

Timothy J Castle
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TIM CASTLE – BARRISTER

DOB: 29 September 1949

Positional Highlights – at a glance

- **Barrister (Victoria University - 1968-72: LLB)**
- 1973 **Admitted as Barrister and Solicitor, Supreme Court of New Zealand**
- 1974 **Marshal** to High Court Judge; on criminal circuit in England (Leeds; Durham)
- 1975-1989 Litigation partner in Wellington law firm
- 1986 Admitted as solicitor of the Supreme Court, Victoria, Australia
- 1989-present **Commenced practice as barrister sole: Wellington**
- 1990 Admitted as barrister: New South Wales, Australia
- 1991 Admitted as barrister: Victoria, Australia
- 1990-1993 **Chairman:** 1993 New Zealand Law Society Triennial Conference Organising Committee
- 1993-1995 **Counsel Assisting** (and **Commissioner** for some hearings) – Royal Commission of Inquiry into the Courts in Fiji
- 1993 Admitted as barrister: Fiji
- 1991-present: **Judge** of the Court of Arbitration for Sport (based in Lausanne, Switzerland with regional registries in Sydney and New York). First CAS appointee from Oceania
- 1995-2000 **First Vice-President/Chairman** NZ Olympic Committee
Board Member, NZ Olympic Committee
- 1995 **Chairman:** Athletics NZ Task Force
- 1995-present **Member:** Australia and New Zealand Sports Law Association
- 1996 **Member:** Ministerial Transitional Committee for High Performance Sport
- 1996-2000 **Board Member:** Executive Board of NZ Sports Foundation
- 1989 **Founder and Chairman:** NZ Branch of Aviation Law Association of Australia

- 1990-1993 **International President:** Aviation Law Association of Australia and New Zealand
- 1995-2002 **Legal counsel** advising Te Ohu Kai Moana – the Treaty of Waitangi Fisheries Commission responsible for indigenous fisheries rights allocations including design of specialist dispute resolution protocols
- 1996 **Senior Legal Counsel** to indigenous Maori Iwi Ngati Tama Whiti over Kaimanawa Ranges and Kaimanawa Horses
- 1997-1998 **Facilitator and Senior Legal Counsel** to: Taranaki Iwi Muru Raupatu Working Party to establish Treaty Settlement protocols, governance and strategy
- 1995-1996 **Designer** of dispute resolution protocols for and, adviser to, Treaty of Waitangi Fisheries Commission (Te Ohu Kai Moana); incorporated in Ahu Whakamua Allocation Model (2002)
- 1997-1999 **Chairman:** Prime Minister's New Zealand 2000 Taskforce
- 1998- 2004 **Senior Legal Counsel** to: Ngati Rarua Iwi Trust, Northern South Island before Te Tau Ihu Iwi Treaty of Waitangi Claims Inquiry before Waitangi Tribunal
- * 1998 **Adviser** to Commonwealth Games Federation (London) on new Constitutional and legal protocols for the 21st century; and CGF Strategic Planning Programme for 21st century.
- 1998 **Judge** of the Ad Hoc Division of the International Court of Arbitration for Sport to preside at the Kuala Lumpur Commonwealth Games
- 1999-2008 **Chairman:** Catch History Review Committee – an Administrative Appeals Tribunal to deal with property rights allocation appeals (appointed by the Minister of Fisheries upon the approval of Cabinet)
- 1999-2007 **New Zealand's Representative** on International Cricket Council Code of Conduct/Corruption Commission; and International ICC Judicial Appeals Commissioner
- 1999 **Member:** NZ Ministerial Delegation to the International Drugs in Sport Symposium, Sydney, Australia
- 2000 **Athletes Advocate:** Appointed to New Zealand Olympic Team to Sydney 2000 Olympic Games (recommended by Athletes Commission and endorsed by NZOC Board)
- 1998-2001 **Chairman:** Board of Trustees for Wellington Boys College, Wellington, New Zealand
- 2002 **Judge** of the Ad Hoc Division of the International Court of Arbitration for Sport to preside at the Manchester Commonwealth Games July/August 2002
- 2003-2010 **Member:** New Zealand Sports Disputes Tribunal with jurisdiction in all national sporting disputes

- 2003-2004 **Senior Legal Counsel** to 7 indigenous Iwi claimants challenging Crown Policy on Foreshore and Seabed before the Waitangi Tribunal
- 2004 **Special Independent Legal Counsel** appointed as Independent Specialist Adviser by the Clerk of the House of Representatives to provide independent specialist advice to Parliament/Select Committee on legislation and policy for delivery of 1992 Treaty Settlement for indigenous Maori commercial fisheries – the Maori Fisheries Bill 2004
- 2004 **Independent Specialist Adviser** contracted to the Clerk of the House of Representatives to provide independent specialist advice to Parliament/Select Committee on policy and legislation for the Foreshore and Seabed Bill 2004
- 2004 **Commissioner** appointed to three member Review/Appeal Tribunal for **International Cricket Council** (ICC) in the case of Maurice Odumbe, Kenyan cricketer accused of receiving money and benefits from Indian bookmaker
- 2004 **International ICC Appeals Commissioner** (sole) to preside over appeal by India Captain Sourav Ganguly against two international test match ban for alleged ODI over rate and match manipulation
- 2005-2018 **Lead Legal Counsel** for indigenous Bay of Plenty Whakatohea applicants in first application under Foreshore and Seabed Act 2004 (in force 17 January 2005) for recognition of indigenous Maori customary Takutimoana property rights; and now under new (2011) legislation
- 2005-present Appointed multi **Iwi Negotiator** for resolution of ongoing multimillion Treaty grievances.
- 2006 **Lead Legal Counsel** for South Island commercial fishing interests in multi-million dollar action against Crown over 1990s scampi fishing controversy.
- 2006-present Re-appointed **Member** of the International Court of Arbitration for Sport
- 2007-2010 Re-appointed **Member** of the New Zealand Sports Tribunal
- 2007 Appointed **Chairman** of Disputes Tribunal of the Pacific Games Council; and for the South Pacific Games in Apia, Samoa
- 2007-2008 Appointed **Iwi Commercial Negotiator** for successful Maori commercial (\$100m) Aquaculture claims negotiation completed with Crown
- 2008-2011 Appointed one of the **Iwi Commercial Negotiators** for Te Tau Ihu (Tainui Taranaki) for comprehensive Treaty claims settlement (\$300m) negotiations completed with the Crown
- 2008-present Appointed **Member** of Waitangi Tribunal

- 2009 Appointed **Chairman**: Disputes Tribunal for the South Pacific Games, Raratonga, Cook Islands
- 2010-2016 **Wellington Vice President**: New Zealand Bar Association Council
- 2011 **Chairman**: Disputes Tribunal for Pacific Games in New Caledonia
- 2011 Appointed **Independent Reviewer** by Sport NZ Inc of highly controversial Elite Athlete Supplements Supply Programme
- 2012 Appointed **Member** of **Crown/Office of Treaty Settlements** Specialist Negotiator Panel
- 2012 Appointed **Member** of Board of Directors of Netball Transpacific-Tasman PULSE commercial franchise
- 2012-2014 Appointed **Waitangi Tribunal Presiding Officer or Panel Member** for several contemporary leading edge Maori Treaty claims: Water and Geothermal Resources; Resumption of Mangatu CFL lands; Genesis MoM for Lake Waikaremoana; Tuhoronuku (Ngapuhi) Treaty Settlement Mandate
- 2012-present Appointed **Panel Member** of multi-million dollar Waitangi Tribunal Remedies (adjudicatory) Inquiry into multiple resumption applications for Mangatu Crown Forest Licensed Land
- 2012-2014 Appointed **Lead Counsel** for Te Tau Ihu Iwi in Iwi Maori Trust claims to NLC Nelson 10ths commercial property estate in Wakatu: to High Court, Court of Appeal and Supreme Court
- 2014-2015 Appointed **Independent Statutory Reviewer** under Maori Fisheries Act 2004 to review financial and broad performance, and related commercial governance and ownership structures for all New Zealand Maori commercial fisheries assets (representing investments of NZ\$1 billion) and trustee entities
- 2015-present Appointed **Chairman** of Pacific Games Sports Tribunal for Pacific Games in all (Biennial) Pacific Games and Pacific Mini Games in the Pacific Oceania Region
- 2015-2018 Appointed **Member** of Board of Drug Free Sport New Zealand
- 2016 Appointed **Legal Counsel** to design, engage in and negotiate exit strategy for independent manager of Maui Pipeline following its sale by Shell Todd Consortium to Colonial First State of Australia
- 2016-2017 Appointed to **legal counsel** team for Te Ohu Kaimoana to advise Iwi on commercial fisheries property rights protections necessary in future engagement with Crown and community (including recreational interests)
- 2016-present Appointed **International Athletics Federation Ethics Board Investigator**
- 2017-present Appointed **Lead Counsel** representing Iwi/Hapu Takutai Moana (MACA) claimants around Aotearoa New Zealand

- 2017-present Appointed **Lead Negotiator** for Ngāti Haua Iwi Treaty of Waitangi Claims Settlement negotiations
- 2017 Appointed **Convenor** of international Asia-Pacific Amateur Golf Championship Indigenous Welcome and Opening Ceremony : 25 October 2017
- 2017/2018 Appointed **Chairman** of the Independent Panel to Review the 2017 Kiwis Rugby League World Cup Campaign and Performance
- 2017/2018 Appointed **Lead Counsel** for Iwi challenge to Kermadec Ocean and continuing Sanctuary (Treaty Rights at the intersection of NZBORA 1990) (*pro bono*)
- 2018-2021 Re-appointed **Member** of Board of Drug Free Sport New Zealand (Independent Crown Entity/Regulator): Crown Entities Act 2004; and Sports Anti-Doping Act 2006
- 2018 Appointed **Member** of Professional Conduct Committee of Physiotherapy Board of New Zealand
- 2018/2019 Appointed **Chair** of Independent Judicial Panel to investigate allegations surrounding First XV school boy rugby recruitment practices in Auckland.
- 2018 Appointed **Lead Counsel** for Pacific Games Council and Tonga Sports Association in Supreme Court of Tonga litigation against Kingdom of Tonga following Tonga withdrawal as host of 2019 Pacific Games
- 2019-2022 Re-appointed **Member** of the International Court of Arbitration for Sport
- 2019 Appointed permanent **Chair** of Pacific Games Tribunal (for all of the Pacific; including Pacific Games in Samoa 2019)
- 2019; and December 2020 Retained as **Lead Counsel** for **Newsroom** in Oranga Tamariki Māori “baby snatching” (“Reverse Uplift”) court proceedings and inquiry (*pro bono*)
- 2019 Retained (November 2019) as **Lead Counsel** for Chair and Kaumatua of Ngāpuhi Runanga in court action against Runanga Trustees (successfully settled in December 2019)
- 2020 Appointed (January 2020) **Independent Reviewer** to review governance, management and financial position, structures and processes for Te Rūnanga-Ā-Iwi O Ngāpuhi for future fitness (terms of reference and terms of engagement not finalised; now lapsed and disengaged)
- June 2020 Appointed **Deputy Chairperson/Acting Chair** Drug Free Sport New Zealand (S.5 (Schedule 5) Crown Entities Act 2004; Sports Anti-Doping Act 2006)
- August 2020 Appointed **Chair**: Drug Free Sport New Zealand

- December 2020 Appointed **Prosecuting Counsel** for International Association of National Olympic Committees (ANOC) in international anti-doping cases (Nigeria and Iran)
- February 2021 Appointed **Board member** Destination Great Lake Taupo Governance Board (a stand-alone legal entity (RTO)) owned by Taupo District Council responsible for marketing the Taupo District to domestic and international tourists.
- April 2021 – July 2023 Re-appointed **Chair**: Drug Free Sport New Zealand (for further 2 years)