

RICHMOND

CHAMBERS

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Indian clients and settlement

- No typical Indian client:
 - From India
 - From other parts of the commonwealth
 - New immigrants to second generation NZers
 - Often highly educated
- History of Parliament, common law and English language
 - Corruption
- Collectivism and Harmony:
 - Transactions are understood, not documented
 - Transactions can evolve – we are in this together
 - Business disputes mean loss of trust
 - Once trust is lost, it is lost (almost) forever



Indian clients and settlement

- *Izzat* (honour)
 - High value on maintaining your reputation and of your family
 - *Izzat* is more important than money
 - Violations of *izzat* leads to *dushmani* (enmity) and *badla* (revenge)
- Barriers to settlement
 - Legal proceedings are not necessarily about resolving disputes
 - Selective disclosures (to their lawyer and in discovery)
 - Haggling culture v Western approach to settlement
 - Sense of ownership – NZ's legal system is not my legal system

