



COURT OF APPEAL OF NEW ZEALAND

Role of Junior Counsel

The Court of Appeal has resolved to encourage greater participation of junior counsel in advocacy before it.

The resolution supports the Gender Equitable Engagement and Instruction Policy developed by the Law Society and Bar Association. It reflects an appreciation that junior counsel will have made substantial contribution to the written argument, and will best develop as advocates by advancing part of the oral argument.

Accordingly, the Court of Appeal:

- a. encourages oral argument by junior counsel – unless the brevity of the appeal or nature of the argument does not justify both counsel addressing the Court, or junior counsel waives that opportunity;
- b. does not require adherence to the previous practice that each counsel is heard only once in the principal argument – meaning that junior counsel may now take an intermediate point in that argument; and
- c. will not normally hear two counsel in reply for one party – except by leave in very complex appeals.

Stephen Kós P

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