

FIONA ELIZABETH GUY KIDD KC

EDUCATION, PROFESSIONAL QUALIFICATIONS AND CATEGORISATIONS

1991 – **University of Otago** Bachelor of Laws (Honours) First Class

1995 – **University of Virginia School of Law, United States of America** Master of Laws (LLM)

- Scholarship from University of Virginia School of Law, Spencer Mason Travelling Scholarship in Law from Auckland District Law Society, Sir Harold Barrowclough Scholarship from the University of Otago.

2010 – **Victoria, University of Wellington** Resource Management Law paper.

- Admitted as a Barrister and Solicitor of the High Court of New Zealand 1992 and as a legal practitioner of the Supreme Court of New South Wales, Australia, 2003
- Senior Counsel for purposes of Crown Solicitor Regulations from March 2002
- Legal Aid provider for Court of Appeal, Supreme Court, and Criminal Legal Aid Categories 1-4.
- Appointed Queen's Counsel 2018 (King's Counsel 2022)

LEGAL EXPERIENCE

1990 – 1991 Russell McVeagh McKenzie Bartleet & Co, Auckland, New Zealand
Summer Clerk, Commercial and Litigation

1992 – 1994 Russell McVeagh McKenzie Bartleet & Co, Auckland, New Zealand
Staff Solicitor, Litigation

1995 University of Virginia School of Law, Charlottesville, Virginia, USA.
Research Assistant, International Law and International Human Rights Law

1995-1996 David A R Williams QC, Auckland, New Zealand.
Employed Junior Barrister

- Civil matters in the High Court, Court of Appeal and the “Winebox” Commission of Inquiry.

1997-2000 Luke Cunningham & Clere, Crown Solicitor’s Office, Wellington, New Zealand
Staff Solicitor and Crown Prosecutor

- Counsel for Department of Child, Youth and Family Services (“CYFS”) in a civil High Court appeal.
- Counsel for the Crown in 62 criminal trials and for a private client in a contract claim.
- Counsel for the Attorney-General in High Court civil proceedings.
- Counsel on appeals, sentencings, bail applications and pre-trial applications and providing advice to Government Departments in relation to prosecutions.
- Counsel for CYFS and the Police in the Family Court in seven defended hearings.

2000-2011 Crown Law, Wellington, New Zealand
Intermediate Counsel, Criminal and Crown Solicitors Team (*December 2000 – October 2001*)
Crown Counsel, Criminal Process Team (*2001 – February 2011*)
Deputy Team Leader (*3 May 2004 – July 2005*)
Team Leader (*July 2005 – July 2006*)

- Team comprised of 18 counsel and 9 support staff.
- Significant contact with Crown Solicitors throughout New Zealand. Working with counsel in other areas of Crown Law on advice to government and litigation.
- Responsible for client relationship with Department of Corrections.
- Lead Crown Counsel in criminal appeal to the Supreme Court and on 13 applications for leave to appeal to the Supreme Court.
- Appearances before the Court of Appeal on over 85 appeals against sentence, conviction and pre-trial decisions.
- Appearing before New Zealand Parole Board on 7 applications to recall life parolees.

- Prosecuting a murder charge and appearing for Crown in the prisoner appeal against sentence.
- Crown Counsel in 11 District Court criminal trials and sentencings and pre-trial applications in Nelson and Blenheim. Drafting Indictments.
- Providing opinions on requests for Solicitor-General appeals against sentence, pretrial decisions and discharges; applications for consent to prosecute, immunities from prosecution and requests to amend murder charges. Preparing responses on Ministerial correspondence.
- Providing opinions to Crown Solicitors, the Police, New Zealand Parole Board and Government Departments.
- Acting for the New Zealand Police and the Attorney-General in civil proceedings (including judicial review proceedings) in the Supreme Court, Court of Appeal, High Court and District Courts.
- Faculty Member and organizer of New Zealand Law Society Pacific Island Law Officers Network litigation skills programmes held in Fiji and Vanuatu.
- Participant in six month exchange with Crown Prosecutors' Chambers of the Office of the Director of Public Prosecutions for New South Wales, 2003, junior counsel in two applications before the High Court of Australia, Crown Prosecutor in 6 trials and appearing for the Crown in the New South Wales Court of Criminal Appeal.

2011 – 2016

AWS Legal, Barristers and Solicitors, Invercargill, New Zealand

Associate (March 2011 – August 2013)

Partner (August 2013 – December 2016)

- Representing clients in prosecutions in the District Court, Environment Court and High Court. Advising clients in respect to investigations and charges. Representing clients in jury trials. Appearances for parties in Coroner's inquests. Appearances for prisoners before the New Zealand Parole Board for parole and recall.
- Instructed by Crown Law on two appeals against sentence on murder cases before the Court of Appeal considering when a sentence of life imprisonment would be manifestly unjust.
- Counsel for appellant on 14 other appeals against conviction, sentence and pre-trial decisions to the Court of Appeal.
- Counsel for a Family Trust which successfully opposed an application by Commissioner of NZ Police pursuant to the Criminal Proceeds (Recovery) Act to restrain property and for a third party making an application for relief.
- Counsel on criminal appeals to High Court.
- Acting for Real Estate Agents in proceedings before the Real Estate Agents Disciplinary Tribunal.
- Representation of a licensee before the Alcohol Regulatory and Licensing Authority.

2016 – Present

Barrister, Montrose Chambers, Invercargill, New Zealand

Associate member of Bridgeside Chambers, Christchurch

- Appointed as Amicus Curiae to assist the Court in an appeal before the Supreme Court, before the Court of Appeal and in prosecutions in the District Court.
- Representing defendant in a murder trial and persons charged with manslaughter, serious drug, violence, accessory after the fact and sexual charges in High Court and District Court cases.
- Acting for persons charged with regulatory offences against the Conservation Act and Resource Management Act.
- Counsel on eight criminal appeals to the Court of Appeal.
- Counsel for Anglican Church in the Royal Commission of Inquiry into Abuse in Care.

LEGAL WRITING AND PRESENTATIONS

- Presentations to Criminal Bar Association Conference 2021 and 2022 on recent cases in substantive criminal law, procedure and sentencing
- Presentation on Royal Commission of Inquiry into Abuse in Care to Governance Seminar, Independent Schools of New Zealand, May 2021
- Panel Member, "Appellate Advocacy for Criminal, Commercial and Civil Advocates", NZ Bar and Australia Bar Association Conference, 2019
- Co-presenter, "How to Run a Jury Trial", NZLS CLE Ltd Workshop throughout New Zealand, July 2019
- Faculty member, Litigation Intensive, Otago Southland Annual Conference 2018
- "Of Mice and Men – An update on Section 44 Evidence Act 2006", Otago Southland Annual Conference 2017
- "Evidence Act Potpourri for Criminal Lawyers", NZLS Continuing Legal Education Seminar September 2017
- "Crown and Defence Comparative Advocacy", NZ Bar Association Conference 2017
- "Ahsin with a postscript on *Jogee* and *Uhrle*" – Parties Liability, Withdrawal and Keeping it Simple, NZLS Criminal Law Symposium 2016
- "Crown Prosecution Guidelines: Charging and Plea Negotiation", NZLS Intensive Seminar, "Practical Criminal Law – raising the bar", October 2009

PROFESSIONAL ACTIVITIES

- President (2021 – present), Vice President (2017 -2021), Committee member (2016) - NewZealand Criminal Bar Association
- Faculty member, NZLS Litigation Skills Programme - 2008, 2010, 2011, 2013, 2014, 2016, 2017, 2019. Deputy Director 2014. Director 2015
- Faculty member, NZLS Advanced Litigation Skills Programme, 2019, 2021
- Member, New Zealand Law Society Criminal Law Committee, 2005 – 2011, 2017-2021
- Member, New Zealand Law Society (Southland) Standards Committee, 1 July 2013-July 2014
- Convenor, Wellington Women Lawyers Association, September 2000 – May 2003

APPOINTMENTS

- Member of Judicial Committee and Appeals Tribunal of the Judicial Control Authority for Racing, September 2020 – June 2021
- Member of Appeals Tribunal, Racing Integrity Board 1 July 2021 – 31 December 2021, 1 August 2022 – 31 July 2023