

Curriculum Vitae

Ben Walker

Email: ben.walker@canterburychambers.co.nz

Education and Professional Training

Member of the New Zealand Bar Association

From August 2015

Completed New Zealand Law Society Stepping Up Course

July 2015

Admitted as a Solicitor of the High Court of Australia

July 2011

Admitted as a Solicitor of the Supreme Court of Queensland

September 2007

Admitted as a Barrister and Solicitor of the High Court of New Zealand

September 2003

New Zealand Law Society

Approved Duty Solicitor/Legal Aid Provider May 2003

New Zealand Institute of Professional Legal Studies

Professionals Completed May 2002

University of Canterbury

February 1997 – November 2001 L.L.B (2001), B.A (conferred 2004)

Christ's College (Secondary School for Boys)

1992 – 1996 "A" Bursary (1996)

Relevant Work Experience

Barrister – Canterbury Chambers (August 2015- present)

- Conducting all manner of litigation matters for clients with an emphasis on earthquake insurance matters for one insurer (in-house on contract) and against other insurers.
- General and commercial litigation and insolvency work

Duncan Cotterill Lawyers – Associate (January 2014 – August 2015)

- See Duncan Cotterill - June September 2008 to June 2011 below- but with more emphasis on fire and general insurance claims in the earthquake context- both litigated and non-litigated.
- Secondment at major New Zealand insurer dealing with material damage claims as a result of the Christchurch earthquakes. This has included resolving legal issues for claims technicians, settling claims and some staff supervision.

Bartley Cohen (Formerly Brian Bartley and Associates Litigation Lawyers) Senior Associate (June 2011 – May 2013)

Solicitors Professional Negligence Litigation

- Acting for captive insurer of Queensland Legal Practices – including drafting advices, recommending reserves, running files autonomously from receipt of instructions through to mediations and trial.

Examples of experience include:

- > acting for solicitors/ insurer in relation to numerous failed residential multi level development property transactions involving multi-million dollar lost opportunity claims.
- > acting for solicitors/ insurer in relation to numerous allegedly negligent conduct of Supreme, District and Family Court litigation.
- > acting for solicitors/ insurer in respect of alleged negligence in respect of matrimonial property settlements.
- > acting for solicitors/ insurer in respect of alleged negligence in relation to commercial transactions involving security issues (mortgages and debentures) involving multi-million dollar lost opportunity/ future economic loss claims.

Duncan Cotterill Lawyers Senior Solicitor (September 2008 – June 2011)

Insurance Litigation

- Acting for insurers defending professional negligence claims on behalf of engineers, architects, accountants, financial advisers, lawyers and psychologists in civil proceedings (High and District Courts – including trial work; leading and cross examining witnesses) and in complaints matters. Involved in all aspects of running files including; reporting to insurers, drafting defences and recommending reserves.
- Acting for insurers defending statutory liability matters including health and safety prosecutions against employers (most recently representing employers in interviews under caution following Pike River Mining explosion). This work primarily involved advising insurers and appearing on sentence.
- Acting for insurers in relation to public liability claims following hold liable claims against contractors.

Prosecution

- Prosecution work for RSPCA. Involved all aspects of running a prosecution file including advising on laying of information, disclosure and court appearances as lead counsel at sentencings and defended hearings.

Criminal Defence

- Acted for private clients on a range of criminal matters

Commercial Litigation

- Liquidations including preparation of creditor's petitions and supporting documents and appearances in High Court.
- Bankruptcies including preparation of bankruptcy notices and supporting documents and appearances in High Court.
- General Debt recovery work including issuing of Ordinary Proceedings, Summary Judgment Proceedings and appearances in both District and High Courts.
- Contractual Disputes including drafting proceedings and pleadings and appearing at defended hearings – summary judgment and judicial settlement conferences both as junior and unsupervised on numerous occasions.
- Civil Hearing preparation including discovery work and drafting of interlocutory applications and appearances in support.
- Extensive experience in client interviewing for taking instructions for affidavits

Lexon Insurance Pte Ltd Claims Solicitor (August 2007 to September 2008)

Solicitors' Professional Negligence Claims – In-house

- Specialised in claims relating to residential property conveyancing, commercial conveyancing, sale and purchase of businesses, other complex commercial transactions and wills and estates.
- Managed approximately 120 files – mixture of both notifications and claims (litigated and unlitigated)
 - Defence of un-litigated claims (approximately 30-40 at any one time) involving running all aspect of file up until proceedings issued.
 - Notifications involving early issue identification and appropriate setting of reserves
 - Presenter of numerous seminars on insurance and risk management issues to law students at University of Queensland and College of Law, Brisbane.

Grant Cameron Associates Solicitor (June 2005 – June 2007)

Commercial Litigation

- As per Duncan Cotterill.

Gaming Litigation

- Acted for several large Charitable Trusts in appeals to New Zealand Gambling Commission on both venue and trust compliance matters. This has included preparation of appeal notices and submissions and affidavits in support.

Employment Law ADR – class/group actions

Papprill Hadfield & Aldous Solicitor (June 2002 – June 2005)

Commercial Litigation, as per Duncan Cotterill

Criminal Law

- Approved District Court Duty Solicitor – acted in this capacity on numerous occasions
- Legal Aid Provider – was assigned numerous clients charged with offences from Driving with Excess Blood Alcohol through to serious assaults
- Appeared at numerous bail hearings
- Given numerous pleas in mitigation at District Court sentencing

- Juniores on 5 week Serious Fraud Office Prosecution
- Juniores in Court of Appeal on Serious Fraud Office matter
- Drafted several Court of Appeal submissions on Appeal against conviction and sentence
- Appeared at reparation hearings and examined witnesses
- Drafted numerous Limited Drivers License Applications and appeared in support *Employment Law*
- Preparation work including drafting of Statements of Employment Problem and Statements in Reply.
- Running Employment files unsupervised and appearances at mediation conferences.
- Juniores at Employment Court Hearings.

Referees: contactable if required.