



BELL GULLY

# A HELPING HAND 2013/14

Bell Gully's Pro Bono & Community Report



“This will be my last contribution to our annual Pro Bono report. I am proud of the efforts made by Bell Gully to assist those not-for-profit organisations in our community that seek to serve those who are less fortunate. I am grateful that the commercial law firms are beginning to work in partnership on particular community initiatives. I remain hopeful that these initiatives will be a source of inspiration and leadership.”

**RALPH SIMPSON**  
CHAIRPERSON  
PRO BONO COMMITTEE

# WELCOME

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It's been more than five years since we formalised our Pro Bono and Community Programme, and in that time its growth has been remarkable. Having exceeded our target of \$1 million fee equivalent in 2012, our focus now is on broadening our impact. This year, we have established a legal corporate social responsibility network aimed at ensuring that together, New Zealand law firms spread their pro bono and community support as far and wide as we can.

# WHAT

As part of our Pro Bono and Community Programme, we provide legal advice on a free or heavily discounted basis, supporting not-for-profit organisations that serve our local communities. More than five years in, we are confident that when we do pro bono work, it is going to the most useful and deserving organisations that we can support.

## LEGAL ADVICE

With an annual fee equivalent budget of \$1 million, we have the capacity to assist a wide range of charitable organisations, some of whom are profiled in this publication.

As our pro bono client base grows each year, the range of issues that we assist with becomes more diverse, and the work extends to more of our practice areas.

## COMMUNITY LAW CENTRES

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

- the Auckland Community Law Centre;
- the Waitakere Community Law Service; and
- Community Law Wellington and Hutt Valley.

Our support of these centres includes provision of secondees lawyers, volunteer assistants, mentors, and business development and information technology support.

## LEGAL CORPORATE SOCIAL RESPONSIBILITY

**Our latest initiative in the pro bono and community space is the establishment of a legal corporate social responsibility network (legal CSR network).**

Over the past few years, Bell Gully's pro bono programme has grown so successfully that we have started considering the need for partners

to help to fulfil some of our clients' needs - particularly community law centres. Our motive for establishing the legal CSR network is to encourage New Zealand law firms to share experiences, ideas and referrals, with a view to ensuring that together, our support for New Zealand's pro bono and community "market" extends as far and wide

as possible. We believe that our communities will be better and more widely served if firms take a collaborative approach to pro bono work. All of the firms that we have approached are keen to be part of the legal CSR network, and any other interested firms would be most welcome to join.

# WHO

We are fortunate to be in a position to assist so many remarkable organisations working hard to have a positive impact in our local communities and internationally.

It is our privilege to work with them, and we take this opportunity to profile a selection of them and the inspirational work they do.





Zack, aged 6, has Slit Ventricle Syndrome which has caused a stroke and balance issues. His family loves cycling so Zack wished for a three-wheeled bicycle and he was absolutely thrilled to take it out for its first spin.

# MAKE- A-WISH NEW ZEALAND

Make-A-Wish was established in the US back in 1980 with New Zealand following close behind in 1986, granting the first wish to Daniel, aged 4, who had leukaemia and wished for Christmas in October.

Since then, Make-A-Wish New Zealand has granted over 2,000 wishes to kiwi kids all over the country with life-threatening medical conditions to bring them hope, strength and joy at a very challenging time in their lives. More than 200 wishes will be granted in 2014.

Make-A-Wish is dedicated to granting every eligible child's wish and to make sure it is a unique and memorable experience. Wishes are known to provide a major psychological boost and improve the wellbeing of the child who is often spending long periods of time in hospital and away from school, friends and all the things that kids love to do.

Wishes are usually in one of four categories:

- "I wish to be...." eg a superhero, a princess, a fireman or a zookeeper.
- "I wish to have"....eg a bedroom makeover, a shopping spree with friends, a pirate playhouse or a special birthday party.
- "I wish to meet" eg a sporting hero, a music star or a storybook character.
- "I wish to go" eg: on a camping holiday with family, up in a hot air balloon, or for laps in a very fast car.

We provide pro bono legal advice to Make-A-Wish on a number of issues including:

- Corporate partnership agreements.
- The use and protection of the Make-A-Wish brand.
- Day-to-day matters such as employment law and leasing of its premises.



To find out more go to:  
[www.makeawish.org.nz](http://www.makeawish.org.nz)





Children in ChildFund New Zealand supported area of Luangwa, Zambia.

Photo: Jake Lyell

# CHILD FUND

**ChildFund New Zealand is passionate about creating better outcomes for children, working to create opportunities for the deprived, excluded and vulnerable children of the world.**

ChildFund New Zealand connects children and communities to bring about positive change. It strives to eradicate the causes and effects of poverty on children by implementing meaningful, sustainable solutions. Its supporters are encouraged to have a deeper, more engaging relationship with the children and communities they support.

ChildFund New Zealand's CEO Paul Brown contacted us in 2011, seeking a legal adviser on a pro bono basis.

It took just one conversation to convince us that this entity was one we were keen to support. Since then, we have advised on a range of legal issues at no cost to ChildFund New Zealand, meaning that funds that would otherwise have been spent on legal fees have instead been contributed to the fantastic programmes that ChildFund New Zealand supports.



To find out more go to:  
[www.childfund.org.nz](http://www.childfund.org.nz)



Thousands of New Zealand children live in poverty. This impacts on the quality of their lives, and on their chances of reaching their full potential in the future.

# KIDSCAN

One in four New Zealand children live in poverty. KidsCan's vision is to meet the physical and nutritional needs of less fortunate kiwi kids, so they can be more engaged in their education, and have a better chance of reaching their potential in life.

It does this by providing food, shoes, socks, fleece-lined Vodafone Warriors raincoats and basic hygiene items to thousands of children in hundreds of low decile schools throughout New Zealand.

Since 2005 (up until the end of 2013), KidsCan has provided:

- 70,000 raincoats;
- 40,000 pairs of shoes and 80,000 pairs of socks;

- more than five million food items;
- 5,000 sunhats and 5,000 beanies; and
- 5000 basic hygiene items.

KidsCan has invested significant time and effort into its brands and programmes. One of our first priorities for this reasonably new client is to update and formalise its sponsorship arrangements, both with corporate entities and individuals. Working collaboratively with KidsCan, we will provide template agreements that are easy to use and understand, and that can be applied to all manner of sponsorship arrangements that KidsCan may enter into.



To find out more go to:  
[www.kidscan.org.nz](http://www.kidscan.org.nz)



KidsCan aims to ensure less fortunate children have the same opportunity as others to take advantage of their education.





# THE NEW ZEALAND BREAST CANCER FOUNDATION

**7** New Zealand women are diagnosed with breast cancer every day.

The New Zealand Breast Cancer Foundation's mission is to stop New Zealanders dying of breast cancer. Established to educate all New Zealanders on the life-saving benefits of early detection, and the importance of mammograms, the Foundation raises funds for breast cancer support, research and community education.

As one of Bell Gully's longest-standing pro bono clients, we do all of the Foundation's legal work at no cost, including sponsorship agreements with a diverse range of corporate partners and other contributors; and intellectual property advice in connection with the Pink Ribbon logo.



To find out more go to:  
[www.nzbcf.org.nz](http://www.nzbcf.org.nz)

Young women get breast cancer too and often it is more aggressive.



# RANFURLY VETERANS TRUST

Opened in 1903 as the Auckland Veterans Home with a roll of 40 veterans, Ranfurly House has been in continuous use for the benefit of ex-service personnel ever since. The first 40 occupants were veterans of the New Zealand Wars of 1845-70, the Crimean War of 1853-56 and the Indian Mutiny of 1857-58. The home now provides residential care for 84 residents.

## THE RANFURLY TRUST

To find out more go to:  
[www.ranfurly.org.nz](http://www.ranfurly.org.nz)

In 2011, an agreement was made with a privately-owned retirement village group to redevelop the land in Mt Roskill, Auckland. The joint venture has resulted in the construction of a new Aged Care Facility funded by private resources. A charter was compiled to protect the interests of the war veteran community, allowing them priority access and other preferential care entitlements. Ranfurly House, a National War Monument, is to be fully refurbished as part of the development.

In the future, the Trust will steadily grow financial resources to support war veterans in the upper North Island region, whether in their homes or in residential care on site.

The first floor of Ranfurly House is intended to be opened as a central resource for use by the Trust itself, the RSA welfare community, Veterans Affairs and other medical specialists that provide care to war veterans.

Bell Gully was involved in the renegotiation of the contractual arrangements with the privately-owned retirement village group to redevelop the land, including development of the new rest home, hospital and retirement village, and the refurbishment of Ranfurly House.

We continue to provide the Trust with ongoing legal support in relation to the redevelopment.



Known as the Auckland Veterans Home, Ranfurly House was opened in 1903 by the Earl of Ranfurly with a roll of 40 veterans, and has been in continuous use for the benefit of ex-service personnel ever since.



In 2015, Ralph Simpson will retire from Bell Gully to take up an appointment as the South East Asian Director of a unique charitable organisation. Nvader, a New Zealand based NGO, works to combat human trafficking by rescuing women and children trapped in the South East Asian sex industry, and facilitating prosecution of the perpetrators.

Ralph joined the firm in 1990, and was promoted to partnership in 1992. He has made a substantial contribution to the firm, serving as a Board member and Litigation Department Leader.

Ralph championed the establishment of the firm's formal pro bono initiative in 2009. Since then, he has chaired Bell Gully's pro bono committee, leading our programme from strength to strength.

<sup>1</sup> There are now more slaves in captivity than when slavery was first abolished.

# RALPH SIMPSON

Ralph strongly believes that countries in the west have a responsibility to play a part in providing relief to those in the third world who lack basic rights, are oppressed or are in captivity<sup>1</sup>. As organised crime exploits lax enforcement of laws against human trafficking, the need for intervention is escalating at an alarming rate.

For a number of years, Ralph and his wife, Joy, have been searching for a suitable opportunity to work closely with an NGO. They have found this in Nvader.

Ralph's decision to retire from the partnership to undertake his new role is a great loss to the firm, but an inspiring move. When asked

what motivated him, he referred to the following passage from The Heart and the Fist: The education of a humanitarian; the making of a Navy Seal, by Eric Greitens:

**“Peace is more than an absence of war, and a good life entails more than the absence of suffering. A good peace, a solid peace, a peace in which communities can flourish, can only be built when we ask ourselves and each other to be more than just good and better than just strong. And a good life, and a meaningful life, a life in which we can enjoy the world and live with peace, can only be built if we do more than live for ourselves.”**

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*We wish to sincerely thank Ralph for the enormous contribution he has made to Bell Gully, and in particular, to our Pro Bono and Community Programme. We wish him all the best for his future with Nvader. It will have its challenges.*

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This image of a locked brothel door was taken during a recent rescue.

# NVADER

Human trafficking is the modern day form of slavery. It is the exploitation of vulnerability.

The US State Department's 2013 report *Trafficking in People* estimates that there are 27 million victims of trafficking worldwide. It is the second largest organised criminal activity after drug trafficking, but is growing at a faster rate. The Council of Europe estimates the total annual revenue generated from human trafficking to be about \$42.5 billion annually.

Nvader is a New Zealand-based NGO working in South East Asia to combat human trafficking, and to rescue women and children trapped in the sex industry.

Nvader's operations include:

- the investigation and rescue of victims;

- the prosecution of offenders;
- the repatriation of victims to their home country, or finding a safe place for them to live;
- motivating local communities to bring about a change in attitudes to trafficking; and
- efforts to reform laws, and encourage Governments and police to adopt a more determined and skilled approach to countering human trafficking.

In July, Nvader will open an office in South East Asia. Next year, Bell Gully senior litigation partner Ralph Simpson will retire from the partnership and re-locate with his wife to head up the office as the South East Asian Director of Nvader.

In its first year of operation, last year Nvader rescued 40 victims and charges were brought against 14 offenders. During the first three months of this year, Nvader rescued 38 victims, resulting in the prosecution of three offenders.

When fully operational, this office will comprise a team of investigators, lawyers and social workers, who will use their combined skills and experience to conduct investigations, collate evidence and work with local law enforcement to rescue the victims of human trafficking and to bring the perpetrators to justice. The team will be supported by aftercare specialists, business people, IT consultants and cultural experts.

One of our newest and most unique pro bono clients, we have assisted Nvader in becoming operational.



To find out more go to:  
[www.nvader.org](http://www.nvader.org)



**52** PRO BONO  
CLIENTS  
ASSISTED ON  
**173 MATTERS**

**85 LAWYERS**  
AND **19 PARTNERS**  
WORKED A TOTAL OF  
**1,934 HOURS**

COMMITTEE COMPRISING  
**6 PARTNERS**  
AND **2 SENIOR ASSOCIATES**

## FACTS & FIGURES 2013

**ANNUAL FEE**  
EQUIVALENT BUDGET OF  
**\$1 MILLION**  
FOR PRO BONO WORK

CONTINUED TO APPLY  
ADDITIONAL  
**\$200k**  
ALLOCATED  
FOR ADVICE ASSOCIATED  
WITH REBUILDING  
CHRISTCHURCH

While our focus is on our pro bono clients and the inspiring work that they do in our local communities and internationally, our numbers tell a story too.

## HOW ELSE

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

Bell Gully people are involved in an interesting collection of charitable initiatives. Volunteers step up each year to shave their hair for Leukaemia & Blood Cancer NZ, and to grow it for Movember. Then there's the physical challenges - running through mud for Cure Kids, cycling for Canteen, or stepping up for the Melanoma Foundation. We've mentored promising students through Shadow a Leader, and donated to Dress for Success.

One of our law clerks volunteered in the Prosecution Office at the Khmer Rouge Trials in Cambodia, while fearless former librarian Philippa Robinson is volunteering for one year in Bougainville, setting up a community library inspired by the award winning novel *Mr Pip*.

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, business support staff - up to partnership level.

Here's a handful of other examples:

### On a mission

Our summer clerks co-ordinated a collection from Bell Gully staff, and purchased Christmas gifts and food on behalf of the Auckland City Mission.

### Lost locks

Every two years, a selection of our partners and staff put their heads on the line, raising funds for a very good cause.

### On your bike

A team of Bell Gully cycling enthusiasts, led by partner David Friar, completed 12 consecutive one hour RPM classes to raise funds for the 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. Partner Simon Ladd undertook the climb in full firefighter kit as part of a team of leading LBC corporate supporters.





# WHY

At Bell Gully, we promote a firm culture in which pro bono and community work is a valued and routine part of every member of staff's professional life. Our programme is administered by a committee made up of six partners and two senior associates.

Our people are passionate about giving back to our local communities and there are plenty who contribute to the work we do. We asked a few of them to reflect on their experiences.

"I have been volunteering at the Wellington Community Law Centre's free legal advice sessions for a year and a half now. It has been great to provide legal advice to so many people in such varied circumstances but it has also been fantastic to help people to find practical solutions to their problems. It is nice to know that my knowledge and skills can assist people who might not be able to afford a lawyer or who might not know where to start with a legal issue."

**Edward Greig**  
Solicitor



"My secondment to the Waitakere Community Law Service was a truly rewarding experience. It not only contributed to my professional development by strengthening my communication skills and knowledge of the law, but it also allowed me to apply my skills as a lawyer to help members of the community and to see how the law impacts on their lives."

**Hugh Magee**  
Solicitor



"I feel privileged to have been able to contribute, in my own way, to a number of organisations, all working hard to make a difference in their communities. These experiences have been very rewarding."

**Harry Cundy**  
Solicitor



"One of the great things about working at Bell Gully is the opportunity to get involved in providing advice to our pro bono clients. I am fortunate enough to have been able to advise a number of our pro bono clients over the past year, including New Zealand Red Cross, The Salvation Army and Plunket. It is a privilege to be able to use my legal skills to give back to some of the wonderful organisations who are doing great work in our communities. Our pro bono clients are also really appreciative of the advice we are able to give, which I find very rewarding."

**Claire Harmsworth**  
Senior Solicitor



"I get a different sense of achievement from the pro bono work I do, knowing the tremendous contribution these organisations make in the community."

**Dianny Wahyudhi**  
Solicitor



"It is particularly enjoyable working with pro bono clients who really appreciate your assistance. Whether you are helping a charitable organisation with an intellectual property issue, or giving basic dispute resolution advice to an individual at a community law centre, there is satisfaction in knowing that you are using your skills to make a positive difference in other people's lives."

**Kristin Wilson**  
Senior Solicitor





**For more information about  
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programme please contact:**

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**BELL GULLY**