

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The Court of Appeal COVID Protocol was rescinded on 21 August 2023.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:

This list is published by the Ministry of Justice on behalf of the Court of Appeal of New Zealand. The Ministry has taken all reasonable measures to ensure the quality and accuracy of the information contained in this list. **However, it is the responsibility of users of the information contained in this list to ensure compliance with conditions, including suppression, or other legal obligations governing access, release, storage and re-publication.**

This List has been published as at Friday 17 May 2024.

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.**

Enquiries:

Please contact the Court by phone on: **(04) 914 3540** or by email: courtsofappeal@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](#). The Court also sits at the following High Courts (however, please note that 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 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 – JUNE 2024

Session Week: Monday 3 June to Friday 7 June

Date	Permanent Court, Wellington Courtroom 1	Permanent Court, Wellington Courtroom 2
Monday 3 June	<u>SOVEREIGN'S BIRTHDAY</u>	<u>SOVEREIGN'S BIRTHDAY</u>
Tuesday 4 June	<p>Court: Mallon J, Ellis J, Collins J</p> <p><u>CA198/2023</u> Ida Hawkins (N M Pender) v Sam Te Hei (N Dunning, B J R Keith, A Singleton) Interveners: New Zealand Law Society (B Jones, F C Monteiro), Attorney-General (E J Watt, J B Watson) Judge C S Blackie, Palmer J [2022] NZHC 3170 <i>Appeal from High Court decision concerning a claim for emotional harm under Prisoners and Victims Claims Act 2005.</i></p>	
Wednesday 5 June	<p>Court: Mallon J, Ellis J, Collins J</p> <p><u>CA198/2023</u> Ida Hawkins (N M Pender) v Sam Te Hei (N Dunning, B J R Keith, A Singleton) Interveners: New Zealand Law Society (B Jones, F C Monteiro), Attorney-General (E J Watt, J B Watson) Judge C S Blackie, Palmer J [2022] NZHC 3170 <i>Appeal from High Court decision concerning a claim for emotional harm under Prisoners and Victims Claims Act 2005.</i></p>	
Thursday 6 June	<p>Court: Katz J, Ellis J, Palmer J</p> <p><u>CA628/2022</u> Beryl Tawa (J P Kahukiwa) v Trustees of Tuaropaki E Trust (M K Mahuika, T T Paki-Te Huia) Deputy Chief Judge CL Fox, Judge MJ Doogan, Judge Te K Te A R Williams: [2022] Maori Appellate Court MB 377 <i>Review of a Trust under s351 of the Te Ture Whenua Māori Act 1993.</i></p> <p><u>CA535/2023</u> The King (M J Lillico) v B (A M S Williams) Question of law Savage DCJ [2023] NZDC 18240</p>	
Friday		

COURT OF APPEAL FIXTURE LIST – JUNE 2024

Session Week: Monday 10 June to Friday 14 June

Date	Permanent Court, Wellington, Courtroom 1 Court: French J, Courtney J, Thomas J	Permanent Court, Wellington Courtroom 2
Monday 10 June	<p>CA450/2020 Scott WATSON (N P Chisnall KC, K H Cook, H Z Krebs, L A Elborough) v The King (M F Laracy, S C Baker, L C Hay) Governor-General Reference in respect of Conviction – Life imprisonment with an MPI of 17 years</p> <p>Heron J T No. 2693/98 Appeals in 384/99 & 507/99 dismissed on 8 May 2000 – Richardson P, Thomas Gault J, Henry J</p> <p>Order in Council (10 August 2020) referring conviction to the Court of Appeal: https://gazette.govt.nz/notice/id/2020-ps3636 Judgment holding that the Ground of Appeal as to identification to be considered at the hearing: [2022] NZCA 204</p>	
Tuesday 11 June	<p>CA450/2020 Scott WATSON (N P Chisnall KC, K H Cook, H Z Krebs, L A Elborough) v The King (M F Laracy, S C Baker, L C Hay) Governor-General Reference in respect of Conviction – Life imprisonment with an MPI of 17 years</p> <p>Heron J T No. 2693/98 Appeals in 384/99 & 507/99 dismissed on 8 May 2000 – Richardson P, Thomas Gault J, Henry J</p> <p>Order in Council (10 August 2020) referring conviction to the Court of Appeal: https://gazette.govt.nz/notice/id/2020-ps3636 Judgment holding that the Ground of Appeal as to identification to be considered at the hearing: [2022] NZCA 204</p>	
Wednesday 12 June	<p>CA450/2020 Scott WATSON (N P Chisnall KC, K H Cook, H Z Krebs, L A Elborough) v The King (M F Laracy, S C Baker, L C Hay) Governor-General Reference in respect of Conviction – Life imprisonment with an MPI of 17 years</p> <p>Heron J T No. 2693/98 Appeals in 384/99 & 507/99 dismissed on 8 May 2000 – Richardson P, Thomas Gault J, Henry J</p> <p>Order in Council (10 August 2020) referring conviction to the Court of Appeal: https://gazette.govt.nz/notice/id/2020-ps3636 Judgment holding that the Ground of Appeal as to identification to be considered at the hearing: [2022] NZCA 204</p>	
Thursday 13 June	<p>CA450/2020 Scott WATSON (N P Chisnall KC, K H Cook, H Z Krebs, L A Elborough) v The King (M F Laracy, S C Baker, L C Hay) Governor-General Reference in respect of Conviction – Life imprisonment with an MPI of 17 years</p> <p>Heron J T No. 2693/98 Appeals in 384/99 & 507/99 dismissed on 8 May 2000 – Richardson P, Thomas Gault J, Henry J</p> <p>Order in Council (10 August 2020) referring conviction to the Court of Appeal: https://gazette.govt.nz/notice/id/2020-ps3636 Judgment holding that the Ground of Appeal as to identification to be considered at the hearing: [2022] NZCA 204</p>	

Date	Permanent Court, Wellington, Courtroom 1 Court: French J, Courtney J, Thomas J	Permanent Court, Wellington Courtroom 2
Friday 14 June	<p>CA450/2020 Scott WATSON (N P Chisnall KC, K H Cook, H Z Krebs, L A Elborough) v The King (M F Laracy, S C Baker, L C Hay) Governor-General Reference in respect of Conviction – Life imprisonment with an MPI of 17 years</p> <p>Heron J T No. 2693/98 Appeals in 384/99 & 507/99 dismissed on 8 May 2000 – Richardson P, Thomas Gault J, Henry J</p> <p>Order in Council (10 August 2020) referring conviction to the Court of Appeal: https://gazette.govt.nz/notice/id/2020-ps3636 Judgment holding that the Ground of Appeal as to identification to be considered at the hearing: [2022] NZCA 204</p>	

COURT OF APPEAL FIXTURE LIST – JUNE 2024

Circuit Week: Monday 17 June to Friday 21 June

Date	Divisional Court – Wellington, Courtroom 1 Court: Cooke J, Venning J, van Bohemen J	Divisional Court – Auckland, Courtroom 2 Court: Katz J, Brewer J, Downs J
<p>Monday 17 June</p>	<p><u>CA552/2023</u> Elizabeth Watson (D M Fraundorfer, N J Scott) v Lei Zhou & Anor (J T Wollerman, D A Fry) Gendall J [2023] NZHC 2328 <i>Appeal and cross-appeal from High Court judgment on claims for mistake and misrepresentation relating to the purchase of a home with significant leaks.</i></p>	<p><u>CA443/2023</u> Sunbow Investment Limited (J Marcetic, J W Graham, T F Cleary, N Whittle) v Sunbow Limited (in liquidation) & Ors (R A Idoine, J L Land, D M Hughes, G Caro) Tahana J [2023] NZHC 1730 <i>Whether settlement agreement arguably entered under duress so as to preclude judgment by formal proof.</i></p> <p><u>CA562/2023</u> Jay Bath (T Nelson, H K Patel, V Harkisan) v Anna Kataraina Whakaruru and Sonny Marupo Whakaruru as trustees of the Sonny and Anna Whakaruru Family Trust (J C Loh, R Rao) Sussock AJ [2023] NZHC 2474 <i>Appeal from High Court decision entering summary judgment against defaulting purchaser.</i></p>
<p>Tuesday 18 June</p>	<p><u>CA610/2023</u> Vashneel CHAND (R A Harrison, A L Pinnock) v The King Conviction and Sentence – 2 years and 3 months imprisonment Turner DCJ</p> <p><u>CA601/2023</u> Pierre John PARSONS (A J Bailey) v Chief Executive of the Department of Corrections Extended Supervision Order – 10 Years Extended Supervision Dunningham J</p> <p><u>CA708/2023</u> Niklas GEBHARDT (G H Vear, E E Mcclay) v The King Conviction and Sentence – 5 years imprisonment and 7 year disqualification from driving after release from prison Doogue J</p> <p><u>CA748/2023</u> The King v Edmond Te Raupo APANUI (Q Duff) Costs – \$28,600.00 arising from failure to disclose and \$5640.75 for respondent counsel's costs Winter P DCJ</p> <p><u>CA108/2024</u> P (T J Jackson, J B Lovely) v The King Pre-trial ruling: Propensity of evidence and s 44 application Savage DCJ</p>	<p><u>CA534/2023 & CA539/2023 (to be heard together)</u> <u>CA534/2023</u> Yuhong (Catherine) Gao (A Johnson, O Collette-Moxon) v Karen Kayan Li & Ors (A M Parlane, N J Scampion, C Jiang, J A Barrow)</p> <p><u>CA539/2023</u> Lam Yeung (N J Scampion, J A Barrow, C Jiang) v Karen Kayan Li & Ors (A M Parlane, O V Collette-Moxon, A Johnson) Fitzgerald J [2023] NZHC 1373 <i>Appeal from High Court decision granting leave to bring representative proceedings against the appellant.</i></p>

Date	Divisional Court – Wellington, Courtroom 1 Court: Cooke J, Venning J, van Bohemen J	Divisional Court – Auckland, Courtroom 2 Court: Katz J, Brewer J, Downs J
Wednesday 19 June	<p><u>CA723/2023</u> Damien Mitchell Grant and Adam Stevenson Botterill as Liquidators of Ormiston Rise Limited (In Receivership and Liquidation) And Anor (K A Cocks, F Tuteja) v Arena Alceon NZ Credit Partners, LLC And Anor (J Caird, S L Hawksworth) Gardiner AJ [2023] NZHC 3048 <i>Appeal against High Court decision that a liquidators powers under s 261 of The Companies Act 1993 cannot be exercised extra-territorially.</i></p> <p><u>CA26/2021</u> Ohn KHON (A M S Williams) v The King Sentence – 13 years and six months' imprisonment, with a 50% MPI of imprisonment Zohrab DCJ</p>	<p><u>CA524/2023</u> QBE Insurance (Australia) Limited (S D Galloway, A J Peat, D H Mclellan KC) v John Timothy Davern and Marita Davern & Anor (D J Cooper Kc, J M Kim, P Smith, V Ma) Osborne J [2023] NZHC 2146 <i>Appeal from High Court decision on liability of Hawkins companies' insurer for increased costs of remedial works for earthquake damage.</i></p>
Thursday 20 June	<p>Divisional Court – Wellington, Courtroom 1 Court: Collins J, Venning J, van Bohemen J</p> <p><u>CA28/2024</u> The Commissioner of the New Zealand Police (E M Ferrier, S Deng) v Tereva David Akavi Isac J [2023] NZHC 3449 <i>Appeal from High Court formal proof decision in relation to profit forfeiture under the Criminal Proceeds (Recovery) Act 2009.</i></p> <p><u>CA455/2023</u> Thomas William MACDONALD (R Harrison) v The King Conviction – 3 years imprisonment Barkle DCJ</p> <p><u>CA19/2024</u> Kaelib HANSEN (S Thode) v The King Sentence – 2 years 9 months imprisonment Tomlinson DCJ</p> <p><u>CA105/2024</u> James GRACE (A C Cresswell) v The King Application for extension of time to appeal Sentence – Preventive Detention with a minimum period of imprisonment of 5 years R Young J</p>	<p><u>CA524/2023</u> QBE Insurance (Australia) Limited (S D Galloway, A J Peat, D H Mclellan KC) v John Timothy Davern and Marita Davern & Anor (D J Cooper Kc, J M Kim, P Smith, V Ma) Osborne J [2023] NZHC 2146 <i>Appeal from High Court decision on liability of Hawkins companies' insurer for increased costs of remedial works for earthquake damage.</i></p> <p><u>CA313/2023</u> T (R M Mansfield Kc) v The King Conviction – 12 Months Home Detention, 100 Hours Community Work Glubb DCJ</p> <p><u>CA454/2023</u> H (M J Taylor-Cyphers, G D Burns) v The King Sentence – 11 Years Imprisonment Mabey DCJ</p>
Friday		

COURT OF APPEAL FIXTURE LIST – JUNE 2024

Circuit Week: Monday 24 June to Friday 28 June

Date	Divisional Court – Wellington, Courtroom 1 Court: Palmer J, Brewer J, Downs J	Divisional Court – Auckland, Courtroom 2 Court: Ellis J, van Bohemen J, Hinton J
<p>Monday 24 June</p>	<p><u>CA440/2023</u> T (E Huda, S C Kim) v The King Conviction – 7 Years 6 Months Imprisonment MacDonald DCJ</p> <p><u>CA437/2021</u> H (H G de Groot) v The King Conviction and sentence - 6 years and 3 months' imprisonment Butler DCJ</p> <p><u>CA767/2023</u> M (K H Cook, D M Kirby) v The King Pre-trial ruling – admissibility of evidence Eaton J [2023] NZHC 3155</p>	<p><u>CA378/2023</u> H (N M Dutch) v The King Conviction and Sentence – 9 years and 5 months imprisonment Saunders DCJ</p> <p><u>CA766/2023</u> Laeton Wiremu LACEY (S I Mills, J W Howell) v The King Conviction – 9 years 9 months imprisonment Paul DCJ</p> <p><u>CA736/2023</u> A (G J Foley) v The King Sentence – 5 years and 1 month imprisonment with a minimum period of 45% Jelas DCJ</p> <p><u>CA263/2024</u> M (R M Mansfield KC) v The King Suppression Brewer J</p> <p><u>CA246/2024</u> Donna DODDS (G D Burns) v The King Sentence – 1 year 2 months imprisonment Lang J</p>
<p>Tuesday 25 June</p>	<p><u>CA358/2023</u> Bruce Timothy MILLS (G H Vear) v The King Conviction – 3 years' imprisonment Collins DCJ</p> <p><u>CA50/2024</u> Peter David FLAVELL (R B Keam) v The King Sentence – 5 years 9 months imprisonment Hollister-Jones DCJ</p>	<p><u>CA716/2023 – 1.5 hrs</u> Joe TUIMAVELE (W D Mckean, T W Luders) v The King Conviction – 3 years imprisonment de Ridder DCJ</p> <p><u>CA269/2023 – 1.5 hrs</u> Matthew WILCOX (D Stevens) v The King Conviction and Sentence – 11 years and 6 months imprisonment Gibson DCJ</p> <p><u>CA154/2024 – 1.5 hrs</u> D (S J Gray) v The King Conviction – 9 months imprisonment Matenga DCJ</p>

Date	Divisional Court – Wellington, Courtroom 1 Court: Palmer J, Brewer J, Downs J	Divisional Court – Auckland, Courtroom 2 Court: Ellis J, van Bohemen J, Hinton J
Wednesday 26 June	<p><u>CA341/2019</u> H (R M Mansfield KC, B M Gloyn) v The King Application to recall judgment [2020] NZCA 464 Gilbert J, Thomas J, Dunningham J</p> <p><u>CA586/2022</u> Richard Wade BOWMAN (N M Dutch) v The King Conviction and sentence - 14 years imprisonment Fitzgerald J; Harding DCJ</p> <p><u>CA293/2024</u> B (P N Allan) v The King Application for leave and appeal against pre-trial ruling: Admissibility of Evidence and amendment of charges Zohrab DCJ</p>	<p><u>CA502/2023</u> Nicholas NODA (C G Farquhar) v The King Sentence – 4 years 10 months imprisonment Moses DCJ</p> <p><u>CA472/2023</u> Lai Janice TOY (A J Hamblett) v The King Conviction and Sentence – 2 years intensive supervision, \$3,000.00 Reparation to the Royal New Zealand SPCA, and 5 years disqualification from being the owner of, or exercising authority in respect of animals S Clark DCJ</p> <p><u>CA131/2024</u> K (J P R Scott) v The King Pre-trial ruling T R Bayley DCJ</p> <p><u>CA157/2024</u> K (J Rhodes) v The King Bail Johnstone J [2024] NZHC 615</p>
Thursday 27 June	<p>Divisional Court – Wellington, Courtroom 1 Court: Cooke J, Brewer J, Downs J</p> <p><u>CA704/2023</u> W (N P Chisnall KC) v The King Conviction and Sentence – 14 Years and 5 Months Imprisonment Jagose J</p> <p><u>CA678/2023</u> Joshua James JEFFARES (D B Stevens) v The King Conviction – 2 months community detention Davenport DCJ</p> <p><u>CA49/2023</u> Ian Frank VERCOE (A J D Bamford) v The King Conviction – 3 years 6 months imprisonment Ruth DCJ</p>	<p><u>CA20/2024, CA25/2024 & CA26/2024 (to be heard together)</u></p> <p><u>CA20/2024</u> W (Y Mortimer-Wang) v The King</p> <p><u>CA25/2024</u> H (M A Corlett KC, Y Mortimer-Wang) v The King</p> <p><u>CA26/2024</u> C (M A Corlett KC, S M Lowery) v The King Costs Gault J</p> <p><u>CA805/2023 & CA7/2024</u> <u>CA805/2023</u> Jimel Desma Tiana BURNS-WONG-TUNG (R M Mansfield KC, H C Stuart) v The King Conviction and Sentence – Life Imprisonment with Minimum Period of Imprisonment of 15 Years</p> <p><u>CA7/2024</u> Tago Kapa HEMOPO (D J Dufty) v The King Conviction – 2 Years Imprisonment Muir J</p>
Friday	<u>MATARIKI OBSERVED</u>	<u>MATARIKI OBSERVED</u>