

## **PUBLIC ACCESS DURING COVID-19 ALERT:**

Depending on the current traffic light setting where cases are to be heard, **public access may restrictions apply**. If access to Court is permitted, you **MUST**

- Observe social distancing requirements;
- Wear a KN95 (or equivalent) or surgical mask in public areas and courtrooms;
- comply with Rapid Antigen Testing requirements

If you are unwell, showing signs of illness, have a body temperature of 38 degrees or higher, have tested positive for COVID-19 and required to isolate, or a household contact of a confirmed case of COVID-19, access will be denied.

For further information, please refer to the latest and/or relevant Protocol: <https://www.courtsofnz.govt.nz/publications/announcements/covid-19/court-protocols/court-of-appeal/>



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This List has been published as at Wednesday 25 May 2022.

**This List may change significantly after the date of publication and may not reflect the Court's business on any given date. Therefore, this List is intended as a GUIDE ONLY.**

For any queries please contact the Registry: [courtofappeal@justice.govt.nz](mailto:courtofappeal@justice.govt.nz)

### **Locations:**

The Court of Appeal is located at: **54 Molesworth St, Thorndon, Wellington**. All documents must be sent to this address. All hearings are at the Court of Appeal in Wellington unless otherwise specified.

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](#)

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

Senior Courts Judgments of Public Interest: <https://www.courtsofnz.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)

### **Court types:**

Full Court – A Court of five Court of Appeal Judges. See [s50 and s51 of the Senior Courts Act 2016](#)

Permanent Court – A Court consisting of three Court of Appeal Judges. See [s48\(1\)\(a\) of the Senior Courts Act 2016](#)

Divisional Court – A Court typically consisting of one Court of Appeal Judge and two High Court Judges. See [s48\(1\)\(c\)](#) and [s52 of the Senior Courts Act 2016](#)

For more information regarding Court types please see: <https://www.courtsofnz.govt.nz/the-courts/court-of-appeal/cases-to-court/>

COURT OF APPEAL FIXTURE LIST – JUNE 2022

Circuit Week: Monday 6 June to Friday 10 June

Date	Divisional Court – Wellington, Courtroom 1 Court: Gilbert J, Mander J, Fitzgerald J	Divisional Court – Auckland, Courtroom 1 Court: Katz J, Ellis J, Woolford J
Monday 6 June	<u>QUEEN'S BIRTHDAY</u>	<u>QUEEN'S BIRTHDAY</u>
Tuesday 7 June	<p><b><u>CA310/2021</u></b> F (J Gwilliam) v The Queen Conviction and Sentence – 2 years 3 months imprisonment D G Smith DCJ</p> <p><b><u>CA363/2021</u></b> Samuel Moses SAMSON (N Levy QC) v The Queen Sentence – Life Imprisonment with an MPI of 17 years Nation J</p> <p><b><u>CA684/2021</u></b> Satnam SINGH (E J Forster) v The Queen Sentence - 9 years imprisonment Collins DCJ</p>	<p><b><u>CA457/2019</u></b> David Tamihana POSTLETHWAITE (In Person) v The Queen Conviction and Sentence – 9 years imprisonment with a minimum period of imprisonment of 4 years, 6 months Gibson DCJ</p> <p><b><u>CA704/2021</u></b> K (W D Mckean) v The Queen Conviction and Sentence – 11 years 4 months imprisonment McDonald DCJ</p> <p><b><u>CA629/2021</u></b> Manasseh Apanui JONES (R O Gowing) v The Queen Sentence – 5 years 10 months imprisonment Mabey DCJ</p> <p><b><u>CA200/2022</u></b> T (J D Munro) v The Queen Suppression Edwards J</p>
Wednesday 8 June	<p><b><u>CA627/2021</u></b> Malcolm Andrew Herbert And Ors (J K Mahuta-Coyle, M B Lawson) v USAR Napier Limited (T D Barclay, S M Lowery) Lester AJ [2021] NZHC 2638 <i>Appeal from High Court judgment alleging factual error about whether appellant's had suffered loss.</i></p> <p><b><u>CA205/2022</u></b> D (In person) v Attorney-General Habeas Corpus Appeal Gendall J</p>	<p><b><u>CA138/2020</u></b> M (S Brickell) v The Queen Conviction and Sentence – 17 Years Imprisonment with a Non-Parole Period of 8 years and 6 months Sinclair, P DCJ</p>
Thursday 9 June	<p><b><u>CA613/2021</u></b> Tuariki John Edward Delamere (J Elliott, A C Beck) v Yingheng Liu (D B Hickson) Lang J [2021] NZHC 2445 <i>Appeal from High Court judgment in contract claim</i></p> <p><b><u>CA654/2021</u></b> Geostel Vision Limited &amp; Anor (P R Casey, K T Glover) v Oraka Technologies Limited &amp; Ors (J A Macgillivray) Hinton J [2021] NZHC 2635 <i>Appeal from High Court costs decision</i></p>	<p><b><u>CA500/2021</u></b> William James SIO (F C Wood) v The Queen (A J Gordon) Sentence – Life Imprisonment with an MPI of 17 years Gault J</p>
Friday		

COURT OF APPEAL FIXTURE LIST – JUNE 2022

Circuit Week: Monday 13 June to Friday 17 June

Date	Divisional Court – Auckland, Courtroom 1 Court: Cooper P, Mander J, Fitzgerald J	Divisional Court – Christchurch, Courtroom 11 Court: Brown J, Thomas J, Woolford J
<p><b>Monday</b> 13 June</p>	<p><b><u>CA584/2020</u></b> Gautam Jindal (In Person) v Jarden Securities Limited (formerly OM Financial Limited) &amp; Ors (J Spring, A J Lloyd) Powell J <i>Appeal from High Court decision declining an extension of time to appeal from the District Court's decision in relation to (a) disqualification of counsel and (b) security for costs.</i></p> <p><b><u>CA211/2020</u></b> G (T Singh, H Croucher, C A Hardy) v The Queen Conviction and Fitness to Stand Trial – 1 year imprisonment</p>	<p><b><u>CA48/2022</u></b> S (K H Cook) v The Queen Conviction and Sentence – 3 Months Community Detention and 12 Months Supervision Zohrab DCJ; Russell DCJ</p> <p><b><u>CA756/2021</u></b> Alexander Bayden TAYLOR (A M S Williams) v The Queen Conviction – 5 years 1 month imprisonment O'Driscoll DCJ</p> <p><b><u>CA51/2022</u></b> Alan Gilbert WILSON (M Starling) v Chief Executive Department of Corrections Appeal Against 1 year extension to existing 5 year Extended Supervision Order Neave DCJ [2022] NZDC 878</p>
<p><b>Tuesday</b> 14 June</p>	<p><b><u>CA65/2022</u></b> Juken New Zealand Limited (A R Galbraith QC, C L Bryant, H Macfarlane) v Red Stag Timber Limited (N F Flanagan, C M Fleming) Gault J [2021] NZHC 2662 <b>Fast Tracked Appeal</b></p>	<p><b><u>CA90/2022</u></b> J Boulton (G J Ryan) v Crux Publishing Limited (R K Stewart) Paulsen AJ [2022] NZHC 258 <b>Fast Tracked Appeal</b></p> <p><b><u>CA135/2022</u></b> W (A J Bamford) v The Queen Pre-trial ruling Judge A A Zohrab</p> <p><b><u>CA149/2022</u></b> H (K F Preston) v The Queen Pre-trial ruling: Application for severance Kelly DCJ</p> <p><b><u>CA720/2021</u></b> H (D J More) v The Queen (M R Davie) Pre-trial ruling: Admissibility of Evidence Maze DCJ</p>

Date	Divisional Court – Auckland, Courtroom 1 Court: Courtney J, Mander J, Fitzgerald J	Divisional Court – Christchurch, Courtroom 11 Court: Brown J, Thomas J, Woolford J
<b>Wednesday</b> 15 June	<p><b><u>CA722/2021</u></b> Mateo-Jzaden WAA (S Brickell) v The Queen Conviction and Sentence – 5 years 6 months imprisonment Harvey Duncan DCJ</p> <p><b><u>CA224/2022</u></b> F (S R Lack) v The Queen Pre-trial Ruling Brewer J</p>	<p><b><u>CA751/2018</u></b> Blaine Ross HUGHES (K J Basire) v The Queen Conviction and Sentence – Preventive Detention with an MPI of 5 Years Heath J</p>
<b>Thursday</b> 16 June	<p><b><u>CA733/2021</u></b> Dallas Tihini Fraser HOHUA (J D Munro) v The Queen Conviction &amp; Sentence – 6 years 3 months' imprisonment with a MPI of 3 years Muir J</p> <p><b><u>CA318/2021</u></b> RITIKA (L B Cordwell) v The Queen Conviction – 2 Years, 7 Months' Imprisonment Aitken DCJ</p> <p><b><u>CA163/2022</u></b> H (N P Chisnall, L A Elborough) v The Queen Sentence - 22 months imprisonment Gibson DCJ</p>	<p><b><u>CA54/2022; CA60/2022; CA61/2022; CA62/2022; CA184/2022 &amp; CA199/2022 (to be heard together)</u></b> <b><u>CA54/2022</u></b> G (C J Lange) v The Queen Farish DCJ [2021] NZDC 25212; [2022] NZDC 1297</p> <p><b><u>CA60/2022</u></b> The Queen (C A Brook) v J &amp; Ors (K H Cook, T Aickin, C J Lange, L M Drummond) Farish DCJ [2021] NZDC 25212; [2022] NZDC 1297</p> <p><b><u>CA61/2022</u></b> J (D J Matthews) v The Queen Farish DCJ [2021] NZDC 25212; [2022] NZDC 1297</p> <p><b><u>CA62/2022</u></b> J (T Aickin) v The Queen Farish DCJ [2021] NZDC 25212; [2022] NZDC 1297</p> <p><b><u>CA184/2022</u></b> G (C J Lange) v The Queen Farish DCJ [2022] NZDC 5160, [2022] NZDC 4662</p> <p><b><u>CA199/2022</u></b> S (L Drummond) v The Queen Farish DCJ [2022] NZDC 5160 Appeals against Pre-Trial Rulings</p>
<b>Friday</b>		

COURT OF APPEAL FIXTURE LIST – JUNE 2022

Session Week: Monday 20 June to Friday 24 June

Date	Permanent Court, Wellington Courtroom 1	Permanent Court, Wellington Courtroom 2
Monday 20 June	<p><b>Court: French J, Miller J, Collins J, Dobson J</b></p> <p><u>Miscellaneous Motions List Day</u></p>	
Tuesday 21 June	<p><b>Court: Gilbert J, Collins J, Katz J</b></p> <p><u>CA277/2021</u> Commissioner of Inland Revenue (M Deligiannis) v Lindsay (J W Maassen, M Dobson) Cooke J [2021] NZHC 830 <i>Appeal from High Court decision in relation to liability for backdated child support.</i></p>	
Wednesday 22 June	<p><b>Court: French J, Courtney J, Dobson J</b></p> <p><u>CA487/2021</u> SRG Global Remediation Services (NZ) Limited (A R Galbraith QC, J Q Wilson, D J Brinkman) v Body Corporate 197281 &amp; Ors (R J Hollyman QC, N G Lawrence, W Revell) Gardiner AJ [2021] NZHC 554 <i>Appeal and cross-appeal in relation to summary judgment, stay and arbitration related decisions of the High Court in the context of construction payment and defects claims.</i></p>	
Thursday 23 June	<p><b>Court: Cooper P, French J, Collins J</b></p> <p><u>CA227/2021</u> Shane HOLMES (N Levy Qc) v The Queen Conviction and Sentence – 15 years, 6 months imprisonment with an MPI of 9 years, 2 months McDonald DCJ <i>Review of directions to jury on reluctant consent in sexual offending (R v Christian)</i></p> <p><u>CA715/2021</u> Wiremu Tamahana ALLEN (C J Nicholls) v The Queen Sentence – 7 years imprisonment Clark J</p>	
Friday	<u>MATARIKI OBSERVED</u>	<u>MATARIKI OBSERVED</u>

**COURT OF APPEAL FIXTURE LIST – JUNE 2022**

Session Week: Monday 27 June to Friday 1 July

<b>Date</b>	<b>Permanent Court, Wellington Courtroom 1</b>	<b>Permanent Court, Wellington Courtroom 2</b>
<b>Monday</b> 27 June		
<b>Tuesday</b> 28 June	<p><b>Court: Miller J, Brown J, Katz J</b></p> <p><b><u>CA444/2021</u></b>                      Napier City Council (D H Mclellan QC, A J Ferguson, G Tompkins) v Local Government Mutual Funds Trustee Limited (M G Ring QC, C J Hlavac, M E Gall)                      Grice J [2021] NZHC 1477  <i>Appeal and cross appeal from High Court judgment in insurance claim.</i></p>	
<b>Wednesday</b> 29 June	<p><b>Court: Miller J, Brown J, Katz J</b></p> <p><b><u>CA444/2021</u></b>                      Napier City Council (D H Mclellan QC, A J Ferguson, G Tompkins) v Local Government Mutual Funds Trustee Limited (M G Ring QC, C J Hlavac, M E Gall)                      Grice J [2021] NZHC 1477  <i>Appeal and cross appeal from High Court judgment in insurance claim.</i></p>	
<b>Thursday</b> 30 June	<p><b>Court: Cooper P, Collins J, Dobson J</b></p> <p><b><u>CA296/2021</u></b>                      Raam Chem Pte. Ltd (C L Barclay, W A Holden) v UPL Limited (A W Johnson)                      Johnston AJ [2021] NZHC 315  <i>Appeal from High Court decision allowing protest to NZ jurisdiction and dismissing third party claim.</i></p>	
<b>Friday</b>		