

PUBLIC ACCESS UNDER COVID-19 PROTECTION FRAMEWORK:

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/>



DISCLAIMER:

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This List has been published as at Tuesday 21 June 2022. However, **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

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](#) (NB: The Court of Appeal will no longer sit at the Auckland Hearing Centre on Queen Street)

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

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 – JULY 2022

Session Week: Monday 4 July to Friday 8 July

Date	Permanent Court, Wellington Courtroom 1	Permanent Court, Wellington Courtroom 2
Monday 4 July	<p>Court: Brown J, Clifford J, Gilbert J, Courtney J</p> <p><u>Miscellaneous Motions List Day</u></p>	
Tuesday 5 July	<p>Court: French J*, Clifford J, Dobson J</p> <p><u>CA116/2021</u> Commissioner of Police (P Radich QC, H P Kynaston, L E Robertson) v New Zealand Police Association Incorporated (S L Hornsby-Geluk, B J Locke) Civil Appeal Judge B A Corkill [2021] NZEmpC 8 <i>Appeal from decision of the Employment Court on a question of law arising under s18 of the Policing Act 2008.</i></p> <p><i>* Appearing remotely by Microsoft Teams</i></p>	
Wednesday 6 July	<p>Court: Brown J, Clifford J, Gilbert J</p> <p><u>CA217/2021</u> An Appeal by Phillip Peacocke, Susan Peacocke and CR Rejthar Trustees Limited as trustees of the Totoro Trust from APPEAL 2020/6</p> <p>Appellant Counsel: J Koning; D W Ballinger, T P Refory-Butler Counsel to Assist as Contradictor: J K Goodall</p> <p>Civil Appeal Judge Coxhead, Judge Reeves, Judge Stone APPEAL 2020/6 <i>Appeal from decision of Māori Appellate Court that certain land is Māori freehold land.</i></p>	
Thursday 7 July	<p>Court: Courtney J, Dobson J, Simon France J</p> <p><u>CA699/2021</u> S And Anor (V L Heine QC, J A Tocker) v Chief Executive of Oranga Tamariki (N Fong, N El Sanjak) Civil Appeal Churchman J [2021] NZHC 2449</p>	
Friday		

COURT OF APPEAL FIXTURE LIST – JULY 2022

Circuit Week: Monday 11 July to Friday 15 July

Date	Permanent Court, Wellington Courtroom 1	Divisional Court – Wellington, Courtroom 2 Court: Clifford J, Peters J, Downs J	Divisional Court – Auckland, Courtroom 1 Court: Miller J, Lang J, Cull J
<p>Monday 11 July</p>		<p><u>CA694/2021</u> Simon Bernard Davies & Anor (L A Andersen QC, T M Chan) v K M Smith Builder LTD & Anor (A D Hitchcock) Civil Appeal Doogue J [2021] NZHC 2865 <i>Appeal from part of High Court decision in relation to claim under Fair Trading Act 1986</i></p> <p><u>CA232/2022</u> S (C M Gisler, T Singh, C A Hardy) v The Queen Appeal against Pre-trial ruling: Admissibility of Evidence Mika DCJ</p> <p><u>CA286/2022</u> P (A B Fairley, M R Ridgley) v The Queen Bail Appeal Robinson J</p>	<p><u>CA470/2019</u> Litia Rokele VUNIDUVU (D J Dufty) v The Queen Counsel to Assist the Court: E P Priest Conviction Appeal – 3 Years' Imprisonment Down DCJ</p> <p><u>CA212/2022 & CA220/2022 (to be heard together)</u> <u>CA212/2022</u> Dylan Reid FRASER (S L Mccolgan) v The Queen <u>CA220/2022</u> Dwight FATU (S R Lack) v The Queen Bail Appeals Robinson J</p> <p><u>CA121/2022 – 45 mins</u> Tupou Ila MALOLO (M J Taylor-Cyphers) v The Queen Sentence Appeal – 10 years, order for forfeiture Moala DCJ</p>
<p>Tuesday 12 July</p>		<p><u>CA94/2022; CA111/2022 & CA120/2022 (to be heard together)</u> <u>CA94/2022</u> R (N P Bourke) v The Queen <u>CA111/2022</u> C (K R Pascoe) v The Queen <u>CA120/2022</u> T (P M Keegan) v The Queen Appeal against Pre-trial ruling Grieg DCJ</p> <p><u>CA194/2022</u> M (S J Zindel) v The Queen Pre-trial ruling: Admissibility of Evidence, dismissal of charges Rielly DCJ</p> <p><u>CA275/2018</u> K (V C Nisbet) v The Queen Disclosure Application</p> <p><u>CA285/2022</u> G (A Simperingham) v The Queen Bail Appeal Cooke J</p>	<p><u>CA588/2021</u> B (I A Jayanandan) v The Queen Conviction Appeal - 10 months home detention, 200 hours community work Connell DCJ</p> <p><u>CA203/2022</u> C (M J English, G A Harvey) v The Queen Appeal against Pre-trial ruling: Propensity Evidence Sellars DCJ</p> <p><u>CA245/2022</u> C (J Kincade QC, S I Mills) v The Queen Appeal against Pre-trial ruling Mabey DCJ</p> <p><u>CA284/2022</u> S (J Kincade QC) v The Queen Suppression Appeal Jagose J</p>

Date	Permanent Court, Wellington Courtroom 1	Divisional Court – Wellington, Courtroom 2 Court: Dobson J, Peters J, Downs J	Divisional Court – Auckland, Courtroom 1 Court: Miller J, Lang J, Cull J
Wednesday 13 July	<p>Court: French J*, Courtney J, Collins J</p> <p>CA63/2019 Haami HANARA (R M Mansfield QC, K Snelgar) v The Queen (S K Barr) Conviction Appeal – Life Imprisonment with minimum 10 years imprisonment Churchman J <i>Conviction appeal concerning the test for determining unfitness to stand trial and guidance where a defendant is a young person.</i></p> <p><i>* Appearing remotely by Microsoft Teams</i></p>	<p>CA472/2021 Richard Junior RATU (P Pati) v The Queen Conviction and Sentence Appeal– 10 Years' Imprisonment with MPI 5 Years Earwaker DCJ</p> <p>CA297/2021 Auvae TUPA'I (N Levy QC) v The Queen Conviction and Sentence Appeal – 7 years imprisonment Snell DCJ</p>	<p>CA457/2019 David Tamihana POSTLETHWAITE (In Person) v The Queen Counsel to Assist the Court: E P Priest Conviction and Sentence Appeal – 9 years imprisonment with a MPI of 4 years, 6 months Gibson DCJ</p> <p>CA44/2022 Chiu Tan YU (S Brickell) v The Queen Sentence Appeal – 15 Years, 6 Months' Imprisonment with MPI of 7 Years Palmer J</p> <p>CA174/2022 Tristian Jordan TAI (D J Dufty) v The Queen Sentence Appeal – 10 years 4 months' imprisonment MacKenzie DCJ</p>
Thursday 14 July	<p>Court: French J*, Courtney J, Collins J</p> <p>CA63/2019 Haami HANARA (R M Mansfield QC, K Snelgar) v The Queen (S K Barr) Conviction Appeal – Life Imprisonment with minimum 10 years imprisonment Churchman J <i>Conviction appeal concerning the test for determining unfitness to stand trial and guidance where a defendant is a young person.</i></p> <p><i>* Appearing remotely by Microsoft Teams</i></p>	<p>CA278/2019 Thomas Patton Green (In Person) v Nathan Daniel Gillette (In Person) Civil Appeal Cooke J [2019] NZHC 946 <i>Appeal from High Court judgment in claim of unfair prejudice under s174 of the Companies Act.</i></p> <p>CA263/2022 T (S J Gray) v The Queen Stuff & NZME (T C Goatley) Suppression Appeal Lang J</p>	<p>CA317/2021 Adrian Collin CLANCY (C G Tuck) v The Queen Conviction and Sentence Appeal – Life Imprisonment with MPI of 17 Years Whata J</p>
Friday			

COURT OF APPEAL FIXTURE LIST – JULY 2022

Circuit Week: Monday 18 July to Friday 22d July

Date	Divisional Court – Wellington, Courtroom 1 Court: Brown J, Lang J, Downs J	Divisional Court – Auckland, Courtroom 1 Court: Courtney J, Thomas J, Peters J
<p>Monday 18 July</p>	<p><u>CA490/2021</u> Damien Lindsay PAISLEY (J Ablett-Kerr QC) v The Queen (R P Bates, M Mcfarlane) Conviction and Sentence – 6 years imprisonment Phillips DCJ</p> <p><u>CA197/2022</u> R (E Huda) v The Queen Appeal against Pre-trial ruling Large DCJ</p> <p><u>CA272/2021</u> W (E Huda) v The Queen Suppression Nation J</p>	<p><u>CA614/2021</u> SPAK (1996) Limited (D M Salmon QC, M Eastwick-Field, J B Trezise) v R Leroy & Anor (C J Fraser, E J Morrison, S Lucas, A Lathrope) Civil Appeal Bell AJ 2021] NZHC 2398 <i>Appeal against grant of summary judgment and strike out.</i></p>
<p>Tuesday 19 July</p>	<p><u>CA687/2021</u> Michael Henry Harvey (P B Mcmenamin) v Real Estate Agents Authority & Ors (S A Bishop, M A Shaw, T G Bain) Civil Appeal Cull J [2021] NZHC 2915 <i>Appeal from High Court decision dismissing the appellant's appeal from a decision of the Real Estate Agents Disciplinary Authority upholding a finding of unsatisfactory conduct.</i></p> <p><u>CA714/2021 & CA4/2022 (to be heard together)</u> <u>CA714/2021</u> Andrej Michael SCHWAAB (A J Mckenzie) v The Queen Conviction Appeal – 6 Years 7 Months Imprisonment <u>CA4/2022</u> Joshua James MACKAY (N P Chisnall) v The Queen Conviction and Sentence Appeal – 4 Years and 5 Months Imprisonment Nation J</p>	<p><u>CA575/2021</u> Glenn Michael Soroka and Louise Claire Meredith trustees of the Pakau Trust (In Person) v Waikato District Council (P Moodley) Civil Appeal Hinton J [2020] NZHC 2191 <i>Appeal from High Court judgment declining declarations of entitlement to transferable rights under a district plan.</i></p>

Date	Divisional Court – Wellington, Courtroom 1 Court: Collins J, Lang J, Downs J	Divisional Court – Auckland, Courtroom 1 Court: Courtney J, Thomas J, Peters J
Wednesday 20 July	<p><u>CA550/2021</u> David Michael LUCAS (In person) v The Queen Conviction & Sentence Appeal – 9 months supervision, 6 months community detention Kelly DCJ</p> <p><u>CA275/2022</u> Harry Memelink and Cisca Forster as Trustees of the Link Trust No 1 (D G Livingston) v Body Corporate 81012, Body Corporate 68792 and Body Corporate 378945 (A S Olney) Application for stay of Judgment of Churchman J [2022] NZHC 1244</p>	<p><u>CA50/2022</u> Steven HAMMON-HENRY (A D Hill) v The Queen Sentence Appeal – 5 years 6 months' imprisonment Cooper DCJ</p> <p><u>CA622/2021</u> Xiang Su (M Clark) v Minister of Immigration (B Charmley, C Sykes) Civil Appeal Muir J [2021] NZHC 2491 <i>Appeal from High Court decision declining to grant leave to bring judicial review proceedings out of time in respect of a deportation liability notice</i></p>
Thursday 21 July	<p><u>CA384/2021</u> Joel Crispin RAPOSO (J D Munro, J N Olsen) v The Queen Conviction and Sentence Appeal – 4 years, 6 months imprisonment Dawson DCJ</p>	<p><u>CA117/2021</u> Tane JOHNSON (J M Hudson) v The Queen Conviction and Sentence Appeal – 9 years 6 months imprisonment Glubb DCJ</p> <p><u>CA536/2021</u> Epsilon LAUVI (P Pati) v The Queen Sentence and Conviction Appeal - 2 years and 3 months imprisonment Moses DCJ</p> <p><u>CA271/2022</u> W (S G Vidal) v The Queen Suppression Appeal Nation J</p>
Friday		

COURT OF APPEAL FIXTURE LIST – JULY 2022

Session Week: Monday 25 July to Friday 29 July

Date	Permanent Court, Wellington Courtroom 1	Permanent Court, Wellington Courtroom 2
Monday 25 July	<p>Court: Cooper P, Dobson J, Simon France J</p> <p><u>Miscellaneous Motions List Day</u></p>	
Tuesday 26 July	<p>Court: Gilbert J, Collins J, Simon France J</p> <p><u>CA393/2018; CA27/2019 & CA63/2019 (To be heard together)</u></p> <p><u>CA393/2018</u> Georgia Rose DICKEY (D J More, F Moore) v The Queen (C A Brook) Sentence Appeal – Life imprisonment with a minimum period of imprisonment of 10 years</p> <p><u>CA27/2019</u> Christopher James BROWN (F E Guy Kidd QC, L C Preston) v The Queen Sentence Appeal – Life Imprisonment with MIP of 10 Years Dunningham J</p> <p><u>CA63/2019</u> Haami HANARA (R M Mansfield QC, K Snelgar) v The Queen Sentence Appeal - Life Imprisonment with minimum 10 years imprisonment Churchman J</p> <p><u>CA645/2020</u> Katrina Roma EPIHA (H G De Groot) v The Queen Sentence Appeal – Life imprisonment with an MPI of ten years Nation J</p> <p>Intervener: Children’s Commissioner</p> <p><i>Sentence appeals raising issue as to whether or not it is manifestly unjust to impose a sentence of life imprisonment on children and young people.</i></p>	
Wednesday 27 July	<p>Court: Gilbert J, Collins J, Simon France J</p> <p><u>CA393/2018; CA27/2019 & CA63/2019 (To be heard together)</u></p> <p><u>CA393/2018</u> Georgia Rose DICKEY (D J More, F Moore) v The Queen (C A Brook) Sentence Appeal – Life imprisonment with a minimum period of imprisonment of 10 years</p> <p><u>CA27/2019</u> Christopher James BROWN (F E Guy Kidd QC, L C Preston) v The Queen Sentence Appeal – Life Imprisonment with MIP of 10 Years Dunningham J</p> <p><u>CA63/2019</u> Haami HANARA (R M Mansfield QC, K Snelgar) v The Queen Sentence Appeal - Life Imprisonment with minimum 10 years imprisonment Churchman J</p> <p><u>CA645/2020</u> Katrina Roma EPIHA (H G De Groot) v The Queen Sentence Appeal – Life imprisonment with an MPI of ten years Nation J</p> <p>Intervener: Children’s Commissioner</p> <p><i>Sentence appeals raising issue as to whether or not it is manifestly unjust to impose a sentence of life imprisonment on children and young people.</i></p>	

Date	Permanent Court, Wellington Courtroom 1	Permanent Court, Wellington Courtroom 2
Thursday 28 July	Court: Cooper P, Gilbert J, Dobson J <u>CA333/2021</u> Belinda Brown (M G Locke) v Nicholas Brown and Robert Narev (in their capacity as Executors and Trustees of the estate of Richard Brown) (A Waalkens QC, P Mckendrick, S Beattie) Civil Appeal Gordon J [2021] NZHC 1045 <i>Appeal from High Court in Family Protection Act claim.</i>	
Friday		