

**IN THE SUPREME COURT OF NEW ZEALAND  
I TE KŌTI MANA NUI O AOTEAROA**

**SC 51/2023**

**MAHIA TAMIEFUNA**

Appellant

**v**

**THE KING**

Respondent

---

**JOINT CHRONOLOGY**

---

*Counsel certify that, to the best of their knowledge, the Joint Chronology is suitable for publication and does not contain any information that is suppressed.*

---

**Susan  
Gray<sub>LLB</sub>**

Augusta Chambers  
Level 9, 115 Queen Street  
PO Box 106217, Customs Street  
Auckland 1143  
P 021 910 927  
E [sgray@blackstonechambers.org.nz](mailto:sgray@blackstonechambers.org.nz)

## JOINT CHRONOLOGY

Date	Event	Reference
2 November 2019	An aggravated robbery involving two men occurs at a residential address in Swanson.	Agreed facts at [1]: <b>COA CB</b> p 28.
5 November 2019	Detective Sergeant Bunting ( <b>DS Bunting</b> ) photographs Mr Tamiefuna during a traffic stop.	Agreed facts at [15]-[17]: <b>COA CB</b> p 29.
25 November 2019	Mr Tamiefuna is arrested for the aggravated robbery that occurred on 2 November 2019.	Agreed facts at [19]: <b>COA CB</b> p 29.
7 January 2020	Mr Tamiefuna makes first appearance on charge of aggravated robbery. Pleads not guilty. Elects jury trial.	Record of hearing: <b>COA CB</b> p 11.
14 October 2020	Pre-trial admissibility argument heard before Moore J in the High Court. DS Bunting gives evidence.	NOE from pre-trial hearing: <b>SC CB</b> p 151.
15 February 2021	Moore J finds the photograph was not improperly obtained.	Pre-trial ruling of Moore J at [129]: <b>COA CB</b> p 64-65.
21 June 2021	Leave to appeal Moore J's decision is declined by the Court of Appeal.	COA leave decision: <b>SC CB</b> p 49.
15 July 2021	Mr Tamiefuna changes election from jury trial to judge-alone.	Minute of Davison J: <b>SC CB</b> p 67.

19 July 2021	Judge-alone trial commences before Davison J in the High Court. DS Bunting gives evidence.	NOE from judge-alone trial: <b>COA Evidence</b> p 3.
30 July 2021	Mr Tamiefuna found guilty on one charge of aggravated robbery by Davison J. His Honour found the photograph was not improperly obtained and thus admissible.	Reasons for verdict at [56]: <b>SC CB</b> p 107.
13 September 2021	Mr Tamiefuna files notice of appeal against conviction in the Court of Appeal.	Notice of appeal: <b>COA CB</b> p 3.
22 October 2021	Mr Tamiefuna sentenced to four years 11 months' imprisonment for the aggravated robbery.	Sentencing notes: <b>SC CB</b> p 72.
9 May 2023	Permanent Court of Appeal finds that the photograph was improperly obtained, but admissible under s 30 of the Evidence Act 2006.	COA judgment: <b>SC CB</b> p 9.
28 July 2023	Supreme Court grants leave to appeal on two issues: (a) whether the Court of Appeal was correct to find that the photographic evidence was improperly obtained; and (b) whether the Court of Appeal was correct in admitting the evidence under s 30 of the Evidence Act.	SC leave decision at [2]: <b>SC CB</b> p 7-8.