

Luke Fraser

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Summary

I am a confident and experienced litigator with a keen interest in developing my knowledge base and skill set. During my six years of practice I have acted on a variety of complex and challenging disputes where I have achieved successful outcomes in court determined and mediated settings. I collaborate well with both team members and clients and have built strong relationships throughout my career as a result. Outside of work I value spending time with my partner, family and friends. I also enjoy squash, basketball, running, hunting and fishing.

Experience

Rice Speir: Associate

2019 - Current

In my role at Rice Speir I act for local government clients or their London based insurers in complex civil proceedings. I am responsible for the day-to-day management of a portfolio of claims and assist with the supervision of junior solicitors. A large component of my practice area involves providing advice on high value negligence based defective building claims. I have also advised local government clients in contractual, equitable and statutory duty based disputes. I assist with all aspects of claims which generally includes pleading analysis, managing discovery, preparation of expert evidence across multiple disciplines and providing liability and quantum advice. Dispute resolution is often the key focus of the claims I manage, with mediated outcomes being preferred by our clients over judicially determined results where sensible. Outside of local government related claims, I regularly appear for creditors in the District and High Court for insolvency and bankruptcy applications in debt recovery proceedings. I have also assisted with providing advice to professional bodies in disciplinary proceedings.

Meredith Connell: Solicitor

2016 - 2019

I gained invaluable advocacy experience working at Meredith Connell where I practiced in both civil and criminal proceedings. The civil aspect of my role was focused on the restraint and forfeiture of the proceeds of crime. Restraint and forfeiture proceedings often required collaboration between multiple jurisdictions and involved tracing funds and assets. The criminal offending underlying the unlawful gains typically involved money laundering, fraud and cross-border importation of illegal drugs. I regularly appeared in the High Court on matters ranging from obtaining procedural directions, to interlocutory applications and substantive trials. As a prosecutor I was required to manage cases involving serious criminal offending on behalf of the Crown. I prosecuted two jury trials as sole counsel, and many more as junior counsel, in addition to regularly appearing on pretrial applications and appeals in both the District and High Court. I also prepared submissions for, and appeared in the Court of Appeal as junior counsel on two occasions.

Cases and publications

Ockleston Family Trust v Attorney-General & Ors: I provided advice to Auckland Council on a claim for approximately \$28,000,000 by the former owners of land that was compulsorily acquired by the Crown and sold to Auckland Council. I attended mediation as sole counsel where the parties successfully resolved the claim.

Body Corporate 386533 v Napier City Council & Ors "West Quay": I was part of a team of lawyers who prepared evidence and advice for Napier City Council's defence of a complex defective building claim for over \$30,000,000. I assisted two partners at mediation where the parties resolved the dispute, avoiding the need for a ten week trial following more than eight years of litigation.

Commissioner of Police v Yim [2019] NZHC 1681: I appeared as junior counsel in a High Court trial which resulted in civil forfeiture orders being made over approximately \$8,000,000 of property. The claim involved an analysis of funds transferred to New Zealand from China.

Commissioner of Police v Gong: I assisted with an application for restraining orders over \$77,000,000 in bank funds and properties obtained through a fraudulent pyramid scheme which required tracing of funds across multiple jurisdictions.

"Criminals retaining the value of unlawful earnings?" [2018] NZLJ 339: a published article I co-authored analysing the Court of Appeal's approach to profit forfeiture orders where the value of a criminal's unlawful earnings exceeds the value of assets available for forfeiture.