

# **CURRICULUM VITAE**

**The Honourable PAUL DAVISON KC**

## **PAUL JOSEPH DAVISON KC**

### **OFFICES HELD**

- Member Auckland Crown Solicitor's Prosecutors Panel 1981 -
- Member Serious Fraud Office Prosecutors Panel 1998-
- Secretary, Auckland Medico-Legal Society 1981-1986
- Member of Executive Committee of the Auckland Medico-Legal Society 1986-1996
- President, Auckland Medico-Legal Society 1996
- Member of Executive Committee of the Auckland Branch of CCS (formerly Crippled Children Society), Auckland 1981-1992
- Board member of New Zealand Agent Orange Trust Board 1993 - (a charitable trust established for the benefit of New Zealand Servicemen who are veterans of the war in Vietnam and their families)
- Member Auckland District Law Society Public Issues and High Court Sub-Committees 1993
- Member of Core Faculty, New Zealand Law Society 1993 Criminal Advocacy Programme
- Member of N.Z. Law Society Criminal Law Committee upon the nomination of the Auckland District Law Society 1994-1998
- Member N.Z. Law Society Evidence Law Reform Committee 1994 -
- Member N.Z. Ad Hoc Consultative Group : Investigation of Sexual Abuse Prosecutions 1995-6
- Council Member Auckland District Law Society 1995 -1997
- Convener of ADLS Complaints Committee (#2) - 1995-1997
- Member Auckland District Law Society Costs Revisers Panel (1987 - 2000). I have also sat with the Registrar of the High Court at Auckland to hear costs appeals.
- Member of the SPCA Prosecution Panel.
- Honorary legal advisor to the New Zealand Spina Bifida Trust.
- Sport Auckland Trust Board Member ( 2006 – 2010)

- Trustee of the Translational Medicine Trust. This Trust was established in 2012 to fund research into the treatment of neuroendocrine cancer tumors – The Trust now funds a research program being conducted by the Auckland University School of Medicine (Board member 2012 -2015)
- King’s School – Board member (2010 - )
- Northern Club – Committee Member (2010- 2022)

## **SOCIETIES AND ASSOCIATIONS**

- New Zealand Bar Association
- Criminal Bar Association
- Auckland Medico-Legal Society

## **ACADEMIC/PROFESSIONAL QUALIFICATIONS**

- Bachelor of Laws, University of Auckland (1975)
- Admitted as Barrister and Solicitor of the High Court of New Zealand (1975) (Admitted at Auckland).

## **SUMMARY OF LEGAL and JUDICIAL CAREER**

- 1974      Employed as Law Clerk by Wynyard Wilson, Solicitors, Auckland.
- 1975      Commenced employment as Staff Solicitor with Glaister Ennor & Kiff, Solicitors, Auckland.
- Worked under supervision of Stuart Ennor practicing in the area of minor civil and criminal work with a heavy emphasis on matrimonial proceedings in the District Court and divorce proceedings in the Supreme Court.
- 1977      Commenced employment at Keegan Alexander Tedcastle & Friedlander, Solicitors, Auckland and practised in the area of general civil litigation together with criminal law work.
- 1978      Admitted to partnership at Keegan Alexander Tedcastle & Friedlander. Undertook a wide range of common law and litigation work involving civil proceedings, matrimonial proceedings, criminal proceedings, tribunal work in the District Court, High Court, and Court of Appeal.

- 1990            On 31 March 1990 I retired from the partnership at Keegan Alexander Tedcastle & Friedlander to commence practice as a Barrister sole.
- 1996            Appointed Queen's Counsel, 27 May 1996.
- 2015            (December) Appointed as a Judge of the High Court of New Zealand.
- 2023            (August) Retired as a Judge of the High Court New Zealand.
- 2024            Appointed by the UK Government as a Judge of the Supreme Court of the Pitcairn Islands. In this role I have presided over judicial review proceedings related to a decision by the Governor regarding declining a residency application.
- 2024-2026     In 2024, I resumed practice as a Barrister and member of Sangro Chambers. I have since been regularly engaged as a Mediator covering a wide range of disputes including commercial contracts and shareholder disputes, civil proceedings, and family disputes. I am also regularly instructed by solicitors to give opinions which have related to a wide range of matters including commercial contracts, professional indemnity issues, and legal practitioner disciplinary matters.
- I have also accepted engagement as an arbitrator in relation to a commercial/contractual dispute.
- In 2025, I was appointed by the NZ Government as the Independent Arbiter to determine the financial redress to be paid to the victims/survivors of the Lake Alice Children and Adolescent Hospital.
- In 2026, I was appointed by the Tauranga City Council to undertake a Review of the Council's planning and response to the extreme weather event in January 2026 which preceded the landslide on Mount Maunganui (Mauao) which caused the death of six people at the Beachside Holiday Campground at Mount Maunganui.

## **NOTABLE CASES**

### **1. THE JBL TRIAL (1977)**

Appeared as Junior Counsel with Mr. J S Alexander for Vaughan Joseph Jeffs, who was one of the nine persons charged with criminal conspiracy following the collapse of the JBL Group of Companies.

### **2. ARTHUR ALAN THOMAS ROYAL COMMISSION (1980)**

I appeared as Junior Counsel with J H Wallace QC as Counsel for the Auckland Crown Solicitor, David Morris, before the Royal Commission of Inquiry into the Arthur Alan Thomas case.

3. **THE ROYAL COMMISSION TO INQUIRE INTO THE CRASH ON MT. EREBUS, ANTARCTICA, OF A DC-10 AIRCRAFT OPERATED BY AIR NEW ZEALAND LIMITED (1980)**

I appeared as counsel before the Royal Commission together with Alister F Macalister, Solicitor, Wellington, for the Estate of Captain T J Collins (the Pilot in Command of the DC-10) and also for The New Zealand Airline Pilots Association. The Royal Commissioner, Justice Peter Mahon, found that Captain Collins and the aircrew were not at fault for the crash in which 257 persons lost their lives.

I subsequently appeared as Counsel for the Collins Estate and NZ ALPA in the judicial review proceedings which were removed directly from the High Court into the Court of Appeal. The Royal Commissioner's findings as to the causes of the accident were not challenged in the review proceedings in the Court of Appeal.

4. **CIVIL PROCEEDINGS IN THE USA/AIR NEW ZEALAND DC-10 ACCIDENT (1982-85)**

I acted as Solicitor for 14 estates of aircrew and cabin crew members who brought proceedings in the United States of America against the US Navy alleging negligence causing death arising from the manner in which the personnel of the US Navy Air Traffic Control at McMurdo acted in relation to the accident flight.

5. **COMMITTEE OF INQUIRY INTO PROCEDURES AT OAKLEY HOSPITAL (1982)**

I was appointed as Counsel assisting the Committee. The Chairman of the Committee was Rodney Gallen QC.

The Committee examined the events leading to the death of a patient in the Secure Ward of Oakley Hospital and more generally into the procedures at Oakley Psychiatric Hospital.

6. **NEW ZEALAND VIETNAM WAR VETERANS AGENT ORANGE CLASS ACTION CLAIM IN THE UNITED STATES OF AMERICA (1982)**

When the previous solicitor for the NZ Vietnam War Veterans was appointed as a District Court Judge, I took over as Solicitor for the NZ Vietnam Veterans Association.

I travelled to San Francisco and appeared before Judge Weinstein at a two-day Court hearing during which I presented submissions to the Court on behalf of the New Zealand Vietnam War Veterans who were claimants in the Agent Orange Class Action civil suit against the manufacturers of Agent Orange.

7. **FOODTOWN ROBBERY (1985-1986)**

I appeared with the Auckland Crown Solicitor, David Morris, for the Crown to prosecute four men charged with the robbery of the takings of a Foodtown Supermarket chain from a security vehicle. The robbery involved what was then the largest sum taken in an armed robbery in New Zealand (in excess of \$200,000).

8. **OTARA "MACHETE MURDER" (1988)**

I appeared with David Morris as Counsel for the Crown at both the depositions and High Court trial of 10 defendants who were charged with murder arising from an attack, killing and wounding of victims at the Otara Shopping Centre in South Auckland. Both the Depositions and Trial involved lengthy hearings.

9. **TITIWHAH HARAWERA TRIAL (1989)**

I appeared as Counsel together with Stuart Grieve for the Crown at a District Court Jury Trial of six defendants charged with offences arising out of the assault upon a patient at the Carrington Psychiatric Hospital Special Unit.

10. **POLICE PROSECUTION OF POLICE INSPECTOR PATRICK HUNTER (1990)**

I appeared as Counsel for the Police to prosecute Inspector Patrick Hunter in the Auckland District Court. Inspector Hunter was charged with a series of offences arising from his management and conduct of a company operating a series of lotteries known as "Supersport" lotteries.

11. **R v CHIGNALL & WALKER (1989-1991)**

Together with Stuart Grieve I was engaged as defence counsel to represent Renee Chignall who, together with Walker, was charged with the murder of Peter Plumley-Walker (I appeared as second counsel to Mr Grieve).

12. **SWEDISH TOURIST MURDER TRIAL (R v TAMIHERE) 1990, APPEAL (1992), AND PRIVY COUNCIL APPLICATION FOR LEAVE TO APPEAL (1994)**

I appeared with the Auckland Crown Solicitor, David Morris, as Counsel for the Crown to prosecute this matter. I appeared for the Crown at both the Depositions hearing, and subsequently at the High Court Trial presided over by Justice Tompkins, which extended over five weeks. My role as Counsel involved calling of all major witnesses called by the Crown and conducting cross-examination of some of the defence witnesses and conducting voir dire and admissibility arguments during the Trial.

Prior to the commencement of the Trial, I was responsible for preparing a brief of argument on appeal to the Court of Appeal on the issue of admissibility of crucial identification evidence, and appeared in the Court of Appeal with Mr Morris to advance this pre-trial appeal in which the Crown was successful.

At the conclusion of the Trial, Mr Tamihere was found guilty and convicted of both charges of murder.

Following David Morris' appointment as a Judge of the High Court, I appeared as senior counsel for the Crown in the Court of Appeal at the hearing of Tamihere's Appeal against the convictions for murder. Mr Tamihere's Appeal was dismissed.

In 1994 I represented the Crown before the Privy Council to oppose Mr Tamihere's application for leave to appeal against his murder convictions. The application for leave to appeal was dismissed.

13. **R v TOFAEONO & OTHERS (MURDER CHARGES)**

In 1993 I appeared with David Morris to prosecute three men (Tofaeono and others), charged with murder following a stabbing incident near a South Auckland night club.

14. **R v PORA (THE SUSAN BURDETT HOMICIDE)**

During 1994 I appeared as Senior Counsel for the Crown to prosecute a charge of murder against Pora.

15. **R v BENNETT (MURDER)**

In 1994 I appeared with Auckland Crown Solicitor Simon Moore for the Crown to prosecute in the case of R v Bennett. I was engaged at an early stage to advise the Police and to assist in conducting matters on behalf of the Police and Crown through depositions hearing and High Court trial. At the conclusion of the trial Mr. Bennett was found guilty of murder.

I subsequently appeared for the Crown to oppose Bennett's appeal against his conviction for murder, which was dismissed.

16. **R v TAMATA (MURDER) - The Janine Law Case**

In 1995 I appeared with Crown Solicitor Simon Moore for the Crown to prosecute in the case of R v Tamata. Tamata was charged with murdering Janine Law. An initial Police investigation had concluded that the victim's death was due to an asthmatic attack. A review of the case in 1995 led to further Police enquiries and to the arrest and prosecution of Tamata. Tamata was found guilty and convicted of murder.

17. **CROWN SOLICITOR'S PROSECUTION PANEL**

When the Auckland Crown Solicitor's Prosecution Panel was established in 1981, I was appointed to the Panel (the youngest member). I subsequently appeared on behalf of the Crown to prosecute a considerable number of trials in the High Court and District Court in addition to those specifically referred to below. They related to charges of murder, rape, violent offending, fraud and property offending.

I was also retained on several occasions to represent the Police to prosecute in cases where a Police Officer was charged with criminal offences.

18. **SERIOUS FRAUD OFFICE – PROSECUTION PANEL**

As a member of the SFO Prosecution Panel, I appeared to prosecute the trial of R v Allen & Ors on charges of fraud by promoting investments in overseas based ventures via his religious gatherings. Mr Allen was found guilty.

19. **CRIMINAL CASES AS DEFENCE COUNSEL**

I was engaged as Defence Counsel in a number of criminal trials including the murder cases in Auckland of R v Martin (1982), R v Thorne (1983), R v Mirams (1985), R v Mitchell - attempted murder (1985).

In 1989/90/91 I appeared as Second Counsel with Stuart Grieve for Chignell at the first two 'Plumley-Walker' trials in the High Court at Auckland and at the successful Appeal to the Court of Appeal following the first trial.

In 1993 I appeared as Defence Counsel in a lengthy SFO prosecution in the District Court which subsequently went on appeal (R v Sidebotham & Powell).

20. **R v RAYMOND WILLIAM SMITH**

In 1991 I appeared as Defence Counsel for Raymond William Smith who was charged with a number of offences following the collapse of the Goldcorp Group of Companies. Mr Smith was acquitted of all charges.

21. **POLICE TRIBUNAL (1991-1996)**

On four occasions I was appointed by the NZ Commissioner of Police to sit as a Police Tribunal to determine disciplinary charges brought against members of the NZ Police.

22. **KAITAIA POLICE SHOOTING - OPINION (1995)**

I was engaged to review the Police file and prepare an Opinion for Crown Law Office as to whether any criminal offence had been committed by a member of the Police who had shot a member of the public during the course of arresting him near Kaitaia.

23. **R v WRIGHT & DIXON (SFO PROSECUTION)**

Between November 1994 and December 1995, I appeared as Defence Counsel for Mr Wright in R v Wright & Dixon in which charges were brought against my client by the Serious Fraud Office (SFO). The SFO was represented by A R Galbraith QC and Mr M Ruffin of the Auckland Crown Solicitor's Office. Following a Depositions hearing which extended over the course of a year, and involved voluminous evidence and exhibits, the District Court ruled that my client, Mr Wright, had no case to answer and he was discharged. A subsequent application to the High Court by the Crown seeking leave to file an indictment notwithstanding the District Court decision that there was no case to answer, was successfully opposed.

24. **AVIATION / MANSLAUGHTER (1993)**

In 1993 I successfully defended a pilot charged with manslaughter following a helicopter accident in the South Island. This prosecution involved complex issues of aviation practice and technical matters. Following a lengthy depositions hearing, the manslaughter charge against the pilot was dismissed.

25. **AVIATION / FATAL ACCIDENT PROSECUTION (1995)**

In 1995 I was retained as Counsel to represent a Commercial Pilot facing charges under the Aviation Act following a fatal helicopter accident on the Coromandel Peninsula in October 1994.

26. **OTHER AVIATION CASES**

In 1995-96 I was engaged as counsel for Ansett NZ to advise in connection with the crash of a Dash 8 aircraft near Palmerston North in which a number of people had died or been seriously injured. This brief involved assisting in the preparation of detailed submissions, and general advice on a range of issues arising as consequences of the accident.

I was retained (1996) by Australian Solicitors to advise in connection with a Qantas Airways incident that had led to an investigation of the conduct of the aircraft.

27. **R v BEATTIE**

In 1996/97 I represented District Court Judge Martin Beattie who faced 45 criminal charges of fraud. At the conclusion of his High Court trial, he was acquitted of all charges.

28. **R v REWA**

In 1997/98 I appeared as senior counsel for the Crown, together with the Auckland Crown Solicitor Simon Moore, in the prosecution of 'serial rapist' Malcolm Rewa, who had been charged the rape and sexual violation of 27 women and one charge of murder. He was found guilty of the rape /sexual violation charges and sentenced to 22 years' minimum imprisonment.

29. **R v SCOTT WATSON (1999- 2000)**

In 1999 I was engaged as lead counsel to represent the Crown to prosecute the case of R v Scott Watson for murder arising from the deaths of Ben Smart and Olivia Hope (whose bodies were never found). Watson was found guilty of their murder. I subsequently appeared as lead counsel for the Crown at the hearing of Watson's appeal against conviction, which was dismissed.

30. **SUCCESSFUL DEFENCES AND SECURING AQUITTALS IN CRIMINAL CASES (1999 – 2015)**

The following is a list of some of the other cases where I secured the acquittal of my clients in the years since 1999:

Morris [cultivation of cannabis / large commercial scale] (1999)  
Bansal [sexual violation] (1999)  
Kumar [murder / NG by insanity verdict] (1999)  
Barrett [tax fraud] (2000)  
Becroft [SFO fraud charges] (2000)  
Simpson [murder /NG by insanity verdict] (2001)  
Carter [arson] (2002)  
Greenslade [manslaughter] (2002)  
Way [fraud] (2003)  
Porter [SFO fraud charges re Auck Rescue Helicopter Trust] (2004)  
Her [murder] (s347 dismissal of charge)  
Livingstone [fraud] 2006  
Dr Chen [importation class A drugs] (2006)  
Mr A Chen [SFO charges fraud] (2006)  
Livesey [firearms – threatening] (2006)  
Kroon [kidnapping] (2007)  
Sergeant [manufacturing class A] (2008)  
Tsai [dealing drugs] (2008)  
Gaskin [indecent assault charges] (2008)

Cook Islands v Norman George [fraud] (2008)  
Bell [indecent assault] (2010)  
Thomas & Feeney [MED prosecution v Feltex directors] (2010)  
K (suppressed) [rape] (2010)  
Whale [s 220 charge of theft re Dominion Finance] (2013)  
Webb [assault] (2013)  
Stephens [s 220 theft] (2015)

31. **OTHER NOTABLE CRIMINAL CASES CONDUCTED FOR THE DEFENCE**

Other notable cases I have conducted for the defence include:

- R v Sturm (relating to allegations of sexual violation by stupefaction)
- R v Phillip Taito Field (relating to charges of corruption by a Member of Parliament) (2009)
- R v Quinlan & Ors (charges of supplying instruments for the cultivation of cannabis from the Switched-on Gardener business)

32. **THE FINANCE COMPANY CASES**

I was engaged as defence counsel in the following cases in which directors of finance companies were charged with offending related to the issuing of prospectus to the public. In each case the financial evidence was complex, and the documentary exhibits were voluminous.

- R v Moses & Ors (re Nathans Finance)
- R v Graham & Ors (re Lombard Finance)
- R v Whale & Ors (Dominion Finance)

33. **THE DOTCOM CASE**

From January 2012 – November 2014, I was engaged as senior counsel for Mr Kim Dotcom in connection with his defence of extradition proceedings commenced by the USA. This engagement involved numerous appearances in the Courts at all levels including two appeals heard by the Supreme Court and Court of Appeal, and many appearances in the High Court and District Court.

34. **PROFESSIONAL DISCIPLINARY CASES**

I have been engaged an represented clients before the Disciplinary Tribunals relating to:

The medical profession  
Psychologists  
The dental profession  
The accounting profession  
The legal profession.

35. **CIVIL CASES**

Throughout the course of my career as a barrister and solicitor, the majority of my work was in the civil area. As a partner in a smaller firm the work tended to be varied and involved all manner of common law matters including inter alia:

- Commercial and real estate, contractual disputes, vendor/purchaser disputes involving businesses and real estate.
- Matrimonial cases involving custody disputes and matrimonial property disputes.
- Company law shareholder disputes.
- Judicial Review proceedings.
- Town Planning applications and appeals.
- Family protection proceedings and testamentary promises actions.
- Arbitrations, and proceedings to set aside arbitration awards.
- Licensing applications to liquor licensing, shop trading and transport tribunals.
- Taxation appeals.

In 1987, 1988 and 1989, I acted as Solicitor for the Plaintiffs in Vujnovich v Vujnovich [1988] 2 NZLR 120 and [1989] 3 NZLR 513. I appeared as Counsel for the Plaintiffs with Paul Temm QC at the Trial, Appeal and Privy Council Appeal. The case concerned allegations of oppressive conduct under Section 209 of the Companies Act 1955.

**Panel member – CE Heath (Professional Indemnity Insurance cases)**

From 1990 – 1995 I was a member of the panel of practitioners established by CE

Heath Underwriters, and during this time I was engaged on a large number of civil matters arising from claims made against insured, lawyers and accountants. These cases involved defending civil proceedings claiming damages for negligence/breach of contract.

In 1992/93 I acted for a dentist charged before the Dentists Tribunal with professional misconduct which involved a lengthy hearing before the Dentists Tribunal and a subsequent appeal to the High Court.

In 1993/94 I represented a group of franchisees engaged in High Court proceedings against the franchisor involving an injunction hearing and subsequent interlocutory action, before being referred to and successfully concluded by means of Alternative Dispute Resolution/Mediation.

In 1993 I successfully represented underwriters joined as parties to the “Equiticorp” civil proceedings, with the result that the claim against the client I represented was struck out before trial.

In 1994 I was retained by Rudd Watts & Stone to represent their client, The State Bank of South Australia, in connection with a commercial dispute over the tenancy and chattels owners of the St James Theatre Centre in Queen Street, Auckland. This proceeding involved several hearings and judgments in the High Court at Auckland. The issue of tenancy was resolved by Judgment in favour of my client and the matter ultimately settled. A considerable value of property was at stake in this dispute.

In 1995 I appeared for the successful Plaintiff in a judicial review proceeding against the New Zealand Harness Racing Conference in connection with its Rules relating to the blood testing of horses, with the result that the subject Rules were declared void.

#### **Van Heeran litigation / proceedings**

In 1996-98 I was retained to advise and represent Mr Alex Van Heeren in connection with issues arising from the activities of a private investigator (Cooper), who had been arrested in NZ for actions allegedly directed against Van Heeran. Habeus corpus proceedings were brought, and civil proceedings commenced by Cooper against a NZ private investigator (former Police detective JR Hughes ).

#### **Tainui litigation (judicial review) (2000)**

I was engaged as counsel for the plaintiff and Chairman of the executive body of Tainui’s Te Kauhanganui O Waikato who (together with other members of the executive body) brought judicial review proceedings and interim relief applications to successfully challenge a series of resolutions passed at special meetings of Te Kauhanganui.

#### **Diagnostic Laboratory v ADHB & Labtests (2007-2008)**

I was engaged as counsel for Labtests which defended Judicial Review proceedings in the High Court seeking review of the ADHB decision to award the laboratory contract to the newly established business – Labtests.

**Anne Geddes (Defamation Proceedings)**

I was engaged to advise and represent Ms Anne Geddes in connection with defamation proceedings. This involved travelling to the USA to attend the taking of pre-trial witness depositions. (1999)

**Commerce Commission Proceedings**

I was engaged to represent clients in proceedings brought against them by the Commerce Commission alleging collusion and price fixing.