



Charting the Future of Private Law in Aotearoa New Zealand Symposium

Monday 10 February 2025

Hosted by the University of Otago Faculty of Law

Otago Business School Seminar Room LG.04

Time	Session	Chair(s)	Speakers	Paper title
8.20–8.50 am	Informal tea and coffee			
8.50–9.00 am	Formal welcome		Professor Shelley Griffiths Dean of Law University of Otago Associate Professor Edward Willis University of Otago Dr Lucas Clover Alcolea Monash University	
9.00–10.15 am	Panel 1 – Tort	Professor Allan Beever AUT	Professor Jodi Gardner Jack McKenzie University of Auckland	<i>Volenti</i> in Aotearoa New Zealand: A Redundant or Conflicting Policy?
			Anthony Wicks	Charting the Future of Claims for Pure Economic Loss
			Dr Moshood Abdulssalam University of Otago	Assimilating the Rules of Restorative Compensation for the Tort of Conversion and Breaches of Custodial Fiduciary Duties
			Alex Latu University of Otago	New Zealand’s judicial development of a harm threshold in defamation
10.15–11.15 am	Panel 2 - Contract	Daniel Kalderimis KC Thorndon Chambers Twenty Essex	Associate Professor Matthew Barber University of Canterbury	Recognising implied terms: Belize Telecom in practice
			Associate Professor Simon Connell University of Otago	Recent developments in statutory relief for contractual mistake in Aotearoa New Zealand
			Daniel Kalderimis KC	A synthesis
11.15–11:35 am	Morning tea			
11:35 am–12:35 pm	Keynote address	Lucas and Edward	Justice Kós New Zealand Supreme Court	Judicial Review of Discretionary Powers in Contract and Trust
12:35 pm – 1.20pm	Lunch			
1.20 pm – 2:35 pm	Panel 3 – Private law and regulation	Isaac Hikaka Mills Lane Chambers	Associate Professor Stephen Young University of Otago	The Right to Travel: Attempts at Privatising Law
			Associate Professor Edward Willis University of Otago	Self-regulation: mediating private law and the public interest

	Dr Akshaya Kamalnath ANU Assistant Professor Aaron Yoong SMU	Corporate Compliance for Privacy Risks in the Shadow of Tort Law
	Dr Christopher Whitehead AUT	The fair-conduct principle: a pro-customer precautionary principle

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2:35 pm – 3.45 pm	Panel 4 – Trusts and fiduciaries	Dr Lucas Clover Alcolea Monash University	Dr Bridget Fa’amatuainu AUT	Trauma-informed fiduciary law: enhancing protections for the vulnerable
			Dr Nuncio D’Angelo Norton Rose Fulbright	The trust: an instrument for enforcing a moral code that became an engine of commerce
			Associate Professor Allison Silink UTS	Priority of trustee liens between former and successor trustees under New Zealand law
			Dr Lucas Clover Alcolea	Fiduciary obligations in New Zealand: Canada over Australia?
3.45 pm – 4:00 pm	Afternoon tea			
4:00 pm – 5:00 pm	Panel 5 – Private law and tikanga	Associate Professor Edward Willis University of Otago	Professor Allan Beever AUT	Tikanga and the Common Law: Two Models
			Isaac Hikaka Mills Lane Chambers	Tikanga and Private Property
			Associate Professor Maria Hook University of Otago Metiria Stanton Turei University of Otago Jack Wass Stout Street Chambers	Tikanga, State Law and the Conflict of Laws
5:00 pm – 6.15 pm	Panel 6 – Property law	Professor Jodi Gardner University of Auckland	Amit Singh Yale Law School	Aboriginal Title and Equity’s Darling
			Professor Sheelagh McCracken University of Sydney Professor Struan Scott University of Otago	Let sleeping dogs lie? - An analysis of PPSA security interests long characterised in New Zealand as statutory interests
			Dr Adam Waldman University of Sydney	The Nature of a PPSA Security Interest: Must it be a Legal Interest?
			Thomas Gibbons Thomas Gibbons Law	Contesting Covenants: Pragmatism vs Public Policy
6.15 pm – 6.20 pm	Closing remarks		Lucas and Edward	
6:30 pm – Late	Symposium dinner		tbc	