

## CHAIRS



### **Hon Justice William Young, President, Court of Appeal**

Justice Young graduated LLB (Hons) from the University of Canterbury and later gained a doctorate from Cambridge University. He joined the Christchurch firm of RA Young Hunter and Co in 1978, leaving in 1988 to practise as a barrister. He was appointed Queen's Counsel in 1991, to the High Court in 1997 and to the Court of Appeal in January 2004. Justice Young became President of the Court of Appeal in February 2006.



### **Hon Justice Chambers, Court of Appeal**

Justice Chambers graduated LLB (Hons) from the University of Auckland in 1975 and in 1978 gained a doctorate from the University of Oxford. He commenced practice as a barrister in 1981 and was appointed Queen's Counsel in 1992. He was appointed to the High Court in 1999, and to the Court of Appeal in January 2004.

## PRESENTERS AND AUTHORS



### **Grant Burston, Luke Cunningham & Clere, Wellington**

Grant has been a partner in Luke Cunningham & Clere since 1987. He is the convener of the NZLS Evidence Law Reform Committee. Grant is the author of the title "Criminal Procedure" in *The Laws of New Zealand* (Butterworths), and a member of the editorial board of the New Zealand loose leaf edition *Cross on Evidence*.



### **Donna Buckingham, Faculty of Law, University of Otago**

Donna is on the Faculty of Law, University of Otago (where she teaches legislation and evidence), author of Evidence chapter in *Electronic Business and Technology Law* (LexisNexis), and Chair of the NZLS Women's Consultative Group.



### **Helen Cull QC, Wellington**

Helen was admitted in 1978 and practised as a litigation partner before going to the Bar in 1990. She was appointed Queen's Counsel in 1997. Helen has undertaken numerous witness actions and high profile trials in both the criminal and civil jurisdictions. She has been a member of the NZLS Evidence Law Reform Committee since 1999 and co-presented the NZLS submissions to the Select Committee on the Evidence Bill.

## PRESENTERS AND AUTHORS



### **Robert Dobson QC, Wellington**

Robert was a litigation partner in a national firm for some 15 years before going to the Bar in 1991. He was appointed Queen's Counsel in 1998. Robert undertakes a range of commercial litigation, focusing mainly on securities, tax, competition law and judicial review. He is a member of the writing team for *McGechan on Procedure*.



### **Jonathan Eaton, Barrister, Christchurch**

Jonathan joined the independent Bar in 1998 having specialised in criminal litigation both as a prosecutor and defence counsel. He has conducted many trials in the District and High Courts on behalf of both the Crown and the defence, and appears regularly in the Court of Appeal. Jonathan is one of two criminal specialists on the council of the NZBA and is on the faculty of the NZLS Litigation Skills programme.



### **Hon Dr Robert Fisher, Auckland**

Bob is an arbitrator, mediator, and consultant. He was a practising barrister for 19 years and a High Court judge for 15. Bob has presented papers and seminars on a number of topics including civil procedure, evidence, advocacy, relationship property, admiralty, intellectual property, arbitration and mediation. In 2006 he was the special adviser to the Parliamentary Select Committee on the Evidence Bill.



### **Christine Gordon, Meredith Connell, Auckland**

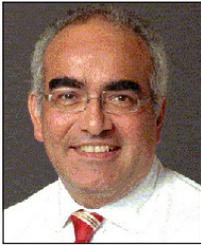
Christine was admitted to the roll in 1984 and commenced employment with Meredith Connell, the firm of the Auckland Crown Solicitor, in 1986. She has been a partner since 1987. Christine regularly prosecutes criminal trials.



### **Grant Illingworth QC, Auckland**

Grant specialises in public law and civil litigation. He is a former convener of the Public Issues Committee of the Auckland District Law Society and has presented papers at numerous legal seminars. He has been a guest lecturer at the University of Auckland on several occasions and is one of the authors of *Adams on Criminal Law*, contributing mainly in relation to constitutional and administrative law issues. Grant was made Queen's Counsel in 2003.

## PRESENTERS AND AUTHORS



### **Pheroze Jagose, Chapman Tripp, Wellington**

Pheroze is a commercial litigation partner in the national firm of Chapman Tripp. His practice is concentrated in company, competition, construction, employment, public and securities law, on which he regularly appears at first instance and in appellate courts. Together with Justice Arnold, Pheroze developed and taught the NZLS's introductory civil litigation skills course.



### **David Jones QC, Auckland**

David worked at Meredith Connell between 1982 and 1987 as a prosecutor. He has been a barrister sole since 1987 concentrating on criminal and civil litigation and was appointed Queen's Counsel in 2005. David is a member of the Crown and Serious Fraud Office prosecution panels.



### **Sarah Katz, Russell McVeagh, Auckland**

Sarah's practice focuses on complex commercial litigation and is well versed in traversing the difficult evidential issues which can arise in such cases. Sarah has particular interest and expertise in contractual disputes, trust law, tax litigation and companies and securities issues.



### **Vicki McCall, Russell McVeagh, Auckland**

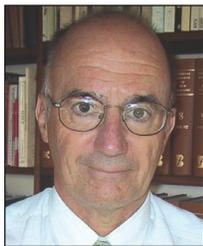
Vicki graduated BA/LLB(Hons) from the University of Auckland in 2005. She worked as a judge's clerk at the Court of Appeal and Supreme Court of New Zealand from 2005-2007. She joined the litigation team at Russell McVeagh in Auckland in February 2007 and will depart in August to study towards an LLM at Harvard Law School.



### **Sally Morris, Meredith Connell, Auckland**

Sally graduated with a BA/LLB(Hons) from the University of Auckland in 2005 and was admitted to the roll in July 2006. Sally now works as a junior Crown prosecutor at Meredith Connell in Auckland.

## PRESENTERS AND AUTHORS



### **Dr Don Mathias, Barrister, Auckland**

Don is the author of the text *Misuse of Drugs* and is also a contributing and updating author of *Adams on Criminal Law*. He has lectured in advanced criminal law at the University of Auckland, and has many articles published on criminal law and evidence, recently focusing on abuse of process, miscarriage of justice, and the accused's right to a fair trial.



### **Phillip Morgan QC, Hamilton**

Phil was admitted in 1977. After periods of general practice in Palmerston North and working for a firm of solicitors specialising in crime in London, he became a Crown prosecutor with Meredith Connell in 1982. Phil became an employee and later partner of the Crown Solicitor at Hamilton and practised as a Crown prosecutor in Hamilton until 1998. He joined the independent Bar in that year and was appointed Queen's Counsel in 2003.



### **Suzanne Robertson, Barrister, Auckland**

Admitted in 1990, Suzanne now practises as a barrister sole in Auckland. She provides research and litigation assistance in all areas of civil, employment and matrimonial property disputes. Suzanne has recently completed an LLM (with First Class Honours) from Auckland University.



### **Saeeda Verrall, Wellington**

Saeeda completed an LLB. (Hons) and BA (Psychology) at the University of Otago in 2004 and subsequently worked as Judges' Clerk at the Auckland High Court in 2005 - 2006. She is working at the Wellington Crown Solicitor's Office until mid-2007, when she will depart to study towards an LLM at Harvard University.



### **Peter Whiteside, Wynn Williams & Co, Christchurch**

Peter has extensive civil litigation experience. For ten years he was a member of the NZLS Evidence Law Reform Committee reviewing and responding to the Law Commission's work on the Evidence Code, and jointly presented the Society's submissions to Parliament's Justice and Electoral Committee on the Evidence Bill.



### **Peter Williams, Meredith Connell, Auckland**

Peter has recently completed a BA/LLB(Hons) degree at the University of Auckland. He was admitted to the roll in July 2006, since when he has been a junior prosecutor at Meredith Connell, the Office of the Crown Solicitor in Auckland

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## **FOREWORD**

Without doubt, this intensive on the Evidence Act 2006 will be the most important education programme any New Zealand litigator attends this year. The changes effected by the new Act are very significant. What is more, it is difficult to understand the structure and flavour of the Act just by reading it in black and white. One needs the advantage of having it explained by experts.

Fortunately for all of us, the New Zealand Law Society has managed to persuade a number of experts to prepare papers on the new Act and to address us at intensives around the country. The papers in this booklet are of a uniformly high standard. We have no doubt that, at least pending the planned publication of new evidence texts later this year, this intensive booklet will be every litigator's *vade-mecum*. We are grateful to the authors for their diligent research and the papers emanating from it.

We look forward to seeing you at the intensives. Don't be afraid to ask questions or express views on the topics under discussion: even the experts would admit there are at the moment many areas of uncertainty. Potential complications, and more importantly potential solutions, will come out of the discussions which will follow the seminar presentations. We invite you to be part of the dialogue.

The Hon Justice Chambers

The Hon Justice William Young