



Media Release

Embargoed until 5.30pm 20 February 2018

New \$38 million Borrin Foundation launched

The Michael and Suzanne Borrin Foundation was formally launched this evening at an event hosted by the Chief Justice, the Rt Hon Dame Sian Elias, and attended by the Governor-General. The Foundation also announced its first grant recipients.

The Borrin Foundation is a new philanthropic foundation established through a \$38 million bequest by the late Judge Ian Borrin, to fund legal research, education, and scholarship. The Foundation seeks to make a difference to the lives of New Zealanders, through the law. The Foundation is in memory of Ian Borrin's parents, Michael and Suzanne, who came to New Zealand from Poland in the 1930s. This generous gift reflects the Borrin family's deep gratitude and commitment to New Zealand, Ian's love of the law, and his conviction that law provides an essential foundation for a flourishing society.

The Nikau Foundation acts as corporate trustee for the Borrin Foundation. The Nikau Foundation is responsible for the administration of the Borrin Foundation, including oversight of its investments and ensuring its long term financial security.

In accordance with Ian Borrin's directions, a Grants and Scholarships Committee made up of leading members of the legal profession has been established to make recommendations on how the Foundation's funds should be used to give effect to Ian's vision. The Grants and Scholarship Committee is made up of David Goddard QC (Chair), a senior barrister and a cousin of Ian Borrin; Hon Sir Terence Arnold QC, the nominee of the Chief Justice; Kathryn Beck, President of the New Zealand Law Society; Professor Mark Hickford, Dean of the Victoria University Law School; and Richard Caughley, a Wellington solicitor and representative of the Nikau Foundation.

Mr Goddard said today that much of the Committee's work to date has gone into developing guiding principles and a strong framework for high-impact grant-making.

"We believe law is essential to a flourishing society – one that is just, inclusive, tolerant and free," he said. "Our vision is of an Aotearoa New Zealand where everyone understands the role and value of the law, and everyone enjoys the protection and opportunity it provides. This vision lies at the heart of what brought the Borrin family to New Zealand, and underpins Ian Borrin's gift to all New Zealanders."

Mr Goddard emphasised that the Borrin Foundation intends to be strategic in its philanthropy. "We aim to maximise the impact of our funding," he said. "We will focus that funding on areas of profound concern – areas where the law is not serving New Zealanders well."

"The criminal justice system and family law are our initial strategic focus areas, and our inaugural grant recipients reflect these areas of concern" said Mr Goddard.

"The criminal justice system is plainly an area where transformative change is needed. Among Western developed nations, New Zealand is second only to the United States in terms of our incarceration rates. The social and economic cost of imprisoning so many



New Zealanders – with Māori disproportionately represented in this group – is very high. We need to understand how this has come about, and whether there are better – more effective and less costly – ways to achieve the goals of our criminal justice system.”

“Family law touches many aspects of New Zealanders’ lives, often when they are at their most vulnerable,” said Mr Goddard. “It raises acute issues of access to law, timeliness and affordability, and the fairness of the outcomes it delivers. We need a better understanding of the practical operation of family law in New Zealand today. We also need to think creatively about how we can ensure that the protection of the law extends to all New Zealanders in this context. The Borrin Foundation is committed to supporting research into how our family laws and institutions can become more accessible, more responsive, and more effective.”

The five inaugural grants, announced at today’s event, reflect these two initial strategic focus areas:

- **‘He Whaipaanga Hou Update Research’** – this grant is for the completion of a large-scale research project about New Zealand’s criminal justice system and its institutions, operations, policies, and effectiveness with regard to Māori. Comparative international indigenous research is also a part of this project. One of Māoridom’s foremost legal thinkers, Moana Jackson, will lead this project. (\$614,420 over 1.5 years).

Moana Jackson, Lead researcher for He Whaipaanga Hou 2018 said today: “Currently, 51 percent of men in prison are Māori, and 64 percent of women in prison are Māori. These are shameful figures. Since this issue was first highlighted 30 years ago, little has changed. The Borrin Foundation grant will support our essential research into why our country continues to imprison Māori men and women at such high rates. I hope our report will lead to a more open and imaginative discussion about the criminal justice system”

- **‘Access to Justice through Digital Innovation’**– this grant is for a suite of three ChatBots about tenancy law, employment law, and law relating to the rights of prisoners. This grant is to the Community Law Centres o Aotearoa and will also provide support for its online and hard-copy everyday guide to New Zealand law. (\$492,000 over 3 years).

Geoffrey Roberts, Manager, Wellington Community Law Centre said “Artificial intelligence is playing a growing role in our lives, and this grant will let us leverage this emerging technology to make legal information much more accessible to the whole community.”

- **‘Relationship Property Division Research’** – this project will conduct socio-legal research into how separating couples divide their property in practice, and what New Zealanders see as fair and just when couples divide property after a relationship ends. This grant is to the University of Otago and a team of social science researchers. (\$577,225 over 2 years).

The University of Otago’s Associate Professor Nicola Taylor said that “the dramatic demographic and social changes over the past four decades mean it is vital that



New Zealand's laws on dividing relationship property are informed by public opinion and the perspectives of separated couples who have experienced property division first-hand."

- **'Whiti te Rā 2018 Hui'** – this grant is to help fund a conference about transformative change in the criminal justice system. The conference will include legal lectures and presentations from leading lawyers, academics, and practitioners. This grant is awarded to JustSpeak. (\$43,210).

Julia Whaipooti, Board member, JustSpeak said today: "We would like to thank the Borrin Foundation for their generous support. This grant will enable JustSpeak to bring many Māori voices and perspectives together to be heard on how we achieve transformational change in criminal justice, and to build on the progress made at Whiti Te Rā last year."

- **'Borrin Foundation - Ngā Pae o te Māramatanga Summer Legal Research Internships'** – this project will provide summer legal research internships in collaboration with Ngā Pae o te Māramatanga, and focus on promoting Māori legal scholarship and nurturing young researchers. (\$39,000 over three years).

Professor Jacinta Ruru, Co-Director Ngā Pae o te Māramatanga New Zealand's Māori Centre of Research Excellence said today: "We are incredibly excited to partner with the Borrin Foundation to create a new and prestigious ongoing opportunity to positively increase relevant Māori legal scholarship for the benefit of Aotearoa New Zealand."

The Foundation intends to actively seek out high-performing individuals and organisations who will contribute to its vision through legal research and scholarship, legal writing and legal education.

"We look forward to funding a wide range of projects and research initiatives that will have a significant and enduring practical impact on the lives of New Zealanders. We aim to engage the broader legal community including practitioners, policy makers, judges and academics. We welcome interdisciplinary collaboration that will help to enhance our understanding of how New Zealand's legal system actually works in practice, and how we can make it work better", Mr Goddard said.

The Foundation will run an open "expression of interest" process for grants, as well as pro-actively seeking out promising projects and talented individuals. Information including the timeline and processes for the Foundation's first EOI round is available on the Borrin Foundation's website, which went live today.

The Borrin Foundation also announced its collaborative relationship with the New Zealand Law Foundation, which includes a commitment to contribute up to \$150,000 a year to co-funded projects.

The Borrin Foundation expects to make an announcement in late 2018 about future funding of scholarships to support study by talented New Zealanders who share the Foundation's commitment to serving the people of New Zealand through the law.



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For more information, please contact:

David Goddard QC, Chairperson, Michael and Suzanne Borrin Foundation Grants and Scholarships Committee. Mobile: 021-499-732

Sue Elliott, Media Liaison: 027 446 2964

www.borrinfoundation.nz

Notes to editor:

- Background notes on the Michael & Suzanne Borrin Foundation
- Background notes on the inaugural Borrin Foundation grant projects
- 2018 Expression of Interest (EOI) Process