

**ADDRESS BY MADELEINE LARACY, Deputy Solicitor-General (Criminal)**  
**FOR THE SWEARING IN OF JUSTICE MICHELE WILKINSON-SMITH**  
**AS A HIGH COURT JUDGE**  
**14 February 2024, Auckland**

**E ngā mana, e ngā reo, tēnā rā koutou katoa.**

**E ngā kaiwhakawā o ngā kōti katoa o te motu, tēnā koutou.**

**E te kaiwhakawā hou, Justice Wilkinson-Smith, ka nui te mihi.**

**E rere ana ngā mihi ki a koutou kua huihui ki te hāpai i tō tātou kaiwhakawā hou.**

**He rā whakahirahira tēnei.**

**Ā tēnei ahiahi, ko au te māngai mō te Rōia Matua o te Karauna.**

**Ko Madeleine Laracy ahau.**

1. Your Honour, I speak today on behalf of the Attorney-General on the occasion of your swearing in as a Judge of the High Court. The beautiful mihi translates as: To all the esteemed people and speakers; mihi to all the Judges, and to the new Judge; mihi are "flying" to all those gathered here to today to uplift our new judge. It's a very special day. This afternoon, I appear as the "mouth" of the Attorney-General.
2. It is with great pleasure that I offer you the Government's warmest congratulations and best wishes for your judicial career. I especially acknowledge your whānau, your husband Chris and your four children, Kate, Thomas, Lucy and Harry. It is safe to assume they are very proud of you today. My job is essentially to cover your CV and link it to today's appointment.
3. Your Honour's extensive litigation practice and experience will stand you in great stead as you embark on your judicial career. There is no doubt that you will be just as formidable from the other side of the Bench. And by formidable, I refer to

characteristics that have defined your lawyering: articulate, clear eyed, resolute, balanced.

4. Your Honour has had an impressive legal career over 30 years. You studied at Auckland University, graduating with a Bachelor of Law with Honours in 1993. After your admission to the bar in the same year, you began working at Auld Brewer Mazengarb. You were promoted to the position of partner in 1998, where you stayed until 2004.
5. While working there you were also an active member of the Taranaki District Law Society, holding the positions of Treasurer, Vice-President and President at various times.
6. You then went to the Bar practising as a criminal defence barrister in Auckland. You defended a range of serious charges, and, perhaps most prominently, you were co-counsel on *R v Kahui*, a highly emotive case, with a lot of technical medical evidence, and with the added pressure of huge media interest. It's fair to say that your reputation as defence counsel was that you were just as effective and successful as you'd been as a prosecutor.
7. Alongside your work at the Bar, you held a three-year warrant on the Legal Aid Review Panel. You were a Visiting Justice at Whanganui Prison, and also on the Crown Prosecution Panel in Manawatu. You were on the Legal Aid Performance Review Committee, including a period as Acting Chairperson. It is apparent from these extracurricular roles with the Law Society, the Legal Aid Review work and your involvement for years in litigation skills training that, in addition to your own practice of law, you have put real personal effort into the systems that support and regulate the practice of criminal law in Aotearoa and which you consider are necessary to maintain high standards.
8. Complementing your breadth of experience in the criminal field, you have also worked in civil litigation, including as counsel appearing pro bono in the High Court in *LSA v Haslam*. You've been counsel on bankruptcies and insolvencies, proceeds of crime, and on matters before a range of disciplinary tribunals. Your ability to grasp

and apply the law in all forms will stand you in good stead as you take a seat at the Bench.

9. Your most recent role was as the Crown Solicitor for Whanganui, a very busy Crown prosecution office with a small team. You held that role from December 2016 until this appointment. As Crown Solicitor, you were an excellent prosecutor, a great mentor to your team and a respected leader in the profession. At the end of 2020 the Solicitor-General received unsolicited feedback about you from Police in two reports, which she shared with you. One said that: “Ms Wilkinson-Smith's positive, problem-solving attitude is held in high regard by my investigators. I continuously hear only positive feedback on her empathy, professionalism, integrity and victim-focus.” The other said that the Police have the utmost respect for your legal skill and your integrity. It also said that as Crown Solicitor you take a balanced and fair approach, holding both Police and defence to account where necessary. The Crown Solicitor Network has had the benefit of your exemplary contribution for many years, including the unusual step of you doing two stints on secondment to temporarily lead Crown Solicitor offices while you were still at the Bar. Undoubtedly your appointment to the Bench is a significant loss to the Network. We will miss you and your contributions at the Crown Solicitor table.
10. Your Honour, you have appeared in Courts at all levels, representing both defence and prosecution. It is not unusual for senior Crown prosecutors to have spent some time in their career at the bar, doing criminal defence work. But you are relatively unusual in that you have spent a broadly comparable period of time in each role.
11. With your husband and partner Chris – a partner in every sense – you’ve raised a fair sized family, lived and worked for years between two cities, been resilient and effective in the context of some hugely challenging legal cases, and topped all this off by moonlighting as a truckie. I understand you are very proud of your recent Heavy Transport licence – which allowed you to join the trucking community. You have the licence so that you and your daughter Lucy can travel around the country in all that spare time you have, towing a horse truck to equestrian events. Apparently it has been a steep learning curve – including the shocking revelation that AA do not do callouts for truck flat tires. Juggling priorities, constantly learning, and just “fitting

things in” are also important characteristics of a good Judge, and the Government has no doubts your entire skill set will transfer smoothly to your new role.

12. The Government has every confidence that you bring impressive expertise and experience, courage and insight to your role as a Judge of the High Court. You will discharge that role with the same vigour and sense of justice that you have demonstrated throughout your legal career.
13. Once again Your Honour, on behalf of the Government I congratulate you on your well-deserved appointment.

**Nō reira, tēnā koutou, tēnā koutou, tēnā koutou katoa.**