

Liesle Theron

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QUALIFICATIONS

New York University School of Law, New York, United States

LLM (in administrative and competition law), May 2003

Fulbright Scholar

New Zealand Law Foundation Ethel Benjamin Prize

NYU Graduate Merit Scholar

Victoria University of Wellington, Wellington, New Zealand

LLB (Hons, First class), April 1999

Chapman Tripp Sheffield Young Prize 1998 and VUW centennial medal for outstanding academic achievement (for top graduating student)

University of Stellenbosch, Stellenbosch, South Africa

BA (in Law), December 1995

PROFESSIONAL CAREER

Barrister Sole, Thorndon Chambers, Wellington: since January 2004

In-house counsel (Regulatory Counsel – Trade Practices), Telecom New Zealand Limited, Wellington: June–December 2003

Intern, United Nations, Office for the Coordination of Humanitarian Affairs, Early Warning and Contingency Planning Unit, New York: October 2002 – April 2003

Solicitor, Chapman Tripp, Wellington: May 1999-July 2002

FIELDS OF PRACTICE

I have experience in all aspects of civil litigation at District Court, High Court, Court of Appeal and Supreme Court levels, and in particular in managing large litigation and working with senior counsel, and economists and other expert witnesses. I also provide advice to a range of clients in all areas of public and commercial law. Examples of my work include:

Public, competition and regulatory law

- acting for the Commerce Commission in a number of matters including in:
 - proceedings against Fonterra involving the Dairy Industry Restructuring Act 2001 (in the High Court, Court of Appeal and Supreme Court – *Commerce Commission v Fonterra* [2007] 3 NZLR 767)
 - proceedings filed against Visa, MasterCard and a number of banks in relation to the setting of interchange fees
 - proceedings taken in relation to the proposed acquisition by New Zealand Bus of Mana (in the High Court and Court of Appeal - *New Zealand Bus v Commerce Commission* [2008] 3 NZLR 433)
 - the appeal from Air New Zealand/Qantas alliance decision (*Air NZ v Commerce Commission (No 6)* (2004) 11 TCLR 347)
- representing Housing New Zealand in a judicial review of a District Court decision (*Housing New Zealand Corporation v District Court at Auckland* [2009] NZAR 313)
- representing the plaintiffs in a judicial review of the District Health Boards (*Healthcare Providers New Zealand Inc v Northland District Health Board & Ors* (7 December 2007, McGechan J, Wellington HC CIV-2007-485-1814))
- representing Transpower in the High Court and Court of Appeal in litigation taken by Todd Energy under the Commerce Act (*Todd v Transpower* [2007] NZCA 304)
- representing Unison Networks in the High Court, Court of Appeal and Supreme Court in proceedings challenging the Commerce Commission's electricity lines regulation regime (*Unison v Commerce Commission* [2008] 1 NZLR 42)
- appearing for Comalco Power in judicial review proceedings taken by Meridian Energy and Contact Energy against the Electricity Commission (*Contact v Electricity Commission* (Wellington HC, 29 August 2005, CIV-2005-485-624))
- representing wool growers in the High Court and Court of Appeal in a representative claim (judicial review, negligence and breach of statutory duty) against the Wool Board (*Wool Board Disestablishment Company v Saxmere* [2007] NZCA 349)

Commercial and trust issues

- acting in trust matters including as counsel for unborn children and minors (*Dalziell v Dalziell* (2008) 27 FRNZ 276; *Broad v Broad* (Wellington High Court, 28 August 2009, CIV-2009-435-91))
- representing farmers in a voidable transactions case (*Cripps v Lakeview Farm Fresh Ltd (In Liquidation)* [2006] 1 NZLR 238)
- representing Transit and Craggy Range Vineyards in contract cases (*Transit New Zealand v Pratt Contractors* [2002] 2 NZLR 313; *Campbell & Ors v Craggy Range* [2008] NZCA 96)
- representing Fletcher Challenge shareholders and Fortex directors in securities law cases (*Franks v Hoggard* (2001) 9 NZCLC 262,530, *Robinson v Tait* (Court of Appeal, 18 December 2000, CA 70/00))
- representing an American company in an application for the rescission of a mareva injunction, which involved argument on private international law and letter of credit principles (*Sundance Spas NZ v Sundance Spas Inc* [2001] 1 NZLR 111)

Policy work

- junior counsel assisting Commission of Inquiry into email and internet services in Niue
- work on joint and several liability for MED
- work on the development of Joint Therapeutic Agency for the Ministry of Health
- advising the Select Committee inquiry into Hate Speech (Government Administration Committee)

OTHER PROFESSIONAL ACTIVITIES

Teaching

Law and Markets (500 level Masters course), 2005, Victoria University of Wellington

Criminal law tutorials, 1998, Victoria University of Wellington

Other positions

New Zealand Law Society Law Reform/Legislation Committee, since April 2007

Publications

Author of the chapter on liquidation in *Heath & Whale on Insolvency and Morison's Company and Securities Law*

“Litigation privilege in criminal cases” [2006] *New Zealand Law Journal* 436

“Healing the Past: A Comparative Analysis of the Waitangi Tribunal and the South African Land Claims Process” [1998] *Victoria University Law Review* 311

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