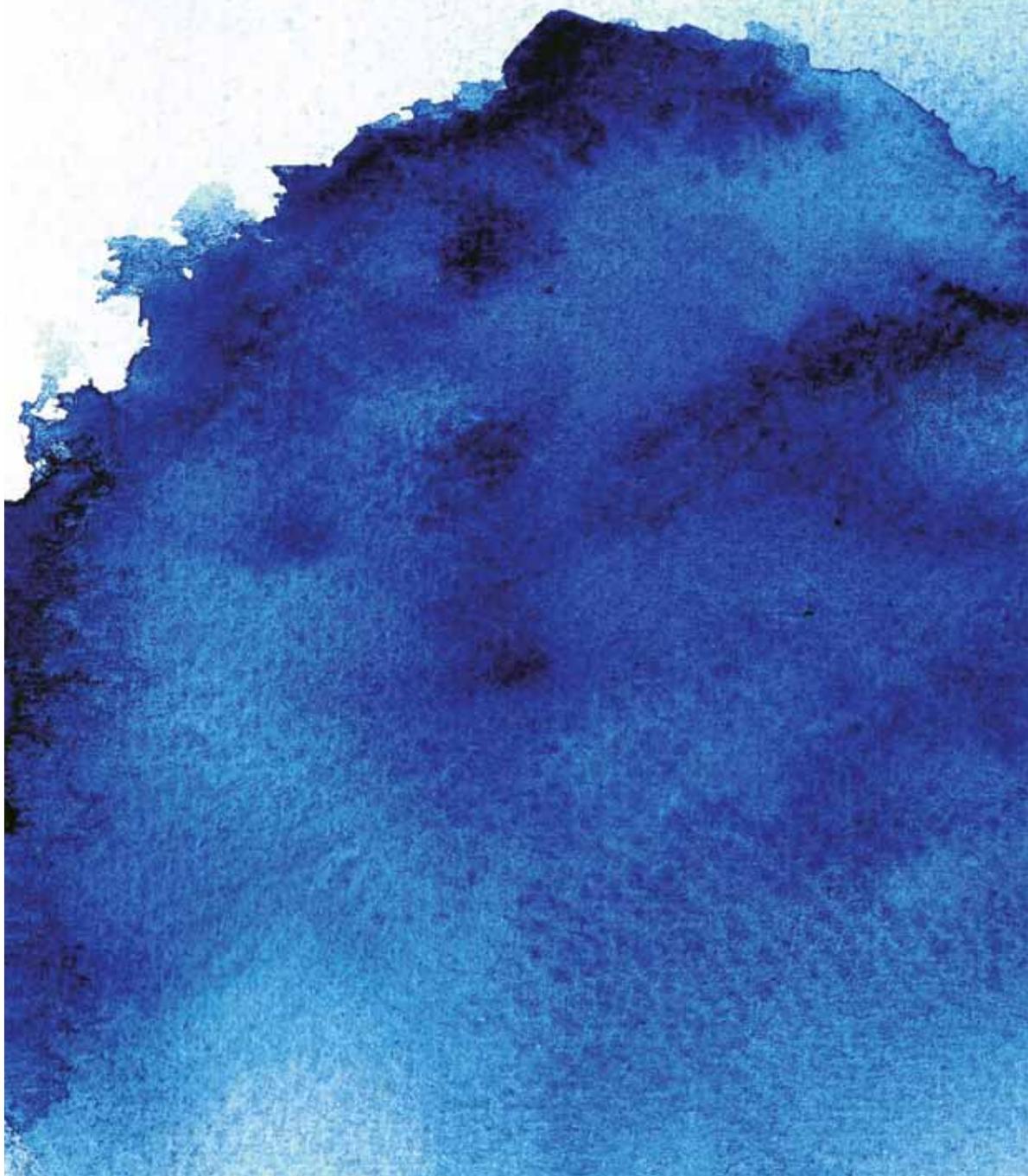




Open to new points of view

A Norton Rose Group magazine
Issue 1

**RE:
WORK
THE PHOTO ESSAY: VISITORS TO WAYSIDE
THE PLAGUE OF WATER SCARCITY
THE FIRST NATIONS OF CANADA
THE CHELSEA FLOWER SHOW
LIFE**



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Norton Rose Group has a new magazine. I wish *Re:* and all who read its pages much enjoyment, and in particular I thank the roving reporters, writers and editors across all five continents who have contributed to this launch issue, and the editorial and design team who have seen it safely to press. There are more than 5000 people in the Group now. This magazine is all about reflecting back to them how diverse their lives are and what an extraordinary group of people we are, put together.

Peter Martyr, Group Chief Executive
Norton Rose Group
June 2011

LIFE



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HERE I GO
AGAIN
TAKING
A CHANCE
ON LIFE

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This is the launch issue of *Re*., a magazine for everyone in Norton Rose Group around the world and for our friends, among them our clients and our alumni. The content has come from you or been inspired by you and reflects the many interests and enthusiasms of the 5000-plus individuals in the Group. I hope that you will enjoy reading it and that you will let me know what you think of it and where you might care to contribute. We all work hard, and it's good to think that we still have time to smell the roses.

The second issue will appear in January 2012. See you then.

The Editor



Letters to the Editor



Dear Editor

A fashion shoot in Paris?
Did you forget MILAN?

Christina Meregalli
Milan

Please direct your comments to

The Editor

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London SE1 2AQ

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OBITER DICTUM

Latin, deconstructed, in case of need

ad hoc

This particular purpose. The more casual use as ‘impromptu’ or ‘without forethought’ is not strictly correct but is common.

ad idem

Agreement.

a fortiori

The *Cambridge Guide to English Usage* defines this perfectly: “This elliptical phrase means roughly **by way of something stronger**. Far from being an oblique reference to fetching the whisky, it’s used in formal discussion to mean ‘with yet stronger reason’ and to introduce a second point which the speaker or writer feels will clinch the argument.”

a priori

This phrase concerns reasoning. It means **from what went before** to suggest cause and effect. As the cause relied on is often an assumption, it can have negative connotations.

amicus curiae

Friend of the court. With the growing number of human rights cases, a friend of the court can play an important role in giving the courts a broader picture than the immediate, adversarial litigants might offer.

animus

Intention. In the legal context, *animus* normally implies hostile intent to injure or insult.

audi alteram partem

Espoused by Augustine, the requirement to **hear the other side** is an important principle of natural justice in dispute resolution and administrative law.

annus mirabilis

Year of wonder, year of marvels. A good note to end on for Norton Rose Group in 2011.

Patrick Bracher Johannesburg

RICHARD CALNAN ON JURISPRUDENCE

How far should the State impinge on individual liberty? The British political philosopher John Stuart Mill considered this question in his essay *On Liberty* 150 years ago.

Mill sets out to establish the limits of the power which can legitimately be exercised by society over the individual. His thesis is simple: the only purpose for which mankind is warranted in interfering with the liberty of action of any of its number is protection of self; and the only purpose, therefore, for which power can rightfully be exercised over any member of a civilised community against that individual's will is in order to prevent harm to others.

Modern jurisprudence – the philosophy of law – starts in the early nineteenth century, with Jeremy Bentham and utilitarianism.

Mill was strongly influenced by utilitarianism, but he was as much concerned with moral philosophy as with legal philosophy. He sits at the edge of jurisprudence, but what he says is relevant to lawyers and relevant to a wider audience than just lawyers. He wanted to establish the circumstances under which the majority can lay down standards for the minority, whether those standards consist of moral suasion or legal constraint. As a guide to those framing our laws, Mill's essay is still valuable today. Even the examples he uses are pertinent.

Mill says that society should only be able to use opinion, or law, to restrain an individual if the individual would otherwise do something that would harm others. He also says that this principle has to be applied more strictly to legal constraint than to moral constraint. The one caveat is that it applies only to "human beings in the maturity of their faculties".

It is axiomatic that a person's opinions cannot harm others. Every individual must be entitled to her, or his, own opinions. Freedom of expression is almost as sacrosanct – although some limits do need to be placed on it if it would clearly harm others.

Actions are different. It is here that society has the greatest ability to restrain the individual from harming others.

It is one thing to state the principle, another to apply it. It is always a matter of judgement whether the action of an

individual will harm others to the extent where it should be constrained by law. As I write, there is a heated debate in the UK about the respective merits of privacy and the freedom of the press. Mill's approach can clarify the issues.

If a newspaper publishes an inaccurate article about the private life of a public figure, that individual has a remedy in defamation. But what if the article is truthful? Should the public figure be able to prevent its publication because it has an adverse effect on his, or her, private life? Mill would say: only if the consequences clearly harm someone other than the individual concerned can they justify restricting as fundamental a principle as freedom of expression.

I first read *On Liberty* more than 40 years ago, as an undergraduate sitting in some golden garden somewhere; and when I went, last month, to hunt down a copy and read it again, I wondered if it was altogether a wise move. It can be a mistake to revisit things you've read in the past. You're no longer the same person.

To my relief, Mill's voice still resonates. His writing is clear, it's concise, and, to my mind, what he has to say is convincing. He says what needs to be said in an uncompromising way.

Next time: *Hohfeld*.

Richard Calnan

Partner Richard Calnan has been with Norton Rose Group since 1975. A banking partner in London, he is also a Visiting Professor at University College London and a Special Professor at the University of Nottingham.

The Q&A

David Burnand

Once called "the most dangerous lawyer in the City"

You were known for working unbelievably hard. How do you feel as you walk away from a lifetime of hard work?

Considerable trepidation, because I'm not quite certain what the future holds.

I did work very long hours, because the work I had needed me to work really long hours, and so indeed did my assistants. I remember for one client, one of the banks, we started about six o'clock in the evening and we left about nine o'clock in the morning, four days later.

We all smoked. The place was blue.

What has been the best of times for you?

Then. Those times.

In those days, you did one job for your clients, they liked it, they'd come back and ask you to do another one, they became your client. As a result you developed relationships. I was their lawyer. And you *liked* to be their lawyer.

But it's not just me. There were a lot of other people doing the same. It was a generation of hard work. And it seemed to suit most people. It was great fun.

And the worst of times?

The worst of times, I suppose, was when you weren't very confident in your abilities, in the very early stages of one's career.

And, after my wife had her stroke (about 20 years ago) I really had to slow down completely, because I took on a completely different role. I had to look after her. She couldn't be left alone.

What is it like to be a lawyer when you pass 50?

I think once you are past your prime, best to get out. The people who give the instructions are younger and they want to talk to people of their own age. It's quite nice to have the old boy in the background – but you don't necessarily want to be the old boy in the background.

I joined as an articled clerk and in the old days, just before I joined in 1961, you had to pay. They didn't pay you.

There weren't any women. There was one articled clerk when I joined, but she didn't stay.

What advice would you give someone setting out in their career in law?

I would say, to start with, join a small firm, where you will get to know people. Your confidence will be established that much more quickly. And then, if things are going well and you feel you could go and do better – because you've gained your confidence – then you go to the bigger firm.

What kind of person becomes a lawyer?

In my case, it was my headmaster who said, why don't you try to be a lawyer and do law at Cambridge. Then my father said, you have a cousin there (one of the partners), why don't you go and do articles at Norton Rose. So that's how it started.

You can't teach somebody how to draft. It's about thinking the thing through. Lots of what-ifs. At Cambridge you wrote essays, but a lot of it was copying out

of the book. Then you would go to the tutorial. That's where the tutor would bring out the what-ifs.

The two partners I worked for were very good, when I was an assistant. They would sit with me, and we'd draft the thing together. That's what I've tried to do with my lads. Do it together.

When you join a firm of lawyers, you learn how to be cautious. Before I joined Norton Rose I think I was pretty dangerous, frankly.

As a lawyer, you want to think things through, so that you don't leave a great hole for someone to attack you on. That's what I mean by *cautious*.

You like shooting. Why is that?

Born and bred to it. I lived in the country. My father had a shotgun, and the farmer would say, "go and shoot some pigeons", that sort of thing. And there was another farmer who said, "every now and then we have a few pheasants, would you like to come and shoot them?"

I understand that your wife died in the last year. And I know that grief is deeply personal and a very hard and painful subject. Would you comment here on your own experience of grief?

Joanna had this stroke and nothing else – she'd never had anything else wrong with her. But she was getting heavier, because she was paralysed down one side and therefore couldn't take exercise, and her breathing was getting worse. In the end, she was struggling with her breath, one evening, and I was taking her from the bathroom



to the bed, where I normally undressed her and put her into bed, and she suddenly collapsed. I think she died at that moment. There was no waiting, no wondering, am I going to die? My son happened to be around. We put her on the bed, and her face was pretty calm, there was no fear in her eyes.

Anyway, that was a real sudden shock, hit us both very hard indeed. The first six months were very difficult; and indeed it still is, to be honest.

You've got to keep active, otherwise you're just moping, and you don't want to do that. I think you should accept every invitation that's given to you and try to avoid sitting thinking about it. But while you're doing other things she's always in your mind – always in your mind.

It'll take about a year I should think to get over it. I haven't quite got there yet. She was a very important person in my life.

Retirement has arrived. What are your plans?

Nothing specific. There's a firm near where I live who specialise in Aston Martins. If they would give me a job, perhaps three days a week, so that I could learn how these things work – they don't have to pay me. I'd stand by one of the mechanics and give him the spanner. I'd be assistant to the assistant to the mechanic. I would love to do that.

I've always had Aston Martins. I actually went out and bought myself a retirement present in the form of an Aston Martin. A DB7 convertible.

David Burnand joined Norton Rose in 1963 and was made a partner in 1970. He retired in 2011.

Interview by **Ingeborg Alexander**
Photograph by Ivan Maslarov



What others say

The most dangerous lawyer in the City.
John Nelson, Lazards

The elegance of his drafting you won't see again – nor the deviousness.

Robin Brooks

David Burnand was responsible for bringing on more partners than any other person.

Stephen Parish



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FACE TO FACE

Australian photographers Gary Heery and Paul Westlake spent two months with visitors to the Wayside Chapel in Kings Cross, Sydney. Ivan Maslarov chooses some of their portraits for this photo essay.



Visitor Melanie Johnston, photograph by Gary Heery

Words by *Alexandra Howe*

The text does not relate to the individuals portrayed here.

A woman screams obscenities at the top of her voice; she has been screaming continuously for three days and nights. A methamphetamine addict has pulled most of the

hair out of his scalp. A girl of 13 works on the streets as a prostitute. A shivering man won't accept a blanket because, although he is cold, he cannot carry it around with him and he has nowhere to hide it.

For all these people, it ought not to have been so.

It is a desolate, exhausting existence for the homeless in Kings Cross, Sydney, as it is for the homeless everywhere.

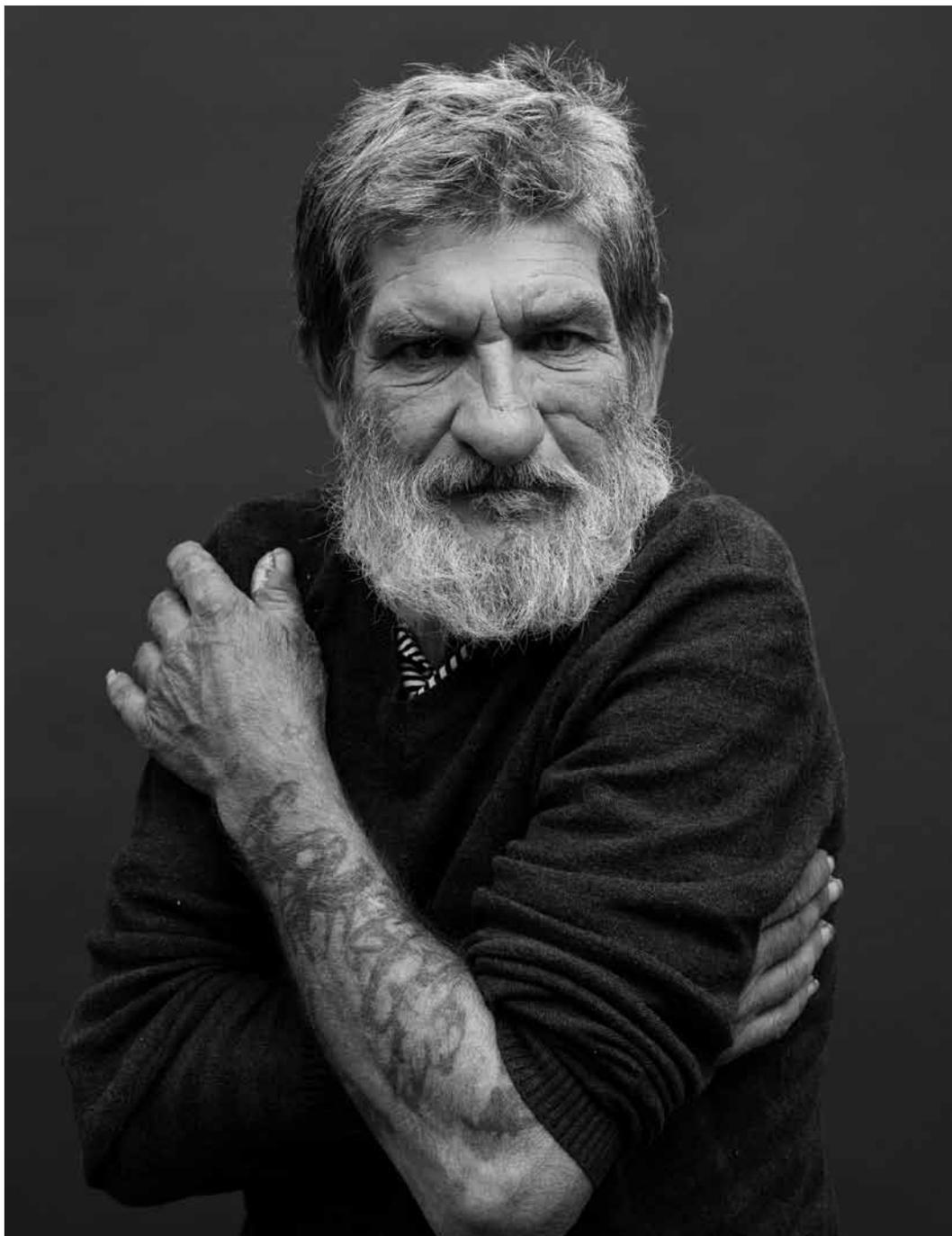


Visitor Cheryl Batchelor, photograph by Gary Heery

One of the visitors to the Wayside Chapel in Kings Cross, a 21-year old addict who has lived on the streets since he was 11, tells the Reverend Graham Long that it's no use to talk of hitting "rock bottom". "There are no rocks at the bottom – you just keep sinking, deeper and deeper. There is no end."

There is practical help to be given, of course. Food to be distributed (and the Wayside Chapel provides over 8,000

meals a year); clean shirts and shoes to be handed out (over 4,000 changes of clothes); counselling to run (over 2,000 sessions). But the overriding purpose of Wayside is not to provide "human first-aid". As Graham Long says, no one is "a problem to be fixed". Many of the people in Sydney who visit Wayside have withstood years of addiction, abuse or ill health. They don't go there to be "fixed". They



Visitor Alfred Carter, photograph by Gary Heery

go along for conversation; and to be seen, accepted and loved (unconditionally). It is at once so simple and yet so inconvenient to comprehend.

The portraits in this photo essay bring us face to face with just a few of the 2,000 visitors who pass through the Wayside Chapel's doors each week. They are "high-mileage faces"; they are also beautiful. It is not a question of "us"

and "them": the capacity for self-destruction, for good, for bad, is in every heart. "Human frailty," says Graham Long, "is much the same on both sides of the desk." The uneasy truth is that it is all too easy to slip between the cracks wherever you live and however sophisticated the society you live in; anyone can fall by the wayside. And when you do, the last thing you want is to become invisible.



Visitor Nikki McKimmon, photograph by Gary Heery



Visitors Carol Saxton (left) and Kristina Olesen (right),
photographs by Paul Westlake

Norton Rose Australia provides pro bono legal services to the Wayside Chapel in Sydney on a regular basis.

Photographs reproduced with kind permission of the Wayside Chapel and with support from Andrew Henderson, Gary Heery and Paul Westlake. *Stories from the Wayside*, from which these photographs are taken, was published in 2010 by University of Queensland Press in Australia.



WASTE NOT WANT NOT

It may have been a long time coming but the plague of water scarcity is upon us. By 2050, the world's population is expected to rise from just under seven billion today to around nine billion. Even with the number of people there is now, water – the stuff of life – is already in short supply.

For the moment there may be enough to go round but, as UN secretary general Ban Ki-moon has pointed out, within a decade or so, 60 per cent of us will live in towns and cities – many of these in the developing world, where water pure enough to drink without damaging your health is already hard to find.

We are more than halfway through a UN international decade for action: Water for Life. The decade started on 22 March 2005, also known – by some – as World Water Day. Water also features in the Millennium Development Goals of 2000. Given this degree of global attention, does this mean no plague, no crisis, no worries?

Far from keeping pace with the problem, governments seem in danger of being left behind. Over the past ten years, according to UN data released on World Water Day this year, the number of urban dwellers who lack running water at home or within easy reach of where they live has risen by 114 million to more than a billion. The number of people without basic sanitation has increased still more.

Inevitably, sickness follows; people suffer; and economies suffer.

More people: less water; it's a simple enough equation. Climate change is as much to blame for the loss of this life-giving liquid as population growth. Recent shifts in the climate have led to prolonged periods of drought in some places and flooding in others. Agricultural yields are falling just when there are more mouths to feed. Different weather patterns also make more and more people dependent on rainfall, an ever more fickle gift of nature.

One sixth of the world's population may soon be affected, according to research on water scarcity carried out three years ago by Dutch bank Rabobank: river flows will become more erratic; spring floods more extreme; and summer droughts prolonged. As a result, the amount of water available to farmers as well as other businesses – the right amount, of the right quality, at the right time – will suffer.

The plague of water scarcity seems to know no boundaries. During the last couple of years, the Yangtze river in ►



China fell to its lowest level since records began more than a century ago; at the same time, rivers like the Murray-Darling in Australia and America's Colorado also failed to reach the sea, at least part of the time. Groundwater levels in India, China and elsewhere in the world are falling. Atlanta in the US recently came close to running out of water altogether, while Barcelona had to ship in enough to drink from France.

Time for action. That's the line that the Chinese environmental campaigner Ma Jun takes. Journalist and author of *China's Water Crisis*, Ma Jun was in London in April 2011, speaking to an invited audience at the House of Commons about the pollution of China's waterways. China's lakes and rivers are known to be in a bad way – some 60 per cent are contaminated, according to official figures. Water from the arid north of China is also flowing south, being used as part of the food chain for southerners. Ma Jun is urging action by governments (the issue of water is already firmly located in China's recent and current five-year economic plan for the country) and he and others among likeminded NGOs in China are seeking to raise public awareness of the problem through increased access to data.

In Beijing, partner and climate change specialist Tom Luckock points out that northern China has 44 per cent of the country's population, yet only 14 per cent of its water. That is one reason why investors have queued up of late to put money into schemes which will help to redress the balance.

As a major exporter, China is depleting its own resources of water by supplying developed, affluent nations with the goods and services they need. The US is reducing its own virtual water footprint by importing from China.

A slice of bread requires 40 litres of water to reach our kitchen table. Add some cheese and the total comes to around 90 litres. A glass of apple juice consumes a full 190 litres.

Behavioural change also affects water footprints. As people in the developing world – where populations are growing fastest – become richer, they eat more meat. Arjen Hoekstra, of the University of Twente in the Netherlands, helped to found the Water Footprint Network, which maps and describes water usage. Meat is a lot “thirstier” than other foods: it takes an average of 15,300 litres of water to produce a kilogram of boneless beef; this calculation is based on an animal’s annual consumption of 1,300 kg of grains (wheat, oats, barley etc); 7,200 kg of roughage (pasture, hay and silage), all of which needs water to grow; and more than 30 cubic metres of water for drinking.

So it takes a lot of water to produce our beef. But that’s not all. A slice of bread requires 40 litres of water to reach our kitchen table. Add some cheese and the total comes to around 90 litres. Even an innocent apple, according to the Water Footprint Network, drains off 70 litres of the wet stuff while it grows. A glass of apple juice consumes a full 190 litres.

Calculations like these have started to concentrate the minds of agri-business commentators. Since agriculture as a whole consumes 70 per cent of the world’s water resources, then, if supplies are becoming scarcer, farmers should surely be among the first to tackle the problem. Well, they are. What is missing is a commitment from policy-makers to manage their country’s water more efficiently. Caroline May – head of environment, based in London – points out that even among affluent societies there is no agreement over the best model. “Now look at the enormity of the challenge facing the developing world.”

Most observers agree that about 4,200 cubic kilometres of water can be used each year without depleting supplies. ►



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CHINA CAN SALVAGE ITS POLLUTED WATERWAYS

Ma Jun, House of Commons, London,
4 April 2011 (edited summary)

China's economic growth has brought the Chinese out of poverty – but at a cost to the environment and to public health. Water is under valued. If you travel along the east coast of China, it's hard to find a fresh waterway. Current practice is not sustainable. Aware of this, the Government is integrating environmental targets into its 5-year economic plan; public awareness of environmental issues is also rising. There is cause for hope.

Three obstacles face us: we lack technology; we lack money; we lack motivation.

To fix the motivation problem, we have to widen access to information. We now have a national water pollution database in China covering 31 provinces and several hundred cities. We can colour rivers to show the level of water quality and can monitor this in real time. Look at the Beijing–Tianjin water basin: most of the rivers are coloured black.

We have started to use information disclosure as a way of managing the environment. Communities have a right to know about the quality of their waterways.

Our database is expanding and the number of NGOs in China is growing (there are now 37 involved in a green choice initiative). More Chinese companies (often embedded in global supply chains) are changing behaviour to lose the stigma of polluter of waterways. A Chinese shoe manufacturer was damaging local rivers through its release of 600 tonnes of untreated municipal sewage. A major international corporation advised it to clean up its act or lose their business. There was a local treatment plant but there was no pipeline to it. The shoe manufacturer reminded the local government of their duty to build a pipeline – and it was built. Now this company, and its neighbours, can use the plant, because the infrastructure is in place.

We are starting to address issues around heavy metal poisoning (in land and waterways) connected with the IT industry. We are building links between global brands and Chinese suppliers. Increasingly, brands are moving from a non-responsive position to defensive to reactive to proactive.

In China, if we don't manage this over the next 20 years, we will leave "a time bomb for our children". At stake is more sustainable trade; and a more sustainable world.

The problem is that, at 4,500 kilometres, annual consumption is already too high. *The Economist* noted this in a special report on feeding the world, pointing out that, as a result of excessive consumption, water tables are falling. Take the Punjab: from only a couple of metres below the surface at one point, it has now fallen, in parts, to hundreds of metres down.

The outlook is not entirely grim. Technology may yet come to our rescue, as *The Economist* went on to report. We know now (or suspect) that about a third of the water used to irrigate fields with gravity-fed systems is wasted – but the introduction of drip-fed irrigation has made a noticeable difference. Even with smallholders in India, the technology has reduced waste by up to 40 per cent. Yields also benefit because the soil gets the moisture when it most needs it.

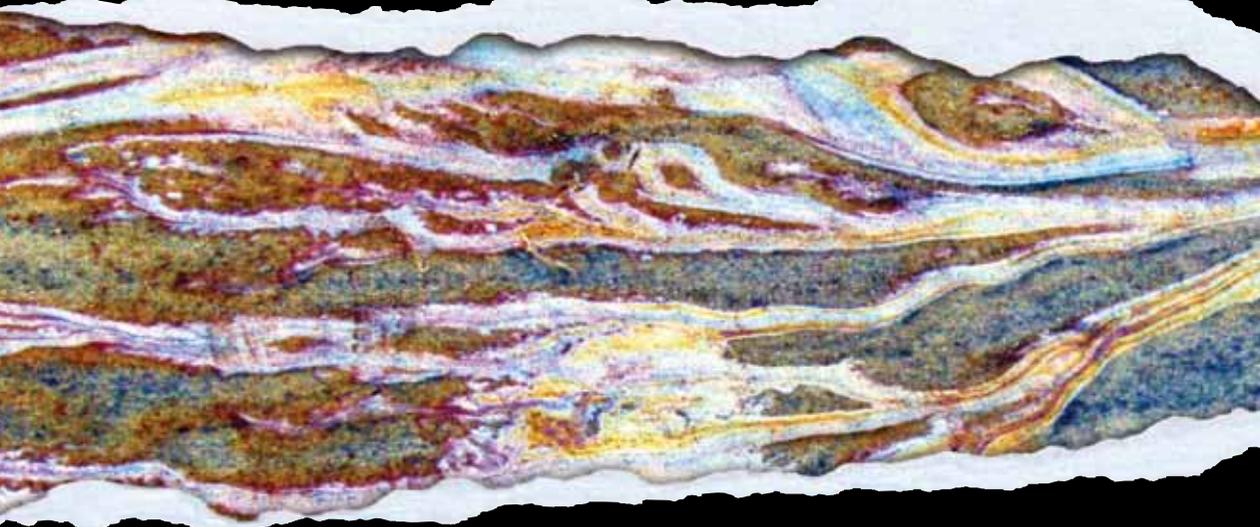
Farmers in Israel waste only about a tenth of the water they use. They use drip-fed systems and they use micro sprinklers. But equipment like this is expensive. The UN's Food and Agriculture Organization estimates that cumulative investment in irrigation worldwide over the next 40 years could cost almost US\$1 trillion. To secure the financing, farmers will have to boost their returns as well as the yields from their crops.

In the mean time, governments can do a lot by ensuring that their water authorities price water transparently, using mechanisms which cut waste and foster business. Partner Elisa de Wit in Australia says water authorities in Australia have started repurchasing entitlements to backwater in an effort to replenish levels. Efforts to encourage households to use more recycled water – through a so-called third pipe – are proving less popular.

There are examples of suppliers, often in unlikely places, which, against all the odds, are making money while supplying good-quality water to manufacturers, farmers and households alike. Banyan reported on some of these good news stories in *The Economist* in March.

Cambodia gives us our happy ending. Under its boss, Ek Sonn Chan, the Phnom Penh Water Authority supplies 300,000 cubic metres of water a day, has 200,000 connections and has reduced the waste (from which it derives no income) to just six per cent of its output – a fraction of that in other parts of Asia. Now, the Water Authority is talking of listing on a new stock exchange.

Sometimes all it takes to solve a problem is determination, motivation and a different approach. ■



The law is almost irrelevant

How do you do business with First Nations? Toronto-based **Michael Bryant** is senior adviser on business law at Norton Rose OR LLP and an authority on the First Nations in Canada. He tells you how.

I was in an ambitious mid-town office in New York visiting a potential client. My host was Irish-American: a prominent advisor to the great and the good. He was helping a natural resource conglomerate do business in North America and wanted to know about the law governing indigenous peoples' rights in Canada. This is the kind of question lawyers get asked a lot.

It's a question on the minds of most executives doing business in Alberta's oil sands. In April 2011, Canadian aboriginal leaders urged the Bank of Nova Scotia not to fund Enbridge Inc.'s proposed C\$5.5 billion oil pipeline to Canada's west coast. This looked like a juicy legal plum for Canadian lawyers. What is the law regarding aboriginal people in resource-rich Canada?

I couldn't tell if my host was being polite or if he was actually interested. I'd worked in the field of Canadian indigenous peoples' rights for over 20 years; I'd written, taught and litigated aboriginal law issues; and I'd held Cabinet portfolios that allowed me to work directly with First Nation Chiefs and CEOs caught up in legal and political battles over land and its development. (More on the nomenclature in a second.) You'd be right in thinking that I would have a legal opinion on the matter.

"When it comes to doing business with First Nations, the law is almost irrelevant," I answered.

"You just have to do a deal."

This is probably unfair to the jurists, counsel and scholars who have developed an area of jurisprudence dating back to the Royal

Proclamation of 1763. At the time of European contact with North American indigenous peoples, agreements were struck. As a result, in the US and Canada today there are "aboriginal rights" in Canada, and in the US there is native American Indian law. The latter is settled, whereas the Canadian law has been moving along at a rapid pace ever since the repatriation of Canada's constitution in 1982.

"Aboriginal peoples" in Canada refers to three indigenous groups: Indians, Metis and Inuit. The Inuit used to be referred to as Eskimo; they live in urban centres and the far northern regions. The Metis are of mixed European (mostly French) and First Nations descent.

Most aboriginal rights issues concern Indians, a term now in disuse, replaced by "First Nations". Where possible, it's respectful to refer to the particular First Nation. For example, my esteemed colleague in Canada, Phil Fontaine, is a former National Chief of the Assembly of First Nations and a member of the Sagkeeng First Nation. The Sagkeeng are an Anishinaabe First Nation; they hold territory east of Lake Winnipeg in Manitoba, Canada. ▶





Back to the law. It's irrelevant, in that litigation around transactions involving First Nations spells the end of the transaction. Litigation is a last-resort, crisis intervention that always means that the deal has collapsed and it's time for cost-recovery damage control.

The law governing aboriginal peoples is relevant in that it offers a framework wherein the Crown owes Canadian aboriginal peoples a fiduciary duty of care. But the government's role in any private transaction involving First Nations is, at most, to encourage and occasionally mediate tangential solutions. Occasionally, a federal or

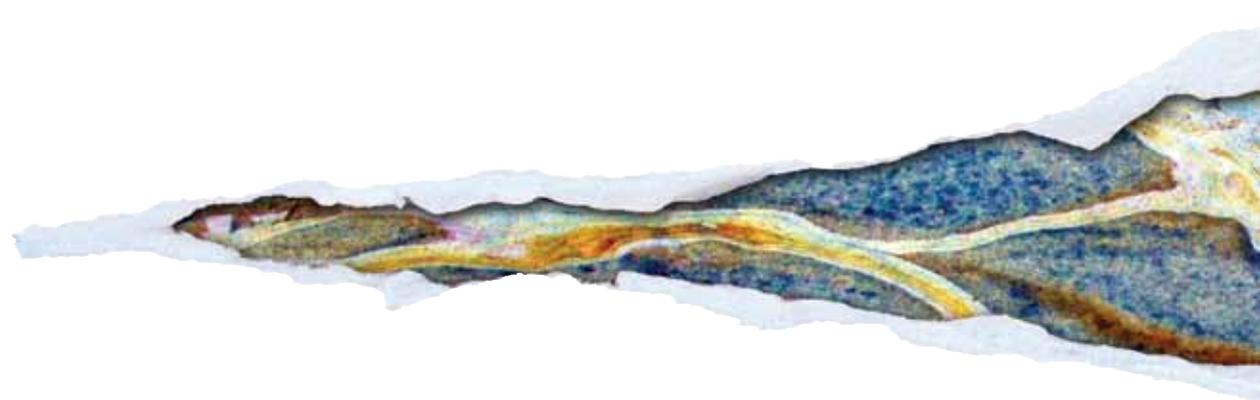
provincial government will fund a First Nation's due diligence and negotiation costs.

Sometimes government incentives can be buttonholed by a private sector client. In Ontario (for example) the provincial government created a pricing system for renewable electricity that included a higher incentive for energy companies with an aboriginal equity partner. There are incentive funds around. When I was Minister of Economic Development for Ontario we doled out, on behalf of the province, millions of Canadian dollars in loans and direct incentive-grants for innovative industry investments. There

are public dollars out there being leveraged for local investment; finding those dollars can make or break a deal in a particular location.

However, the legal issues surrounding transactions with a First Nations partner can distract people from concluding the actual deal. There exists a mystifying "duty to consult", established by Canadian jurisprudence, which requires that businesses consult with First Nations where a transaction impacts an aboriginal community.

What is often forgotten is that if the First Nation is already part of the transaction (and thereby in an agreement with a corporation), then



the “duty to consult” is rendered redundant. Irrelevant. The First Nation that does the deal has not only been consulted on the contract, it has consented to it – with consideration to boot.

Accordingly, I always urge lawyers to set aside the myriad of components that might satisfy the legal requirements of this consultation duty. Set it aside and do a deal, rendering any *sui generis* duty ... irrelevant!

My favourite deal certainly passed the legal test for “duty to consult”. At issue was a claim by Ontario First Nations that they were owed C\$25 billion on the basis that the Crown owed First Nations a third of all its gaming revenue. As Attorney General, I was advised that the litigation risk was low: the claim was a stretch on the facts. However, the impact of that risk being realized was fiscally catastrophic for the Province. Thus, the parties had been attempting to negotiate a settlement for years.

In 2007, I was appointed Ontario’s first Minister of Aboriginal Affairs. The gaming claim was set to go to trial. I knew that, once that trial began, relations between my Ministry (let alone the Ontario Government) and First Nations would turn adversarial. So we made a final push for a negotiated settlement.

This time, we tried something different. Instead of the negotiations being dominated by barristers and solicitors, I proposed that we negotiate directly. On one side of the table: a five-person committee of First Nations Chiefs. On the other side: me. Solo.

This created an obvious imbalance of power from a negotiating perspective. And this imbalance barely – but successfully – rebalanced the imbalance that exists between a multi-billion dollar party (the Crown) and an often impoverished party (First Nations). Our collective history had engendered enormous distrust by First Nations, who had been victims of double-dealing, lack of disclosure, and a litany of rights abuses. (The worst chapter of Canadian history saw First Nations children separated from their families for assimilation by missionary residential schools. This was not ancient history. Most of the senior Chiefs in Ontario were victims of just such a system.)

By removing the lawyers (present company excepted), we focused more on doing the deal and less on the litigation implications. I was determined to fashion an outcome that made sense for all concerned. In California, native American Indians had achieved in the courts exactly what Ontario First Nations were seeking in this litigation. But it rendered an absurdity: if there was a casino on a California Indian reservation, the annual average income was higher than most middle-class California families; and where there was no casino, the reservation existed in poverty. A patchwork of need and inequity resulted across the prosperous state.

We went for an agreement that saw a small percentage of Ontario’s overall gaming revenue go directly to all First Nations, on a per capita basis. It was a C\$2.5 billion agreement, over 25 years.

The negotiation between the six of us took place over seven days

and nights of round-the-clock talks – interrupted only by my travelling to a remote First Nation in order to circumvent the imprisonment of a Chief and Council in a moment of civil disobedience.

Each day began with a smudge ceremony, involving ceremonial burning of tobacco and an exchange of prayers. Some sessions were turbulent. Others were exhausted, and fruitless. Mostly, I listened. A few hours before the court-imposed deadline, we shook hands and the lawyers were allowed back in.

The deal still had to be ratified by the 140 First Nations at an event in Thunder Bay, Ontario. There was no ratification rule – making the outcome all the more dramatic for its uncertainty. The lawyers presented, I did my bit, the chiefs expressed their support, and the deal was ratified – unanimously. We celebrated with a drum ceremony, which saw yours truly whacking a gigantic drum with a mallet while hollering a First Nations song that, to me, resembled a victory chant.

We’d done the deal.

We’ll never know what the law would have said about the claim. The agreement included suspending litigation, at least for the life of the deal: 25 years of peace, C\$2.5 billion of funding to First Nations for schools, hospitals, new businesses.

Not everyone has C\$2.5 billion of cash to leverage. But the tale does reinforce the importance of putting the deal ahead of litigation outcome predictions. You might think that occasional litigation won’t destroy a business relationship: it’s just a means of resolving legitimate disagreements. Doing business with First Nations is different. For them, an adversarial process spells the end of a relationship and delivers a mortal wound to any potential transaction.

Look at it more generally. Lawyers focusing on *stare decisis* are limiting their clients’ horizons and ceding strategy to the consulting industry. Value for the client comes from integrative thinking which renders actual solutions, not from constructing a brilliant legal silo of limited utility.

Better off to do the deal. ■



A Chelsea morning

Words by *Nicola Liu*
Pictures by *Ivan Maslarov*

Woke up, it was a Chelsea morning and the first thing on my mind – today is the day, the first day, of the great, the glorious, the fabulous spectacle that is the Chelsea Flower Show.

To get to Royal Hospital Chelsea, the site – each year and for one week only – of the Flower Show, I cycle across Clapham Common, over Battersea Bridge and along by the Thames, until I reach Chelsea, its honeyed red-brick streets gleaming with old money in the early morning light.

It's seven o'clock, and the gates have just opened to let in the press. That's me, my photographer and journalists and film crews from around the world. The BBC is out in strength, filming content for its hour-long daily reports from Chelsea, its cameras seducing a nation of garden-lovers with shots of roses, ferns, rhododendrons, Himalayan poppies and anemones; gardens for the blind, gardens for the wealthy, gardens for city dwellers; planting from Japan, Australia, Monaco, South Africa; cottages from Wales, water mills from Yorkshire, shrines from Korea. The whole world is here, and the afternoon the Queen will come.

King Charles II founded the Royal Hospital in 1682 for the 'succour and relief of veterans broken by age and war'; it still serves this purpose, as the scarlet-clad Chelsea Pensioners who live there and who open their grounds each year to the Flower Show can attest.

Every year, more than 150,000 people pass through the 11-acre site. The prestige of exhibiting at Chelsea launches careers, entrenches reputations – and does no harm to the profile of sponsors, broadcasters and the actors, writers and media figures who stream through its gates, particularly on Press Day, the very day when I am in attendance.

I have friends who are serious gardeners, and they are seriously envious of my press pass. All 157,000 tickets are sold out. I have to make good my good fortune and give readers their own Private View.

✿

I start by walking down the avenue, trees in place, stalls still wrapped up. By the afternoon everything will be out, competing for attention, rather like at Tatton Park in Cheshire and at all the well-bred country fairs that run the length of Britain up and down the summer.

The Chelsea Flower Show is the showpiece of the Royal Horticultural Society. It exhibits gardens and plants at their finest. It is a miracle of artifice, showmanship and nurture. This year, there are 17 show gardens, eight urban gardens, seven artisan gardens and the Great Pavilion, all competing for a Gold Medal, and Best in Show.

I come first to the Irish Sky Garden and see the Emerald Isle spread out before me, green upon green, climbing higher and higher, interleaved with moss, water sliding through grey slate, reeds and a copper walkway. My gaze drifts to the top where an elongated pink pod sits on the earth like a fairground ride, to its side a towering crane. I climb up a side path and glimpse the inside, filled with plants (*Actinidia kolomikta*) and a wooden seat (with *Jack* inscribed). The roof is a green roof. The underside is, too. Later, I see the Avatar pod flying in the sky, its Irish designer smiling down at us mortals. It's true what they say: when Irish eyes are smiling, the whole world smiles.



I stride on, in search of the Magistrates' Garden, and am immediately deflected by 'A Beautiful Paradise', the Japanese garden created by Kazuyuki Ishihara. I had heard that some of his team had had to pull out because of the tsunami and that this garden had been assembled in three short weeks by a new team. A path meanders past acers and water spills over rocks: a white pavilion rests among white and purple irises. The designer is there, wearing a straw hat. I introduce myself and tell him, through a translator, that his garden is lovely and I'm happy to see him at Chelsea. We bow and say goodbye. ►

To get to the Magistrates' Garden I go through the Great Pavilion. At once, I am assaulted by massed assemblages of foliage, colour, flowers and scents; and in the midst the BBC (*Gardeners' World*, Carol Klein, no less) speaking to camera in full, enthusiastic flow (and sporting a shiny dress coat – very much the Chelsea look, I come to realise); and to the right a couture stand of floral jackets, delicate constructions of balsa wood, petals and silk underlay. I find the sweet pea named after William and Kate (very pink) but search in vain for their rose. I stand transfixed by the arboreal roots of an ancient yew tree. My photographer pushes me out of the



Pavilion; he needs the morning light.

Oh dear. The Magistrates' Garden is a disappointment. It's a steady rectangle of benches, trees, gravel and the slow, grave splash of water. The sun is hidden and the garden is static.

I see a man chased by film crews, but who is he? He wears a yellow blazer and looks well fed. I ask, but no one knows. I'm no better off when someone looks him up. He's someone I've never heard of. I am struck by the number of fake tans on the broadcasters, now hard at work. Time for a rest. Time for the press tent.



The Chelsea Flower Show is the showpiece of the Royal Horticultural Society. It is a miracle of artifice, showmanship and nurture.



Journalists, intent on filing copy, have occupied most of the seats down the long blue tables. I sit down and rest my legs. When it's time to go, I pick up a free bag (it contains a scrubbing brush and teak oil) and head for the Literary Garden.

My path takes me past the patch of Yorkshire that is the Leeds HESCO garden, complete with old water mill and bench. A moment later, I stop to say hello to the author Terry Pratchett, cameramen crowding around him. We talk about gardens.



I come to another show garden, presented by the Royal Botanic Gardens Melbourne. The garden reflects 'the journey of water' and is based on the prestigious Cranbourne garden. Warren Worboys – I think he's one of the design team; he's certainly a fine upstanding Australian gentleman – tells me that "a lot of Melbourne has European landscapes influenced by the last two centuries" but this is changing (after 13 long years of drought) and it's all about indigenous plants now, "plants within five kilometres, keeping a strong gender pool". "Native planting," I learn, comes from anywhere across Australia.

Warren shows me a kangaroo paw (the *anigozanthos*, from Western Australia). We shake hands, and I learn that he is curator of horticulture at RBG Cranbourne. I pause to admire the bronze



and soft pink tones of the Laurent-Perrier Garden next door (designed by Luciano Giubbilei) and head toward the artisan gardens, stopping only to accept the offer of champagne at a rather fine display of greenhouses awash with wild strawberries and terracotta.

The sun is out, and there's no time to dwell on the magnificence of Cleve West's design, based on the Roman ruins of Libya, nor the intricacy of the Royal Bank of Canada's New Wild Garden, its swathes of wildflowers and elaborate insect habitats. I had wanted to inspect the Trailfinders garden inspired by the voyages of the botanist Sir Joseph Banks – but the BBC has the area roped off, and I can't wait.

My mind is set on seeing the Literary Garden. I glance at the Monaco show garden. (I don't like it – more swimming pool than garden, although full of technical perfection and interesting vertical planting.) I am being trailed by a group of men and women: the judges. I have to move fast. No one is allowed to approach them, and the gardeners must stand two gardens down from them. ►



The Literary Garden is one of the artisan gardens, and I find these clustered along a woodland path. This is where the Chelsea Flower Show shows its magic. Forget the Literary Garden – it’s just clichéd verses and conventional design. But here is the Child’s Garden in Wales; and here is the Hae-woo-so (Emptying One’s Mind) shrine from Korea; and here is A Postcard from Wales, conjuring up the words and the world of the Welsh poet Dylan Thomas.

I look at the cottage, the recreation of the Welsh estuary (using mud driven up from Wales), the small boat, called *Cuckoo* (after his), the cockleshell paths (straight out of *Under Milk Wood*), the recycled driftwood, Welsh slate, little fig tree and ramshackle bridge. This is Maggie Hughes’ and Kati Crome’s first collaboration for Chelsea and they deserve their Gold medal.

Jihae Hwang is the first Korean designer to show at Chelsea. Her garden, Hae-woo-so, wins a Gold and is judged Best in



Artisan Gardens. The garden is filled with jasmine, peonies and lilac, with trees and a path climbing up to a small wooden structure, a privy. Nearby is a hollowed rock containing water; hanging from a branch is a lamp, offering protection from ghosts. The tiles on the gently pointing roof of the toilet are 100 years old; the dragon at the top scares away demons.

It’s time to leave. My pass expires at three o’clock and, although the Queen has yet to arrive, Gwyneth Paltrow has yet to float through the gardens in a haze of cameras (I see her later on the television) and the judging is still under way, I have seen enough. The Private View is over.

✽

I drink tea in my own garden an hour later, and I think, yes, my little Chinese garden in the city, with its moon gate, lanterns and platform for viewing the fish, its bamboo, ferns and cowslip, it could be lovely; all it needs is wildflowers, Welsh slate, a Korean privy and maybe a clump of shamrock, moss and a kangaroo paw. ■





Life

teach son to ride bike Jeremy Devereux Toronto. win
 Bahrain Football League Adam Vause Bahrain. get
 motorcycle licence check out Ducati dealership Jamie
 Nowak Munich. Cornwall / motorboat Deirdre London.
 New York Central Park (bring a book) Ben Allen Sydney.
 get holiday Kong. teach colours Singapore. set wedding subsequent planning
To do pics printed Natalie Caton Hong
 son to cycle help daughter learn of rainbow WA
 date delegate all to fiancée Gareth
 Owens London. play war games in Reading (find deserted
 shopping centre) Michael Godden London. swim with
 dolphins Dimitra Capas Athens. train harder! run Berlin
 marathon Peter Glover London. sell oven, fridge, VW
 Golf, back to London have baby Dominic H. Dubai. try
 35kmh average peleton bike ride Peter Cash Singapore.
 run triathlon Camilla de M London. get into weekend
 cycling Jennifer Hill London. buy real pizza oven for
 terrace NB white cotton vest, Neapolitan songs? Vincent
 Béglé Paris. move into new flat, holiday (Santorini) Jools
 Holland and band Nick Allman London. golfing (take the
 baby) Scott Francis Brisbane. organize regatta on lake
 Martin J. Valasek Montréal.

The sporting life

MOUNTAIN BIKING IN SOUTH AFRICA

Mountain-biking is big in South Africa. In any of the regions you will find some magnificent trails ranging from technical single track to traditional cross country riding and serious downhill tracks. For most of the riding a full suspension bike with 120mm of travel would be ideal.

In the Cape 140mm of travel or even a full downhill rig will not be out of place on many of the tracks.

For some world-class single track, spend a couple of days in the Grabouw/Elgin area riding the Lebanon mountain bike tracks and the purpose-cut single track on Oak Valley Wine Estate.

For general mayhem and lots of smiles, spend a day on the Tokai mountain bike trails 20 minutes outside of Cape Town. In Durban, visit Giba Gorge Cycle Park.

To access the best (and usually most secret) tracks in any of the regions, your local bike shop is probably your best bet. Many organise regular outrides.

Rob Otty, Johannesburg

ABU DHABI, BAHRAIN, DUBAI THE CHECK-LIST

Rugby

Abu Dhabi Harlequins Rugby Club
abudhabiquins.com

Hosts a number of tournaments each year for men and women
Stages legs of the Asian 5 Nations Rugby series.

Bahrain Rugby Football Club
bahrainrfc.com

Dubai Exiles
dubaixiles.com
Hosts the annual Dubai Rugby Sevens tournament
Now in a new stadium on the outskirts of Dubai

Cycling

Awali Wheelers
wvx.com/awaliwheelers
Friday morning rides in Bahrain

Cycle Safe Dubai
Holds criterium (race held on short course) for all abilities at Dubai Autodrome

Dubai Roadsters
dubairoadsters.com
Meets at the Lime Tree Café on Jumeirah Beach Road 6am Fridays (5.30am in the summer)

Recommended
Wolfi's Bike Shop

Athletics

Abu Dhabi Striders
abudhabistriders.com

Abu Dhabi Tri Club
abudhabitriclub.org
Organises triathlon (swimming, cycling, running) events and training

Bahrain Roadrunners
bahrainroadrunner.com
Organises events such as the Al Areen 10 kilometres (held in a nature reserve)

Dubai Road Runners
dubai-road-runners.com
Meets weekly at Safa Park Gate

Dubai Triathlon Club
dubaitriclub.net

Feeling good

Question: what does a mother with young children do for exercise?

Answer: get her partner to look after the children while she goes to the gym.

Question: what does a single working mother with young children do for exercise?

Answer: sit back and have another glass of wine/chocolate on the grounds that exercise is impossible for the moment.

I fell into the second category four years ago, and finding a minute to brush my teeth was impossible, let alone time for a workout. Then, a few months ago, I realised I could combine my son's need to expend endless energy outside with my wish to claw back a degree of fitness by running. This is not something I have ever much liked: I find it exhausting and worry about the reports I've read about the damage it can do to your knees. But the great thing about running is that you can fit it in around the rest of your life.

I run in a small park near our home, which has a play park in the middle, while my son rides his bike next to me. He pedals as fast as he can to overtake me and, when he gets bored, he moves to the play park, which I can keep in view as I run round the park's perimeter.

My antipathy towards running has also changed after consulting a friend who has taken to running marathons in her forties. She passed on some tips which have changed my experience of running. So for anyone considering a move into running, here they are:

"The thing that really got me into running was when I read Stu Mittleman's book *Slow Burn* and started using a heart monitor while running. Before that, I used to run really hard and then feel worn out. Mittleman talks about training at a slower heart rate, which is much more relaxing and almost

meditative. It is also better for you. I found I ended up feeling much more energised after running that way – and more motivated to go out the next day. You do need a heart monitor to do it, although you can get basic ones pretty cheaply to try it out.

The other thing I work at is running at a fast cadence, about 85–90 steps per minute. I even ran with a metronome for a while, which really helped. That way, you don't have to think about the cadence, your feet just do it. It means that you can't run with music as that confuses things but you could try podcasts. Somehow you can run more lightly at a faster cadence, even if you have to take very small steps running uphill in order to keep your heart rate down."

Dawn Hayes, editorial manager for Norton Rose LLP, is a former journalist. Her son is 4¾ years old.

The back garden

Highlights from the 2011 Chelsea Flower Show



- 1 Kinetic sculpture
- 2 Insect habitat, RBC New Wild Garden
- 3 Sculpture in the garden
- 4 Verbascum 'Blue Lagoon': a true blue
- 5 Rosa buttercup: an English rose
- 6 Trilliaceae 'Paris' Lancifolia Taiwan
- 7 Radishes on ladders
- 8 Borage from Jekka's Herb Farm
- 9 Heuchera 'Caramel'
- 10 Chelsea Plant of the Year 2011
Anemone 'Wild Swan',
Hardy's Cottage Gardens



The veg plot

WORKING ON THE DACHA IN
CENTRAL RUSSIA

Potatoes

To define the best time for planting potatoes in central Russia, look at the birches. When the first leaves appear out of the buds – this is your time to plant. You should place the seed rows with the orientation from north to south (to provide equal sunshine) with 60–70cm between them; plant the potatoes at 30cm distance apart at a depth of 10–15cm. The potatoes could be slightly sprigged. We usually use the old potatoes stored in the basement, which start to grow by springtime and are unsuitable for food any more.

Watering also matters. Potatoes need more water during the flourishing period rather than right after planting; excessive watering after planting could result in weak roots. (The roots need to go right down to look for water.) Twenty days before harvesting, completely stop watering the plant. Dig out your crop no earlier than 90 days after planting.

Garlic

The easiest thing to grow in Russia is garlic. The bigger the clove of garlic you plant, the bigger the head of garlic you get. You can hardly ruin your crop even if you weed it only once a month. However, soil always matters. Use muck, and your plant will be generous to you. Prepare your plot in autumn when the soil is not yet frozen; the best time for central Russia is late October.

Plant your cloves at a depth of 15cm with 20cm distance between the rows. While the plant is growing, do not miss the right moment to cut back the flowering stem, thus providing for a big root. Then tie up the leaves and when they turn dry and yellow – it is time to harvest your garlic.

Cucumbers

In Russia, people say that you should plant cucumbers late at night – providing that nobody sees you. This dates back to an earlier tradition to plant cucumbers completely naked (which is why no one should see you). If you follow these instructions your crop will be rich.

Natalia Chudakova joined the business services team in Moscow in 2011. She and her husband work on their dacha most weekends.

PERILS OF A NEW FOREST
VEGETABLE GARDENER

Gardening in the New Forest (in the UK) invokes a siege mentality. Not only do we have dreadful soil and the usual pests and bugs to contend with – we also have the real and present danger of horticultural infiltration by ponies, donkeys, sheep, cows and pigs. All of these creatures roam freely around the country lanes of this very beautiful part of Hampshire and are a great tourist attraction. However, locals are aware that should you leave your gate ajar for a second the word soon gets around the local population that the animal equivalent of Happy Hour is taking place. Our neighbour lost all her flowers and vegetables in the space of an hour when a deliveryman left her gate open and the local donkey crew (followed closely by some cows) took advantage of her absence to do a bit of PYO (pick your own) in her garden. But at least they left some manure behind... .

As a result, gardens in the Forest are heavily fortified. Cattle grids are not enough to keep the marauders at bay. There is some YouTube footage of a determined sheep who discovered that, by lying down and rolling, it could get across the cattle grid and, being sheep, the rest of the flock soon followed! Taking no chances, my vegetable plot is in a cage, behind a fence and an electric gate – not pretty, but functional!

Lindsay Morgan, head of real estate at Norton Rose LLP, has five acres of land at her home in the New Forest, and a husband and two teenagers to help with the watering.



Have
a cup
of tea,
and let's
talk

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THE KITCHEN TABLE

PITTMAN ON RISOTTO

We moved house in the last 72 hours. Packed up ten years of stuff, threw out some, maybe not enough, and moved.

The first post-move meal is like camping: unfamiliar territory, rudimentary equipment, and the strong possibility that everything will end up burnt to a crisp. But quite improbably, we ended up having a good family meal sitting on boxes and eating off our knees. The answer – risotto.

The best thing about risotto in diminished circumstances is the difficulty of failure and the conviviality that making it en famille brings. We unpacked a knife, a couple of pots and a wooden spoon, and found a litre of chicken stock (in a tetrapak, just on the verge of expiry), a cup and a half of Arborio rice and a questionable red onion. I chopped the onion and put the stock on to simmer with a couple of cups of hot water added. Melted a knob of margarine (couldn't find the butter) in the other pot and put in a couple of slugs of olive oil – added the onion – sweated it for a few minutes.

The kids, in the mean time, were grating the hardest, oldest piece of Parmigiano – they may have been using a wood plane – and we ended up with a cup or so.

We added the rice to the softened onion, about half of the bottle of Heineken I was drinking, turned up the heat to highish, stirred until the beer had been absorbed and then started adding stock a ladle at a time, stirring all the while. After about two minutes, that was enough for me, and I press-ganged a child into stirring. Fifteen minutes later, after more team stirring, the rice was just about al dente. We added some frozen peas, stir stir stir, three or four minutes later stirred in the cheese, took the pot off the heat, put on the lid, and left it for a minute. Then we devoured the whole thing, just the four of us, in about ten minutes.



PITTMAN ON WINE

Pierre Gaillard is an inspiring guy. He arrived in the wine business because it seemed like a good living – many French winemakers are inheritors of the family business, but Pierre's father worked on the trains. Everything he has he's made himself, so he has the flexibility to try new things. He buys abandoned vineyards on the basis of reading medieval history – if the monks grew grapes there, he probably can. His properties run from Côte Rôtie in the northern Rhône in a snaky path down to Collioure and Banyuls in the Pays Catalan. I drank a bunch of his wines at a dinner here in Calgary a couple of weeks ago where Pierre was the guest of honour, and I was taken with the variety of the wines and also the consistency of the quality.

The star of the show for me was a 2008 white St Joseph. I'm still thinking about the balance and the intensity of that wine.

Find him on the web at domainespierre.gaillard.com

The esteemed food-and-wine blogger **Miles Pittman** is an energy partner at Norton Rose OR LLP in Calgary and a food and wine correspondent for *Re*.

Risotto ingredients

To make a much less scrappy risotto than our Moving Day feast, try these ingredients.

Arborio or Carnaroli rice from north-central Italy

Butter to sweat the onions – cut with some olive oil (the butter adds richness)

White vermouth (Noilly Prat or Martini and Rossi)

Chicken (or a light vegetable) stock, diluted by half

Parmigiano-Reggiano or other white, hard cheese (even Gruyère)

Tomorrow

Environmental impact reduction: how does that happen?

In the Netherlands, between November and February, every fourth day of the month is 'warm sweater day'. People wear extra warm sweaters and turn the heating down. **Amsterdam**

In New Zealand, in Auckland, once a month people put household items they no longer need (furniture, appliances, anything) out on the street, and you are free to go round and stock up (even furnish your flat). Items not taken away are collected by the local authority and recycled. **Auckland**

In China (or certainly Shanghai and Beijing), nearly all public waste bins are in pairs for recyclable and non-recyclable waste. In Beijing, the subway tickets are plastic: you touch to enter a station, and at the exit you insert the ticket at the barrier. The ticket is re-charged and re-used. **Beijing**

In rural India, milk is delivered each day by a local milkman carrying bulk quantities in a metal container, usually on a bicycle (or motorbike); and in other parts of metropolitan India, people buy milk in plastic bags or cartons from shops or supermarkets. **Rajkot, Gujarat**

In Germany, when you buy a bottle of water, you pay 19 cents for the water and 25 cents for the bottle. All supermarkets and petrol stations have to take the empty bottle back for recycling and reimburse you your 25 cents regardless of where the original bottle was purchased. **Frankfurt**

In the UK, people go to charity shops (especially the ones in affluent areas) and to vintage emporiums (and their

local school fairs) to pick up a bargain or find something unusual or well-made – and re-use it. **London**

In Hong Kong, you can dispose of unwanted but re-usable items through the Hong Kong Second-Hand Exchange website – wasteexchange.wastereduction.gov.hk. This is a free community service. Items can be posted on the site for donation or for sale at a nominal charge. **Hong Kong**

In South Africa, people are changing their habits. They use recyclable shopping bags. They turn the tap off while they brush their teeth, and shower instead of taking a bath. Some people switch their geyser off when they are out. People who live in tropical Durban wear jerseys in the winter and turn the heater down or off. **Johannesburg**

In Bulgaria, people still retain habits passed down from at least the post-War years: nothing goes to waste. To give one example, they wash and re-fashion glass jars to bottle their homemade sauerkraut, preserves and jams. **Sofia**

In Sweden, recycling of household waste, paper, batteries, bottles and cans is widespread. Individuals make real efforts to reduce their carbon footprint, and renewable energy is on the increase. Tax incentives encourage use of low emission and hybrid cars. **Stockholm**

In Japan, in Tokyo, during the summer many companies relax their dress code (no ties; short sleeve shirts allowed) to reduce the need for air conditioning. **Tokyo**

Today

Caoimhe Leahy volunteered to work in Tanzania. She tells her story.



I'm no stranger to Africa. As an ultra marathon runner I've run some of my most gruelling races in South Africa and have travelled extensively in Namibia, Botswana, Zimbabwe, Zambia and Tanzania. So when a former employer rang to ask if I would give up a week to join his team in coaching teachers of law in Tanzania through a charity called the Independent Lawyers Project, I jumped at the chance.

I wrapped a couple of days' holiday around the Easter break, and left London for Tanzania. I thought I was a pro when it comes to coping with Africa's heat, humidity and mosquitoes, so I hadn't expected to turn up at the Beachcombers hotel in Dar es Salaam, my face swollen with mosquito bites and with less than four hours' sleep under my belt.

Nor was this sorry sight what my smartly groomed students, some of them

barristers and judges who also lecture, were expecting. But the week turned out to be one of the most rewarding of my life.

Our classroom was basic: wooden benches, no windows, just openings in the walls; and I never got shot of the mosquitoes. I had carefully prepared PowerPoint slides to help convey the benefits of student-centred learning. But with the frequent power cuts and surges, I was forced to abandon my laptop in favour of a seat-of-the-pants approach with only an old-fashioned chalk board as a teaching aid. I had to dig deep into my training experience to 'read' the room and go with what my students needed.

They were incredibly enthusiastic, hanging on to my every word as we covered role play, brainstorming, writing case studies and giving good

feedback. I'm struck by how grateful they were for my efforts while, at home, training is often taken for granted. The quality of the presentations they made on the final day was outstanding and we celebrated with a prize-giving Oscar ceremony.

I know we only scratched the surface and there is a need to follow up. But as much as my students developed their teaching methods, the experience stretched my ability to train and gave me an opportunity to grow.

internationallawyersproject.org

Caoimhe Leahy is a member of the learning and development team in London. She was interviewed by Dawn Hayes.

Photography by Ivan Maslarov

THE GUIDE to southern Africa



Rwanda is unbelievably beautiful. Malawi – and particularly Lake Malawi – is exquisite. Zimbabwe for all its faults and all its problems is a glorious country. It is just absolutely beautiful. Parts of Angola are very interesting. Mozambique from the coastal perspective and even inland is a place that I would strongly recommend anybody get to see. Namibia and the Swakopmund coast – which is the old diamond mining area – is incredibly arid, with a topography that is breathtakingly beautiful. South Africa is sophisticated, untamed, exhilarating and dramatic, all in one country.

South Africa: the inside track

WHAT TO SEE

You can spend an entire holiday exploring the South African bushveld. You can do the same with KwaZulu-Natal, its coastline and the Drakensberg mountains. Cape Town and the Winelands are worth a holiday all on their own. A trip along the Garden Route from Cape Town to the Transkei is worth every day of a two-week road trip.

WHERE TO STAY

For budget travellers, there is any number of backpackers' lodges and small B&Bs – especially in the coastal regions but even in the Natal Midlands and the Drakensberg. Amphitheatre Backpackers is one example.

B&Bs, guest lodges and hotels can be cheap by world standards (unless you look at the real upper end).

There are world-leading hotels, including the Cape Grace at the Victoria and Alfred Waterfront in Cape Town, the Bushmans Kloof in the Cederberg (three hours from Cape Town) and the Oyster Box Hotel in Durban.

WHAT TO DO

If you're in the Western Cape, try a weekend in Greyton. It is 90 minutes from Cape Town and has spectacular walks and mountain bike trails. You can do a 15km (strenuous) day hike from Greyton to McGregor across a mountain pass, cooling off in speculator rock pools en route. In the old days the rugby teams of the two villages would hike across the mountain to play the annual rugby match.

South Africa is renowned for adrenaline sports. You can jump off the Blaauwkrans Bridge (the highest commercial bungee jump in the world); dive with sharks in Gansbaai; go 'kloofing' (hiking down a river and jumping off increasingly high rocks into pools); mountain-bike; abseil; rock-climb; and swing between two cooling towers in Soweto. The options to seriously injure yourself are endless.

No visit would be complete without visiting the 'bush'. You are spoilt for choice there. The Kruger Park is the best known of the nature parks and provides accommodation to suit every pocket. Private game parks can be expensive. The better private game lodges offer excellent service, accommodation, meals and game viewing.

MOVING AROUND

Travel across South Africa is easy and can be cheap. Most cities have bus and rail links but I recommend you fly. The airlines include three



budget airlines. You can book a ticket between Johannesburg, Durban or Cape Town for ZAR400. Car rental is worth it if you are going to visit the regions (in the bush, drive a 4x4). In the cities, public transport is not great; if you fly in, organize a transfer. Most big airports are serviced by taxi fleets; these are expensive and not always reliable. The Gautrain link between OR Tambo Airport in Johannesburg and Sandton is great.

EATING OUT

Cape Town and the Winelands have excellent restaurants. Dinner at the Round House in Camps Bay is perfect for a romantic evening. For something more vibey, Blues on the beachfront is good value. Sundowners at the Twelve Apostles Hotel is an institution in its own right. If touristry is your thing, head for the Victoria Waterfront.

Rob Otty has lived in South Africa all his life. He is the managing director of Norton Rose South Africa (incorporated as Deneys Reitz Inc) and lives in Sandton with his wife and two teenage boys.

Do you love the sound of your own voice?

Are you looking for a way to
express your inner self?
Do you like getting up early?
Do you like being part of a crowd?
Do you love music?

Find a choir Start singing

Choirs already up and singing in Johannesburg and London
Contact Deseré Jordaan in Johannesburg and Andrew James in London

one *fine* day

A TOP FIVE SELECTION FROM ANDREW JAMES,
FOR A LAZY WEEKEND — GET THE VINYL OUT



1

A BOY AND A GIRL

Eric Whitacre

For a perfect start to my Sunday I would listen to a choral piece by the American composer Eric Whitacre. His choral work has come to prominence in recent years, and this piece, “A Boy and a Girl”, is particularly beautiful. He has a distinctive style, with long sustained phrases and dense, close harmony. I recommend the recording made by Polyphony, called *Cloudburst*.

2

FIVE VARIANTS OF ‘DIVES AND LAZARUS’

Ralph Vaughan Williams

I love the music of Vaughan Williams and his string music in particular. “The Five Variants of ‘Dives and Lazarus’” is a work based on a well-known folk-song, which is introduced before being developed across five sections, each with a different feel. I enjoy the sonority of his writing for strings and the way this contrasts with the simple statement of the theme at the start, and the serenity of the solo cello at the end. There are countless good recordings of this work. I like the recording made in the 1970s by The Academy of St Martin in the Fields conducted by Sir Neville Mariner.

3

A FOGGY DAY

Sung by Ella Fitzgerald and Louis Armstrong

I imagine that by now thought would be turning to preparing Sunday lunch and so I might want to listen to something more lively. Alice (my wife) introduced me to a brilliant album of duets by Ella Fitzgerald and various male singers. I love the combination of Ella Fitzgerald and Louis Armstrong and the contrast between their voices. “A Foggy Day” would fit the bill perfectly.

4

SUNDAY SHINING

Finley Quaye

“Sunday Shining” is one of my favourite tracks from one of my favourite albums, *Maverick A Strike*. From the brilliant guitar opening to the bright brass instruments and Finley Quaye’s extraordinary voice, this is a great feel-good summer track to fit my lazy Sunday.

5

THE CHAIN

Fleetwood Mac

On a Sunday in summer, with any luck I might be able to catch a Grand Prix. “The Chain” by Fleetwood Mac (or rather the last one and a half minutes of it) has to be one of the great TV sport themes. I was so pleased when the BBC brought it back in 2009 for their coverage of Formula One racing. I love the way it builds, starting with the bass guitar and drums with the guitar creeping in, before bursting into life.

Andrew James is the musical director of the London office choir and a former choral scholar at York Minster. He sings, plays the piano and writes and arranges music. He is a tax associate, is married and lives in London.

The poem

A Scene

The landscapes stretching view that opens wide
 With dribbling brooks and rivers wider floods
 And hills and vales and darksome lowering woods
 With grains of varied hues and grasses pied
 The low brown cottage in the shelter'd nook
 The steeple peeping just above the trees
 Whose dangling leaves keep rustling in the breeze
 And thoughtful shepherd bending oer his hook
 And maidens stript haymaking too appear
 And hodge a wistling at his fallow plough
 And herdsman hallooing to intruding cow
 All these with hundreds more far off and near
 Approach my sight – and please to such excess
 That language fails the pleasure to express

This poem by John Clare (1793–1864) is a painting, a panorama. There is a luxurious expansiveness in the opening ‘stretching view’, evoked by the choice of words – ‘wide...wider’ – and by the lack of punctuation, characteristic of Clare, which causes lines to elide in a stream of consciousness. Then, as we read on, sensuous details come crowding in: ‘rustling’ leaves, vividly conveyed

in the sibilant ‘trees...leaves... breeze’ rhyme; a whistling ‘hodge’ or agricultural labourer; richly coloured grasses. The language is natural and colloquial; the sense is of a speaker so absorbed in the landscape that his very being is constituted by, and indivisible from, this moment of perception. But, at that time, the process of Enclosure was under way: common land previously

available for all was being fenced off into fields for intense cultivation, with devastating effects on the cultural and economic life of the rural poor. In this context, Clare’s quiet voice from the English countryside provides a poignant elegy on a scene about to be damaged beyond repair.

Alexandra Howe, arts correspondent for *Re.*, is a writer of short stories, a literary critic and amateur dramatist. She is an associate in London.



Real science

The Anthropocene

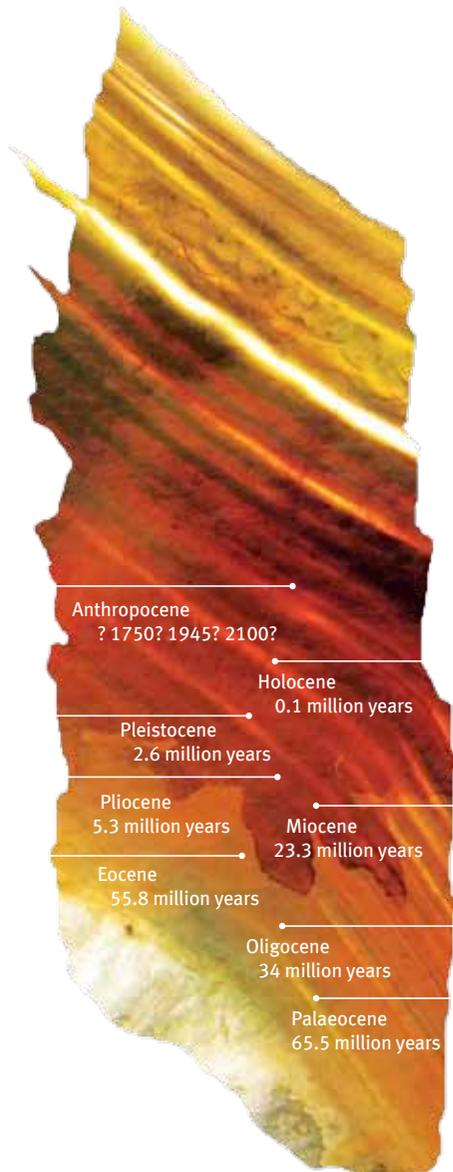
There is a growing consensus among geologists – the gatekeepers of Earth’s chronology – that there is a need for a new geological epoch: the Anthropocene, the human age. Slightly fewer than one quarter of terrestrial environments remain unaltered by human activity, driving what appears to be the sixth major extinction event in Earth’s history and the first to be caused by another species.

Geologists are by nature fairly conservative natural scientists. Earth’s 4.6 billion years of history – scarred by the repeated amalgamation and rupture of supercontinents, by the uplift of mountain belts and the eruption of huge volcanic fields – is measured in fewer than 40 epochs. We live in the Holocene epoch, a stable, relatively mild epoch that followed the last ice age. That stability,

many geologists argue, is being superseded by the perfect storm of anthropogenic climate change, population increase and need for resources. The case for the Anthropocene is compelling. Humans now move more sediment from place to place than occurs under any natural process. European settlement of North America blanketed the river valleys of the eastern seaboard in a fine mud and

clay sediment, displacing a vast wetland environment. Sediment that makes it to estuaries and deltas now contains human-generated organic molecules, nanoparticles, plutonium isotopes and plastic. Much of this and of our urban infrastructure will become part of the geological record if sea levels continue to rise.

Michael A Ellis,
PhD, BGS



A photograph of a sailboat deck. In the foreground, a large black winch is wrapped with orange rope. The deck is made of light-colored wood planks. A large white sail is visible on the left, extending towards the top of the frame. The ocean is a deep blue with white foam from the boat's wake. The sky is clear and blue.

Sailing by

CALLING NORTON ROSE
GROUP SAILORS ACROSS
ALL CONTINENTS: THE
SHIPPING FORECAST IS
SET FAIR WITH NO SIGN
OF THE DOLDRUMS. MAKE
CONTACT NOW TO SHARE
YOUR TALES OF SAILING
ADVENTURES.

THE SAILING CLUB.
MOORED ON ATHENA



REACH OUT AND TOUCH THE FUTURE

I hate my keyboard. I spend an inordinate amount of time hunched over it to get the computer to do my bidding, and I just hate it. There has to be a better way than the everlasting unholy triumvirate of the computing world that is screen, keyboard and mouse. And there is. The film *Minority Report* (2002) brought the future to life for me. Watching Tom Cruise's character interact with a computer by simply gesturing with his hands in front of a screen to manipulate information looked so natural and, well, magical, to borrow Steve Jobs' favourite adjective.

The future is within our grasp, so to speak. Touch computing has been around for a while (it dates back to the early 1970s) but it was the arrival of the iPhone in 2007 that brought it into the mainstream.

Consumers the world over have embraced getting touchy-feely – more than 360 million touchscreen devices were sold just in the last two years. Why do we love them so (as if I didn't know)?

They're intuitive. Manipulating photographs or other objects with your fingers on the same screen – as opposed to point, click and then drag with a mouse – is a much more visceral way of working with data. It feels faster, less prone to error. My son learned how to turn on and operate apps on the iPad before he was two years old: how fluid is that?

They're engaging. How many people have you seen pound a tablet out of frustration? The simplicity and ease of use of touchscreen computing just completely turns users on, from the very young to the very oldest.

So what are the touchscreen gadgets that you must get your mitts on?

I'm going to start with a tablet, and it has to be the iPad. Yes, the first touchscreen tablet to hit the marketplace is still the king in my eyes. In its favour it offers usability, battery life, a massive catalogue of apps, and price.



It's not without some competition. New entrants to keep an eye on include the Blackberry Playbook, HP's webOS tablet, Motorola Xoom, Dell Streak Pro and the Asus Eee Pad Transformer.

Then we come to smartphones, another essential. Apple also rules the roost here with its (pretty smart) iPhone – but not as comfortably as they do in the tablet space. Great touchscreen phones to consider are the Motorola Atrix 4G, Samsung Galaxy S II, HTC Thunderbolt and Blackberry Torch.

A neat device on a somewhat larger scale is the Microsoft Surface. This table-top device is more than just a really oversized tablet. For one thing,

it measures 22 by 21 by 42 inches. Okay, it's targeted more at business use than personal – but if you have the wherewithal, casually displaying the Surface in your living room will make you the envy of gadget lovers everywhere.

Sameer Dhargalkar heads up business development and competitive intelligence at Norton Rose OR LLP. He is based in Toronto, he's a technological wizard and he is a technology correspondent for *Re*.

The open door

NOT EVERYTHING CAN BE SAID IN ENGLISH.
LANGUAGE OPENS A DOOR TO A NATIONAL CULTURE AND
IS SOMETHING TO CHERISH, CELEBRATE AND STUDY.

縁の下の力持ち

震災後の日本では、陰で多くの人が働いている。先日も被災地で働く日銀職員の記事を読んだ。開設された臨時窓口には、泥で固まった紙幣の束、さびついた硬貨が持ち込まれるという。明日までに支払わなければならないと泥の札束を抱えてくる人、一円玉ばかりの貯金箱を涙目ですす子供。金額の大小にかかわらず、時間と戦いながら、丁寧にピンセットを片手に現金鑑定を続けて、使えるお金に交換する日銀職員。

ただの汚れた紙切れ、腐食した金属が価値を持ち続けるのは、人々がそれがお金であるという価値を信じて疑わないから。通貨の信用力は人間の心の内にあるという。荒れ果てた光景が世界中に流れても円相場が崩れない、この通貨の価値を守る日銀職員は、まさに縁の下の力持ちだ。との新聞記事である。

日本の復興のために、人の役に立ちたいと、多くの縁の下の力持ちが働いている限り、早く元気な日本に戻れることを確信し、また祈りながら日々努力したい。

晴山文恵

Fumie Harayama writes above of the hard work behind the scenes of many people in Japan following the devastating earthquake and tsunami on 11 March 2011. In particular, she tells the story of banking staff whose actions upheld the faith of Japanese people in the intrinsic value of their currency.

After the tsunami, when people returned to where their homes had been, to look for personal belongings, some of them found banknotes on the ground by their home, banknotes that were so congealed and stiff with mud, they were unusable. There was no

branch of the Bank of Japan in the area, but the bank opened a temporary office and was sympathetic to the distress felt by these individuals clutching their notes or rusted coins. Carefully, using tweezers, bank staff spent hours prying apart the notes, checking they were real, and supplying clean banknotes in their place.

This wasn't just a practical measure of help. It gave people a sense of security and comfort to know that the trust they placed in a paper currency was understood and respected by their bank. Yes, it's only mud-encrusted

paper and worn-out metal – but it's still money, still has value. The Yen remains a stable currency.

People are working tirelessly to rebuild Japan and revive its economy, many of them unsung heroes – as expressed in the title of Fumie's piece: 縁の下の力持ち (*en no shita no chikara mochi*).

Fumie Hareyama is the office manager of the Tokyo office at Norton Rose Gaikokuho Jimu Bengoshi Jimusho. She regularly works until 11 or 12 at night.



SALLY MACINDOE

I'm an incredibly privileged and lucky person.

My parents instilled in me a strong sense of empathy. Some call it my "chronic lame duck syndrome". It's just part of me and who I am. If I see somebody standing in a crowd with no mates, I'll go and talk to them.

I'm a glass half-full person. I really feel blessed that I have that approach to life, because it helps you to seize opportunities. I'm a pretty happy person.

We were given a good education, but I know the sacrifices Mum and Dad made to ensure that happened with four kids. It certainly taught me to value the simple and small things. I think I learnt from a young age to smell the roses.

I was a real tomboy. I adored my brothers to the point that I dressed myself in boys' clothes and wasn't remotely interested in skirts and dolls.

I was a bit of a *dag* at school (didn't look exactly cool), and I found myself as an adolescent doing well academically but struggling a bit socially. I remember opening up to my mother one night and her saying how she'd spent a year in Switzerland in 1950 and how it completely changed her view of the world. Soon after, I made sure I took up the chance to go to Japan for a year. I was 15.

I lived at the foot of the Hokuriku mountains on the west coast of Japan in a seaside town that was possibly one of the most beautiful places one could find. But very traditional. No one really spoke English. It was a tough year. But I loved it. I love the country and I love the people and I just can't believe the horror of what we've seen this year.

I lived with five host families. I still maintain contact with all of those families. They were the most incredibly gentle, patient and caring people.

I learnt how to zone out, to give yourself a mental rest, and that's been an incredible skill that I've used all my life; it's part of how I manage stress.

I still love getting the opportunity to speak in Japanese.

What my mother had predicted, about getting into perspective what really matters and how big and diverse the world is, was exactly what I learnt over there. It engendered great self-confidence and resilience in me.

To be honest, I didn't really enjoy studying law at university. But I loved studying urban geography; and Japanese. I did double majors in the things that really interested me, and did law on the side.

I decided to do my articles just because I like to finish things that I start. I don't think I ever expected to love practising law. When I started articles I could not get over how much I loved it. I just loved it.

I fell in love with a rock guitarist at university. I have fond memories of sitting on the balcony of a shared house in Richmond with my university notes and a highlight pen while there were ten people inside, jamming with their guitars and their microphones and all the rest of it. How I got through my degree and my early years at university I do not know; but I wouldn't change any of it for the world.

I'm still friends with him. I'm not somebody that has negative relationships. Life's too short.

Everything happens in life for a reason and everything develops you further.

I didn't expect my marriage to fail. I'd never known anybody in my family come from a split marriage.

There were a lot of tough things going on at the time. His mother was ill with early onset Alzheimer's and we both had full-on jobs when we had our first child. I was so looking forward to starting a family that I'd spent my whole year worrying about giving birth and spent no time whatsoever thinking about what I was going to do after. Actually, I had a difficult first baby to look after. He had intolerances and colic and difficulty sleeping, and I really found it stressful. When you've been somebody who has always set out to achieve and get things done, to suddenly find yourself struggling just to get out of your nightclothes is the most challenging thing. I was trying to cope with all of this; Tim's mother was very sick, and she had a maternity-wear shop that we were trying to run to keep an income to pay for her care; we were both partners in law



firms; and I had a young baby. With some encouragement, I returned to work when Hunter was six months old.

I loved coming back to work. I found it unexpectedly liberating. Then I had my second child, and nothing had prepared me for when my husband said that he needed to talk to me; and in effect we separated. I hadn't seen that coming.

It was very difficult to have two babies in nappies and face a future completely different to the one I had planned. I came back to work very quickly after my second baby, Hugo, because I needed routine and structure.

I don't bother hashing over the why and all those things. Now, with my kids as teenagers, we're actually a pretty close modern family. You can waste an awful lot of your life trying to work out why things happen and who to blame. That's just not what I am.

We never wanted to have formal custody arrangements. We just sort of solved everything and moved on. My partner Frederic – a French chef (who I've been with for eight years) – and Tim get along famously.

Christmas Day is not spent with lunch at Mum's and dinner at Dad's; we all have it together.

My family knows about my work; my work knows about my family. This is life. And whilst I sometimes suffer from a bit of fatigue and I sometimes suffer from stress and I sometimes career through a day and think, this is ridiculous, I shouldn't be eating my first morsel at four in the afternoon, I can't really imagine life differently.

I can switch off. Part of successfully being a mother is not getting home and going straight back on the computer and working until two o'clock in the morning.

If you ask me, what are the things I enjoy most, I love to sit and stare at a fire.

I love travel. When I took my long service leave, I went to India for the first time, and I can't wait to go back. I loved it.

I could hold a staff Christmas party with the number of people I have to help me. Anything that can be delegated or others can do to make life easier is done so. I have an odd jobs man. Then there's my family treasure and after-school carer, Esther, who is there when the boys get home from school and does dinner and has them all ready, so that when I get back in the door everyone's done their homework – I just couldn't live without her. I have a cleaning lady who still won't let us pay her any more than we've been paying her for the last 20 years. I have a guy that comes and helps with the garden. I have somebody that comes and fixes things. I get lots of help. And you have to do that if you're trying to juggle all the things, because otherwise you would just never go to bed.

Both my parents are still alive and they're both wonderful. They're still out there, helping the community.

My father's of Scottish descent. I'm the only child that hasn't managed to do the pilgrimage to Scotland.

We were the family that stayed in the cousins' ski lodge in summertime; we couldn't afford to go skiing in wintertime, but the lodge was there empty in summer, so dad would have us all up there in the high plains, hiking over the mountains. It was absolutely beautiful, the smell, the fresh water flowing beside the tracks, the wildflowers; that is still part of my make-up.

I adore music.

I'll go to the Melbourne Recital Centre and listen to classical music one week and go into a heavy metal concert at a pub the following night.

I loved playing in an orchestra. I can still be spotted sitting watching the Melbourne Symphony on a Saturday afternoon with tears running down my face just because there's something in the music that makes me emotional. It's beautiful.

Right now my weekends are consumed by AFL football. Hunter plays Saturday mornings and he and Hugo both play Sundays. Lucky I love watching football.

I have 15 varieties of fresh herbs growing outside my kitchen. I'm proud of my herbs and my three citrus trees: I have kumquats, lemons and limes.

Food and wine is definitely my passion outside of family and work. My whole life revolves around it. For me the ideal weekend is being able to get five hours to go to the market, come home and make something and share a meal; I love it.

Sally Macindoe, Melbourne

The career

Chairman, Norton Rose Australia 2010

Board member, Norton Rose Australia 2005

Head of environment and planning, Norton Rose Australia 2001

Partner 1999

Articles 1990

Urban geography, Japanese and law BA LLB, Monash University 1989

Give it
up for

Rebuilding Lives Affected By Childhood Cancer



Providing Therapeutic Recreation
programmes for children with serious
illnesses, and their families

Part of our lives at Norton Rose Group
since 2006

Founded by Paul Newman, there are Hole in the Wall Camps
throughout the United States and parts of Europe.

The Association of Hole in the Wall Camps also runs global programmes in
association with various charitable foundations reaching out to Ethiopia – Camp
Addis – Lesotho – Camp 'Mamohato – Malawi – Camp Hope – Swaziland – Sivivane
Camp – Uganda – Sanyuka Camp – Cambodia – Camp Lotus – Vietnam – Camp
Colors of Love – Paraguay – Camp Tape Jerovia.

holeinthewallcamps.org/
barretstown.org/

THE STYLE

Shoes, shoes, shoes – a girl couldn't ask for more, whether you're hitting the streets in Singapore or pounding the pavements in Milan.

In **Singapore**, nautical striped wedges (two fashion hits in one) are teamed with cropped trousers for a casual look and the trend for high tops and Converse trainers is evident on the streets.

In **Milan**, think tassels! These beauties are straight off the runway and already influencing street style. In a time of global instability and flux, they stand as a symbol of opulence and are a sure sign that fashion is ready to have a little fun. These two-tone heels have also caught our eye. The joke around town is that these shoes will not only keep you in style but will camouflage an unfortunate collision with any mess you might encounter on the street! We're not sure this trend will catch on, but you never know...



FASHION NOTES

Sydney

As the temperature drops in Sydney, trouser heights are rising with high waists prevailing. Animal print and strong colours are key and, for the men in our lives, smart tailoring is making a comeback.

London

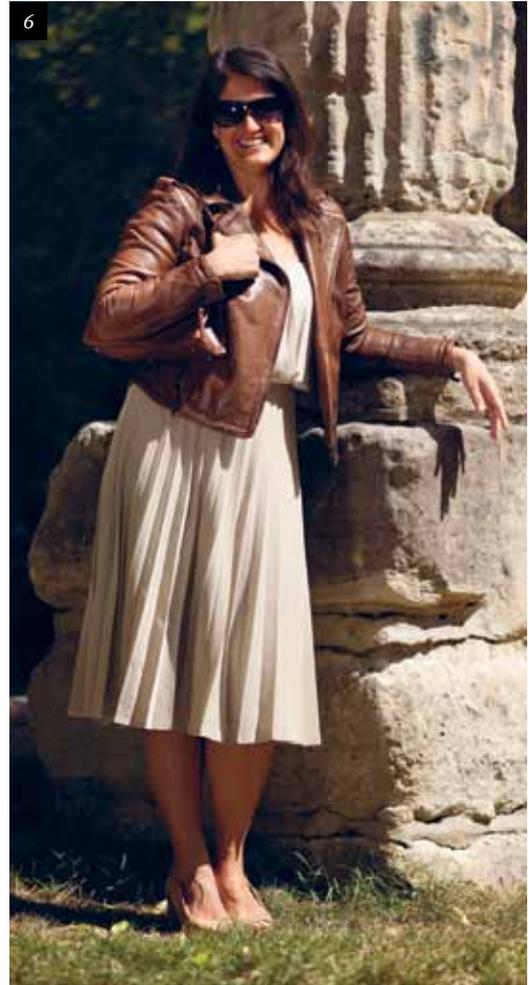
Key items for the London working woman in her summer 2011 wardrobe are: jumpsuits, shorts, sleeveless blazers, backless dresses. Colour blocking is the only trend to follow, with coral, peacock blue and red to the fore, moderated where necessary by cosmic latte. Hot designers are Isabel Marant (for her stripes), Olivier Theyskens (for his lines) and Chloé (for everything else). The accessory of the moment is the clutch bag (which must be folded over) accompanied by vertiginous heels. Confused? Just think "tribal deluxe" and you won't go wrong. *Our thanks to Net-A-Porter for inspiration.*



STEPPING OUT

The Paris fashion check





- 1 Classic nautical stripes perfect for day with a hint of sparkle for added glamour.
- 2 Super brights show how to work block colour into the work wardrobe.
- 3 Smart tailoring, relaxed attitude and impeccable grooming – what more could we ask for?
- 4 A laid back look exuding Parisian cool.
- 5 Cropped trousers and espadrille wedges nod to this season's look and keep things relaxed in the sun.
- 6 Mid-length skirt, nude colour palette and soft leather – this ticks all the boxes for Spring/Summer 2011.
- 7 A vivid top, teamed with a black jacket, adds colour and style.

Models: ¹Magali ²Véronique ³Arnaud ⁴Marc
⁵Audrey ⁶Marta ⁷Magali. Photos Ivan Maslarov.

The resourceful architect

An international competition in search of new answers and new forms of collaboration

In the landmark publication *S,M,L,XL*, Dutch architect and theorist Rem Koolhaas proposed that architecture is a dangerous mix of power and impotence.

Among the profession there are many who will support his thesis – particularly among individuals who have experienced more than one economic cycle. But for everyone else – as observers of the product, not the process, of architecture – it may seem odd to attribute any lack of potency to a profession which relentlessly exposes us to the exclusive, bold forms of high-rise architecture, even while, in some parts of the world, we live in a new period, the Age of Austerity,

There are any number of projects across the globe that 'define the height of luxury' – the Pentominium Tower in Dubai, the India Tower in Mumbai and The Shard in London, to name just a few under construction – but appear to ignore the received aim of architecture 'to speak of its time and context'. This incongruity is explained by the idea of impotence: the gap between the speed of cultural change and the slowness of the architectural process pushes buildings adrift of the zeitgeist almost the day they are completed.

It was a desire to reassert architecture as a discipline 'of its time' that drove the short-listing for the 2011 international competition The Resourceful Architect, held by the Royal Society of Arts and The Architecture Foundation (UK). The judging panel were looking for creative resourcefulness in the face of ever tighter constraints on time, space, and budget – from anywhere in the world.

The short-listed teams presented to the panel (and underwent a rigorous interrogation) before a winner was announced.



The team behind 72 Hour Action looked at responding to change at the rate it happens by bringing 120 volunteers from 20 countries together in a disadvantaged suburb of Tel Aviv to design and build ten projects in 72 hours. This process – that of architecture as event – aimed to open communication between residents and local government and show both sides how small, temporary interventions can have lasting impact.





The Book Box

Refreshing as this new modesty was, it was impossible not to feel some nostalgia for the power and reach of artistically ambitious architecture: not the extravagantly expensive sort by 'starchitects', but the integrity and stability that great buildings can deliver which goes beyond the purely functional.

The RIBA award-winning Book Box – an extension to St Patrick's School in London, pictured above and left – shows that a pleasing combination of modesty and ambition is feasible.

The architect as professional enabler, matching needs with opportunity, was explored in Sidell Gibson Architects' mashup idea. Their web-based network would connect social, community or commercial needs for space with undeveloped microsites that are a wasted opportunity (often eyesores on the margins of public space). The

IT'S NOT EASY KEEPING UP WITH THE ZEITGEIST

content would be user-generated: interested scouts would identify the sites, uploading photos and details, and these would be linked to a map of identified 'needs' markers. Difficult sites could be leased or rented on a temporary basis and for a relatively short period of time, creating, for example, bike shops, studios or temporary classrooms.

The panel pointed out that these microsites are often vacant for very good reasons – mostly complex legal ones – and legal services would have to form part of the process.

The School of Architecture for All (SARCHA) picked up on the same concern, that of architect as enabler. SARCHA was founded by an Athenian and imbued with a democratic, inclusive approach to re-thinking the relationship between architecture and economics. SARCHA brings diverse skill sets (including legal services) together to administer the resources of a city and re-employ unused buildings. The two runners-up – A Sustainable Return to Srebrenica; and a Pavement for Las Lomas (a community of *colonias* in Texas) – both emphasised the need to provide tools, language and guidance to empower disadvantaged communities to start up their own improvements to their built environment.

Across all the ideas debated on the day, there was an absence of commercial pragmatism. But this was compensated for by an altogether more humble approach to the practice of architecture than has been evident in recent years.

Rather than seeing architecture as the creation of individualistic spectacles, the architects involved looked to reconnect with social purpose. The winner was The Redundant Architects' Association: it provides workshop space and a design/build-focused community to out-of-work architects.

The season

2011

JULY

8 / FIRST DAY

SHANGHAI MAMA MIA!

Mama Mia! (possibly in Chinese), Shanghai Grand Theatre, China, 8 Jul–5 Aug

10 / LAST NIGHT

GRAHAMSTOWN NATIONAL ARTS FESTIVAL

A festival in South Africa of dance, theatre, music and art, with South African and international performers, now in its 37th year, 30 Jun–10 Jul

14 / FIRST DAY

SPAIN BENICASSIM FESTIVAL

A four-day music festival in Spain with the Arctic Monkeys, Mumford and Sons, The Strokes, Primal Scream et al, 14–17 Jul

15 / FIRST DAY

LONDON HARRY POTTER

The Deathly Hallows: part two – the final film in the series of JK Rowling's tales of Hogwarts opens in the UK

24 / LAST NIGHT

MOSCOW CARL FABERGÉ

Exhibition of artworks by the Russian jeweller and his contemporaries at the Kremlin, Russia, 8 Apr–24 Jul

29 / LAST NIGHT

LONDON ZOO LATES

Every Friday night in July, London Zoo is open until 10pm (adults only), UK, 1, 8, 15, 22, 29 Jul

31 / LAST NIGHT

NEW YORK ALEXANDER MCQUEEN

Savage Beauty “You’ve got to know the rules to break them”, Gerald Cantor Exhibition Hall, The Big Apple, 4 May–31 Jul

AUGUST

13 / FIRST DAY

TORONTO CIRQUE DU SOLEIL

On tour with TOTEM, tracing the journey of the human species from its original amphibian state to its ultimate desire to fly, Grand Chapiteau, Canada, 13 Aug–4 Sep

13 / ONE NIGHT ONLY

LONDON PROMS

Prom 40: classical music meets comedy at the Proms for the first time, Royal Albert Hall; Proms season runs 15 Jul–10 Sep

14 / LAST NIGHT

HAMBURG RONI HORN PHOTOGRAPHY

New York artist Roni Horn's first photography exhibition, Hamburger Kunsthalle, Gallery of Contemporary Art, Germany

14 / FIRST DAY

BUENOS AIRES TANGO FESTIVAL

Concerts, free classes, seminars and other tango-related activities throughout the city, Argentina, 14–23 Aug

27 / LAST NIGHT

SINGAPORE NIGHT FESTIVAL

A late night festival similar to the popular summer festivals in Europe, inspired by the Black Sea, 26–27 Aug

27 / LAST NIGHT

WARSAW JAZZ FESTIVAL

Famous international jazz artists perform in Poland, including outdoor performances at the Congress Hall, Palace of Culture and Science, 2 Jul–27 Aug

28 / LAST NIGHT

QUÉBEC YING GAO

Art meets fashion through works by this designer, Musée nationale des beaux-arts du Québec, Canada

SEPTEMBER

4 / FIRST DAY

BEIJING HARMONIOUS DRAGON BOAT MATCH

Lasting three weeks, the match will be held in the river lane from the CCTV Tower to the Bayi Lake

9 / FIRST DAY

CAPE TOWN TRICONTINENTAL FILM FESTIVAL

Filmmakers from the Americas, Asia and Africa showcase films at the Cinema Nouveau, Cape Town, 9–25 Sep

17 / FIRST DAY

TOKYO METABOLISM

“Metabolism” is the most widely known modern architecture theory to have emerged from Japan, Mori Art Museum

14 / FIRST DAY

PARIS TOYS AND MEN

Toys from antiquity to present day, Galeries Nationales du Grand Palais, France, 14 Sep 2011 – 23 Jan 2012

24 / FIRST DAY

VENICE FESTIVAL OF CONTEMPORARY MUSIC

The 155th International Festival of Contemporary Music, directed by Luca Francesconi, Italy, 24 Sep–1 Oct

28 / LAST NIGHT

GLYNDEBOURNE OPERA

This year's festival features *The Turn of the Screw*, Rinaldo and Rusalka, UK, 21 May–28 Aug

30 / FIRST DAY

PARIS BASELITZ

An exhibition dedicated to the German sculptor's work, Musée d'Art Moderne, France, 30 Sep 2011 – 29 Jan 2012

October, November, December

8 OCT / first day

BILBAO | BRANCUSI-SERRA

Sculptors Constantin Brancusi and Richard Serra, Guggenheim, Spain, 8 Oct 2011 – 15 Apr 2012

16 OCT / first day

ZAGREB | FILM FESTIVAL

A week-long celebration of international cinema with 80 films competing for the “Golden Pram” award, Croatia 16–23 Oct

24 OCT / last night

SYDNEY | LA BOHÈME

Opera Australia presents a new production of Puccini's *La bohème* at the Sydney Opera House, 12 Jul–24 Oct

29 OCT / last night

LONDON | THE TEMPEST

Shakespeare's magical island, Theatre Royal, London, UK, 27 Aug–29 Oct

30 OCT

SHANGHAI | MUSIC FIREWORKS FESTIVAL

Century Park, Pudong, Shanghai, China

3 NOV

MUNICH | NIGEL KENNEDY

Philharmonie im Gasteig, Germany

10/11 NOV

BEIJING | SIMON RATTLE AND BERLINER PHILHARMONIKER

Toshio Hosokawa concerto for horn and orchestra with soloist Stefan Dohr, NCPA Concert Hall

13 DEC

STOCKHOLM / LUCIADAGEN

Singers dressed in white process around the city to celebrate St Lucia's day

17 DEC

HONG KONG | LISZT'S PORTRAIT IN WORDS AND MUSIC

Mary Wu plays Liszt, Flagstaff House, Museum of Tea Ware

Alert for 2012

Spring 2012 presentation of Robert Lepage's new production of Wagner's *Ring Cycle*, at the Met, New York

Coda

SUMMER/WINTER READING FOR 2011

- Jacqui Hampton, Johannesburg, *Remarkable South Africans*, Line Hadsbjerg/Pep Bonet, non-fiction
- Laura Fish, Montréal, *Secret Daughter*, Shilpi Somaya Gowda, fiction
- Martina Peterková, Prague, *Sister*, Rosamund Lupton, thriller
- Richard Calnan, London, *A Dance to the Music of Time*, Anthony Powell, fiction
- Don Boyd, Sydney, *Between The Assassinations*, Aravind Adiga, fiction
- Lindsay Morgan, London, *The Hare With Amber Eyes: a hidden inheritance*, Edmund de Waal, biography
- Dino Wilkinson, Abu Dhabi, *Level 5 Leadership: the triumph of humility and fierce resolve*, Jim Collins, HBR essay
- Stephen Parish, London, *Long Walk to Freedom*, Nelson Mandela, autobiography
- Peter Burrows, Beijing/Moscow, *Remembering Babylon*, David Malouf, fiction
- Alexandra Howe, London, *The Clothes They Stood Up In: a story*, Alan Bennett, fiction
- Dawn Hayes, London, *Pereira Maintains*, Antonio Tabucchi, historical fiction
- Nancy Shu, Hong Kong, *Lonely Planet Kenya*, Firestone et al. country guide
- Tomas Gärdfors, Frankfurt, *Sarum*, Edward Rutherfurd, fiction
- Laura Shumiloff, London, *Molotov's Magic Lantern: a journey in Russian history*, Rachael Polonsky, non-fiction
- Tara Carty, London, *The Millennium Trilogy*, Stieg Larsson, crime fiction
- Rob Otty, Johannesburg, *Blind Faith*, Ben Elton, fiction
- Robbie Pattemore, London, *The Secret History*, Donna Tartt, fiction
- Emma Giddings, Abu Dhabi, *Vanity Fair*, William Makepeace Thackeray, fiction
- Nicola Liu, London, *The Thousand Autumns of Jacob de Zoet*, David Mitchell, fiction
- Ashley Woodham, London, *Matchday Programme*, Crystal Palace Football Club, total rubbish



RE: A MAGAZINE OPEN TO NEW PERSPECTIVES

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