



**TE KŌTI PĪRA O AOTEAROA  
THE COURT OF APPEAL OF NEW ZEALAND**

**COURT BUSINESS**

**TUESDAY 30 APRIL 2024**

**COURT OF APPEAL – COURTROOM ONE**

**PERMANENT COURT**

THE HONOURABLE JUSTICE FRENCH, THE HONOURABLE JUSTICE COURTNEY,  
THE HONOURABLE JUSTICE MALLON  
REGISTRAR: J McKENZIE

**10:00am**

**CA217/2023**

**Solicitor-General's Reference from CRI-2022-404-212 at High Court at Auckland**

Crown counsel: M J Lillico, Z A Fuhr

Counsel to assist the Court: T Mijatov

Civil Appeal: Fitzgerald J [2023] NZHC 31

*Was the High Court correct to conclude that conviction of the dog's owner is a precondition to an order for destruction being made under s 57(3) of the Dog Control Act 1996?*

**2:15pm**

**CA335/2022**

**R (P K Hamlin)**

*Appellant*

**v**

**New Zealand Police**

*Respondent*

Conviction and Fitness to Stand Trial

Sinclair DCJ; Gibson DCJ; Harvey J

*Whether reasonable belief in consent is relevant to s10 inquiry under the Criminal Procedure (Mentally Impaired Persons) Act 2003*

## **PUBLIC ACCESS:**

**The Court of Appeal COVID Protocol was rescinded on 21 August 2023. However, if you are unwell, you are encouraged not to attend Court. If you are required to attend Court, please contact the Registry to discuss alternative arrangements.**

## **DISCLAIMER:**



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## **INFORMATION:**

### **Enquiries:**

Please contact the Court by phone on: **(04) 914 3540** or by email: [courtofappeal@justice.govt.nz](mailto:courtofappeal@justice.govt.nz) between 9am and 5pm on weekdays (excluding public holidays and dates the Court is closed).

### **Locations:**

The Court of Appeal is located at: [54 Molesworth St, Thorndon, Wellington](#)  
All hearings are at the Court of Appeal in Wellington unless otherwise specified.

The Court also sits at the following High Courts (however, please note documents cannot be filed at these addresses – all documents must be sent to the Court at the above Wellington address):

Auckland High Court (Historic Building) – [24 Waterloo Quadrant, Auckland](#)  
Wellington High Court – [2 Molesworth Street, Wellington](#)  
Christchurch High Court (Justice Precinct) – [20 Lichfield Street, Christchurch](#)  
Dunedin High Court – [1 Stuart Street, Dunedin](#)

### **Sitting Hours:**

The Court typically sits between 10am and 4pm with adjournments *roughly* from 11:30am – 11:45am and 1pm – 2:15pm. There is no afternoon adjournment.  
Sitting hours and adjournments may be adjusted as required and may change at short notice.

### **Lower Court Judgments cited above may be found at the following links (if publicly available):**

Senior Courts Judgments of Public Interest: <https://www.courtsfnz.govt.nz/judgments/>

District Court of New Zealand: <https://www.districtcourts.govt.nz/>

Judicial Decisions Online: <https://forms.justice.govt.nz/jdo/Search.jsp>

New Zealand Legal Information Institute (NZLII): [http://www.nzlii.org/databases.html#nz\\_cases](http://www.nzlii.org/databases.html#nz_cases)