

# **LAWYERS EXCHANGE AND DEVELOPMENT (L.E.A.D) PROGRAM FINAL REPORT**

My Experience with Corney & Lind Lawyers, Brisbane, Australia

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# L.E.A.D - FINAL WRITTEN REFLECTION

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## INTRODUCTION

Practising law in Fiji, whether it is for litigation purposes, providing legal advice, drafting legal documents and laws and policy work is where my comfort zone is and I have been enjoying it for the last seven (7) years. Going to court every week is a norm for me and to think otherwise, although a convivial, did not seem viable, given the office diary for the first eight months of this year.

I was and continue to be reminded of the word of God in Proverbs 19:21 that says, ***"Many are the plans in a man's heart, but it is the Lord's purpose that prevails."***

Been given this opportunity to be part of this first exchange through the L.E.A.D (Lawyers Exchange and Development) Program brought about much excitement, as I thought about a God given vision to the leaders of Corney & Lind Lawyers and Shekinah Law being birthed and manifested in the physical. A Christian pastor, Kris Valotton once said that *"A vision from the Lord creates a mission from heaven"*. It is exhilarating to think that when God births a vision in the heart of his people, Heaven is on stand by to bring about fulfilment of a God given vision.

Habakkuk 2:2-3 says, ***"Then the LORD answered me and said, 'Record the vision and inscribe it on tablets, that the one who reads it may run. For the vision is yet for the appointed time; it hastens toward the goal and it will not fail. Though it tarries, wait for it; for it will certainly come, it will not delay...'"***

I believe that this is exactly what happened, when God laid this vision (L.E.A.D) in the hearts of Mr. Andrew Lind, Mr. Alistair Macpherson and Ms. Heilala Tabete of Corney & Lind Lawyers (Brisbane, Australia) and Ms. Laurel Vaurasi of Shekinah Law (Suva, Fiji). The vision was inscribed in written form and after many prayer sessions plus a few Skype sessions, the vision manifested in the physical on 01 August 2016.

Whilst sitting in the Virgin Airlines VA 176 flight and Brisbane was becoming visible from the sky, I remember thinking to myself for a minute, *"What have I gotten myself into"*, but the ray of sunshine that pierced through the window of the plane reminded me and reassured my hope that God has it all under control for me.

## PURPOSE OF EXCHANGE PROGRAM

In summary, the purpose of the program is not only in terms of professional development but also for cultural exposure and spiritual growth and development for the participants and for the Firms.

## EXPERIENCE & EXPOSURE TO ANOTHER JURISDICTION

As indicated in my interim report that the first day coming into the office was a bit unnerving as I did not know what to expect, but as I set my mind to the assurance of the promises of the Word of God for me and the kindness and congeniality of the staff at Corney and Lind Lawyers, the nerves eased and I felt at "home".

After the orientation sessions, being introduced to the fire escape routes, meeting the team, lunch and even dinner the "real" work started with drafting of correspondences for school matters, attending meetings with colleagues within the office and outside the office as well the court attendances for observation purposes only.

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The main things that have stood out for me in terms of experience here in Brisbane has been the congeniality and family like atmosphere in the office and even congeniality from those Barristers and Solicitors that I was introduced to in Court.

In terms of exposure. I am thankful for the experience of working on the following areas in law that are outside of my comfort zone being -

1. School Law issues that deal with enrolment contracts of students;
2. School Law issues that deal with incorporations;
3. Lease review;
4. Commercial conveyancing;
5. Church Constitution and incorporation; and
6. Employment matters.

Working on a few school law matters and employment matters was such an eye opener and enjoyable experience as I observed and became part of careful considerations of enrolment contract of students as a result of the unbecoming behaviours of parents towards the school management. I observed and listened to the vast wisdom, knowledge and wealth of experience of my supervisor as he gave verbal and written legal advice and dealt with each matter case by case, leaning on addressing breaches of the enrolment contract and/or policies of the school with the mischievous parents, which from the matters that I assisted him with, brought the parent/s back to their wits. It was interesting to note the importance of the wording of an enrolment contract and school policies as it makes a difference during crunch time.

In terms of family law, it is interesting to note the similarities in Fiji's Family Law Act 2005 and the Family Law Act of Australia in terms of the following matters –

1. Dissolution of Marriage – requirement of 12 months separation and that the marriage has broken down irretrievably.
2. Filing of Family Law Applications using set Forms, although the Forms are slightly different and references to them differ also.
3. Matrimonial property applications follow the four step process. Whilst this is entrenched into the Family Law legislation for Australia, for Fiji, the four step process is case law.

Interestingly, though when it comes to maintenance application, whilst for Fiji, this can easily filed in the Family Court Registry using our Forms 12 (Application for Interim Orders) and 23 (Affidavit) and Form 5 (Application for Maintenance), in Australia, any child maintenance requests are done with the Child Support Services.

Furthermore, Parenting Plan applications in Australia, there is a requirement that the parties are to attend mediation, before any application can be filed in Court, unless for reasons of urgency to do with the protection of the best interest of the child. In Fiji, however, parties will only proceed down a similar path called Conciliation in terms of a Residence/Access Application after the Final Order form (Form 9) has been filed and served. There is no prerequisite requirement of mediation with the Fiji family legislation but this does not rule out the possibility of parties resolving the matter before filing any application and seeking consent orders.

My legal research skills are also being refined in terms of employment matters in Australia and the land tenure systems in Sierra Leone. Interestingly enough, land tenure in Sierra Leone according to various research materials available online has three main structures being communal land, state land and private land but given

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the political nature of the country, land swapping and other reasons, registration of ownership of land (mostly communal land) has been difficult, although they have an equivalent of a Registrar of Titles Office as in Fiji.

I was also blessed with the opportunity to share with the staff here at Corney and Lind Lawyers about the hand of God at work in the office in Shekinah law in Fiji on Monday, 15<sup>th</sup> August 2016, about our profession being our calling, the importance of carrying out our work with an excellent spirit and the importance of continuous growth in every aspect of our lives, as the word of God reminds us that our portion as children of God is to grow from Glory to Glory.

I also had the opportunity of being introduced to a Barrister who was briefed for one of the family matters at his Chambers in the City. After much discussions and been given the run down on the type of work that he does and his love for advocacy work, the Barrister has also shown some keen interest to be admitted in the Bar in Fiji and to some work in Fiji. It was interesting day in Court and one of the observations that I made is that the senior Solicitor for the other side who sat with the Barrister at the bar table did not have a bar jacket on. I thought to myself that surely you may not be making representations, but as an officer of the Court, is there not a requirement to have your bar jacket on when you are sitting at the bar table. In Fiji, if the behaviour was the same, one runs the risk of being told by the presiding Magistrate or Judge, "Counsel I cannot see you". The Judge did not raise an issue on this and I was later informed that wearing a bar jacket is not a requirement but a norm.

During my last two weeks in the office, I was involved in the reviewing of a commercial tenancy lease. Although my interest in commercial law at the time was limited, the exercise itself was interesting and enjoyable as it involved intricate detailing and comparison of an existing lease against a new lease. The atmosphere at times was tense but praise God for the calming effect of his holy spirit and for the wisdom, knowledge and guidance of my supervisor that enabled the work to be completed and for settlement to be effected on this matter. It was such a joy to go out on my final day in the office to conduct this commercial conveyancing settlement with one of the hard working staff in the office. We completed our settlement check list, which was approved by our supervisor, before we finalised the final bits of the settlement process. Settlement in Fiji for such a transaction may be effected at the relevant registry but settlement of this matter was effected in the settlement office of one of the law firms. Given the number of settlement that happen at the office, time was an important consideration.

We arrived 30 mins ahead of the scheduled settlement time and witnessed a settlement that took place 15 mins before our settlement, which involved paralegals and/or settlement clerks exchanging cheques and documents. This was a similar process in our settlement, but ours involved four different law firms and a settlement clerk from a settlement office. I left the settlement office that afternoon with such a joy in my heart and a sigh of relief knowing that not only did we have the required cheque in our hand but the fact that I have just been involved in my first commercial conveyancing transaction. It was a wonderful way to end my secondment work at Corney & Lind Lawyers.

On Tuesday, 30<sup>th</sup> August, I was blessed with the opportunity to attend the School Law Conference organised by Legalwise at Mercure Hotel in the City and thoroughly enjoyed hearing about the different facets of this area of law including gender and sexuality, over demanding parents, the application of discrimination laws, bullying and good governance. School law is a growing area of law here in Australia and it will be interesting to see the doors that God will Fiji for Shekinah Law in this area of law.

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### CROSS-CULTURAL LEARNING

I spend my first two weeks living with the Macpherson's and being introduced to the Australian style of living, from the food, sightseeing, their lovely home, church and overall the warm hospitality. I remember arriving to their home on my first Sunday in the country and being greeted with a big Bula and welcome to Australia sign near the front door, which made me feel right at home. I was introduced later to the pet possum, the alpacker and the goat and grateful to be told that the snakes were slumbering, as it is still the winter season. The week days was focused on work, whereas the weekend was a display of activities. The Saturday of my first weekend in Brisbane was spent at Dream world with Alistair and the family.

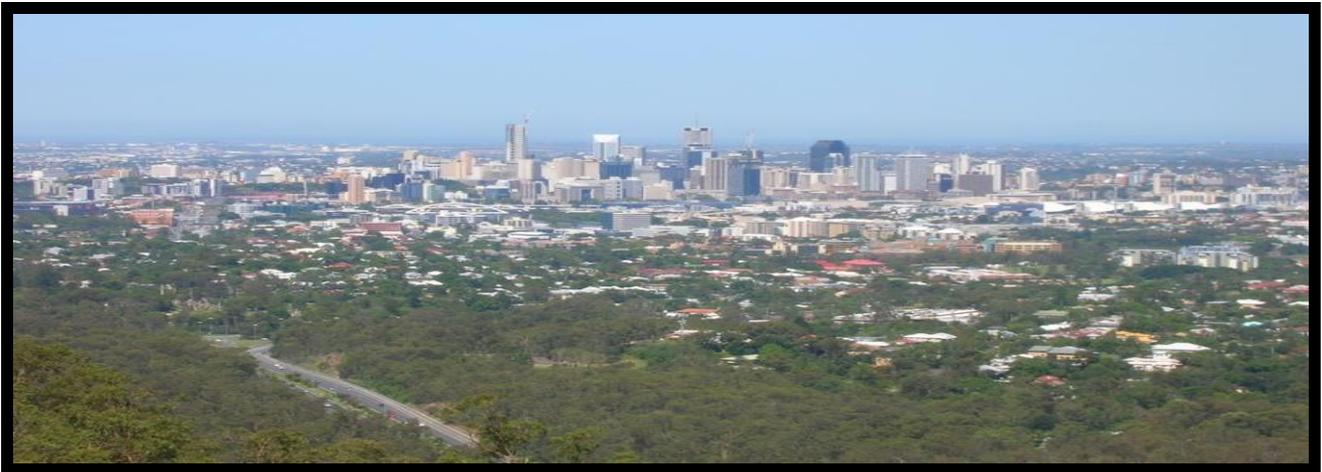
The thriller rides were exhilarating and after lunch, a challenge for my stomach but the Fijian in me persevered on until the end of the day, after three scoops of ice cream. Sunday morning was an interesting affair as I listened to the head of the family getting the children ready for church and for his patience in persevering with the task at hand. It was a wonderful morning in Church as we witness a Baptism in the cold winter waters of Brisbane and a welcome lunch thereafter at Pastor Marty's home.

On Wednesday, 10<sup>th</sup> August 2016, I was introduced to Ekka by the Macpherson's, which is the bigger version of the Hibiscus Festival that we have in Fiji. From the ride in the ferris wheel (we had to err with caution on the rides after the exhilarating experience at Dreamworld), to observing and visiting the different animals on display, to having strawberry ice cream, to going through the stalls and displays, to watching the horse racing and the parade in the afternoon, going through the warehouse of various show bags (a bit of an overwhelming experience), not forgetting the well-built fireman selling calendars for charity, which I was challenged by my supervisor to purchase (such a hilarious experience) and the evening display of various shows and fireworks, it was an enjoyable day filled with a display of rich culture for not only Brisbane but the State of Queensland.

On the Saturday of my last weekend with the Macpherson's, I spent the first half of the morning sharing with Leigh about life in Fiji and just the power of God and God's faithfulness. It was a remarkable morning as we listened and shared about our journey with God. The second half of the morning was spent shopping and sightseeing. Given Fiji's Gold medal victory in Rio the day before, I decide that being patriotic meant that I will be walking around that day in my Fiji T Shirt. It was interesting to see the reaction of the head of the family, but this did not deter my determination to don my national tee shirt and with the numerous people that stopped me at the shopping mall at Chermshire, I felt like I just won the Gold medal for Fiji. Thereafter, I was treated to breathe taking views of Brisbane City from Mount Coot-Tha Lookout with three scoops of ice cream to devour.

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Sunday morning was spent in Church and the afternoon was an opportunity to cook Fiji curry for the Church family being hosted by the Macpherson for a couple's session. God opened a door to allow me to share a testimony at Church on Sunday and it was such a blessing. It was a wonderful two weeks with the Macpherson and I was truly blessed and also thankful for the company of children that helped me cope with being separated from my daughter.

The generosity and the love shown to me by the Macpherson family is something that I will always treasure and carry with me for the rest of my life. I truly felt like I was part of the family for the two weeks that I stayed with them and I was sad to have to leave them, but thankful for such a memorable experience.

For the third week of the exchange, I lived with the Welgampola family and enjoyed Sri Lankan and Thai cuisines plus the warm hospitality of the family. It was such an adventure with the family as again my week involved work and waking up extra early on certain days to ensure that Mahindra made it to his training or music on time and working into the evening, given the passion that the lovely Emario had for his work. I loved the commitment that both parents had towards their son, whether it is for school during the week days, to prayer as a family or cheering him on during basketball in the weekend, it was such a good lesson to carry with me. Our discussions as a family from day to day ranged from cricket to rugby to basketball, to music and our families. My Saturday morning was spent cheering at the basketball game. It reminded me of my days back in high school in Fiji, when sports played a bit part of my life. Anyone that saw me cheering that day may have thought I had a

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child going to Terrace and I thoroughly enjoyed the experience. I was even invited by a few mother's to come back the following Saturday and lead the cheering campaign.

From the basketball court to the Koala Park to have a tour of the Park and be able to see the animals, especially holding a koala and feeding the kangaroos, I truly felt truly blessed. It was truly an enjoyable experience and our day ended at the rugby field as we went to cheer on the senior Terrace Rugby Team as they battled Brisbane Grammar School. Our Sunday morning was spent at the shops and the evening was time for mass.

I am blessed and thankful for the love and generosity shown to me by Emario and the family and is something that I will always treasure with me for the rest of my life. My take home lesson is seeing the family pray together in the morning and blessing each other and speaking words of encouragement and blessings to one another.

My final week and a few days was spent with the lovely Heilala Tabete. It was a wonderful time of learning about one another and being encouraged by each other. It is amazing the paths that God allows us to walk on so that He alone is glorified. Heilala made me feel right at home and I loved every minute of it. The week days, we had work and on Saturday morning we went for a morning walk at Kangaroo point. Thereafter, we spent the first half of the morning at Southbank, before we joined Chris and Eduardo at the multicultural festival promoting Corney & Lind Lawyers. It was an enjoyable experience. The evening was spent preparing the Fijian cuisines for the lunch at Andrew and Karin's home on Sunday. Sunday morning was spent cooking and then we went for breakfast at Sirromet Winery for breakfast.



We then attended Church at the Mt Gravatt Hillsong Church. The message was on "Belonging" and one of the key things that the Pastor talked about in his sermon was the importance of "acceptance" so that a person can feel like they belong. Acceptance is not a one way road and must be reciprocated in order to feel like one belongs to a family or in church or at work and so on. This message was truly my message for this secondment period as the families that I lived with, I always felt a true sense of belonging and even in the office. Lunch was at Andrew and Karin's lovely home with the senior staff of the office. It was a mixture of Fijian curry and Kokoda dish and Australian BBQ and I thoroughly enjoyed the company. Good byes are never easy but in my heart I

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know that this was just the beginning of wonderful new relationships been established and grown. I have been truly blessed staying with Heilala for this past week and I love her big heart and commitment to her work and the things of God.

I would also like to acknowledge and thank Andrew and Karin for their openness and love shown to me during this secondment period. I have truly been blessed. I would also like to thank each and every staff at Corney & Lind Lawyers for your love and congeniality through the short time that I spent in the office. I truly felt like a member of the Corney & Lind Family and continue to thank God for this opportunity to have met each and every one as well to work with some of you.

### **CHARACTER FORMATION & FAITH-BUILDING**

This secondment trip has truly been a step out of my comfort zone not only in my work but more so in my Faith journey with God. I remember asking God to give me boldness to be able to reflect him in action and in speech during the secondment period. I also remember asking God to help me enjoy the experience and, the good and the challenging, as well to remember that everything that I do, I am doing unto God first, so as to continue to allow me to grow spiritually. This one month period has been a faith building journey for me, learning to let go and trust God completely every day and allowing God to move in my life and to be used by God for the Glory of his name.

### **RECOMMENDATION**

- 1) Before the program commences, the participants to submit –
  - (a) the areas in law in which they would like more exposure to; and
  - (b) their intended goals or things they hope to achieve at the end of the program (which they can reflect on in their final report).
- 2) The Principal/Directors are to submit areas in law and in the faith journey that they would like to see the participant being exposed to or to grow in or to be used in.
- 3) In the middle of the program and at the end of the program, the Directors/Principal should sit with the participant and assess the participants work in the office. A summary of the assessment should them be emailed by the Directors/Principal to Heilala for records.

At the end of the Program, these factors can be used as a mechanism to also measure the success of the program.

### **CONCLUSION**

I am thankful for the L.E.A.D program as I have been challenged to step out of my comfort zones in terms of my professional journey and to live my Faith every day, whether it is at work or outside of work. I see the hands of

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God moving every day during this exchange and my Faith level has been boosted from glory to glory. I hope to take back some of the things that I have learnt from the exchange and not only apply it in my work but also in my personal life.