



# SEMAPHORE

Newsletter of the Maritime Law

Association of Australia and New Zealand



## Vice President's Message

Dear Members

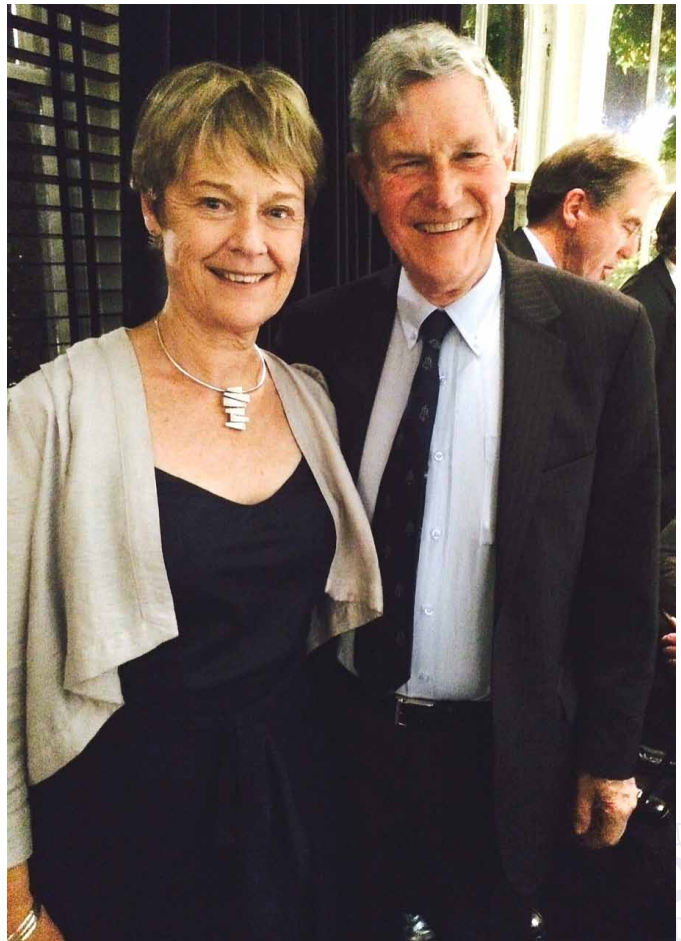
On 29th October the New Zealand Branch held a dinner at the Northern Club in Auckland to celebrate the career of one of its founding members, Judge Tom Broadmore (pictured below with his wife Juliet), who was due to retire from the bench a couple of days later.

In April this year at our branch AGM at Taupo, Tom had “dropped the bombshell” that this was to be his last conference. I hastily Googled my way through some cases and at the conference dinner made a short speech sketching out some of Tom’s rich contribution to the New Zealand maritime scene over the last 15 years or so (though he has been lawyering much longer than that).

We invited Tom to present the paper on ethics at the Federal Conference in Queenstown, by way of Swan song for him, but also because we knew he would provide a scholarly but entertaining presentation of what I think is a tough subject at the end of the conference. He did not disappoint. Tom’s paper was an inspired presentation drawing on a recent visit to the Bodrum Museum of Underwater Archaeology which houses items retrieved from the Uluburun shipwreck. His paper is available elsewhere within this newsletter.

At the conference, the Board unanimously resolved that both Tom and Iain Maitland be made Honorary Members of the Association. Having said a few words at Taupo and then at Queenstown, I resolved to leave the speaking at the dinner to others.

Piers Davies recalled that in his younger years he had engaged in negotiations with Tom, and always been impressed by his “poker face”. He talked of one occasion when both he and Tom were together seeking a recovery and attended the chambers of a QC to negotiate settlement. Their expectation was to secure an offer of no better than 50% of the claim. It became evident in the negotiation that so far as knowledge of maritime law was concerned, they had the upper hand, and this culminated in an offer of 100% — “but not a penny of interest”. Poker faced, they railed with the QC against how unreasonable such an offer was but confirmed they would take it to their clients, only to celebrate once outside.



John Burton recalled how at Taupo, Tom had said in his speech at dinner, that he didn't want to be become "an old relic taken off a shelf and dusted off and from time-to-time and brought out on special occasions". He spoke warmly of having worked with Tom on a case in the Court of Appeal (Tell v MSA) and how it was a pleasure to rely upon it in making submissions to him as a sitting judge in a case earlier in the year.

Barry Brown is a longstanding partner of Chapman Tripp who told stories from the 1970s of working with Tom on maritime cases and the high esteem in which he was held at the firm. But the memorable part of his speech was his comment that if he had to use one word to describe Tom, it was "wisdom".

Judge Mark Perkins is also one of the founding members of the Association. He talked of how well respected Tom was by the other judges. He was instructed by the Chief District Court Judge to say that the bench was losing "a dream judge".

Tom was gracious in his usual way in thanking all for their kind words.

It is important to celebrate milestones in careers, and express our gratitude for the contributions made by our colleagues. It was an excellent evening. While he is retired from the bench and will have many other things to do, Tom can be assured that he is not viewed by us as "an old relic" and we very much hope he will on occasion continue to share his knowledge with members of the Association.

On the same theme, we send our congratulations to Paul David upon his recent admission to the Inner Bar. At the admission ceremony, in outlining his areas of particular expertise, the Chief Justice referred to his role as a leading advocate in and championing of the admiralty jurisdiction. Paul has a broad commercial litigation practice, with a particular interest in sports and admiralty law. He has appeared as counsel in a number of important maritime cases, both in New Zealand, also Australia, and at the International Tribunal for the Law of the Sea. He has recently been acting for owners in limitation proceedings for the owners of The Rena.

Kind regards

Neil Beadle  
New Zealand Vice-President  
MLAANZ  
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