



New Zealand Bar Association
Ngā Ahorangi Motuhake o te Ture



Webinar, 14 October 2025

Olivia Jarvis and Harriet Beaven

Phil Shamy KC (Chair and Presenter)

CPD Questions and Answers Paper

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Disclaimer

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New Zealand Bar Association | Ngā Ahorangi Motuhake o te Ture

27 November 2025

Contents

Disclaimer.....	2
Introduction	4
Recording	4
Our presenters	5
Phil Shamy KC (Presenter and Chair)	5
Olivia Jarvis.....	5
Harriet Beaven	6
CPD Questions.....	7
CPD Answers	10
CPD Verification and Recording	12
Name of Learning Activity:.....	12
Possible Learning Objectives:.....	12

Introduction

These questions accompany the video of the New Zealand Bar Association | Ngā Ahorangi Motuhake o te Ture's Webinar, *The Essentials – Judge Alone Trials*. The webinar was held on 14 November 2025.

The webinar is aimed at Junior and Intermediate practitioners, as well as those unfamiliar with this area of practice but wishing to learn the basic requirements for a company liquidation, its fundamentals and how to guide a client through a company liquidation. It is also suitable for those looking for a refresher.

The NZLS Guidelines for the Lawyers and Conveyancers Act (Lawyers: Ongoing Legal Education – Continuing Professional Development) Rules 2013 specify that the viewing of non-interactive audio-visual materials in any format is **not** eligible to be a CPD activity. There must be an opportunity for interaction and feedback, e.g. the ability to ask questions or the completion of a quiz or an assessment component at the end of the course or at intervals throughout.

This paper contains a quiz for you to complete after you have viewed the video. The answers follow the questions. You do not need to return the quiz to us but should keep a copy for your CPD records.

Recording

The webinar recording can be accessed <https://vimeo.com/1140952574>

Password is: **141025**

Please note that this recording and any accompanying material is subject to copyright

If you have any questions, please contact nzbar@nzbar.org.nz

New Zealand Bar Association | Ngā Ahorangi Motuhake o te Ture
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Our presenters

Phil Shamy KC (Presenter and Chair)



Phil Shamy KC is an experienced litigation barrister practising from Bridgeside Chambers in Christchurch. His approach to litigation involves a practical results based view, bearing in mind what the client requires and what can be obtained.

Over the last 40 years Philip has gained experience in commercial litigation, litigating in tort contract, equity and public law. He has litigated at all levels from the District Court to the High Court to appellate level. Before his move to the independent bar he spent 20 years as a partner at Raymond Donnelly & Co. the Crown Solicitors of Christchurch where he prosecuted in excess of 20 murder trials and numerous other manslaughter cases. He also appeared as amicus curiae on a number of matters to assist with the High Court and District Court, and in a number of disciplinary tribunals both as a prosecutor and as a defence lawyer.

Philip is passionate about mentoring younger practitioners, particularly young litigators and is keen to see young litigators from instructing solicitor firms enter the court room and have sufficient guidance and instruction to feel comfortable in that arena.

He has in the past been a member of the teaching faculty of the New Zealand Law Society litigation skills course which teaches less experienced lawyers court skills. He is a member of the New Zealand Bar Association's Education Committee.

Olivia Jarvis



Olivia Jarvis is an experienced lawyer specialising in criminal law. She has appeared regularly in the District and High Courts, as well as appearing in the Court of Appeal. Olivia has significant experience in both jury and judge alone trials on serious matters. Olivia has also appeared at Coronial Inquests.

Olivia graduated with an LLB and a BA from the University of Canterbury. After completing university, Olivia joined the Christchurch Public Defence Service. During her time at the Public Defence Service Olivia managed her own team of lawyers as well as representing her clients. She moved to the Independent Bar in 2024 and is dedicated to helping clients alleviate the stress linked with navigating the criminal justice system.

In 2017, Olivia was appointed as an adjudicator for the Racing Integrity Board, formerly known as the Judicial Control Authority for Racing in New Zealand.

Harriet Beaven



Harriett Beaven joined Bridgeside Chambers in 2024, after spending three years at the Public Defence Service. Harriet completed a BCom (majoring in International Business) at the University of Otago before graduating with a LLB from the University of Canterbury. Once leaving law school Harriet's focus became criminal law, she now has proven and demonstrated experience in the District Court and High Court in complex criminal cases.

Harriet was admitted in 2021 and will share her recent experiences in Judge alone trials, providing practical reflections on preparing and running Judge alone trials from a new practitioner's standpoint.

CPD Questions

- 1) True or false: If you get a transcript of the police interview instead of a video that is good enough?
 - a) True you don't need to see the video
 - b) False the video is important it may give a different perspective to written transcript, request a copy of it.
- 2) What is the primary purpose of creating an event chronology during the preparation phase?
 - a) To help the judge understand the case.
 - b) To identify gaps or inconsistencies in the police timeline.
 - c) To determine the maximum penalty.
 - d) To structure the opening submissions.
- 3) True or false you should seek client instructions if you are going to use a summons to call a witness?
 - a) True, the person may be subject to arrest if they do not turn up without good reason and if that is a relative of your client they should be aware of the ramifications of that breach of summons
 - b) False don't ask your client as they might say no if it's a relative being summoned
- 4) The document described as the "anchor" for the case and cross-examination is the:
 - a) Witness list
 - b) Charging Document
 - c) Brief of Evidence
 - d) Summary of Facts
- 5) Which of the following items should you request for prosecution witnesses as part of disclosure management?
 - a) Their full tax history
 - b) Their current address
 - c) Credibility material, like criminal histories
 - d) Their last 12 months of phone records

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- 6) If you are constantly chasing disclosure and not getting anywhere what is your best option.
- a) Move up the chain and contact the supervisor of the person who is on the file.
 - b) File a Section 30 application.
 - c) There is nothing you can do about it so don't worry too much.
- 7) What is the deadline for filing an appeal after a conviction in a JAT?
- a) 10 working days from conviction
 - b) 20 working days from sentencing
 - c) 30 working days from the plea
 - d) 40 calendar days from the trial date
- 8) If a prosecutor is "putting words in the mouth" of a witness during evidence in chief, counsel should object based on the question being:
- a) Irrelevant
 - b) Hearsay
 - c) Leading
 - d) Opinion
- 9) True or False. Always cross-examine a witness.
- a) True. Always get your questions in.
 - b) False. If they have already said something to aid your case don't give them a chance to change it.
- 10) What section of the bail act do you have to look at for bail pending sentence
- a) Section 11
 - b) Section 12
 - c) Section 13
 - d) Section 14
- 11) True or false – it's not important to note down what the judge says at the JAT decision because you will get a written report later
- a) True wait for the written report

- b) False, you will need to explain what has happened to your client so important to have notes while it is fresh

12) When arguing for final name suppression after an acquittal, counsel must provide evidence of:

- a) The defendant's good character
- b) Public interest in the case
- c) Hardship (e.g., deportation, employment loss)
- d) The length of the trial

CPD Answers

- 1) True or false: If you get a transcript of the police interview instead of a video that is good enough?
 - b) False the video is important it may give a different perspective to written transcript, request a copy of it.
- 2) What is the primary purpose of creating an event chronology during the preparation phase?
 - b) To identify gaps or inconsistencies in the police timeline.
- 3) True or false you should seek client instructions if you are going to use a summons to call a witness?
 - a) True, the person may be subject to arrest if they do not turn up without good reason and if that is a relative of your client they should be aware of the ramifications of that breach of summons
- 4) The document described as the "anchor" for the case and cross-examination is the:
 - c) Brief of Evidence
- 5) Which of the following items should you request for prosecution witnesses as part of disclosure management?
 - c) Credibility material, like criminal histories
- 6) If you are constantly chasing disclosure and not getting anywhere what is your best option.
 - b) File a Section 30 application.
- 7) What is the deadline for filing an appeal after a conviction in a JAT?
 - b) 20 working days from sentencing
- 8) If a prosecutor is "putting words in the mouth" of a witness during evidence in chief, counsel should object based on the question being:
 - c) Leading
- 9) True or False. Always cross-examine a witness.
 - b) False. If they have already said something to aid your case don't give them a chance to change it.
- 10) What section of the bail act do you have to look at for bail pending sentence
 - c) Section 13

- 11) True or false – it's not important to note down what the judge says at the JAT decision because you will get a written report later
- b) False, you will need to explain what has happened to your client so important to have notes while it is fresh
- 12) When arguing for final name suppression after an acquittal, counsel must provide evidence of:
- c) Hardship (e.g., deportation, employment loss)

CPD Verification and Recording

We have estimated that watching this webinar, reading the paper and completing the questions, will potentially take most practitioners **one hr (1.0 hrs)**. However, this may not equate to the actual amount of time that you have spent in completing this module. The onus is on the practitioner to decide whether learning that is relevant to his or her identified learning needs has occurred and, if so, to count the time spent towards the required hours of activities.

We remind you that you are required to reflect on the CPD activities you have undertaken. Take a minute to think about the activity you have just finished. Then answer the following questions.

Please keep this form for verification purposes.

Name of Learning Activity:

The Essentials – Judge Alone Trials (CPD 1.0 hrs)

Possible Learning Objectives:

Possible Learning Objectives from this presentation could be:

- Learning how to deal with the three major actors in a JAT – the prosecution, the judge and your client
- Navigating, planning and implementation of the three stages of a JAT
 - Seeking disclosure, briefing your client and preparation of cross examination
 - The fixture
 - The outcome, possible conviction, bail, appeal

What knowledge/skills/insights etc did you gain from this activity? List the points:

- a)
- b)
- c)

2. How might you implement what you have learned in your practice?

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3. Comment on the ways in which the activity achieved the proposed outcomes and any gaps or areas of confusion that may remain.

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4. What else do you need to learn to improve your practice in this area and how might you achieve this?

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