

# Curriculum Vitae

## KATHRYN DAVENPORT

<b>Name:</b>	Kathryn Gail Davenport (Kate)
<b>Current Occupation:</b>	Barrister
<b>Year of Admission as lawyer:</b>	1983
<b>Qualifications:</b>	LLB (Hons), Auckland University; M Jur (Distinction) Auckland University Post Grad Certificate in Health Science (Ethics) 2011
<b>Year of Graduation:</b>	1982
<b>Business Address:</b>	Level 22, Bankside Chambers, Lumley Centre, 88 Shortland Street, Auckland www.bankside.co.nz
<b>Postal Address:</b>	PO Box 141, Shortland Street 1140, Auckland
<b>Email address:</b>	kate@katedavenport.co.nz
<b>Telephone:</b>	+64 9 307 8787
<b>Mobile:</b>	+64 9 21 637 503
<b>Facsimile:</b>	+64 9 307 8788
<b>Cultural Identity:</b>	European          New Zealand Resident

### Professional:

Barrister and Solicitor of the High Court of New Zealand (1983)  
Solicitor of the High Court of England and Wales (1988)

### Government Appointments:

- Deputy Chair, Registered Architects Board (August 2008 – May 2011)
- Chair, National Ethics Committee Assisted Reproductive Technology (ECART) (July 2008 - present)
- Deputy Chair, Health Practitioners Disciplinary Tribunal (2004 - present)
- Member Film and Literature Board of Review (2011 - present)
- Deputy Chair Real Estate Agents Disciplinary Tribunal (2011 - present)

### Other Appointments:

- Council Member, NZ Bar Association (2006 - present)
- Council Member, Auckland Medico Legal Society (2007 – present)
- Appointed to High Court Pilot Mediation Panel (2009 – 2010)
- Member of Weathertight Homes Mediation Panel.

### Professional Regulation

#### Health:

- Director of Proceedings for Health and Disability Commissioner (1998 – 1999).
- Deputy Chair Health Practitioners Disciplinary Tribunal (2004 – present)
- Legal assessor for Medical Practitioners Disciplinary Committee (1991- 1995)
- Legal assessor for Medical Practitioners Disciplinary Tribunal (1995 – 1996)
- Appeared as counsel for the MPDC and MPDT as required in High Court and District Court
- Member Audit Group Royal College Obstetricians & Gynaecologists (2003 - 2005)
- Legal Assessor to Complaints Assessment Committees (1999 - 2004)
- Counsel for the CAC's in prosecutions before the MPDT (until 2004) and before District Court ; High Court and Court of Appeal.

**Architects:**

- Deputy Chair of NZ Registered Architects Board (2008 - 2011)

**Legal:**

- Member of Complaints Committee of Auckland District Law Society (1 of 2 committees which deals with all complaints against lawyers in Auckland area) (1997 – 2005)
- Convenor Ethics Committee ADLS (2002 – 2005)
- Current member of the NZLS prosecution panel

**Governance Training**

- CCMau – Massey University Governance Training May 2008
- Massey University 2009 – NZRAB Training

**Current Practice and Principal Areas of Practice:**

- **Civil and commercial litigation** at all levels: including Judicial Review; Land Law; Trust Law; Will and Estate litigation; Trusts, Contractual disputes; Leases; Equity; Negligence; Construction Law; Family Law; Professional Discipline; Health Law.
- Some recent **Supreme Court, Court of Appeal and High Court cases** include: *Featherstone Park Developments Ltd (In Receivership & Liquidation) v Bradley & Ors* [HC Auckland 31/5/11 CN 2010-404-3820]; *Humphries v Edinborough* [2010] NZCA416; *Crown Money Corporation v Hertzke* [28/5/10 Lang J CIV 2007-404-4943]; *Scott v Scott* (2009) NZSC 111; *Public Trust v Public Trust* (2009) 27 FRNZ 554; *Kerridge v Kerridge* [2009] NZCA 14; *Kerridge v Kerridge* [2009] 2 NZLR 763 (Court of Appeal); *Kerridge v Kerridge* [2009] 1 NZLR 269 (HC); *Lewis v Vincent* [2007] BCL 988; *R v Complaints Assessment Committee 3* [2005] NZLR 774; *Downie v RHMU* [Court of Appeal, 11/12/2001, CA 147/01]; *R v MPDT* [High Court, Wellington Registry, 9/11/2001, Durie J CP183/01]; *Owen v RHMU* [2000] 3 NZLR 475 [CA].
- **Mediator:** Member pilot scheme High Court mediation from 2009.
- **Weathertight Homes Mediation Panel** – member of the panel of mediators appointed to carry out work for the Ministry of Building and Housing. Former member Fletcher Homes Building Dispute Panel, trained LEADR 1993.
- **Author:** LexisNexis Law of Trusts; responsible for chapter on Trustees Liability.

**Offices Previously Held:**

- Vice President, New Zealand Law Society Board (March 2004 - March 2007)
- Vice President, Auckland District Law Society (March 2004 - March 2006)
- Treasurer, New Zealand Bar Association (1998 - 2000)
- President, Auckland Women Lawyers Association (1993 - 1995)
- Member, Chief Justice's Working Group on Gender Equity (1995 - 1996)
- Member, NZLS Women's Consultative Group (1994 - 1995)
- Member, Law Society's Complaints Committee panel (1997 – 2005)
- Convenor, Ethics Committee Auckland District Law Society (2002 - 2005)

**Professional Development:**

- Harvard Law School "Programme of Instruction for Lawyers"; Summer School 1993
- Leadr Mediation training, (Sydney) 1992

- Certificate of Comparative Advocacy - McGeorge School of Law (Washington) 1987 - conducted at the Inns of Court London, United Kingdom

#### Prizes and Scholarships:

- The Alexander Johnson Scholarship in Law (1981) (top Law 2 student)
- The Annual Prize in Equity and Succession (1981) (top student in Equity)

#### Education:

- St Cuthbert's College, Auckland 1970 - 1978 A Bursary
- Otago University 1979 (Law intermediate)
- Auckland University 1982 – LLB (Hons)
- Auckland University 1984 - Master of Jurisprudence (Distinction)
- Health Science (Ethics) AUT post Graduate Diploma 2011

#### Publications and Seminars:

##### Publications

- LexisNexis Law of Trusts co author (current)
- District Courts Procedure, Wellington, Brooker's, 1995, Hansen, Beck, Davenport, Dhyrberg, McQueen.
- Auckland District Law Society Legal Practice Manual, 4<sup>th</sup> Edition (1996); editor
- Lawtalk; numerous articles including article on the situation of the Supreme Court (October 2002) and time recording (January 2003)
- Tutor; Wills and Trusts, Auckland University Professional Studies Course 1984 – 1986
- 1982 Auckland University Law Review; editor

##### Seminars

- LexisNexis Seminar – Construction Mediation 2007
- National Centre for Health and Social Ethics Presentation December 2007
- ADLS Seminar; Conveyancing/Caveats Seminar 2003
- NZLS Health Law Seminar; speaker 1998
- ADLS Seminar – drafting 2008
- ESHRE 2010 – Rome – Poster Presentation

#### Community Involvement:

- St Cuthbert's College – Committee member Parents and Friends Association (2004 – August 2007)

#### Employment Details:

**October 1989 to the present**      **Barrister Sole, Auckland**

Civil litigation in Court of Appeal, High Court, District Court and Tribunal level including:

Commercial and Civil litigation (Tort, Contract, Judicial Review, Wills and Trusts, Construction Law, Trust Law, Land Law, Professional Discipline), Medico-Legal Litigation, Deputy Chair Health Practitioners Disciplinary Tribunal, Building and Construction disputes, Mediator, Family Law

**April 1988 - April 1989**      **Solicitor, Masons, 10 Fleet Street, London, United Kingdom**

**October 1987 - December 1987**      **Solicitor, Peter Fraser, Solicitor, Melbourne, Australia**

**July 1985 - October 1987**      **Barrister and Solicitor, Holmden Horrocks, Solicitors, Auckland**

**February 1984 - July 1985**      **Barrister and Solicitor, Shieff Angland Dew & Co, Solicitors Auckland**

**1983 - February 1984**      **Solicitor Nicholson Gribbin & Co, Solicitors, Auckland**