MIKHAIL TAIATINI — FULL BAIL HISTORY

Working chronology for legal counsel / Waitangi Tribunal material

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This document is a working chronology, not a finding of fact. Dates or details not confirmed by an underlying court document are expressly marked for verification. Counsel should check any publication restrictions before external circulation.

Purpose

This version expands the earlier document-only chronology by incorporating material previously discussed in conversation and the documents located in the user's files. The aim is to show the sequence of bail-related steps from Mikhail Taiatini's arrest/remand in October 2024 through the Court of Appeal decision and later bail-related applications recorded in 2026.

Important framing for the Tribunal

The chronology should distinguish between (1) the fact that bail applications were made and refused, and (2) any allegation that counsel did or did not pursue bail adequately. The latter is a separate issue and should be supported by correspondence, instructions, applications, invoices/time records, court documents and Legal Aid records rather than inferred from the fact of refusal.

Chronology

Period / date	Bail event or issue	What is presently established	Evidence / verification needed
22 Oct 2024	Arrest / commencement of custody	The user's established account is that Mikhail was arrested/remanded from 22 October 2024. Bail history begins from this point.	Charging documents, remand records, first appearance/minute.
Late 2024–2025	Early bail attempts	Earlier conversations record approximately 3–4 unsuccessful bail applications overall, but the exact sequence, dates and courts are not fully reconstructed from the material currently located.	Every bail application, minute/order, affidavit, Crown response and lawyer correspondence.
Before Dec 2025	First and second EM bail applications	Court of Appeal judgment records that Mikhail had applied twice unsuccessfully for electronically monitored bail at familial and institutional addresses.	Exact dates, proposed addresses, conditions, EM assessments and reasons for refusal.
Dec 2025	High Court EM bail application — Ng■ Kete	The later High Court application was for EM bail to Ng■ Kete W■nanga Solutions (Ng■ Kete), in Auckland/Avondale. The High Court declined bail.	R v Taiatini [2025] NZHC 4123, application papers, EM assessment, Crown submissions and minute/order.
Dec 2025	Appeal pathway considered	Prior discussion records that Mikhail's High Court EM bail refusal was to be considered for appeal; counsel discussed the 20-working-day pathway and filing a Notice of Appeal.	Notice of Appeal, filing confirmation, lawyer emails and appeal documents.
16 Mar 2026	Court of Appeal bail appeal hearing	Court of Appeal CA24/2026 heard the appeal against the High Court refusal of EM bail.	Court of Appeal record / hearing materials.
16 Apr 2026	Court of Appeal judgment	Appeal dismissed. The Court held that the statutory reverse onus under s 17A was not satisfied: the Court was not satisfied on the balance of probabilities that Mikhail would not commit a drug-dealing offence while on bail.	Published judgment: TAIATINI v R [2026] NZCA 130.
After 16 Apr 2026	Further rehabilitation-facility bail application	Legal Aid's 21 Aug 2026 decision records that, despite the Court of Appeal decision, a further bail application was sought in order for Mikhail to attend a rehabilitation facility.	Application, supporting affidavit, facility proposal, Crown response and outcome/order.
2025–2026	Compassionate bail applications	Legal Aid's 21 Aug 2026 decision records compassionate bail applications to attend the funeral of a former partner and to visit Mikhail's elderly grandfather.	Exact application dates, supporting evidence, Crown response, decision/minutes and any conditions.

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Period / date	Bail event or issue	What is presently established	Evidence / verification needed
21 Aug 2026	Legal Aid decision records bail work	Legal Aid records significant counsel work on multiple bail applications, including a Court of Appeal bail application, compassionate bail applications and the rehabilitation-facility application.	Full Legal Aid decision and underlying billing/file records.
Post-Aug 2026	Any later bail activity	No later bail application has been established in the material presently located.	Check court file, lawyer file and Legal Aid records through the current date.

Court of Appeal findings relevant to the bail chronology

The Court of Appeal judgment states that the Ng■ Kete application was the third EM bail application and that each application had progressively proposed more structured and supervised bail addresses. The Court nevertheless dismissed the appeal. The central issue was the statutory requirement in s 17A(3) of the Bail Act 2000: Mikhail had to satisfy the Court, on the balance of probabilities, that he would not commit a drug-dealing offence while on bail.

The Court considered that the proposed Ng■ Kete arrangement did not sufficiently mitigate the risk. It referred to, among other things, the facility's cellphone arrangements, the presence of occupants affiliated with Bay of Plenty Mongrel Mob chapters, and evidence concerning Mikhail's continuing contact and influence. The Court concluded that it could not be satisfied he would not directly or indirectly commit drug dealing while on bail, so s 17A required bail to be refused.

This is important for chronology purposes because the appeal was not simply a reconsideration of whether Ng■ Kete was a good rehabilitation address: the Court treated the statutory reverse-onus requirement as determinative.

Later bail-related work recorded by Legal Aid

The Legal Aid decision dated 21 August 2026 records that significant work had been undertaken by counsel to advance multiple bail applications. It specifically identifies a Court of Appeal bail application, compassionate bail applications to attend the funeral of a former partner and to visit an elderly grandfather, and a further bail application sought so Mikhail could attend a rehabilitation facility.

The Legal Aid decision is useful corroborative evidence that the bail work was broader than the single Court of Appeal appeal. It does not, however, provide enough detail by itself to establish the exact dates, outcomes or conditions of each individual application.

Evidence checklist for counsel

• First appearance / remand documents from 22 October 2024 onward.

• Complete list of every bail application: date, court, type of bail, proposed address/facility, conditions, outcome.

• All High Court bail applications and minutes/orders, including the two earlier EM applications and the Ng■ Kete application.

• EM assessor reports for each proposed address.

• Crown submissions / objections for each application.

• Mikhail's affidavits and supporting evidence for each application.

• Lawyer correspondence showing instructions received, advice given, applications filed and hearing dates.

• Notice of Appeal and Court of Appeal documents for CA24/2026.

• Compassionate bail applications: funeral and grandfather visit — applications, supporting evidence and outcomes.

• Rehabilitation-facility bail application after the April 2026 Court of Appeal decision — papers and outcome.

• Any bail applications, variations, reviews or appeals after August 2026.

• Legal Aid billing/file records identifying work undertaken on each bail application.

Potential Tribunal chronology framing

A neutral formulation is: "Following his arrest and remand on 22 October 2024, Mikhail Taiatini made multiple attempts to obtain bail, including electronically monitored bail applications and later compassionate and rehabilitation-related applications. Two early EM applications were unsuccessful. A subsequent EM application proposed Ng■ Kete W■nanga Solutions as the monitored address. The High Court declined that application, and the Court of Appeal heard and dismissed the appeal on 16 April 2026. Legal Aid records from August 2026 confirm further bail-related applications and significant counsel work on bail, including compassionate and rehabilitation-related applications. The complete underlying court file is required to establish the precise chronology, outcomes and conditions of each application."

Known documents located

• TAIATINI v R [2026] NZCA 130, 16 April 2026 (Court of Appeal, CA24/2026).
• Legal Aid decision dated 21 August 2026 concerning Mikhail Taiatini and legal aid number 26595009.

• Disclosure Package-2 index identifying a prosecution bail report and other first-appearance material.
• Draft Form 11 reconsideration material referring to bail work and reassignment concerns.

Verification note

This document intentionally does not invent missing dates or outcomes. The strongest next step for an evidence-ready Tribunal bundle is to reconcile this chronology against the court file and counsel's file, then attach each bail application and decision as an exhibit in date order.