firm, outside the programme, many of our people are helping those in need every day. You can read more about some of our clients, and these staff initiatives later in this publication.

WHAT WE DO

With an annual fee equivalent budget of \$1 million, we are fortunate to be in a position to assist a wide range of organisations.

A significant proportion of our pro bono contribution continues to be channelled into the three community law centres that we have supported since our programme was formalised in 2009. These are the:

- Auckland Community Law Centre

- Waitemata Community Law Centre
- Community Law Wellington and Hutt Valley

It is a natural fit for us to partner with these centres, which provide access to justice to members of our communities with limited financial resources. Our support of these centres includes providing secondee lawyers, volunteer assistants, mentors, business

development and information technology support.

In addition to the high profile charities we continue to support, like The New Zealand Breast Cancer Foundation, KidsCan, Make a Wish Foundation and ChildFund, we are also proud to highlight and promote in this publication the work of some of our other pro bono clients who are making a difference.

LEGAL CORPORATE SOCIAL RESPONSIBILITY

Last year we established a legal corporate social responsibility network where we encouraged other law firms to take a collaborative approach to pro bono work. This was in response to the success of our Pro Bono and Community Programme and our wish to expand the support of New Zealand's charitable organisations – particularly community law centres.

One year on, the network has achieved an increased support of community law centres by providing additional secondee lawyers, gifting office furniture, and presenting training sessions. We're also working collaboratively within the network, sharing pro bono work referrals.

A HAND UP, NOT A HAND OUT



The Bell Gully summer clerks 2014/2015.

“For many Kiwi families, owning their own home remains out of reach. Through the Assisted Home Ownership programme, owning a home becomes a reality.”

Right from the start of their careers, we encourage our people to get stuck in for a good cause. Then we know we’ve got the right people.

That’s why part of our summer clerks’ programme includes community work.

Last summer, a team of Bell Gully summer clerks including Georgiana Fraser and Linda Sullivan

rolled up their sleeves for some hands-on work at a Manurewa building site for Habitat for Humanity: sanding and painting house interiors, building fences, removing scaffolding, and landscaping.

With one of the houses on-site already occupied by a family, it brought home the reality of what they were helping to achieve through Habitat

for Humanity’s “Assisted Home Ownership” programme.

Says Georgiana, “We learned that it was a hand up, not a hand out. Partner families contribute a minimum of 500 hours of work towards their own or someone else’s home.”

Once their home is completed, the family makes affordable regular repayments to Habitat for

Humanity on a no profit basis. Partner families’ monthly payments go into a revolving fund held by Habitat by Humanity, which is reinvested into the community, to build more homes.

Says Linda, “For many Kiwi families, owning their own home remains out of reach. Through the Assisted Home Ownership programme, owning a home becomes a reality.”



Bell Gully summer clerks: Luke Becker, Harry Leishman and Sam Jensen



Hillary Roberts and Alice Smith, solicitors.

SHINING EXAMPLE

Bell Gully's Pro Bono and Community Programme doesn't shy away from charities that address confronting issues, whether it is human trafficking in South East Asia, or violence closer to home.

Shine (Safer Homes in New Zealand Everyday) is a case in point.

Shine board member and Bell Gully consultant David Boswell arranged for representatives from Shine to address our staff on the issue of domestic violence in this country.

Many of our people were moved to tears by a survivor's story, but more were moved to action.

Bell Gully staff volunteered on Shine's street appeal, held an office collection, and raised money on Orange Friday with a bake sale.

According to solicitor Alice Smith, "To be honest, I didn't know how bad the problem of domestic abuse was in New Zealand until we heard from Shine. The statistics seemed so drastic I had to Google

them when I got back to my desk to check I had heard them properly. I was embarrassed about my ignorance and about the statistics generally. It made me realise how important awareness is for charities like Shine to make any progress."

Says solicitor Katie Hayes, "It was hard to hear that, due to lack of funding, Shine was unable to accommodate all those who wished to participate in the 'No Excuses' programme (for men who have abused their partner,

children or other family member)."

Bell Gully's pro bono help has also made an immediate and tangible difference for the charity. Legal executive Sonia Walker did the conveyancing to secure a further two safe houses for survivors.

"Domestic violence affects very large numbers of New Zealanders, but mainly women and children. It is not limited to the financially disadvantaged,



Melissa Barnett, internal communications manager, collecting for Shine.

or minority groups. Shine has a 25 year history of supporting those most at risk, vulnerable people. We want to help Shine make a difference," says David.

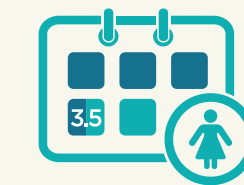
IN NEW ZEALAND:



Every **6 minutes** NZ Police attend a domestic abuse incident



1 in 3 women experience physical and/or sexual abuse from a male (ex)partner in their lifetime



A woman is killed every **3.5 weeks** by her partner or ex-partner



A child is killed every **5 weeks** by a member of their own family



Tom Simcock, Vaughn Evans and InZone Managing Director, Terrance Wallace.

IN THE ZONE

In 2011, Terrance Wallace came up with a simple and practical solution to help Maori and Pacific Island boys receive a good education. He established the InZone Education Foundation, and opened a hostel in the Auckland Grammar School zone.

Inspired by the programme, a couple of our young solicitors approached the firm's Pro Bono Committee to see if Bell Gully could match mentors to InZone students. The mentoring programme started last year, and has been hugely successful.

Vaughn Evans is a sixth former from Kaitaia. He's been with the InZone programme for four years.

"Auckland Grammar School is cool because I like to be challenged and it is hard work. I hate to lose. I'm pretty competitive, whether it's school or sport."

"When I first came here from my old school it was hard, because I started off in the lowest class which I hated. But I've moved up twice and now I'm in the second highest class for NCEA at Grammar."

Tom Simcock is a young solicitor in our litigation team and a Grammar old boy.

"I'd heard about the programme through my connection to Grammar and jumped at the opportunity to be a part of it. I remember being at school myself and not so sure about what came next, what my options were, what I wanted to do. It would have been great to have someone to talk to about it closer to my own age, and I wanted to offer that and share what I'd learned with the boys."

"We cover a whole range of topics with different speakers - legal, entrepreneurial, political, and cultural. I love being part of the programme and watching the guys grow in confidence as they get to know us. They are learning about the opportunities available to them out there, the options they could follow, and what they might be interested in doing. Being able to help these boys in whatever small way we can is pretty special."

Vaughn is particularly interested in the legal side of the programme.

"For the boys, it is an incredible opportunity to leave the hostel and school environment and have access to the corporate, legal and business world. It is really good to set their eyes on something bigger to aspire to."

"I always planned to go to university when I left school but never thought about doing law. Since we've been doing the mentoring programme the mentors say you can do anything with a law degree so now I'm thinking about doing law. I'm not just saying that. I'm actually going to take law. If I make it into law school, of course!"

Says Terrance, "When we got the opportunity to have Bell Gully be part of what we are doing here I immediately thought of Vaughn and how he would respond to the mentoring programme.

He's a natural born debater and a confident young man. He is very good at communicating his experiences at Bell Gully with the other boys when he comes back to the hostel."

"The programme is going even better than expected. I thought the boys might freeze up. But even after the first session they came back inspired by the different speakers they had heard from and their interaction with the mentors."

"Their skills in fact-gathering and debating have grown, along with

their confidence, which they often use to debate things back at the hostel - especially with me!"

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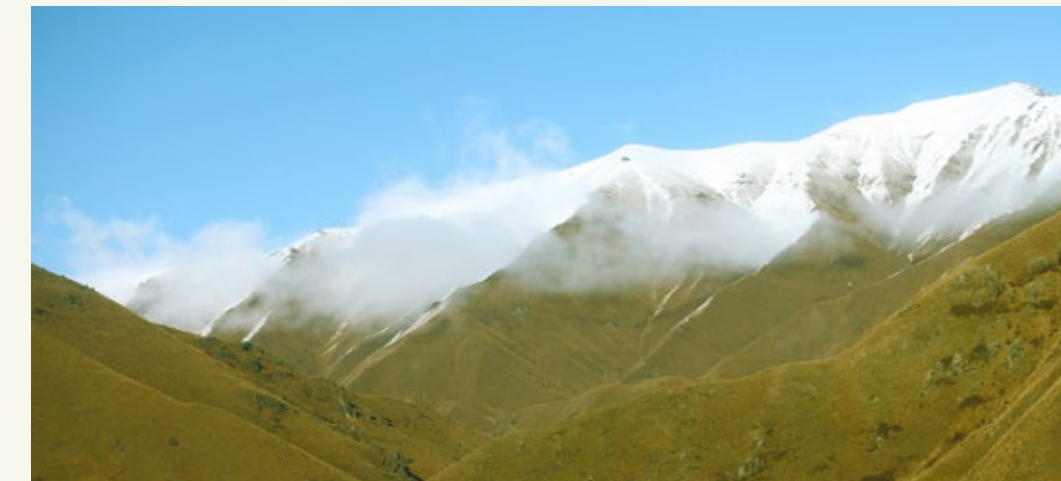
"The Bell Gully mentors have been fantastic at sharing their personal journeys with the boys. It's good for me to hear they are getting as much out of it as the boys do."





HEALING THE LAND

“We are creating the means for this generation’s great grandchildren to have the privilege of access to this stunning landscape.”



Photos: Courtesy of Willy Sussman

It’s not every day you get to contribute to creating a national legacy. That’s what client Soho Property (owned by Swiss-based music producer Robert “Mutt” Lange) has done with the help of Bell Gully lawyers Willy Sussman and Ogy Kabzamalov and some assistance from Bell Gully’s Pro Bono and Community Programme.

Soho Property owns four of our best known high country stations - Motatapu, Mount Soho, Glencoe and Coronet Peak. Everything in the South Island high country

is on a grand scale, matched by the incredible generosity of Mutt Lange who has voluntarily established covenants permanently protecting over 130,000 acres between Lake Wanaka and Arrowtown, and bordered by the Shotover River and Cardrona Valley.

The Mahu Whenua (Healing the Land) Covenants have the effect of creating New Zealand’s first privately established national park.

Says Willy, “Mutt is an amazing man - altruistic

beyond words. We can be sceptical about overseas buyers but with the right person, the results can be spectacular,” says Willy. Mutt has also had the tireless support of his man on the ground, Russell Hamilton, supervisor of operations, without whose enthusiasm all of this could not have been achieved.

New Zealanders will benefit from this extraordinary gift with extensive walking tracks, and increased adventure and eco-tourism options,

including the annual Motatapu multi-sport event which attracts 3,000 mountain bikers and runners.

But the biggest winners are the native birds and other threatened species being restored to their high country habitats. Sustainable farming areas have been fully fenced off, and Soho has undertaken an extensive native planting and regeneration programme, eradicating pests and establishing native bird breeding programmes in

collaboration with Ngāi Tahu. The planting has the additional benefit of slowing erosion, and stemming the build-up of sediment in the Shotover River which has caused serious flooding in the past.

To get some appreciation of the scale of what has been achieved, close to two million trees and plants have been planted, 50,000 pests (including about 20,000 feral goats) have been eradicated, about 250km of new

fencing has been erected, and well over 100km of new tracks have been opened to the public.

Legally, the work was innovative and challenging. “We worked with numerous bodies - Historic Places Trust, Queenstown Lakes District Council, Department of Conservation, the Commissioner of Crown Lands, the Queen Elizabeth National Trust, Ngāi Tahu and LINZ - as well as with neighbouring

property owners, to make this happen. The level of protection demanded by our client has never been seen on this scale before.”

It has been an absolute career highlight for our lawyers. Willy says, “Often we would pause in our work and I’d say to Ogy, do you realise we are creating the means for this generation’s great grandchildren to have the privilege of access to this stunning landscape.”



AIDS AWARENESS

If you ask New Zealand AIDS Foundation chair and Bell Gully litigation partner David Friar what Kiwi attitudes are to HIV the answer may surprise you. “Complacency is one of our greatest challenges.”

“The 1980s and 1990s were a harrowing time, when a lot of people died of AIDS. But the introduction of antiretroviral drugs in the

1990s mean that people with HIV now live much longer and lead more productive lives. HIV is no longer as visible as it once was, and that means that it’s harder to get the message across to protect yourself.”

While mortality has decreased, new challenges have arisen for those who are living with HIV - in particular, stigma and discrimination.

The AIDS Foundation provides support throughout their journey: testing for HIV, counselling, and support services in Auckland, Wellington and Christchurch.

The Foundation also tackles the visibility issue, with high profile campaigns such as Love Your Condom and the annual Big Gay Out,

which David explains are intentionally designed to grab people’s attention.

One of the first pieces of pro bono advice the firm gave to the Foundation involved the health and safety aspects of the proposed soccer games at the Big Gay Out, which involved a giant Zorb ball. Bell Gully also provides more day-to-day pro bono legal advice,

“Bell Gully being able to offer pro bono assistance makes a real difference. Money that would otherwise be used on legal fees can instead be used to help prevent HIV and support people living with HIV.”

including in relation to board obligations, and media advice.

David explains, “While 90% of the AIDS Foundation’s funding comes from the government, over six of the last seven years that has not been inflation adjusted. In effect, we’ve had a 10% funding cut over that period.”

“Bell Gully being able to offer pro bono assistance makes a real difference. Money that would otherwise be used on legal fees can instead be used to help prevent HIV and support people living with HIV.”



David Friar, partner, the Rt Hon John Key and Michael Moore, AIDS Foundation.



NVADER UPDATE

Ralph Simpson is a former Bell Gully partner of 24 years and immediate past chairperson of the Pro Bono Committee. Ralph and his wife Joy left New Zealand last year to lead non-governmental organisation Nvader, which seeks to combat human trafficking in South East Asia.

Ralph now spends his working day co-ordinating and developing his team of investigators, lawyers and social workers, and providing oversight on investigations and prosecutions on which Nvader is assisting law enforcement agencies.

He is also responsible for the implementation of the organisation's strategy. This includes negotiating working relationships with other NGOs, law enforcement agencies, government departments and UN agencies.

One of the challenges in moving to a new country and culture has been adjusting to the pace of life. Ralph has had to recalibrate his expectations because progress is a lot slower in Thailand. However, it's not all bad. His average working day is from 9am to 5.30pm, much softer than the pace of life at Bell Gully.

In a short period of time, Ralph and his team have had a number of successes, including rescuing 18 victims and arresting a number of offenders. In two recent cases, they discovered records of bribes paid to law enforcement officers. They are beginning to chase down leads relating to the existence and activities of organised criminal groups, as well as assisting the police with the investigation and prosecution of several western sex offenders residing in Thailand.

Nvader has also provided equipment and financial

support to the multi-disciplinary teams in Chiang Mai, in addition to legal, investigative and strategic support.

Joy has been employed as a counsellor for one of Nvader's partner NGOs, and she is now providing support and counselling services to a number of the street kids and other vulnerable youth who have been victims of abuse.

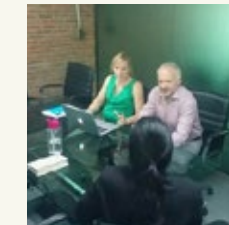
On the home front, Ralph and Joy are loving the delicious and healthy food and the sunny weather (between 34C and 41C), the friendly Thai people, and challenging mountain

bike trails. They miss their family and friends, as well as the natural beauty of New Zealand.

Ralph says he doesn't miss timesheets and fee budgets. But he misses the camaraderie of working with his fellow partners and staff, and the strong working relationships he enjoyed with clients.

However, Ralph is adamant after 30 years of a privileged professional life in New Zealand, it was time to step out and make a difference.

Bell Gully is pleased to provide continuing legal advice to Nvader on a pro bono basis.

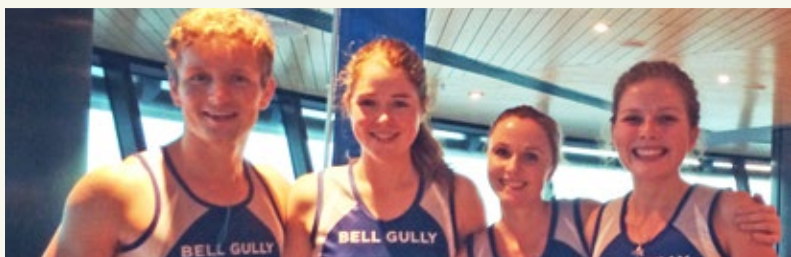


“I didn't realise how much I valued the spectacular beauty of our environment and the values that make up our Kiwi culture until I left them behind”.

The scale of human trafficking in Asia is immense, and will remain so for many years to come. However, there is some room for cautious optimism. For example, in Cambodia, despite significant corruption within Government, the participation of children in the sex industry has fallen from 15+% in 2000 to around 2.5%. Cambodia now has a trained and active anti-human trafficking unit within the police.

Regrettably, Thailand's performance is derisory by comparison. However, in response to unwanted attention from the international community, and the threat of sanctions and trade embargos from the US and Europe, the military Government has sprung into action and is now demanding swift results, with threats of adverse consequences for police and Government officials implicated in trafficking.

HOW ELSE DO WE HELP?



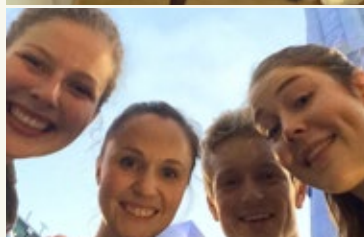
Bell Gully has long-standing relationships with local charities and we actively encourage and support our people to get involved for a good cause.

From baking cupcakes to support the annual SPCA appeal, knitting poppies for the ANZAC centenary, or donating old phones to the Starship Hospital appeal, Bell Gully people are involved in an interesting collection of charitable initiatives.

Then there are the physical challenges.

- Each year our staff have run the Lake Taupo relay as part of The New Zealand Breast Cancer Foundation team.
- Partner Amon Nunns sparred in a charity boxing tournament to fundraise for the Blue Dragon Children's Foundation, which supports Vietnamese children in crisis.

- A Bell Gully team took part in the TEAR Fund Poverty Cycle Challenge to raise funds for some of the world's most vulnerable children.
- As part of the PwC Foundation Charity Relay, some of our staff and partners ran from the Wellington waterfront over the Rimutaka Ranges to Martinborough, raising money for Ronald McDonald House Wellington, The Neonatal Trust and Wellington Free Ambulance.



Here are a handful of other examples:

On a mission

We co-ordinated a collection from Bell Gully staff, and purchased Christmas gifts and food on behalf of the Auckland City Mission and the Wellington Soup Kitchen.

Lost locks

Every two years, a selection of partners and staff, led by partner Murray Tingey, volunteer to shave their head for Leukaemia and Blood Cancer NZ.

On your bike

Each year, a team of Bell Gully cycling enthusiasts complete 12 consecutive one hour RPM classes to raise funds for the annual CanTeen Crank charity event.

Stepping up

Led by partner Mat McKay, we fielded a team that conquered the Sky Tower steps to raise money for Leukaemia and Blood Cancer NZ. Partners David Friar (2014) and Tim Clarke (2015) undertook the climb in full firefighter kit as part of a team of leading LBC corporate supporters.

Supplementing our formal programme, these inspiring individual efforts demonstrate the firm's culture of giving back to the community. It is a spirit that is expressed at every level of the firm from our summer clerks, lawyers, and business support staff - up to partnership level.



PRO BONO PROGRAMME 2014 FACTS & FIGURES


 54 CLIENTS

 182 MATTERS


\$1 MILLION
ANNUAL FEE
EQUIVALENT BUDGET

COMMITTEE OF

6 PARTNERS AND 2 SENIOR ASSOCIATES


104 AUTHORS
22 PARTNERS
2615 PRO BONO HOURS

Some of the organisations we support:

 ChildFund
New Zealand

 INZONE

 KidsCan

 leukaemia & blood cancer
new zealand

 shine*

 New Zealand AIDS Foundation
Te Tūāpapa Mate Āraikore o Aotearoa

 NADER
FREEDOM FROM SEX TRAFFICKING

 TEAR Fund
Christian Action

 MAKE-A-WISH.
New Zealand

 THE NEW ZEALAND
BREAST CANCER
FOUNDATION
IN-KIND PARTNER

For more information about
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