

CHIEF JUSTICE OF NEW ZEALAND | TE TUMU WHAKAWĀ O AOTEAROA

Annual Report

For the period

1 JANUARY 2020 TO 31 DECEMBER 2021

This report is published by Te Tari Toko i te Tumu Whakawā | The Office of the Chief Justice and is available at www.courtsofnz.govt.nz. This material is able to be copied, distributed and adapted without seeking permission, if it is properly attributed. Please contact courtsnzwebsite@courts.govt.nz if you have any questions regarding reuse of material from this report. Other enquiries can be directed to officeofthechiefjustice@courtsofnz.govt.nz. March 2022



Contents

INTRODUCTION	2
PART ONE: THE JUDICIAL BRANCH OF GOVERNMENT Judicial leadership	2
Judicial and executive roles in court administration The judges	1
PART TWO: COVID-19 AND THE COURTS	2
PART THREE: THE WORK OF THE COURTS	26
Outline of the court system	27
Criminal justice Civil justice	29 39
Appellate courts	45
Open justice and engagement	49
PART FOUR: PACIFIC AND INTERNATIONAL ENGAGEMENT	52
APPENDIX 1 – STATEMENT OF PRINCIPLES	56
APPENDIX 2 - CURRENT JUDGES AND JUDICIAL OFFICERS	60
APPENDIX 3 - RETIRED JUDGES AND JUDICIAL OFFICERS	72
APPENDIX 4 - PILOT SPECIALIST COURTS	73
APPENDIX 5 - REFERENCES AND FURTHER INFORMATION	75





Introduction

Tēnā koutou,

This report provides information about the operation of the courts, and about the judiciary. It gives an account of the challenges the courts have faced over the last two years and those that lie ahead, and our plans to meet those challenges. The report is the first of what I intend to be regular reports, the purpose of which is twofold. First, to be transparent about the processes of judicial administration – that is, the work judges do behind the scenes to support the administration of justice in New Zealand. Secondly, the report is intended to allow a judicial perspective to contribute to the important discussions that are taking place about New Zealand's justice system.

It is the core task of the judiciary to uphold the rule of law. The rule of law is the ideal that all are equal before the law. For that ideal to be served, hearings have to be conducted in ways that enable all to fully participate, no matter their ethnicity, culture, disability, means or educational status. It also requires that the law is developed and applied with knowledge of the needs of all in our society, so that

it is fit to provide just outcomes. This then requires court processes that are able to deliver just outcomes for victims, defendants and wider society alike, and judges with the knowledge, experience and support needed to provide those just outcomes.

In this report I outline work under way to ensure that the courts and the judiciary play this key role in upholding the rule of law. In doing so, I acknowledge the work the Ministry of Justice does to support the judiciary. In our model of courts administration, the judges rely upon the Ministry of Justice to provide the courthouses, people and technology needed. The judiciary's working relationship with the Ministry of Justice is therefore critical. The division of responsibility between the judiciary and the Ministry for the operation of the courts is explained on page 8 of this report.

This report also outlines the work under way with the Ministry of Justice to improve court processes, in order to reduce delay in the face of an increasing and increasingly complex workload. A particular challenge we confront in this regard is the absence of an effective digital operating model. The courts continue to operate with paper files. This makes efficient management of the courts' workload difficult, is a constraint upon innovation, and creates a risk of critical events and deadlines being missed for those who are involved in proceedings. Investment in technology to support a digitally based operating model is a high priority.

Notwithstanding this very considerable constraint, work is under way with the Ministry of Justice to improve the responsiveness of our processes to the particular needs of those who come before the courts. This work includes Te Ao Mārama, a judicialled initiative in the District Court which brings into the mainstream the best practices that have been established in specialist courts such as the Young Adult, Family Violence, Sexual Violence, Matariki, Rangatahi, Pasifika, and Alcohol and Other Drug Treatment Courts.

It is important that the courts are affordable to all those who need the protection of the law or to resolve disputes. It is also vital that all those who come before the courts, for whatever reason, receive a fair hearing. This requires them to be able to participate meaningfully. On page 47 some of our work to improve access to civil justice is described. The Rules Committee, a statutory body made up of representatives of the judiciary, executive and legal profession, is leading work to simplify procedures to make the courts more accessible in the civil jurisdiction. Lack of legal representation is, however, another considerable barrier to access to justice. Many in our society cannot afford legal representation. The legal aid system is designed

to assist those with limited means to afford legal representation when they are in legal need. That system has broken down, leading to increasing numbers of unrepresented before our courts and, we can be sure, many more who are unable to seek legal redress for wrongs.

This report also contains information about the judges. Judges are called upon to make decisions that have profound impacts on the lives of those before them, and on whānau and communities. Society is entitled to expect that judges will be people of the highest integrity and ability, and that they will have good understanding of the society they serve. There is legitimate public interest in who our judges are, and this report contains information about the judiciary, in terms of background, ethnicity and work experience.

It is also important that the judiciary as a whole is reflective of the society it serves. Responsibility for judicial appointments rests with the executive. Nevertheless, the judiciary recognises a responsibility to highlight the importance of diversity in appointments, and to encourage lawyers from a diverse range of backgrounds to seek judicial appointment. The report describes the work under way in that regard at pages 13–15.

The work judges are required to do is varied and demanding. To do this work, judges need to be lifelong learners. The work of Te Kura Kaiwhakawā | the Institute of Judicial Studies, which provides educational support to judges, is explained in pages 18–19.

One of the foremost duties of a judge is to provide a fair hearing. That requires that people who come into the courts are treated with respect and dignity so they are able to participate in and understand the proceedings, and it requires that judges act impartially. The standards of judicial conduct which exist to guide judges as to appropriate behaviours, and also the complaints mechanisms that exist for those who believe that judges have fallen short of those standards, are set out on page 20.

The period of time covered by the review is one that has been dominated by COVID-19. The judiciary has worked with the Ministry of Justice in planning the courts' response to COVID-19. For a significant period in the two years under review the courts were unable to conduct face-to-face hearings, using instead technology that has enabled remote appearances. In this report, there is information about how the courts' response was organised.

Finally, I wish to express my gratitude to the judiciary, court staff, the Ministry of Justice, the profession and all others who work in the court system for their efforts to ensure access to justice for all New Zealanders.

Hei konā mai i roto i āku mihi,

Helen Winkelmann

Chief Justice | Te Tumu Whakawā

HO LONG

PART ONE

The judicial branch of government

Judicial leadership

The Chief Justice is the head of the judiciary, which is the third branch of government. She is the principal spokesperson for the judiciary and the principal point of interface between the judiciary and the executive.

The Chief Justice is ultimately responsible under the Senior Courts Act 2016 for the orderly and efficient conduct of the business of the High Court, Court of Appeal and Supreme Court.

All courts are headed by a Chief Judge or Principal Judge who has statutory responsibility for the business of their court or courts.

The Chief Justice chairs the Heads of Bench Committee, which is made up of the chief or principal judges of each of the courts and supported by senior judicial office officials. It is the key decision-making body for judicial administration and for the third branch of government.



ABOVE: Heads of bench.

From bottom: Chief Justice Helen Winkelmann, Justice Stephen Kós, Chief Judge Christina Inglis, Justice Susan Thomas, Chief Judge Heemi Taumaunu, Chief Judge Kevin Riordan, Judge John Walker, Judge Jackie Moran.

Not pictured: Chief Judge Wilson Isaac, Chief Judge David Kirkpatrick, Judge Deborah Marshall.

Heads of bench as at 31 December 2021



Chief Justice Helen Winkelmann Chief Justice and head of the Supreme Court



Judge Jackie MoranPrincipal Family Court Judge



Chief Judge David Kirkpatrick Chief Environment Court Judge



Justice Stephen KósPresident of the Court of Appeal



Judge John WalkerPrincipal Youth Court Judge



Judge Deborah Marshall Chief Coroner



Justice Susan ThomasChief High Court Judge



Chief Judge Wilson Isaac Chief Judge of the Māori Land Court and Chair of the Waitangi Tribunal



Chief Judge Kevin Riordan
Chief Judge of the Court Martial
of New Zealand and Judge
Advocate General of the Armed
Forces of New Zealand



Chief Judge Heemi Taumaunu Chief District Court Judge



Chief Judge Christina Inglis Chief Judge of the Employment Court



ABOVE: The leaders of the branches of government (with the Governor-General) on the occasion of the swearing-in of the new Governor-General, Dame Cindy Kiro, 21 October 2021.

From left: Prime Minister Jacinda Ardern, Governor-General Dame Cindy Kiro, Chief Justice Helen Winkelmann, Speaker of the House of Representatives Trevor Mallard.

Support for the third branch of government

Two offices – Te Tari Toko i te Tumu Whakawā | The Office of the Chief Justice and the Office of the Chief District Court Judge | Te Whare o Ngā Kaihautū o te Waka o Te Kōti-ā-Rohe o Aotearoa – provide institutional assistance to the heads of bench to enable the judiciary to function as an independent branch of government. The offices provide strategic, advisory, communications, administrative and operational support across a wide range of functions. The offices work at the constitutional interface between the judiciary and the executive, giving practical effect to partnership arrangements through the work of key committees.

Some areas the heads of bench oversee include:

- » Continuing education and development support for New Zealand judges;
- The development of proposals to improve court processes to reduce the burden and inefficiencies across the system;
- » The development and delivery of a shared work programme with the Ministry of Justice; and
- » Responses to unforeseen events such as the COVID-19 pandemic.



Judicial and executive roles in court administration

The judiciary relies on the Ministry of Justice to provide courthouses, staff, technology and all other operating systems necessary to support the operation of the courts. Although Registry staff are employed by the Ministry of Justice, the judiciary are responsible for the direction and supervision of those staff in relation to the business of the courts. This approach to court administration is called a mixed model, because responsibility for the courts' operation is shared between the judiciary and the executive. This model must operate in a way that both supports the independence of the judiciary and ensures the best use of public funds to ensure the courts' safe and effective operation.

The basic framework and principles that underpin this model of courts administration are set out in the Statement of Principles observed by Judiciary and Ministry of Justice in the Administration of the Courts reproduced in **Appendix 1**. As explained in the Statement, the judiciary and Ministry take a partnership approach to planning for the courts. The Courts Strategic Partnership Group (CSPG) was

formed in 2019 and provides a strategic forum where senior judges and senior leaders in the Ministry can work together with a commitment to building an effective partnership between the two branches of government. This committee is the critical formal interface between the Ministry of Justice and the judiciary.



The judicial branch of government is administered by committees. The judiciary does not have a large staff to support the operational aspects of the courts for which they are primarily responsible, nor to support judicial led initiatives. Its committees, comprised largely or in part by judges, therefore perform critical operational and strategic functions.

The heads of bench have developed a strategic plan for the judiciary which covers access to the courts, connection of courts to communities, judicial wellness, and development of judicial and court support.

Committees also enable the judiciary and the Ministry of Justice to give effect to their shared responsibilities as set out in the Statement of Principles. Some committees operate entirely on the judicial side of the partnership, while others are shared with the Ministry of Justice.

PRINCIPAL JUDICIAL COMMITTEES

These committees are principally comprised of judges.

- » The cross-court Legislation and Law Reform Committee provides the Chief Justice and heads of bench with advice and recommendations on legislation and other law reform proposals that have implications for the operation of the courts and the judiciary.
- » Te Awa Tuia Tangata | Judicial Diversity Committee is developing an approach, within the powers of the judiciary, to increase the diversity and inclusivity of the judiciary.
- » Tomo Mai | Inclusive Workplace and Courtrooms Committee is looking at ways to reduce barriers to participation in the courts for litigants, practitioners, judges, staff and other interested parties. As a first step, it is currently consulting on the Court Guidelines for Practitioners.
- » The governing board of Te Kura Kaiwhakawā | Institute of Judicial Studies directs the educational programme and the development of judicial resources for most courts.

SHARED COMMITTEES

Committees made up of judges, registry or Ministry of Justice staff and, on occasion, members of the legal profession consider strategic and operational matters. The key strategic committee is the Courts Strategic Partnership Group mentioned above. Other committees are described below.

- » The Judicial Reference Group for Technology in Courts is the committee through which judges provide input into operational information technology projects. They also work with the Ministry on the preservation and enhancement of judicial control and supervision of court and judicial information in the Information Governance Committee. And they have been working with the Ministry on ensuring that hearings can be held online during the COVID-19 pandemic in the Pandemic Online Courts Committee.
- » The Judicial Libraries Management Board guides the acquisition and provision of online and hard copy research materials for judges.
- » Huakina kia Tika | Open Justice Committee focuses on ways to increase public access to the courts via websites, audio-visual links and access to information.

- » The Media in Courts Committee reviews the arrangements to facilitate news media reporting of the courts and provides a forum for the judiciary, media and the Ministry of Justice to discuss related issues such as access to court records.
- » The Rules Committee is a statutory body which includes judges, senior law officers, Ministry staff and members of the profession. The committee has responsibility for making rules concerning civil and criminal procedure for most courts.
- » The Criminal Practice Committee reviews matters of criminal practice and procedure, recommending appropriate changes. Its membership comprises justice sector departmental representatives, members of the legal profession, and judges from the criminal trial and appellate courts.
- » Each court also has a management committee or arrangements where judges and staff oversee the operation of the court and its workload.

PANDEMIC COMMITTEES

A number of joint committees have been set up during the pandemic to address health and safety in courthouses, the provision of remote participation technology, engagement with the legal profession, and approaches to case management following lockdowns. These include the Pandemic Emergency Response Committee, the Pandemic Online Courts Committee, the Professional Liaison Group and the Criminal Trials Committee. The Professional Liaison Group, chaired by the Chief Judges of the High and District Courts, has been an important forum in which the profession has been able to contribute views on how the courts can safely operate during the pandemic.



The judges

Appointments

Judges and judicial officers are appointed by the Governor-General who acts on the advice of the Attorney-General.¹ The Attorney-General consults with the Chief Justice for appointments to the senior courts, and with the relevant head of bench for appointments to other courts. The criteria for appointment to each court differ according to the court's particular needs, but all candidates for judicial appointment are broadly assessed on their legal ability, personal qualities of character (including honesty, integrity, open-mindedness, impartiality and courtesy), technical skills (such as communication, mental agility and organisational skills), and contribution to ensuring the court reflects the community it serves. There is protocol setting out the process and criteria for appointment to the senior courts on the Crown Law website.

The protocols for the process and criteria for appointment to the District Court and information on statutory vacancies can be found on the Ministry of Justice website.



ABOVE: Justice Layne Harvey receiving te hoe ākau (steering paddle), Tōangaroa, on the occasion of his swearing-in as a Judge of the High Court. Te hoe was gifted by former Associate Judge Roger Bell, to be passed to each new judge joining the Auckland High Court.

Justice Harvey was sworn-in on 25 November 2021 at the Rotorua Māori Land Court, in the first bilingual High Court swearing-in ceremony in Aotearoa.

¹ Except in the case of the appointment of the Chief Justice, in which case the Governor-General acts on the advice of the Prime Minister.





ABOVE: Justice William Young presiding over a Call to the Inner Bar ceremony for Kerryn Beaton QC at the Christchurch High Court, 3 December 2021.

Due to the COVID-19 pandemic, some Queens Counsel attended this ceremonial sitting via remote participation.

(Credit: Neil Macbeth)

Through this process, heads of bench work with the Attorney-General to promote diversity among those appointed to the bench. Diversity on the bench – in terms of gender, ethnicity, socio-economic background, and life experience – is important for several reasons. Diversity ensures richness of thought and experience in the judiciary, which can contribute to the development of the law. It is also important that the judiciary are seen to be broadly reflective of the society they serve.

WORK TO ENHANCE JUDICIAL DIVERSITY

The judiciary recognises a responsibility to highlight the importance of diversity in appointments, and to encourage lawyers from a diverse range of backgrounds to seek judicial appointment. For that reason, heads of bench formed Te Awa Tuia Tangata | the Judicial Diversity Committee, to drive change towards achieving an optimally diverse judiciary across all courts in Aotearoa. The first step is to understand the current make-up of the judiciary. In October 2021, Te Awa Tuia Tangata conducted a survey of current judges across all courts. The survey was designed to provide a comprehensive basis for assessing where any diversity gaps might be and to enable progress to be measured in the future. The survey results will inform workstreams across the judiciary, and with external stakeholders, to address identified barriers and to support enhanced judicial diversity.



ABOVE: The first all-female sitting of the Full Bench of the Employment Court, 13 October 2020.

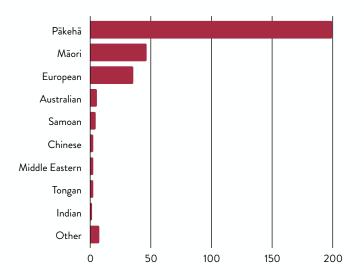
From left: Judge Joanna Holden, Chief Judge Christina Inglis, Judge Kathryn Beck.

Judicial diversity survey

In October 2021, 258 judges out of approximately 310 judges responded to the Judicial Diversity Survey.

ETHNICITY AND GEOGRAPHY

Judges identified with these ethnicities (some more than one):



Origins



26 immigrated to NZ



44 have 1 parent who immigrated to NZ

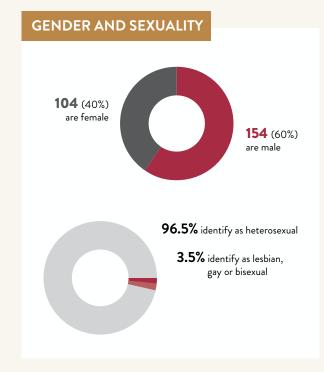


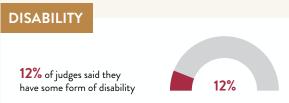
31 have 2 parents who immigrated to NZ

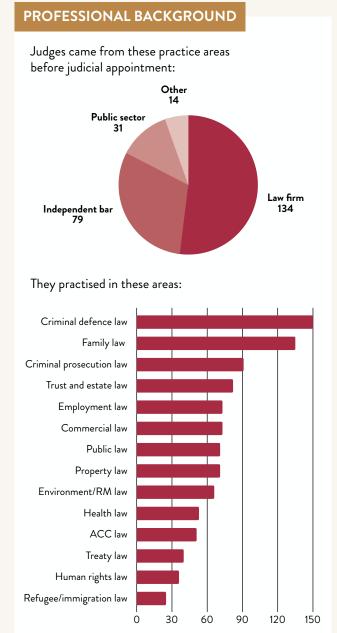
Urban vs rural



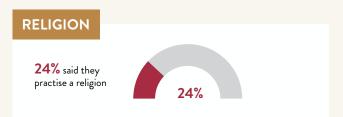
1 in 6 grew up in rural New Zealand







FAMILY BACKGROUND This is used as an indicator of socio economic background. 15% have two 22% have one parents who did not parent who did not finish secondary finish secondary school school 47% have two 9% have a parent parents who were who was a lawyer not university or judge



educated

Judicial workforce

A list of all sitting judges and judicial officers for the period reviewed can be found in **Appendix 2**. Judges who retired during the period are listed in **Appendix 3**.

As at 31 December 2021 there were 312 judges and more than 220 judicial officers presiding in New Zealand's court system.² The numbers by court are as follows:

Supreme Court Te Kōti Mana Nui	Six judges One acting judge
Court of Appeal Te Kōti Pīra	10 judges
High Court Te Kōti Matua	41 judges Four acting judges Seven associate judges
District Court Te Kōti-ā-Rohe	176 judges ³ 41 acting warranted judges 15 community magistrates Over 170 judicial justices of the peace (JJPs)
Te Kooti Whenua Māori Māori Land Court and Te Kooti Pīra Māori Māori Appellate Court	13 judges
Employment Court Te Kōti Take Mahi	Five judges
Environment Court Te Kōti Taiao	Six judges Nine alternate judges ⁴ 12 environment commissioners Four deputy environment commissioners
Coroners Court Te Kōti Kaitirotiro Matewhawhati	17 coroners Eight relief coroners⁵
Court Martial Te Kōti Whakawā Kaimahi o Te Ope Kātua	Three judges
Court Martial Appeal Court Te Kōti Pīra Whakawā Kaimahi O Te Ope Kātua	One judge

³ Including judges performing special roles (such as Children's Commissioner or Chief Coroner), but excluding Environment Court judges.

⁴ Alternate judge is the terminology used in the Resource Management Act for "acting judge".

⁵ Relief Coroners perform the same role and functions as a Coroner, but work on a part-time basis and are appointed for a five-year renewable term.

² Some judges and judicial officers hold more than one position or sit in more than one court.

Judicial support

Judges are directly supported by associates or personal assistants who provide executive management and administrative support and by clerks or research counsel who conduct legal research to assist judges in their work. The Ministry of Justice also provides high quality library services. In the senior courts during 2020/21 new roles to support clerks and associates' training, their development, management and wellbeing were put in place from April 2021.

Judicial wellbeing

The work of a judge is demanding, and judges carry weighty responsibility. The decisions they make impact upon people's lives and liberty. They also must manage high workloads. In the course of their work, many are exposed to distressing material.

In recent years, heads of bench have looked for ways to mitigate the stress that inevitably comes with the role, and to promote and support mental wellbeing in the judiciary.

In 2020 the Chief Coroner undertook an inquiry into the cause and circumstances of the sudden death of a District Court Judge. As part of her investigation she sought advice from clinical psychologist Jacqui Maguire about what can be put in place in high-stress work environments to manage stress, identify those experiencing psychological distress and support those in need.

Ms Maguire made several observations about the unique forms of stress to which judges are subject, including high workload, exposure to traumatic materials, professional isolation, limited management support, and a culture and expectation of high performance. She provided a set of recommended steps the courts could take to address these stressors. The Chief Coroner directed that Ms Maguire's observations and recommendations be referred to the Chief Justice, Chief District Court Judge and Secretary of Justice.

The District Court already had a judicial wellbeing programme under development. This work included establishing a pastoral support panel, and providing education on the risks of vicarious trauma, the signs of stress, and the support available to judges.

Building on this, in late 2020 the District Court launched its wellbeing framework, Mauri $T\bar{u}$ | Judicial Wellness Programme. This framework:

- » encourages judges and other judicial officers to develop skills to support their mental, physical and emotional wellbeing;
- » extends existing entitlements to confidential health and counselling services; and
- » establishes a pastoral response protocol for judges and other judicial officers needing urgent support, including critical incident and trauma support.

Since then, all heads of bench have agreed in principle to adopt this programme in some version across all benches. For example the High Court established its Tāwera Committee which focuses on health and wellbeing, workflow management, and career progression and opportunities.

Judicial education

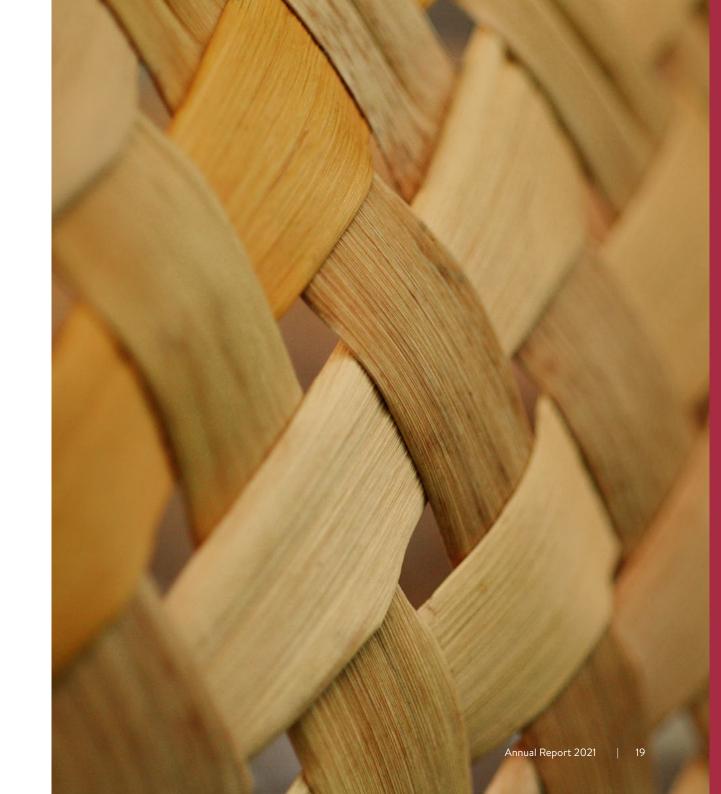
Judicial education and professional development is provided to the judiciary throughout their judicial careers by Te Kura Kaiwhakawā | The Institute of Judicial Studies. Te Kura is a judge-led organisation which supports continuing learning programmes organised by each court centre and provides programmes directly to judges, including courses and updates. Its programmes are designed to support legal professionals' transition to the bench, to teach core skills, to provide updates on developments in the law, and to challenge and engage judges at all stages of their judicial careers.

Judges are educated on an ongoing basis in the skills needed to ensure that they can provide fair hearings and make just decisions in accordance with law. Core courses cover subject areas including decision-making processes, evidence law, trial procedure law, judgment-writing and delivery, and courtroom management.

Other core components of the curriculum support judges' understanding of social structures within New Zealand society, and the diverse ethnic and cultural backgrounds of those who come before the courts. Te Kura provides education on mental health, neuro-diversity, and linguistic deficits that affect many court participants, making it difficult for them to engage with a hearing and potentially having implications for culpability and sentence. Judges learn about the impacts of trauma, about the dynamics of sexual and family violence, and how these can affect the behaviour of complainants and witnesses.

Tikanga and te reo Māori are core parts of the judicial education curriculum. Tikanga continues to regulate and guide whānau, hapū and iwi in their everyday lives and is important social context for judges to understand. Statutes increasingly incorporate tikanga concepts into law and tikanga has been recognised as part of the fabric of the common law in New Zealand.

Te Kura also provides key written resources for judges. It publishes a suite of online bench books that provide guidance for carrying out judicial functions, prepared under the oversight of judicial committees. The newest resource by Te Kura is Kia Mana te Tangata – Judging in Context: A Handbook. The title of the handbook was chosen for its recognition of human dignity. It provides judges with guidance on ways to ensure that all who come to court are provided with a fair hearing regardless of their means or abilities, sexuality, age, gender identity, culture or ethnicity.



Judicial standards of conduct

The judiciary has set standards of conduct in the Guidelines for Judicial Conduct. These emphasise the importance of judicial independence and impartiality, and the high standard of behaviour expected of judges, both in the courtroom and in their personal lives.

There are processes available to those who wish to raise concerns that a judge has failed to meet an appropriate standard of conduct:

» The primary mechanism for dealing with complaints of judicial misconduct is through the independent office of the Judicial Conduct Commissioner, established under the Judicial Conduct Commissioner and Judicial Conduct Panel Act 2004. That Act sets out a process for investigating complaints about judicial conduct and for removal of a judge from office for serious misconduct. The Act's processes are designed to ensure that judicial independence and natural justice are protected and observed.

- » The judiciary and the New Zealand Law Society have also agreed on an informal process for dealing with concerns about judges' conduct in court (available on the Courts of New Zealand website). This process was created because of feedback from the legal profession that practitioners often do not wish to invoke the formal complaints process available under the Judicial Conduct Commissioner and Judicial Conduct Panel Act 2004, and would prefer to have complaints dealt with anonymously.
- » Finally, the judiciary has established a policy under which registry or Ministry of Justice staff members can raise concerns or can complain regarding judicial bullying or harassment. Work is progressing on a complementary policy for judicial officers (including community magistrates and judicial justices of the peace), led by the Office of the Chief District Court Judge | Te Whare o Ngā Kaihautū o te Waka o Te Kōti-ā-Rohe o Aotearoa.

PART TWO

COVID-19 and the courts

Guiding principles for court operations

The pandemic has brought unprecedented disruption and huge logistical challenges to New Zealand's court system. Courts are an essential service – necessary to maintain the rule of law, and to protect lives, liberty and livelihoods. But in February 2020 when the pandemic hit New Zealand, the courts had an operating model based primarily on face-to-face hearings, with only limited capacity for remote hearings. Files were held on paper, further limiting the capacity for remote hearings. Moreover, the courts do not have a digital document management system to provide for digital document storage and electronic tracking and management of case flow.

Notwithstanding these very considerable limitations, the courts have continued to function safely throughout the pandemic. The courts organised their responses around the following principles:

- 1. Courts are an essential service which must continue to operate through any level of the pandemic.
- 2. Nevertheless, the courts should take all steps available to keep safe those who work within, and who must come before, the courts.
- 3. If public health considerations restrict the operation of the courts there are certain types of priority proceedings that must be dealt with identified as those that affect the liberty of the individual, personal safety and matters that are time-critical.

- In all hearings the requirements of the New Zealand Bill of Rights Act 1990 will be met, no matter the exigency.
- 5. While public access to courthouses is restricted, the principle of open justice will be upheld by ensuring that media continue to have access to court proceedings to support public scrutiny of the justice system.
- 6. As the executive and Parliament move quickly to respond to the pandemic, the judiciary will monitor these developments to ensure its voice is heard on any change affecting the operation of the courts.

Adapting to change

Early in the pandemic, in March 2020, the judiciary moved to suspend the operation of jury trials. This decision was taken ahead of public health advice, because jury trials require jurors to sit in close proximity for long periods of time, and heads of bench considered that the courts had a responsibility to protect those who respond to a jury summons by attending at court.

Each court created a protocol that enabled it to operate safely at the various alert levels. These protocols, displayed on the Courts of New Zealand website, provided detailed information to the profession and public to ensure that those who needed to access the courts had the necessary and relevant information readily available. These protocols were developed in consultation with the Ministry of Justice and the profession. Once they were agreed, the Ministry then had to take the necessary steps to put the protocols into operation. The Ministry was often doing this under great time pressure, as alert levels shifted, sometimes at short notice. The judiciary expressed its appreciation for the outstanding work the Ministry did in this regard.

As the courts moved into and out of various public health alert levels, a basic operating model emerged. No jury trial work is done at Alert Levels 3 or 4. Hearing judge-alone criminal trials is constrained. The Ministry of Justice moved at speed to support courts to move to more remote operation, using Virtual Meeting Room technology. This has allowed many in-person appearances to be dispensed with in the criminal jurisdiction, but not all. The absence of remote technology in police stations has meant that in-person courts have continued to be conducted. This has created risks of infection. causing courthouses to be closed down for cleaning on a number of occasions, but has not, as at the date of writing this report, led to the transmission of COVID-19 within a courthouse.

A great deal of the courts' civil workload has been able to be undertaken using remote technology. The Court of Appeal has been able to do almost all of its hearings this way, during the periods of time in which public health requirements impose remote working. The Supreme Court, High Court, Employment Court, Environment Court, Māori Land Court and Waitangi Tribunal have also been able to conduct hearings, and even witness actions, using remote technology.

During 2020 in the District Court, no civil trials were held at Alert Levels 3 and 4. The High Court was able to conduct some short civil matters using remote technology at both Alert Levels 3 and 4, as the court

and the profession have become used to operating with the restrictions imposed and using remote technology. During the 2021 Delta lockdown, the District Court was able to conduct some shorter civil matters remotely.

After both the 2020 and 2021 lockdowns, jury work was able to resume at Alert Level 2 with enhanced protections in place. Only courtrooms and retiring rooms which allow for 1-metre distancing of jurors and counsel could be used. After the first lockdown the Ministry of Justice created temporary jury seats (utilising temporary seats and tables) so that spacing could be achieved in most courthouses. Perspex screens were also installed for greater protection of jurors.

Post-pandemic operating model

While extremely disruptive, the pandemic has taught us new ways of delivering justice remotely which not only can contribute to efficiency, but also has the potential to improve access to justice. The judiciary will take this experience into account when planning for the long-term operating model for the courts.



The courts' COVID-19 response timeline:

FEBRUARY 2020 - DECEMBER 2021

2020

28 February 2020

New Zealand's first COVID-19 case was recorded.

18 March 2020

Jury trials were suspended for 2 months.

19 March 2020

New Zealand's borders closed.

21 March 2020

New Zealand entered Alert Level 2.

25 March 2020

New Zealand entered Alert Level 4. Most court cases were suspended, and hearings were conducted remotely where possible. Documents were filed by email.

8 April 2020

The jury trial suspension was extended until Friday 31 July.

27 April 2020

New Zealand entered Alert Level 3. Judge-alone criminal trials resumed. The range of family and civil cases expanded. Public access to courts was limited and health precautions applied.

13 May 2020

New Zealand entered Alert Level 2, allowing for further expansion in the range of hearings. To meet physical distancing requirements, attendance by the public and whānau support persons was limited.

8 June 2020

New Zealand entered Alert Level 1.

3 August 2020

Jury trials resumed.

31 August 2020

A courts' policy on mask wearing was introduced. This followed the resurgence of the virus in Auckland and the additional health restrictions imposed. Auckland court participants were to wear masks unless a judge directed otherwise. Elsewhere in the country, at Alert Level 2 mask wearing by all those in the public areas of courthouses was "strongly encouraged".

2021

14 February to 12 March 2021

A series of regional and national alert level changes occurred. Auckland was in and out of Alert Level 3 and 2, and the rest of country was at Alert Level 2 for a period. In Auckland at Alert Level 3, work was curtailed to priority matters and jury trials ceased. Work (including jury trials) continued as normal at Alert Level 2. Public access to trials courts was again restricted to meet physical distancing requirements. Permission from the presiding judge was required for the public to enter.

23 June to 29 June 2021

Wellington spent a short period at Alert Level 2. Court work continued including jury trials in those courts that could accommodate physical distancing requirements. Public access restrictions to trial courts was re-introduced for the period.

17 August 2021

The Delta variant of COVID-19 was detected in Auckland. An Alert Level 4 lockdown was imposed nationwide. Courts revised and re-issued their Alert Level 4 protocols to concentrate on life, liberty and wellbeing work. Jury trial hearings ceased at Alert Levels 4 and 3, and media were restricted to remote access. Counsel attended via remote means wherever possible. Trial case management, and sentencing of those in custody, continued via audiovisual link technology (AVL).

31 August to 2 December 2021

Auckland was at Alert Level 3 for the whole period. Northland and part of Waikato spent periods at Alert Level 3.

At Alert Level 3 or higher, no jury trials were held (ultimately jury trials were suspended for the rest of the year for Auckland and Hamilton courts); media attended by remote means and counsel were also encouraged to attend remotely.

When there were different alert levels throughout the country, travel over borders was restricted. At first the courts made it clear that counsel, prosecutors, defendants and witnesses were not required to travel across borders. However, as the outbreak continued, the Chief Justice issued guidelines to assist presiding judges to determine whether it was in the public interest to require cross-border travel. Remote technology was the preferred option. If it was not an option, judges would then weigh public health considerations against the disadvantages of adjourning the hearing.

8 September 2021

The rest of country moved to Alert Level 2. Jury trials recommenced in those areas, and media and counsel attended in person. Members of the public and whānau support persons' attendance in District Court remained limited.

15 October 2021

The courts issued cross alert level boundary travel guidelines.

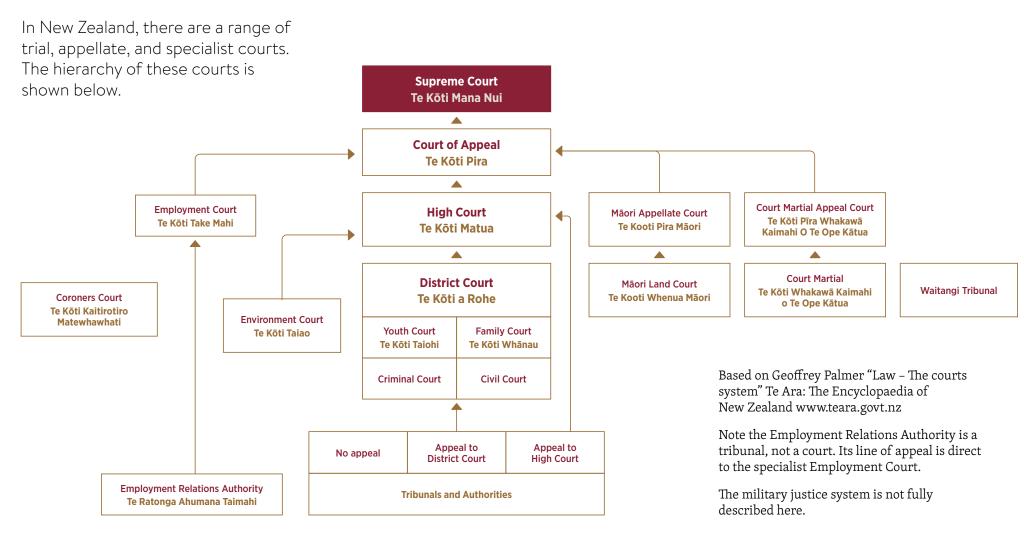
3 December 2021

The government Alert Level arrangement was replaced with the Protection Framework comprising Red, Orange and Green settings. Interim arrangements were set in place based largely on earlier Alert Level protocols. These are to continue until the statutory frameworks and the Ministry's operational capacity allow for sighting of vaccine passes or evidence of negative tests at the door, or the provision of a system of rapid tests for those without passes or prior test results. These requirements will apply to all who enter court buildings (including jurors).

PART THREE

The work of the courts

Outline of the court system



There are four main levels in our mainstream court system.

The first is the **District Court | Te Kōti-ā-Rohe**. Most large towns and cities have a District Court. The District Court has the highest volume of cases. The Family Court and Youth Court are part of the District Court. Most criminal cases are heard in the District Court. Civil cases are also heard in the District Court where the amount in dispute is less than \$350,000. The District Court hears appeals from some tribunals.

The next level in our court system is the **High Court** | **Te Kōti Matua**. It is the highest court in which cases can start. The most serious criminal cases, and civil cases where the amount in dispute is \$350,000 or more, are heard in the High Court. The High Court also hears appeals from the decisions of courts and tribunals below it. The High Court is the trial court which deals with judicial review proceedings – where a judge is asked to review the actions or decisions of a public or private administrative body (including the executive branch of government) to see whether they acted within the powers given to them by the law.

The Court of Appeal | Te Kōti Pīra, and the Supreme Court | Te Kōti Mana Nui, are the two most senior courts. They are appellate courts. If one of the parties to a court case is not satisfied with the result, then that case can be appealed to a higher court. A case in the District Court is normally appealed first to the High Court.



ABOVE: The judges of the Supreme Court | Te Kōti Mana Nui as at 22 June 2020.

From left: Justice Joe Williams, Chief Justice Helen Winkelmann, Justice Susan Glazebrook, Justice Mark O'Regan, Justice William Young, Justice Ellen France.

There are also specialist courts in our court system – the **Employment Court**, **Environment Court**, **Māori Land Court**, **Coroners Court** and the **Court Martial**. These are discussed in more detail in the following pages.

Outside of the court system there are a range of tribunals and authorities which play a critical role in our system of justice. Tribunals are similar to courts in that they determine people's rights. But they differ in that they have more flexible, and usually more informal, procedures. In New Zealand, tribunals are administered separately from the courts.

There are more than 40 tribunals and authorities in New Zealand of which 21 are administered or supported by the Ministry of Justice.

Criminal justice

Criminal justice proceedings make up most of the work of New Zealand's courts. Criminal trials are heard in the District Court, Youth Court and High Court. There is a separate military justice system.

HIGH COURT | TE KŌTI MATUA

The High Court hears cases involving murder, manslaughter, preventive detention and some other serious charges. Other cases heard in the High Court are known as Protocol cases. These are cases involving serious or complex offending. A High Court judge makes the decision as to whether the case is tried in the High Court or District Court, in accordance with the protocol. The protocol is used to ensure both that cases are heard in the most appropriate court and also to manage the workload between the District Court and High Court.

RIGHT: Judges of the High Court presiding over hearings.







- 1. Justice Gerard van Bohemen (Credit: NZME)
- 2. Justice Rachel Dunningham (Credit: John Hawkins, Stuff Limited)
- 3. Justice Simon Moore (Credit: Lawrence Smith, Stuff Limited)
- 4. Justice Geoffrey Venning (Credit: Kevin Stent, Stuff Limited)
- 5. Justice Jill Mallon (Credit: Robyn Edie, Stuff Limited)







DISTRICT COURT | TE KŌTI-Ā-ROHE

The District Court hears the bulk of criminal proceedings. In a typical year, nearly 120,000 new criminal cases enter the District Court. While the number of new cases has been decreasing, cases are taking longer to resolve. This appears to be the result of many factors, including issues affecting criminal disclosure, more serious and complex cases before the courts, and the creation of new offences in respect of which there is a right to a jury trial. Of particular note, more people are electing jury trials, and guilty pleas are occurring later in the court process. The extra court events that occur before a guilty plea is entered increase the workload of the court and lead to delay.

Community magistrates and judicial justices of the peace (JJPs) play an important role in carrying out District Court criminal work:

- » Community magistrates preside over a wide range of less-serious cases in the District Court's criminal jurisdiction. They can sentence offenders for offences punishable by up to three months' imprisonment (however they cannot themselves impose sentences of imprisonment), and they may preside over trials for offences carrying a maximum penalty of a fine up to \$40,000.
- » Community magistrates generally sit in busy urban courts, and commonly deal with matters such as sentencing offenders who plead guilty on the day; dealing with opposed bail applications; taking pleas and jury trial elections; making and renewing interim suppression or other non-publication orders; and remanding defendants in anticipation of probation, forensic or restorative justice reports and voluntary alcohol, drug or rehabilitative programmes.
- » JJPs hear minor cases in the District Court. They may impose fines and some driving penalties (such as a licence disqualification). JJPs may also preside over some preliminary hearings, bail applications and requests for remands and adjournments.

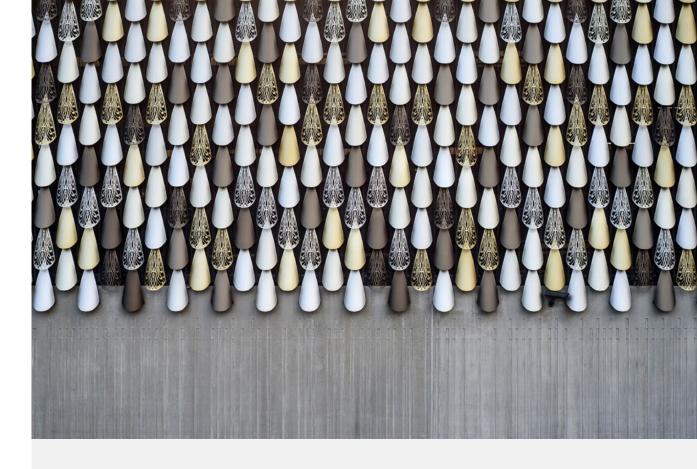
There are 15 community magistrates located in eight courthouses, and more than 170 JJPs nationwide.

YOUTH COURT | TE KŌTI TAIOHI

The Youth Court is a specialist division of the District Court. Young people aged between 14 and 18 who commit offences (and sometimes 12 and 13 if their offending is particularly serious) are directed to a Youth Court. The legislation creating the Youth Court draws upon tikanga Māori concepts, emphasising the engagement of the young person's whānau to address the conduct, and using restorative justice principles to support the victim and bring home to the young person the consequences of their offending.

PREVENTION AND REHABILITATION: LONG TERM DECLINE IN OFFENDING BY CHILDREN AND YOUNG PEOPLE

The Oranga Tamariki Act 1989 addresses offending by children and young people from both preventive and rehabilitative standpoints. These approaches have been very successful. The number of children and young people appearing in the Youth Court, as well as the proportion of children and young people who offend, have both been on a steady decline for the past thirty years. In the year before the introduction of the Oranga Tamariki Act in 1989, there were 10,000 children and young people in the youth justice system in New Zealand. This number has been steadily falling since the Act was passed, with only 978 children and young people aged 10 to 16 years appearing in court in the year ending June 2021. The rate of Youth Court appearances has reduced by 68 per cent over the past 10 years to 2021. The proportion of young people offending is also decreasing – over the same 10 years, the offending rate for young people has declined by 64 per cent.

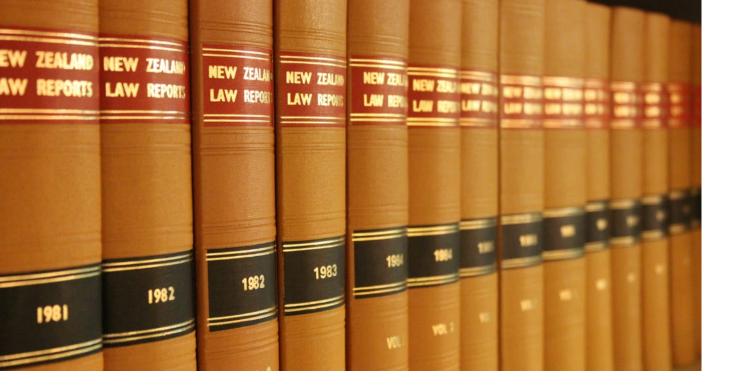


COURT MARTIAL | TE KŌTI WHAKAWĀ KAIMAHI O TE OPE KĀTUA O AOTEAROA

The Court Martial is part of the military system of justice. It is a specialist court of record which hears cases of serious offending and breaches of military discipline by members of the Armed Forces (and in some circumstances, civilians). Cases heard by the Court Martial generally carry a maximum punishment of more than seven years imprisonment.

The Court Martial has jurisdiction to hear cases involving offences committed anywhere in the world. It also has unique punishments available to it, such as detention in the Services Corrective Establishment or dismissal from Her Majesty's Service, as well as the authority to award imprisonment for life without parole – a power equivalent to the High Court.

At the appellate stage, these cases come into the civilian courts via the Court Martial Appeal Court.



Complex problems in the criminal jurisdiction

DELAY

Prior to the pandemic, judicial leaders were concerned about delay in the District Court criminal jurisdiction. All delays in criminal justice have significant human costs, imposing stress and uncertainty on victims of crime, on defendants and on their whānau.

There are many causes of delay. It is in part due to increasingly late guilty pleas, which disrupt workload planning and are wasteful of judicial resource. There has also been a significant increase in people electing jury trials up almost a third from 25 percent of eligible cases in December 2017 to 33 percent in December 2021.

Jury trials take longer to hear and consume a greater amount of judicial resource. There are many reasons for the increased election rate, including systemic issues which make the jury trial track more favourable for defendants, and the creation of new offences with maximum sentences which sit above the jury trial threshold.

REMAND PRISONERS: WHY DELAYS MATTER TO THE REMAND POPULATION

As at December 2021, New Zealand had 2,908 prisoners on remand awaiting trial or sentence. This represents 37 per cent of the total prison population.

As a comparison, there were 3,000 prisoners on remand at 31 December 2020 and 3,613 prisoners on remand at 31 December 2019. There has been a 20 per cent decrease in prisoners on remand since December 2019.

Despite the remand population falling, the time people are spending on remand has been increasing. Delays for remand prisoners are problematic for a number of reasons. First, research shows that spending even a short period on remand has significant impacts on a defendant's life outside of prison – such as the loss of employment and housing.

Some remand prisoners will not be convicted once they come to trial. Innocent people are therefore spending time in prison. Others will be convicted but will receive non-custodial sentences, or sentences that are shorter than their time spent on remand.

Finally, prisoners on remand do not have access to rehabilitation. Those who are convicted might therefore be released before they have opportunities to address the causes of their offending.

THE IMPACT OF COVID-19

Despite best efforts to maintain access to justice, COVID-19 restrictions inevitably had a significant impact on court workload and have exacerbated existing delay. Altogether, between March and the end of July 2020 when criminal court work was severely curtailed, some 36,000 criminal justice appearances were deferred. These figures include 430 firm District Court jury trials scheduled to start between 23 March and 31 July 2020. The number of jury trials in the District Court increased from about 2,580 to about 2,900 (+13 percent).

During the Delta COVID-19 restrictions between 18 August and 2 December 2021, there were some 53,700 further events in the criminal jurisdiction deferred. This included 537 District Court jury trials deferred, while the number of jury trials on hand in the District Court increased from about 2,950 to about 3,190 (+8 percent). The COVID-19 Protection Framework 'Traffic Lights' system was implemented on 3 December.

In the High Court, 49 jury trials were deferred between March and July 2020, leading to an increase in the number of cases in the trial stage from 109 to 131 (+20 per cent). The High Court's criminal appeals work increased from 194 to 223 cases (+15 per cent).

During the Delta COVID-19 restrictions, 29 High Court jury trials were deferred. The number of cases in the trial stage remained relatively stable with a small increase from 153, prior to the Delta restrictions, to 158 as at the end of November (+3 percent). The High Court's criminal appeals work decreased from 203 to 194 (-4 percent) over this period.

Following the 2020 lockdown, the government provided funding for the appointment of three acting High Court judges for two years and for four acting District Court judges and one acting Family Court judge for three years, to assist the courts' response to the immediate and anticipated impacts of COVID-19 on workload.

OVERREPRESENTATION OF MĀORI

Māori are grossly overrepresented at every stage of the criminal justice system. Over the last century, the percentage of the prison population who identify as Māori has grown from less than five per cent in 1921 to over 50 per cent in 2021. For the courts, there is no equivalent data over such a long period, but there is contemporary data. In 2021, Māori were 50% of those prosecuted for imprisonable offences, 52% of those convicted and sentenced for imprisonable offences and 64% of those sentenced to imprisonment.⁶

Complex and intersecting issues contribute to this overrepresentation. Colonisation; the loss of land, traditional social structures and language; and intergenerational trauma are now widely accepted as playing a part. The answers do not lie solely within the court system – they also lie in many other areas including health, housing, employment, policing practice, child welfare policies, and

education. Nevertheless, the court system is involved in the processes and circumstances that have produced this overrepresentation and must therefore play its part in addressing it.

HIGH RATES OF RECIDIVISM

High rates of recidivism (re-offending) are also a pressing issue for the courts and society. Within two years of their release, approximately 40 per cent of those released from prison are re-imprisoned. These people also form part of the approximately 60 per cent of former prisoners who are re-sentenced to a Corrections-based sentence. The effects of recidivism and the social cost of imprisonment have been addressed by a number of recent reports. Research in New Zealand and overseas shows an increased likelihood of imprisonment for the children of offenders. Again, while many of the answers lie elsewhere, given the role that courts play in sentencing offenders, the courts must play their part in addressing the high rates of recidivism.

⁶ These figures exclude those who did not have ethnicity recorded which are: 6.7 percent of those prosecuted, 6.8 percent of those convicted, and 1.5 percent of those sentenced to imprisonment,

Addressing the problems

IMPROVING COURT PROCESSES

There are various strands of work underway to address delay in the District Court.

The Criminal Process Improvement Programme (CPIP) has been established with the support of the Ministry of Justice. CPIP is a multi-agency initiative working towards the goal that "every District Court appearance is meaningful". The programme is a tangible result of the enhanced cooperation engendered during the pandemic. The genesis of the programme was a report from the Criminal Process Working Group Sub-Committee: Towards ensuring that every District Court appearance is meaningful. That sub-committee was a judge-led initiative which brought together representatives from the judiciary, courts, police and prosecution agencies, and corrections. It provided a forum for all parties to identify possible solutions to address long-standing inefficiencies in the criminal justice system. Areas for improvement were identified for each stage of the criminal process including bail applications, review and administration stages, jury and nonjury trials, and sentencing. CPIP has design work under way to strengthen and simplify processes in these areas. The work of CPIP will also support Te Ao Mārama (see page 36).



ABOVE: Principal Youth Court Judge John Walker at the launch of the Young Adults List at Porirua District Court, 31 July 2020.

YOUNG ADULT LIST COURT: RECOGNISING BARRIERS TO PARTICIPATION FOR YOUNGER OFFENDERS

Neurological development is not complete in many people until they reach the age of 25. Judges have long recognised this. Also, there is a high prevalence of neurodiversity, including acquired brain injury, mental health challenges and alcohol and other drug dependency affecting those before the courts. A Young Adult List Court was set up in the Porirua District Court in early 2020 and officially launched on 31 July 2020. This initiative separates those aged 18-25 from others appearing in court and provides

extra support to identify any particular health needs or disabilities they may have. Language used in the court is simplified and legal jargon is avoided to enable all participants to understand what is going on in the courtroom, adapting the approach used in the Youth Court. Principal Youth Court Judge John Walker led the development with the support of the Ministry of Justice, judges from the Porirua District Court and the local Porirua community.



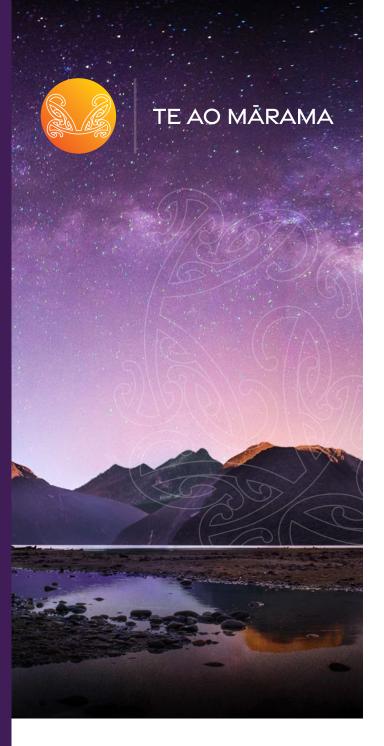
CRIMINAL TRIALS COMMITTEE: EMERGENCY AND FORWARD WORK PROGRAMMES

The Criminal Trials Committee was set up at the start of the pandemic to focus on how to protect jurors when courts re-opened for jury trials and the logistical arrangements for hearing judge-alone trials during stricter alert levels. The committee was co-chaired by the Chief High Court Judge and Chief District Court Judge, and made up of Supreme, High and District Court judges, Ministry of Justice and judicial staff.

In courthouses, jurors are ordinarily in close contact during the selection process, and during the trial and as they deliberate. The Ministry of Justice conducted a nationwide audit of courthouses and created business continuity plans to ensure physical distancing could occur to enable jury trials to continue at Alert Level 2.

In August 2021 the committee was reformed. Chaired by Justice William Young, it again provided the joint Ministry/judiciary Pandemic Emergency Response Committee with practical guidance on jury trial matters. Later, with the introduction of government's COVID Protection Framework in December 2021, the committee provided advice on the continued safe operation of jury trials under the Framework's settings.

The committee has a second task – related to the additional strain the ongoing pandemic has brought to bear upon an already stressed system. It is undertaking an analysis of the causes of the rising rate of jury trial election, and the increased incidence of late guilty pleas mentioned above in order to recommend changes that are desirable and consistent with fair trial rights and the New Zealand Bill of Rights Act 1990.



TE AO MĀRAMA: FROM PILOT COURTS TO THE MAINSTREAM

The District Court has many specialist courts providing an alternative approach to mainstream courts in the criminal jurisdiction. They provide wraparound support for people going through the court process to ensure that they can participate fully in hearings, and to support defendants in addressing the root causes of their offending.

At present, these courts are limited to particular areas – for example, the Young Adult List Court in Porirua, the Matariki Court in Kaikohe, the Court of Special Circumstances in Wellington, and the Alcohol and Drug Treatment Courts in Auckland, Waitakere and Hamilton. A summary of pilot and specialist courts is provided in **Appendix 4**.

The best practice from these courts is now being drawn together by the District Court into Te Ao Mārama, the new operating model for the District Court announced by the Chief District Court Judge Heemi Taumaunu in November 2020. Te Ao Mārama (which means "from night into the enlightened world") is an evolution of the specialist courts, and aims to bring their lessons into the mainstream District Court process. The Court will emphasise full participation, plain English, and providing necessary communication support for participants.

Te Ao Mārama courts will have access to a range of referral pathways for rehabilitation and treatment for psychological, emotional and cognitive issues. They will also be able to take account of, and seek solutions to, issues such as homelessness and addiction which can contribute to offending and victimisation.

The model will draw upon the tikanga concept of community responsibility for both the victim and the offender. It involves coordination between support agencies and court participants, and much wider community, iwi, and stakeholder engagement in the court process. The community will be empowered to play its role in supporting survivors and helping offenders to rehabilitate and reintegrate. This community involvement will be developed in each court, responding to the particular community the court serves. Process improvements from the Criminal Process Improvement Programme will also be included in each court's model.

Te Ao Mārama has the potential to help address the two pressing problems in criminal justice identified above – very high rates of recidivism and overrepresentation of Māori in the criminal justice system. It can do this by addressing the root causes of the offending, and by using the strength of the community, particularly whānau, hapū and iwi to support the defendant to reintegrate with support structures which are protective against reoffending.

This model of justice has implications for every aspect of the criminal justice system, from bail through to sentencing. It will even impact upon the design of courthouses. Together with the Ministry of Justice, the judiciary is joining with iwi to reimagine courthouses as places of community justice, where the community services that are needed to truly address offending are given space alongside the courtroom.

In May 2021, it was announced that the Tūranganui-a-Kiwa | Gisborne District Court will join Kirikiriroa | Hamilton District Court as the first courts to adopt the new model.

For more see the District Court 2021 annual report.



ABOVE: Judges of the District Court wearing the Te Ao Mārama judicial gown at the Whangara Marae, Gisborne, 4 December 2021.

Designed by Ngaire Tuhua (Waikato-Tainui), the gown incorporates a number of different traditional designs and patterns, which together give a visual representation of the District Court as a place where everyone can come to seek justice.

From left: Judge Turitea Bolstad, Judge Ida Malosi, Judge Haami Raumati, Judge Jacqueline Haapu-Blake, Principal Family Court Judge Jackie Moran, Principal Youth Court Judge John Walker and Chief District Court Judge Heemi Taumaunu.

Access to justice in the criminal justice context

COMMUNICATION DIFFICULTIES AND NEURO-DISABILITY IN THE COURTS

Everyone appearing in court has the right to participate as fully as possible in proceedings that affect them – participation is an aspect of access to justice. Yet many in our courtrooms have disabilities that affect their ability to access justice. In particular, research shows that people with neurodisabilities, including traumatic brain injury, are overrepresented in the criminal courts.⁷

The courts therefore employ strategies to accommodate people who may face barriers to full participation. These include using plain language instead of "legal speak" and using courtappointed Communication Assistants to support defendants and complainants who require it. A working party of judges, Ministry staff, court staff and communication specialists are developing the purpose, role and training for court-appointed Communication Assistants.

INTERPRETING IN THE COURTS

About 27 per cent of New Zealanders were not born in New Zealand. Many immigrants do not have English as their first language. Good quality interpreting is needed in all courts, to ensure that those with poor English skills can properly participate in criminal proceedings – whether as defendants or witnesses. Where interpretation is of poor quality (for example, where questions or evidence are interpreted incorrectly) that can lead to a miscarriage of justice, and to successful appeals.

Where possible, interpretation should be simultaneous. The current model uses consecutive interpretation. This takes longer to deliver and as a result trials take longer, which means the wait for trials for newer cases is lengthened. The lack of simultaneous interpreting is felt most in the Auckland region, with its high migrant population.

Options for simultaneous interpretation – delivered either onsite or remotely – need to be considered. Providing participants in court proceedings with simultaneous interpretation services is an essential element of maintaining the integrity of courts and tribunals and improving access to justice.

ACCESS TO JUSTICE AND TRANSPARENCY IN JUDICIAL PROCESSES: PUBLIC AVAILABILITY OF QUESTION TRAILS

The judiciary has reviewed and published question trails for nearly 150 of the most commonly heard charges in New Zealand's courts, on the Courts of New Zealand website.

Question trails are used in criminal jury trials to help the jury reach a verdict. They set out, through a series of questions, the elements of the offence that the jury must be satisfied have been proven before a person can be found guilty. By requiring the jury to proceed through the elements of the charge, the question trails can provide a format for deliberation, and reduce (but not eliminate) the possibility of jury error.

The goal in making the sample question trails publicly available is to promote better, more equitable and more efficient justice by supporting transparency in court processes, procedural fairness, and efficient access to justice.

⁷ Dr Ian Lambie What were they thinking? A discussion paper on brain and behaviour in relation to the justice system in New Zealand (Office of the Prime Minister's Chief Science Advisor, January 2020).



Civil justice

Civil justice cases are brought by individuals or organisations, and sometimes by local or central government, to help settle a dispute. For example, civil cases include disputes over business contracts or debts, employment disputes, disputes between neighbours, disputes over land use and ownership, disputes over the sale and purchase of a house, or debt recovery. Civil justice can also involve breaches of public law or human rights, as well as judicial review proceedings – where a judge is asked to review the actions or decisions of a public or private administrative body (including the executive branch of government) to see whether they acted within the powers given to them by the law.

Many courts in New Zealand exercise a civil jurisdiction. The High Court has jurisdiction for civil claims over a value of \$350,000, and not falling within the exclusive jurisdiction of other courts. It also hears judicial review proceedings and appeals from other courts and tribunals.

The District Court handles civil claims up to a value of \$350,000 and (as with the High Court) not within the exclusive jurisdiction of other courts. It also hears appeals from some tribunals.

The principal issue affecting the District Court and High Court, sitting in the civil jurisdiction, is access to justice.

Access to justice in the civil courts

One of the prerequisites for a society that exists under the rule of law is accessible civil courts. If people are unable to seek the protection of the law before the courts when their rights have been breached, then they are vulnerable to exploitation and oppression. However, the reality in New Zealand is that many people have difficulty accessing the courts to enforce or defend their legal rights.

One obstacle to accessing the courts is the difficulty in obtaining legal representation. The adversarial system of justice is constructed on the assumption that parties will be legally represented. The law is complex, and people need legal advice to understand their rights. Court processes can be complex and hard to follow. Yet many in New Zealand are unable to afford legal representation.

ACCESS TO JUSTICE ADVISORY GROUP: COLLABORATION TO IMPROVE CIVIL JUSTICE

Improving access to justice forms part of the Courts Strategic Partnership Group's terms of reference and the access to civil justice work programme is part of the shared CSPG workplan.

In March 2020, the Chief Justice and Secretary for Justice co-hosted a workshop of civil justice providers (not-for-profit, community groups and members of the legal profession), ministry officials and judges. Minister of Justice Hon Andrew Little addressed the attendees. The purpose was to encourage attendees to share their initiatives, develop ideas for improvement and build better links across the sector.

The Access to Justice Advisory Group was formed to continue the momentum generated at the workshop and turn the ideas into action. The Advisory Group includes judges and senior Ministry staff, an academic and a Māori practitioner. A key initiative is the preparation of a draft strategic framework to facilitate a unified and coordinated approach to improving access to civil justice. An independent working group, led by Dr Bridgette Toy-Cronin, Director, Civil Justice Centre, University of Otago is developing a draft plan, for input from those working in civil access to justice. Another initiative is producing a legal needs survey to understand the extent of unmet legal need in the community and small businesses, in conjunction with the Ministry of Business, Innovation and Employment.

THE PRESSING ISSUE OF LEGAL AID

A well-functioning democracy needs a fair, just and sustainable legal aid system to provide access to justice and to promote respect for the rule of law. New Zealand's legal aid system is underfunded and some of its legislative and regulatory settings are creating their own barriers to access to the courts and legal representation. These deficiencies are causing the system to fail to meet its objectives of facilitating access to justice and upholding the rule of law.

There is a pressing need for investment in the legal aid system, so that legal aid is available to a wider range of people. For example the earnings threshold to access civil legal aid is less than \$24,000 a year for a single person and less than \$37,000 a year for a person who has one dependent. When this is compared to the adult minimum wage (\$41,600 a year), this shows legal assistance is out of the reach of many. These thresholds, as well as the rates paid to legal aid providers, have not kept up with cost and wage inflation.

The hourly rate for lawyers has not increased since 2008 and fixed fees for criminal legal aid have not been adjusted since 2016. This has led to a reluctance on the part of lawyers to do work on legal aid and it is now often difficult for people to find lawyers prepared to represent them on legal aid.

Legal aid is generally granted as a loan which must be repaid. It is several years since the thresholds for such repayments were revised to take some account of inflation. Today a greater proportion of low-income people are now eligible to repay legal aid than when the system was set up.

Budget 2020 provided funding to Community Law Centres Aotearoa to set up a *pro bono* clearing house where lawyers willing to work for no charge are matched with people who need legal assistance. Called Te Ara Ture, this clearing house will meet the needs of some who would otherwise miss out on justice because they cannot afford representation and cannot get legal aid.

RULES COMMITTEE: MAKING COURTS MORE ACCESSIBLE

Substantial changes to the civil justice framework are currently under consultation through the work of the Rules Committee, a statutory body that determines the rules of procedure for the senior courts and the District Court. The Rules Committee is comprised of representatives from the judicial and executive branches of government, and also from the profession.

The changes under consultation are aimed at simplifying court procedures so that disputes can be resolved more quickly and efficiently.

Consultation in 2020 produced suggested changes beyond the scope of rules that provide for court procedure, and hence beyond the responsibility of the Rules Committee. Nevertheless, the Attorney-General and Ministers for Courts and Justice requested that the committee carry out consultation on those issues, there being no other forum for those issues to be discussed at a national level in the near future. A round of consultation on the final proposals occurred in 2021. The proposals include:

- » Expanding the role of the Disputes Tribunal so it becomes the primary court for a significant proportion of civil disputes. This includes an increase in its jurisdiction to cover claims of up to \$50,000.
- » Revitalisation of the District Court's civil jurisdiction, including creating the position of Principal Civil List Judge.
- » Introducing part-time Deputy Judges/Recorders into the District Court, appointed from the senior ranks of the legal profession.
- » A new framework which simplifies case management and the hearing of civil disputes in the High Court.

Some proposals will require legislative change. If the consultation round suggests there is a case for such change, the committee will make that recommendation.

⁸ Rules Committee — Courts of New Zealand (courtsofnz.govt.nz)

Specialist courts

There are a number of courts which have specialist jurisdictions.
These courts are reported on below.

THE FAMILY COURT | TE KŌTI WHĀNAU

The Family Court is the second biggest division of the District Court and marked its 40th anniversary in October 2021. Over the last 40 years, the scope of the court's jurisdiction has vastly increased and it now hears cases concerning matters such as the care of children, care and protection, relationship property, mental health, family violence, substance addiction and treatment, registration of sex, adoption, and surrogacy.

Family Court operation during the heightened COVID-19 alert levels

The Family Court accorded priority status to cases involving children's safety and well-being, and proceedings relating to family violence and care and protection. As in other courts, AVL was used to allow participants to safely attend.

Lockdown created many pressures for whānau. The Principal Family Court Judge Jackie Moran provided public guidance about shared care arrangements during lockdown to ensure the safety of tamariki and communities.

The court also adopted a streamlined adoption-application pathway for families expecting babies through overseas-based surrogates, after the pandemic threw their future into doubt. This temporary pathway, now extended through until March 2022, also used AVL so adoption applications could be safely dealt with in a timely manner, and to ensure that adoptive parents were not stranded overseas waiting for approval.

Access to family justice and Te Ao Mārama – looking forward

The cases that come before the Family Court are extremely complex and the very nature of proceedings means that people coming into the court are often distressed and impacted by the issues they are navigating.

From a judicial perspective, while parties may not all leave the court satisfied with the outcome, it is vital that all parties leave the court feeling seen, heard and understood. Much of this comes down to the environment in the court and the interaction between the parties and the judge. Therefore, the Family Court is undertaking a number of judicial initiatives to improve the court experience, including a Te Ao Mārama approach. It is working with experts in the family sector to ensure changes are evidence-based and have lasting impacts.

A large percentage of the Family Court's work involves family violence in some form. A judicial project is being undertaken, with the assistance of Dr Kim McGregor (Chief Victims' Advisor to the government), to enhance the court experience of victims of family violence. This will include considering the mode of evidence as well as the physical layout of the courtroom, to ensure that those who have been subjected to family violence feel both physically and psychologically safe.

The Principal Family Court Judge and the Chief Justice have commissioned Professor Elisabeth McDonald of the University of Canterbury law school to assess the current education programme provided to Family Court judges. As part of this work Professor McDonald will consider relevant research and then consider what Family Court judges' needs are, and how to support them in their roles.

To complement this, Behavioural Sciences Aotearoa, a cross-justice sector agency, is also developing training and resources for judges to improve communication with participants, focusing on the use of plain language and elimination of unnecessary legalese in the court room.

The Family Court continues to evolve and grow along with Aotearoa's changing social landscape to meet the needs of the nation's most vulnerable.



CORONERS COURT | TE KŌTI KAITIROTIRO MATEWHAWHATI

The Coroners Court continues to face resourcing issues because vacancies (due to retirements and the appointment of coroners to other benches) have not been filled in a timely manner, nor been fully covered by the appointment of relief (part-time) coroners. In May 2021, the Chief Coroner Deborah Marshall presented a comprehensive paper to the Minister for Courts identifying proposals which would address workload issues in that court and best use of coronial time, and reduce waiting times for hearings and decisions for whānau and families.

EMPLOYMENT COURT | TE KŌTI TAKE MAHI

The court worked with practitioner groups and organisations during the pandemic lockdowns to ensure that matters were triaged and processed in a timely manner. Cases were heard by alternative means where possible. However, few COVID-19 related cases made their way through to the court for determination. The corollary of this has been a lack of judicial guidance from the Employment Court, and the Court of Appeal, on important issues relating to employer/employee obligations during the pandemic.



ABOVE: Swearing-in of Deputy Environment Commissioner Ross Dunlop (left) by Chief Judge David Kirkpatrick, 7 April 2021.

ENVIRONMENT COURT | TE KŌTI TAIAO

The Environment Court ends the 2020/21 reporting year with no backlog. It has generally been able to manage its lists using remote hearing procedures and alternative dispute resolution. There are delays, however, for prosecutions under the Resource Management Act 1991, some of which are heard by a jury. These are held in the District Court. Electronic access to files remains a priority, in order to support remote working as well as the continuing pandemic response.

The Resource Management Act 1991 is currently under review, with new legislation likely to have implications for the Court's jurisdiction.



ABOVE: Judge Stephanie Milroy (Ngāi Tūhoe, Ngāti Whakaue) opening a hearing of the Waikato Māori Land Court at Hamilton.

TE KOOTI WHENUA MĀORI | MĀORI LAND COURT

On 6 February 2021, Te Ture Whenua Māori (Succession, Dispute Resolution, and Related Matters) Amendment Act 2020 came into force. This made a number of significant amendments to the court's jurisdictional legislation, including introducing dispute resolution processes for Māori landowners, expanding the Court's jurisdiction to hear family protection and testamentary promises claims, and allowing certain simple and uncontested matters to be determined by Court registrars.

Te Puni Kōkiri | Ministry of Māori Development has signalled that it will be considering further reforms to Māori land law in the coming year, and the court's judges look forward to engaging with this process.

Given the age and potential vulnerability of many people who appear in the Māori Land Court, during higher COVID-19 alert levels the Court avoided inperson hearings wherever possible, instead making use of remote technology.



ABOVE: Supreme Court | Te Kōti Mana Nui.

Appellate courts

Supreme Court | Te Kōti Mana Nui

The Supreme Court | Te Kōti Mana Nui was established by the Supreme Court Act 2003 and began hearing appeals in 2004, replacing the Judicial Committee of the Privy Council as New Zealand's court of final appeal. The Supreme Court Act 2003 provided that the Court was established to recognise New Zealand as an independent nation with its own history and traditions, to improve access to justice and to enable important legal matters, including those relating to the Treaty of Waitangi, to be resolved with an understanding of New Zealand conditions, history, and traditions. As the court of final appeal, the Supreme Court has the role of maintaining overall coherence in the legal system.

Appeals to the Supreme Court can be heard only with the leave of the court. Usually a panel of three judges makes that decision. The court must give leave to appeal only if it is satisfied that it is necessary in the interests of justice. It will be necessary in the interests of justice for the Supreme Court to hear and determine a proposed appeal if it involves a matter of general or public importance; if a substantial miscarriage of justice may have occurred, or may occur unless the appeal is heard; or if the appeal involves a matter of general commercial significance.

For all substantive appeals, a panel of five judges is required. There are six permanent judges of the Supreme Court. On occasion, an acting judge (a former judge of the Supreme Court or a Court of Appeal judge) is a member of an appeal panel, where more than one permanent judge is unable to sit for any reason.

In almost all cases, an appeal to the Supreme Court will involve a case that has already been considered by the Court of Appeal. However, the Court does, in exceptional cases, hear "leapfrog" appeals directly from other lower courts.

To date, the court has only sat in Wellington when hearing appeals. Plans to sit in Auckland in November 2021 were cancelled due to the pandemic. In 2022, subject to any COVID-19 restrictions, the court intends to sit in Auckland and Christchurch to hear appeals from those regions, and to give people in those areas the opportunity to see the court in action. Other transparency initiatives are outlined on page 50.

In the 2020 calendar year, about 45 per cent of the substantive appeal judgments delivered by the Supreme Court related to criminal appeals, and 55 per cent to civil appeals. In the 2021 calendar year the substantive appeal judgment figures were 15 percent relating to criminal appeals and 85 percent to civil appeals.



LEFT: Judges of the Court of Appeal presiding over a hearing.

From left: Justice Denis Clifford, Justice Stephen Kós, Justice Patricia Courtney.

Court of Appeal | Te Kōti Pīra

The Court of Appeal delivers approximately 700 judgments each year in appeals and applications. Two-thirds of these concern criminal appeals, and one-third civil appeals.

Because of the volume of the appeals it hears, the Court of Appeal has primary responsibility for direction and consistency in the delivery of criminal justice. The court's principal responsibility is to correct error in conviction and sentence appeals. The court also issues guideline judgments to provide general direction for sentencing for important criminal offending, usually via a court of five judges and following intervention by interested parties. The last such judgment, *Zhang* ν R^9 , concerned sentencing for methamphetamine

offending. Interveners included the Human Rights Commission, New Zealand Law Society, New Zealand Bar Association, Criminal Bar Association and Te Hunga Rōia Māori o Aotearoa. The court has signalled its intention to review sentencing policy for sexual violence offending in the near future.

The Court of Appeal has 10 permanent members, supplemented by 20 High Court judges who each sit as divisional members for up to four weeks a year, under \$48(2) of the Senior Courts Act 2016. Divisional members bring current criminal trial experience to the Court. The Court has also benefited from a period of stable judicial and registry membership, the last permanent judicial appointment being made in July 2019. However, six of the 10 permanent members will change over the next three years.

^{9 [2019]} NZCA 507, [2019] 3 NZLR 648

Because the Court hears little new evidence, and works largely from a combination of the record and written and oral submissions by counsel, it adjusted guickly to the first COVID-19 lockdown in March 2020. Within a week, hearings in the Court of Appeal had resumed, using remote technology. As platform stability improved, the Court was able to undertake longer remote hearings. Ultimately the Court lost seven sitting days to COVID-19 in 2020 and none in 2021. There have been positives and negatives in this experience. One of the negatives has been diminished public participation because access to observe remote hearings requires application for a link (however such requests are readily granted). The Court is committed to hearing appeals in public, in courtrooms. On the other hand, in a future, post-COVID environment, counsel will be permitted to seek to participate via remote technology, from their offices and chambers, in short hearings otherwise requiring lengthy travel arrangements. Future appellate hearings will involve a greater mixture of courtroom presence (judges, counsel, parties and public), but with some participants and observers using remote technology.

Reduction in travel for participants and observers, and increased public participation, were also behind President Kós' decision in 2019 to extend divisional sittings from Wellington and Auckland to also include Christchurch (three weeks a year) and Dunedin (one week). In addition, important appeals with significant local interest may now be heard by the permanent court in Auckland, Christchurch or Dunedin – examples being the Court's decisions on access of speakers to public facilities in Moncrief-Spittle v Regional Facilities Auckland Ltd¹⁰, and on targeted rating of Auckland accommodation providers in *CP Group Ltd v Auckland Council*¹¹. The Court of Appeal now keeps permanent chambers at the Auckland High Court, where it uses the refurbished, historic courtroom No 1 – first used in February 1868.



ABOVE: Auckland High Court.

High Court | Te Kōti Matua

The High Court hears criminal appeals from the District Court and Youth Court (except from jury trials) and civil appeals from the District Court, the Family Court, the Youth Court and the Environment Court as well as appeals from many administrative tribunals and regulatory bodies. All High Court judges can, and do, hear appeals.

Statistics about the High Court's appellate workload can be found on the Courts of New Zealand website.

^{10 [2021]} NZCA 142

^{11 [2021]} NZCA 587

Te Kooti Pīra Māori | Māori Appellate Court

Te Kooti Pīra Māori | the Māori Appellate Court was established in 1894 as the appellate body for all decisions of the Māori Land Court. The Appellate Court bench is made up of the judges of the Māori Land Court, sitting in panels of three or more judges to hear appeals. Māori Appellate Court sittings are held quarterly, with judges sitting in different panels (appointed by the Chief Judge and Deputy Chief Judge of the Māori Land Court) to hear all appeals filed with the Appellate Court in the previous three-month period. Each appeal is heard in the region to which it relates, although in 2020 and 2021 some appeals were heard via videoconferencing in recognition of the health and safety requirements necessitated by the COVID-19 pandemic.

The Māori Appellate Court generally hears between 20 and 30 appeals per year. In 2020 it received 22 appeals, and in 2021 it received 20 new appeals.

Appeals before the Appellate Court in 2020 and 2021 have spanned a wide range of issues, including appeals concerning the Chief Judge's special powers to correct historic Māori Land Court orders, and the Land Court's jurisdiction to appoint representatives for particular Māori groups for specified purposes under s 30 of Te Ture Whenua Māori Act 1993. The most common issues heard by the Appellate Court in this period have related to injunction orders, rights of occupation and ownership in relation to Māori land, and the appointment and review of Māori land trustees. Of particular note has been a series of Māori Appellate Court decisions concerning the jurisdiction of the Māori Land Court to hear applications relating to trusts established as a part of Treaty of Waitangi settlements – see Moke ν The Trustees of Ngāti Tarāwhai Iwi¹² and Nikora v Te Uru Taumatua¹³. This issue is also the subject of a further appeal currently before the Appellate Court.

Māori Appellate Court judgments may be appealed to the Court of Appeal. In 2020, two such appeals were filed with the Court of Appeal; and in 2021 four appeals were filed, although one was subsequently withdrawn.

Military justice appeals

Although the Court Martial is part of a separate system of military justice, at the appellate level it comes into the civilian court system. The Court Martial Appeal Court | Te Kōti Pīra Whakawā Kaimahi O Te Ope Kātua hears appeals from the Court Martial. It is summoned by the Chief High Court Judge and consists of current High Court Judges and Appointed Judges (who are either barristers or retired High Court Judges). Appointed Judges are civilians, but to date, have also had previous military experience.

The court has jurisdiction to determine all questions necessary for the purpose of doing justice in any case before it. Like the Court Martial, the Court Martial Appeal Court hears cases involving offences committed anywhere in the world, and may sit in any location in New Zealand or overseas as required.

This court can also hear any other case from the Court Martial by special reference from the Judge Advocate General or from the Minister of Defence.

The court sits with at least three judges, at least one of which must be an Appointed Judge. Parties have a further appeal avenue (by leave) to the Court of Appeal and Supreme Court.

Appeals against the findings, punishment, or orders of disciplinary officers in summary proceedings are heard by the Summary Appeal Court | Te Kōti Whakawā Pīra Whakaraupapa Kaimahi o Te Ope Kātua. All judges of the Court Martial are also Judges of the Summary Appeal Court. Cases are heard by a single judge sitting alone. There is no further right of appeal from the Summary Appeal Court.

^{12 [2019]} Māori Appellate Court MB 265 (2019 APPEAL 265)

^{13 [2020]} Māori Appellate Court MB 248 (2020 APPEAL 248)

Open justice and engagement

The principle of open justice

It is a fundamental principle of common law that the administration of justice must take place in open court. Subject to specific statutory exceptions, this principle underpins the public's right to attend court hearings, the media's right to report proceedings, and access rights to court documents. It is not open to the parties to agree to private hearings, to the sealing of the court file, or to suppression of the judgment.

The requirement that justice be administered in a manner which renders it open to public scrutiny is the surest means of holding judges and courts to the ideal of a fair hearing. In this way, open justice maintains public confidence in the justice system.

A work programme to support open justice

There are two judicial committees which undertake work to support the principles of open justice.

MEDIA IN COURTS COMMITTEE

The Media in Courts Committee is a long-standing advisory group made up of representatives of the judiciary, senior registry staff and representatives of media organisations. The focus of the committee's work is to facilitate accurate reporting of the work of the courts. It is responsible for the In-Court Media Guidelines (which record the standards and processes associated with recording court hearings) and it is also a forum for issues arising in relation to access to court files and name suppression. The committee has supervised a programme of webinars for the media which are co-hosted by judges and a media representative. These are on a variety of topics, including sentencing, suppression, and access to court records.

HUAKINA KIA TIKA | OPEN JUSTICE COMMITTEE

At the beginning of the pandemic the Chief Justice set up Huakina kia Tika | Open Justice Committee, to apply an "open justice lens" to the courts' response to the pandemic. This was necessary because public health reasons meant the public was not freely able to attend hearings, and that many hearings took place remotely – either by telephone calls or Virtual Meeting Rooms. The committee's first task was to ensure media had access to the courts, either in person or remotely.

The committee now has responsibility for promoting and overseeing initiatives to improve public and media access to the courts and public understanding of the courts. It also provides a judicial perspective on issues relating to access to court records.

One of its current projects involves exploring ways to improve the accessibility of the judgments of various courts. While judgments from the senior courts are accessible through Judicial Decisions Online, the decisions of other courts are distributed through a variety of different sites. As part of the CSPG shared work programme, preparatory work is underway to publish decisions of all courts on Judicial Decisions Online.

SUPREME COURT TRANSPARENCY INITIATIVES

To improve public understanding of the work of the Supreme Court, hearings of high public interest are identified in advance and a case synopsis is published on the Courts of New Zealand website and in social media. Access to Supreme Court hearings is currently being improved by providing the media and public with access to remote viewing for selected hearings taking place in the courtroom.

The Supreme Court has also resolved to extend the range of case materials available on the Courts of New Zealand website, including counsels' submissions and hearing transcripts.

AUDIO-VISUAL LINKS (AVL): ENHANCING OPEN JUSTICE

For good reason, the courts' business is mainly conducted kanohi-ki-te-kanohi (face-to-face). Personal contact allows judges and others to respond to non-verbal cues, which can help judges and counsel to assess, for example, whether a person is experiencing distress or not understanding the proceedings. However, during COVID-19 outbreaks prior to the widespread availability of vaccines in person contact was not always safe.

The judiciary worked with others across the justice sector to resolve significant logistical challenges – the ability to meet remotely depended, for example, on having Virtual Meeting Rooms (VMR) available in courthouses throughout the country, and on the capacity of prison audio-visual suites to host both consultations between counsel and their clients as well as court appearances. The judiciary worked with the Ministry of Justice and Department of Corrections to resolve these issues and allow hearings to proceed even at the highest alert levels. AVL technology was also used to provide accredited media, families and support people with access to hearings they could not attend in person.

These experiences highlighted potential for AVL technology to further enhance court processes. As well as increasing efficiency by allowing counsel and parties to remotely attend hearings, the technology also has significant potential to enhance access to justice for public, media, whānau, and iwi.



ABOVE: A person appearing in court by Audio-Visual Link (AVL).



LEFT AND BELOW: Powhiri at the Rotorua Energy Events Centre prior to hearing.

Attendees are socially-distanced in accordance with public health guidelines at the time.

CASE STUDY: ACCESS TO MARINE AND COASTAL AREA (TAKUTAI MOANA) ACT HEARINGS

During 2020–21, the High Court heard applications from Whakatōhea and Ngāti Pāhauwera for recognition of Māori customary rights in the foreshore and seabed under the Marine and Coastal Area (Takutai Moana) Act 2011.

The cases involved large numbers of applicants and interested parties, and some of the hearings were held when COVID-19 restrictions were in place, either in Auckland or nationwide.

The court used non-court venues in Rotorua and Napier to accommodate the number of people who were able to attend the hearings in person. Virtual meeting room technology was used to allow others to attend remotely. This included lawyers who

could not attend in person because of lockdowns in Auckland, and applicants and interested parties where age, general health or geography made attendance in person difficult.

The virtual meeting room technology had a capacity of up to 300 "rooms", and provided for different levels of access – lawyers could interact with others in the hearings, whereas observers attended with their cameras and microphones automatically switched off.

Much of the evidence was in te reo, and work is under way to integrate live translation into the virtual meeting room system. Ultimately it should be possible for participants and observers to choose te reo or English.



PART FOUR

Pacific and international engagement

The Chief Justice regularly engages with international judicial groups such as the Council of Chief Justices of Australia and New Zealand and the Chief Justices of the Pacific, as well as with individuals such as the Lord Chief Justice in the United Kingdom. Such engagement has been restricted to online and virtual meetings since COVID-19. Many international conferences and other meetings that judges would generally attend or give papers at were cancelled due to the pandemic.

Tokelau justice sector reform

The Chief Justice of New Zealand is also the Chief Justice of Tokelau and supports the Tokelau justice sector.

The previous Chief Justice of Tokelau asked the Ministry of Foreign Affairs and Trade to commission retired High Court judge Sir Ron Young to report on matters regarding access to justice in Tokelau. Sir Ron produced a report in May 2018 recommending reform of Tokelau's law and justice sector.

The current Chief Justice confirmed her support for the recommendations in November 2019 and requested a project in partnership with Tokelau be established to progress them.

Any decision-making on these reforms is to be undertaken in partnership between the Government of Tokelau and the Government of New Zealand. For that purpose, a working party comprising equal representation from Tokelau and New Zealand has been established to begin the process for progressing reform options.

Supporting the Pacific

Throughout 2020 and 2021, Te Kura Kaiwhakawā and New Zealand judges supported Pacific judicial officers and courts through the Judicial Pacific Participation Fund (JPPF). This is part of New Zealand's regional justice support activities, funded by the Ministry of Foreign Affairs and Trade. With 15 partner countries, the fund covered the costs of Pacific judicial officers attending Te Kura Kaiwhakawā programmes and regional conferences, mentoring and study tours in New Zealand.

Due to border closures, the focus over 2020 and 2021 was on producing resources that could be used by Pacific partner countries on a variety of topics, including webinars, videos and written resources all uploaded to a secure website. New Zealand judges (sitting and retired) provided mentoring to judges in the Pacific, and Pacific court staff and lay judicial officers were sponsored to undertake the University of the South Pacific Certificate of Justice and the more advanced Diploma of Justice.

In addition, 56 women judicial officers attended the International Association of Women Judges conference online (see below), funded through JPPF sponsorship. The fund enabled many of these women to come together for the weekend in their own countries.



ABOVE: Chief Justice Helen Winkelmann and Janine McIntosh (Director of Te Kura Kaiwhakawā) signing the Pacific Judicial Strengthening Initiative (PJSI) agreement, 5 October 2021.

In addition to the JPPF, the New Zealand government funds other justice sector initiatives in the Pacific: the large Pacific Judicial Strengthening Initiative (PJSI), support for litigation training, and legislative drafting support. These programmes were supported by the Federal Court of Australia, Crown Law and the Parliamentary Counsel Office respectively.

Following a review of its Pacific justice sector services, the Ministry of Foreign Affairs and Trade concluded it should bring the large PJSI back under New Zealand management and combine it with the JPPF and litigation skills programme into one Pacific Justice Sector Programme. The legislative drafting service remains independent of this.

Te Kura Kaiwhakawā will take over management of this new regional programme from 1 January 2022. The Pacific Justice Sector Programme will be guided by the Pacific Chief Justices' Leadership Forum and a Programme Executive Committee, currently chaired by the Chief Justice of the Solomon Islands. It will have a strong focus on mutual learning to meet the needs and priorities identified by these 15 Pacific partners.

International Association of Women Judges

The New Zealand judiciary is connected to international colleagues in a number of ways. The New Zealand Association of Women Judges | Te Kāhui Kaiwhakawā Wāhine o Aotearoa is affiliated with the International Association of Women Judges (IAWJ). The IAWJ is dedicated to the rule of law, gender equality and access to justice. It has over 6,500 members from some 100 countries. Justice Susan Glazebrook of the Supreme Court became the new President of the IAWJ in May 2021.

BELOW: President of the International Association of Women Judges (IAWJ), Justice Susan Glazebrook.





ABOVE: Pōwhiri held at Ōrākei Marae to open the IAWJ International Biennial Conference, 7 May 2021.

Te Kāhui Kaiwhakawā Wāhine won the bid to host the IAWJ 2020 international biennial conference in Auckland. Due to the pandemic, the conference had to be postponed. It was held instead in May 2021 as a hybrid conference. There was an in-person domestic audience of 200 with virtual access for some 800 international participants from 60 countries. The Ministry of Justice provided considerable logistical and financial support for this large and successful conference.

Since mid-August 2021 when the Taliban reached Kabul, the IAWJ has been engaged in the humanitarian effort to support the women judges of Afghanistan.

BELOW: IAWJ President-elect Justice Susan Glazebrook presenting the 2021 IAWJ Human Rights Award to Dame Sylvia Cartwright, 8 May 2021.



Te Hunga Kaiwhakawā o Aotearoa

The Judges Association of New Zealand (JANZ) | Te Hunga Kaiwhakawā o Aotearoa was formed with the goal of connecting judges both within New Zealand and with their colleagues in other jurisdictions. Its purpose is to support judges in building the resilience required for the role, and to contribute, where appropriate, to the planning underway to meet present and future challenges for the judiciary. JANZ is accredited with the International Association of Judges (IAJ). The IAJ, founded in 1953, is a professional, non-political, international organisation that aims to safeguard the independence of the judiciary. The organisation currently encompasses 94 national associations or representative groups, from five continents.

During the reporting period, JANZ contributed to international working groups on:

- » access to justice during the COVID-19 pandemic;
- » open justice, social media, the internet and courts;
- » disciplinary proceedings and judicial independence;
- » communication in the criminal courtroom;
- » data protection rules in civil proceedings; and
- » a uniform guide on forming judicial associations.

JANZ has been supporting the Samoan judiciary and the judges of Afghanistan, by encouraging early international engagement from the IAJ and also the UN Special Rapporteur on the Independence of Judges and Lawyers and the Commonwealth Secretariat.

Australasian Institute of Judicial Administration (AIJA)

New Zealand judges, court administrators and counsel are among the members of the Australasian Institute of Judicial Administration. Its principal objectives include research into judicial administration and the development and conduct of educational programmes for judicial officers, court administrators and members of the legal profession in relation to court administration and judicial systems.

New Zealanders are active in the governance at board and council level and on AIJA committees. The Chief Justice is a co-Patron with the Chief Justice of Australia. There is a permanent position for a New Zealand judicial representative on the Institute's board. During the period of the report, this position was held first by the Chief Justice then by the Chief High Court Judge. The Chief High Court Judge, the Ministry of Justice's Chief Operating Officer and a Queen's Counsel are members of the Institute's council.

The Chief Justice served on the education committee until November 2020. The Institute's educational programme went online during the pandemic. A five week-night webinar series Providing Justice in a Viral World: Where to from here? included New Zealand judges as presenters and attendees. The Chief High Court Judge was appointed to the Indigenous Justice committee in late 2021. A New Zealand-based Indigenous Conference planned for 2021 has been deferred until United States and Canadian attendees can travel to New Zealand. It is now planned for early 2023.

The AIJA provides the secretariat for the Executive Committee which governs the International Consortium for Court Excellence (ICCE). The ICCE supports courts to implement the International Framework for Court Excellence.

In late 2019 the District Court was awarded the AIJA Award for Excellence in Judicial Administration for its development of a "judicial resource model" that provides a calculation of "case weights" to determine the overall judicial resource requirements with respect to judicial caps and projections.

The Statement of Principles

29 NOVEMBER 2018

Principles observed by Judiciary and Ministry of Justice in the Administration of the Courts

PURPOSE OF STATEMENT

- 1.1. The constitutional principle of separation of powers requires that the courts be independent of the Executive to ensure impartiality in judicial decisions. As well as requiring freedom from interference in individual judicial decisions, the constitutional principle also depends on institutional independence in organising and managing the work of the courts.
- 1.2. The legislation under which the courts of New Zealand operate places on the judiciary the responsibility for the orderly and efficient conduct of the business of the courts. One of the purposes of the legislation is to improve the transparency of court arrangements "in a manner consistent with judicial independence".
- 1.3. The judiciary is responsible for the work of the courts, but is supported by the Ministry of Justice, a department of the Executive government. The Secretary for Justice (through the Minister for Courts) is accountable to Parliament for the expenditure of the public funds needed to administer justice in the courts.
- 1.4. The judiciary and the Ministry of Justice therefore share responsibility for delivering justice through the courts. Both have interests in developing and maintaining a system of justice that is just, fair, accessible, modern, and effective, and which delivers timely, impartial, and open justice. The effective and efficient functioning of courts is assisted by the Ministry and the judges maintaining a constructive relationship involving open communication and respect for their respective responsibilities and institutional constraints.
- 1.5. The purpose of this statement of principles is to recognise the respective separate responsibilities of the judiciary and the Ministry, and responsibilities that are shared between the judiciary and the Ministry.

2 THE ROLES OF THE MINISTRY AND THE JUDICIARY

- 2.1. The Secretary for Justice, as Chief Executive of the Ministry of Justice, is responsible to the Minister for Courts. The Minister is responsible to Parliament for the proper use of the public resources used to support and run the courts, and for ensuring that sufficient resources are available to provide an accessible and effective justice system. The Secretary for Justice is formally responsible under the State Sector Act 1988 for employing staff who support the judiciary, including the Registry staff of the courts. Registrars, Deputy Registrars and other officers may be appointed under the State Sector Act 1988 to support the conduct of the business of each court, but act under judicial direction in doing so.
- 2.2. The Chief Justice is head of the judiciary in New Zealand and is also ultimately responsible under the Senior Courts Act 2016 for the orderly and efficient conduct of the Senior Courts' business. The Chief Judge of the District Court is ultimately responsible under the District Court Act 2016 for the orderly and efficient conduct of the business of the District Court. The Chief Judges of the Employment Court, Māori Land Court and Environment Court similarly have statutory responsibilities for the orderly and expeditious discharge of the business of their courts.
- 2.3. In conducting the business of the courts, it is necessary for the judiciary to engage with the Ministry of Justice on matters of overlapping responsibility, including in the assessment of need and in the provision of facilities and resources to support the courts. Where the engagement is in relation to matters affecting all courts, the Chief Justice and the Secretary for Justice need to lead the engagement. This statement addresses the basis for the necessary engagement to ensure that it does not compromise the constitutional principle of judicial independence and is similarly respectful of the Executive's different statutory and constitutional responsibilities.

3. JUDICIAL RESPONSIBILITIES

- 3.1. The judiciary's responsibilities in relation to conducting the business of the courts include:
 - the scheduling of sittings of the court, the assignment of judges and judicial officers, and the listing of cases and applications (including those for alternative dispute resolution);
 - b) the use to be made of courts and their precincts;
 - the direction and supervision of Registry staff in relation to the business of the court;
 - d) the selection and supervision of immediate judicial support staff such as personal assistants, clerks and other similar staff (subject to paragraph 4.2(d));
 - e) the management of staff to support the Chief Justice and heads of bench;
 - f) the provision of judicial education and training;
 - g) the control and supervision of the use of information technology for the business of the court;
 - h) the custody and control of court records, whether or not held electronically, and control over access to them:
 - i) measuring court performance.

4. MINISTRY OF JUSTICE RESPONSIBILITY FOR COURT SUPPORT

- 4.1. The Secretary for Justice is solely responsible for decisions on all matters of expenditure of public money. The Secretary is accountable to the responsible Minister for the financial management, financial performance, and financial sustainability of the department.
- 4.2. Ministry of Justice responsibilities in relation to the business of the courts include:
 - a) providing the judiciary with support to enable heads of bench to discharge their responsibility for the orderly and efficient conduct of court business, including those responsibilities in paragraph 3 above;
 - supporting the judiciary in improving access to justice and best practice in the courts;
 - the provision, maintenance and operation of technology and buildings for the operation of the courts;
 - d) discharging its responsibilities with respect to staff in accordance with the State Sector Act 1988;
 - e) the maintenance of court registries;
 - f) ensuring security and safety in court buildings;
 - g) measuring and reporting on the use of the resources for which it is responsible;
 - supporting the offices of the Chief Justice and the offices of the heads of the other courts to enable them to discharge their responsibilities.

5. SHARED RESPONSIBILITIES

- 5.1. Because the work of the courts draws on public resources, it is necessary for the judiciary and the Ministry of Justice to cooperate so that those resources are used efficiently and effectively.
- 5.2. The Secretary for Justice is responsible for ensuring there is appropriate and timely consultation through the Chief Justice about how its responsibilities for court administration will be provided, including the structuring of staff support and other resources required. Such consultation also includes the design and provision of appropriate court facilities and information technology strategies and initiatives.
- 5.3. The Secretary for Justice will consult the Chief Justice annually about the operating budgets for the courts.

- 5.4. The Secretary for Justice and the judiciary will cooperate in the collection and sharing of information necessary to assist each in their functions consistently with the principle of judicial independence and executive accountability for the expenditure of public funds.
- 5.5. The maintenance of court records is a shared responsibility between the Secretary for Justice and the Chief Justice. The judiciary has the responsibility for the custody and control of records of court proceedings and associated court administration, whether or not held electronically, and control over access to them (subject to any legislative requirements and any policies developed by the judiciary). The Ministry is responsible for the collection and storage of records relating to the use of Ministry resources, including the archiving of court and judicial records on the basis agreed between the Chief Justice and the Secretary for Justice from time to time.

6. STANDING COMMITTEES FOR ENGAGEMENT BETWEEN THE MINISTRY AND THE JUDICIARY

6.1. Following enactment of the 2016 legislation and restructuring of responsibilities for operations in the Ministry of Justice, restructuring of the processes of engagement is necessary. Courts administration requires cooperation between the Ministry and the judiciary at the operating level for the Senior Courts, District Court and specialist courts. It is also necessary to ensure that strategic direction for the courts be set by cooperation between the judiciary and the Ministry. The Chief Justice and the Secretary for Justice are to agree on a new structure for engagement between the Ministry and the judiciary at both the operational and at a strategic level (through separate joint committees for the Senior Courts, District Court and specialist courts) and it is agreed that any such means of engagement will be kept under review.

Current judges and judicial officers of all benches as at 31 December 2021

SUPREME COURT | TE KŌTI MANA NUI

In order of seniority

Chief Justice Helen Winkelmann Chief Justice of New Zealand | Te Tumu Whakawā o Aotearoa

Justice William Young

Justice Susan Glazebrook

Justice Mark O'Regan

Justice Ellen France

Justice Joe Williams Ngati Pūkenga, Te Arawa

Acting Judges of the Supreme Court

Justice Terence Arnold

COURT OF APPEAL | TE KŌTI PĪRA

In order of seniority

Justice Stephen Kós

President of the Court of Appeal |

Te Tumuaki o Te Köti Pīra

Justice Christine French

Justice Forrest Miller

Justice Mark Cooper Ngāti Māhanga

Justice Brendan Brown

Justice Denis Clifford

Justice Murray Gilbert

Justice Patricia Courtney

Justice David Collins

Justice David Goddard

HIGH COURT | TE KŌTI MATUA

In order of seniority, by location

Auckland High Court

Justice Geoffrey Venning

Justice Graham Lang

Justice Ailsa Duffy

Justice Edwin Wylie

Justice Tim Brewer

Justice Mary Peters

Justice Mark Woolford

Justice Christian Whata

Ngāti Pikiao and

 $Ng\bar{a}$ ti Tamateat \bar{u} tahi-Kawiti of Te Arawa

Justice Sarah Katz

Justice Simon Moore

Justice Matthew Muir

Justice Anne Hinton

Justice Rebecca Edwards

Justice Mathew Downs

Justice Sally Fitzgerald

Justice Christine Gordon

Justice Pheroze Jagose

Iustice Gerard van Bohemen

Justice Grant Powell

Justice Ian Gault

Justice Tracey Walker

Justice Neil Campbell

Justice Melanie Harland

Justice Michael Robinson

Justice Layne Harvey Ngāti Awa, Rongowhakaata, Te Aitanga a Māhaki, Te Whānau a Apanui, Ngāti Kahungunu ki Te Wairoa

Associate Judges of the Auckland High Court

Associate Judge Peter Andrew Associate Judge Dani Gardiner Associate Judge Rachel Sussock Associate Judge Clive Taylor

Acting Judges of the Auckland High Court

Justice Kit Toogood

Kai Tahu, Kāti Māmoe, Waitaha
Justice Paul Davison

Wellington High Court

Justice Susan Thomas Chief High Court Judge | Te Kaiwhakawā Matua o Te Kōti Matua

Justice Simon France

Justice Jill Mallon

Justice Rebecca Ellis

Justice Matthew Palmer

Justice Helen Cull

Justice Peter Churchman

Justice Christine Grice

Justice Francis Cooke

Justice Cheryl Gwyn

Justice Andru Isac

Associate Judges of the Wellington High Court

Associate Judge Kenneth Johnston

Christchurch High Court

Justice Cameron Mander
Justice Rachel Dunningham
Justice Robert Osborne
Justice Jan-Marie Doogue
Justice Jonathon Eaton

Associate Judges of the Christchurch High Court

Associate Judge Dale Lester Associate Judge Owen Paulsen

Acting Judges of the Christchurch High Court

Justice David Gendall
Justice Gerald Nation

DISTRICT COURT | TE KŌTI-Ā-ROHE

In alphabetical order, grouped by location (including warrant/designation)

Chief District Court Judge's Chambers Te Whare o Ngā Kaihautū o te Waka o Te Kōti-ā-Rohe

Chief Judge Heemi Taumaunu Ngāti Porou, Ngāti Kōnohi, Ngāi Tahu Chief District Court Judge

Te Kaiwhakawā Matua o te Kōti-ā-Rohe

General/Family Judge Jacquelyn Moran

Principal Family Court Judge

Te Kaiwhakawā Matua o te Kōti Whānau

General/Jury/Civil/Youth Judge John Walker

General/Jury/Youth

Principal Youth Court Judge Te Kaiwhakawā Matua o te Kōti Taiohi

Judge Lawry Hinton General/Jury/Civil

Te Arawa

National Executive Judge (until 5 September 2021)

Judge Ida Malosi General/Family/Youth

National Executive Judge (from 6 September 2021)

Kaikohe

Judge Michelle Howard-Sager General/Family Te Whakatōhea, Ngāpuhi

Judge Brandt Shortland General/Jury/Youth Ngāti Hine, Ngāpuhi, Ngāiterangi, Ngāti Ranginui

Whangārei

Judge Taryn Bayley Ngāti Mutunga

Judge Greg Davis

Ngāpuhi, Ngāi Tai, Ngāti Raukawa, Ngāti Kahungunu

Judge Hana Ellis Ngāpuhi, Ngāti Porou

Judge La-Verne King

Ngāti Kahu ki Whangaroa, Ngāti Paoa

Judge John McDonald Judge Deidre Orchard

Judge Philip Rzepecky

Judge Gene Tomlinson

General/Jury

General/Jury/Youth

General/Family

General/Family/Youth

General/Jury/Civil

General/Jury

General/Jury/Civil

General/Jury

North Shore

Judge Clare Bennett Judge Anna Fitzgibbon

Judge Simon Maude

Judge Dianne Partridge

Ngāti Kahungunu

General/Jury

General/Jury General/Family

General/Family

Community Magistrates - North Shore

Community Magistrate Phillipa King Community Magistrate Lavinia Nathan

Ngāpuhi, Ngāti Whātua

Waitākere

Judge Ophir Cassidy Ngāti Porou, Ngāti Whātua Judge Kevin Glubb

Judge Kevin Glubb Judge June Jelaš Judge Emma Parsons

Judge Maria Pecotic Te Arawa, Tainui

Judge Belinda Pidwell Judge Terry Singh

Judge Lisa Tremewan

Community Magistrates – Waitākere

Community Magistrate Leigh Langridge Community Magistrate Fenella Thomas

Auckland

Judge John Bergseng
Judge Stephen Bonnar QC
Judge David Burns

Judge David Clark Ngāti Maniapoto, Ngāti Hauā

Judge Lex de Jong

Judge Tony Fitzgerald Judge Sarah Fleming

Judge Grant Fraser

Judge Brooke Gibson

Judge Denese Henare Ngāti Hine, Ngāpuhi

Judge Kirsten Lummis Judge Andrea Manuel General/Youth

General/Jury

General/Jury
General/Family

General/Jury

General/Family

General/Jury

General/Jury/Youth

General/Jury/Civil

General/Jury

General/Family
General/Civil

General/Family

General/Family/Youth

General/Family

General/Jury

General/Jury/Civil

General/Civil/Accident Compensation Appeals

General/Jury

General/Family

Judge Nicola Mathers

Judge Kathryn Maxwell

Judge Ian McHardy

Judge Kevin Muir

Judge Eddie Paul

Ngāti Awa, Ngāti Hokopū, Ngāti Rangataua, Ngāti Manawa, Ngāti Pūkeko, Ngāti Moewhare

Judge Claire Ryan

Judge Belinda Sellars QC Ngãi Te Rangi, Ngãi Tūkairangi

Judge David Sharp

Judge Mary-Beth Sharp

Judge Allison Sinclair

Judge Pippa Sinclair

Judge Anna Skellern

Ngāpuhi

Judge Barney Thomas

Judge Robyn von Keisenberg

Judge Peter Winter

Community Magistrates - Auckland

Community Magistrate Terry Bourke Community Magistrate Janet Holmes General/Jury/Civil

General/Jury

General/Family
General/Family

General/Jury/Youth

General/Jury/Youth

General/Jury

General/Jury/Civil

General/Jury/Civil

General/Jury/Civil
General/Jury/Youth

General/Jury/Family

General/Jury

General/Family
General/Jury

Manukau

Judge Tini Clark General/Jury/Youth Waikato Iudge Richard Earwaker General/Iurv Judge Frances Eivers General/Family/Youth Ngāti Maniapoto Until appointed as Children's Commissioner from 1 November 2021 Judge Lope Ginnen General/Family General/Family Judge Alan Goodwin Judge Karen Grau General/Jury General/Family Judge Antony Mahon Judge Ida Malosi General/Family/Youth Until appointed as National Executive Judge from 6 September 2021 Judge Richard McIlraith General/Jury/Civil Judge David McNaughton General/Jury General/Jury/Youth Judge Soana Moala Judge Jonathan Moses General/Jury Judge Sharyn Otene General/Civil/ Ngāpuhi Family/Youth General/Jury/Youth Judge Sanjay Patel General/Family Judge Margaret Rogers Judge Kiriana Tan General/Family/Youth Ngāti Ranginui, Ngāti Mutunga Judge Gabrielle Wagner General/Family/Youth Judge Nick Webby General/Jury Judge Mina Wharepouri General/Jury/Youth Judge Yelana Yelavich General/Jury

Community Magistrates - Manukau

Community Magistrate Lauolefale Lemalu Community Magistrate Jo Sihamu

Papakura

Judge Gerard Winter

General/Jury

Hamilton

Judge Dean Blair General/Family

Judge Denise Clark General/Jury/Youth

Ngāpuhi, Te Rarawa

Judge Stephen Clark General/Jury/Civil

Ngāti Hauā, Ngāti Maniapoto

Judge Noel Cocurullo General/Jury/Family/Youth

Naāti Pikiao

Judge Garry Collin

Judge Philip Crayton

General/Jury/Civil

Judge Brett Crowley

General/Jury/Youth

Judge Jonathan Down

Judge Nicola Grimes

General/Jury

Judge Glen Marshall

Judge Rachel Paul

Ngāti Awa, Ngāti Hokopū, Ngāti Rangataua,

General/Jury

Community Magistrates - Hamilton

Judge Kim Saunders

Community Magistrate Ngaire Mascelle Whakatōhea, Ngāti Porou, Ngāti Whakaue, Te Rarawa

Ngāti Manawa, Ngāti Pūkeko, Ngāti Moewhare

Tauranga

Judge Louis Bidois
Te Arawa

Judge David Cameron

Judge Christina Cook

Judge Stephen Coyle

Judge Paul Geoghegan

Judge Chris Harding

Judge Tom Ingram

Judge Bill Lawson

Community Magistrates - Tauranga

Community Magistrate Shaun Cole Community Magistrate Sherida Cooper Community Magistrate Lesley Jensen

Rotorua

Judge Melinda Broek
Ngāi Tai
Judge Phillip Cooper
Judge Greg Hollister-Jones
Judge Maree MacKenzie

Judge Tony Snell Judge Alayne Wills Ngãi Tahu General/Jury/Youth

General/Jury/Civil
General/Family/Youth
General/Jury/Family
General/Family/Youth
General/Jury/Youth
General/Jury/Civil
General/Jury

General/Family/Youth

General/Jury/Civil/Youth General/Jury/Civil General/Jury/ Family/Youth General/Jury General/Family/Youth

Gisborne

Judge Turitea Bolstad
Ngāti Maniapoto, Ngāruahine
Judge Warren Cathcart
Judge Haamiora Raumati
Ngāti Mutunga, Ngāti Toa, Te Atiawa, Ngāti Kahungunu

General/Jury/Youth

General/Jury/Civil General/Family/Youth

Napier

Judge Peter CallinicosGeneral/Family/YouthJudge Russell CollinsGeneral/Jury/CivilJudge Bridget MackintoshGeneral/Jury/Civil/YouthJudge Geoff ReaGeneral/Jury/Civil

Hastings

Judge Jacqueline Blake

Ngāti Kōnohi, Ngāti Porou,

Te Aitanga a Māhaki, Te Whānau a Kai

Judge Max Courtney

General/Family/Youth

Judge Gordon Matenga

Ngāti Kahungunu, Ngāti Porou,

Ngāti Rongomaiwahine, Ngāti Tāmanuhiri

New Plymouth

Judge Tony Greig

General/Jury/Civil/
Family/Youth

Judge Lynne Harrison

General/Family/Youth

Judge Gregory Hikaka

Ngā Ruahine, Ngāti Tamaahuroa, Ngāti Tūwharetoa,

Ngāti Maniapoto, Ngāti Ruanui

Whanganui

Judge Ian Carter General/Jury/Civil Ngāti Awa, Ngāi Te Rangi

Judge Dugald Matheson General/Family/Youth

Palmerston North

Judge Keryn Broughton General/Family/Youth
Naā Rauru, Naāti Ruanui

Judge Stephanie Edwards

Judge Jonathan Krebs

General/Jury

Judge Jill Moss

General/Family/Youth

Judge Bruce Northwood General/Jury

Te Aupouri

Judge Lance Rowe General/Jury/Civil/Youth

Masterton

Judge Barbara Morris General/Jury/Youth

Porirua

Judge James Johnston General/Jury/Youth
Ngāti Porou, Te Whānau-ā-Apanui

Hutt Valley

Judge Mike Mika General/Jury/Youth

Wellington

Judge Jenny BinnsGeneral/FamilyJudge Tim BlackGeneral/FamilyJudge Bruce DavidsonGeneral/Jury/CivilJudge Stephen HarropGeneral/Jury/Civil

Judge Peter Hobbs General/Jury

Judge Jan Kelly General/Jury/Civil/Youth

Judge Kevin KellyGeneral/CivilJudge Alison McLeodGeneral/FamilyJudge Christine MontagueGeneral/FamilyJudge Andrew NichollsGeneral/Jury

Judge Mary O'DwyerGeneral/Family/YouthJudge Noel SainsburyGeneral/Jury/CivilJudge Arthur TompkinsGeneral/Jury/Civil

Community Magistrates - Wellington

Community Magistrate Brigid Corcoran

Nelson

Judge Garry Barkle General/Jury/Civil/Family/Youth

Judge Joanne Reilly General/Jury/Youth

Judge Richard Russell General/Family/Youth

Judge Tony Zohrab

General/Jury/
Civil/Youth

Christchurch

General/Jury/ Judge Mark Callaghan Civil/Family Judge Tony Couch General Judge Michael Crosbie General/Jury/Civil General/Family Judge Michelle Duggan General/Jury/Civil **Judge Jane Farish** Judge Alistair Garland General/Jury Judge Tom Gilbert General/Jury/Civil Judge Jo Hambleton General/Family Judge Quentin Hix General/Youth Ngāi Tahu, Ngāti Māmoe, Waitaha, Rapuwai and Hāwea General/Civil/Family Judge Murray Hunt Judge Paul Kellar General/Jury/Civil Judge Sarah Lindsay General/Family/Youth Judge Gerard Lynch General/Jury/Youth Judge Traicee McKenzie General/Family Judge Jane McMeeken General/Family/Youth Judge Raoul Neave General/Jury/Civil Judge Stephen O'Driscoll General/Jury/Youth Judge Paul Shearer General/Family

Community Magistrates - Christchurch

Community Magistrate Sally O'Brien

Timaru

Judge Dominic Dravitzki General/Family/Youth General/Jury/Civil/Youth Judge Joanna Maze

Dunedin

General/Family/Youth Judge Dominic Flatley Judge David Robinson General/Jury/Civil Judge Emma Smith General/Jury/Family Judge Michael Turner General/Iury/Civil /Family/Youth

Community Magistrates - Dunedin

Community Magistrate Simon Heale

Invercargill

Judge Catriona Doyle General/Family Judge Bernadette Farnan General/Jury/Family/Youth Judge Russell Walker General/Jury/Family/Youth

Other locations

Judge Gus Andrée Wiltens General/Jury Seconded to the Supreme Court of the Republic of Vanuatu Judge Andrew Becroft General/Jury/Family/Youth Children's Commissioner (until 31 October 2021) General/Family/Youth **Judge Frances Eivers** Ngāti Maniapoto Children's Commissioner (From 1 November 2021) General/Jury/Civil Judge Colin Doherty

Mana Whanonga Pirihimana Motuhake General/Jury/Civil Judge Bill Hastings Seconded to the High Court of the Republic of Kiribati General/Jury/Youth

Chair, Alcohol Regulatory Licencing Authority

Chair, Independent Police Conduct Authority

Te Mana Waeture Take Waipiro

Judge Philip Connell

Judge Deborah Marshall	General	Judge Paul Mabey QC	General/Jury
Chief Coroner Kaitirotiro Matewhawhati Matua Judge Martin Treadwell	General	Judge John MacDonald Ngāti Raukawa, Rangitāne ki Wairau	General/Jury
<i>Ngāpuh</i> i Chair, Immigration and Protection Tribunal		Judge David Mather	General
		Judge Chris McGuire	General/Jury/Civil (ACC Appeals)
Acting Warranted Judges		Judge Simon Menzies	General/Jury
Judge John Adams	General/Family	Judge Ian Mill	General/Jury/Youth
Judge Charles Blackie	General/Jury/Civil	Judge Jocelyn Munro	General/Family/Youth
Judge Josephine Bouchier	General/Jury/Civil	Judge Hamish Neal	General/Family
Judge John Brandts-Giesen	General	Judge Kevin Phillips	General/Jury
Judge Peter Butler	General/Jury	Judge Philip Recordon	General/Youth
Judge Brian Callaghan	General/Jury/Youth	Judge Peter Rollo	General/Jury
Judge Dale Clarkson	General	Judge David Ruth	General/Jury/Youth
Judge Philip Connell	General/Jury/Youth	Judge Laurence Ryan	General/Family
Judge Nevin Dawson	General/Jury	Judge Ajit Singh	General
Judge Keith de Ridder	General/Jury/Civil/Youth	Judge David Smith	General/Jury/Family
Judge Timothy Druce	General/Family	Judge Annis Somerville	General/Family
Judge Chris Field	General/Jury	Kāi Tahu, Kāti Māmoe, Waitaha	·
Judge Patrick Grace	General/Family	Judge Maureen Southwick QC	General/Family
Judge Gary Harrison	General	Judge Lee Spear	General/Jury
Judge Duncan Harvey	General/Jury/Civil	Judge Peter Spiller	General/Civil (ACC Appeals)
Judge Lawry Hinton Te Arawa	General/Jury/Civil	Judge Chris Sygrove	General/Family
Judge Jim Large	General/Jury/Youth	Judge Chris Tuohy	General/Civil
Judge Jane Lovell-Smith	General/Civil/Youth	Judge Anthony Walsh	General/Family/Youth

Judge Noel Walsh

General/Family/Youth

MÃORI LAND COURT | TE KOOTI WHENUA MÃORI & MÃORI APPELLATE COURT | TE KOOTI PĪRA MÃORI

In order of seniority

Chief Judge Wilson Isaac
Ngāti Porou, Ngai Tūhoe, Ngāti Kahungunu
Chief Judge of the Māori Land Court
| Te Kaiwhakawā Matua o Te Kooti
Whenua Māori
Tairāwhiti District – Based in Gisborne

Deputy Chief Judge Caren Fox
Ngāti Porou, Rongowhakaata
Deputy Chief Judge of the Māori Land
Court | Te Kaiwhakawā Matua Tuarua o Te
Kooti Whenua Māori
Tairāwhiti District – Based in Gisborne

Judge Carrie Wainwright
Tairāwhiti District - Based in Wellington

Judge Stephanie Milroy Ngāi Tūhoe, Ngāti Whakaue Waikato Maniapoto District - Based in Hamilton

Judge Craig Coxhead Ngāti Makino, Ngāti Pikiao, Ngāti Awa, Ngāti Maru Waiariki District – Based in Rotorua

Judge Sarah Reeves TeĀtiawa Te Waipounamu District – Based in Wellington

Judge Michael Doogan
Aotea District - Based in Wellington

Judge Miharo Armstrong
Te Whānau a Apanui
Taitokerau District - Based in Whangārei

Judge Terena Wara

Waikato, Ngāti Raukawa ki te Tonga

Waiariki District - Based in Rotorua

Judge Damian Stone
Ngāti Kahungunu
Aotea and Tākitimu Districts
- Based in Wellington

Judge Rachel Mullins
Ngāti Kahungunu, Kai Tahu
Waikato Maniapoto District
- Based in Hamilton

Judge Aidan Warren Rangitāne, Ngāti Kahungunu and Ngāi Tahu Aotea District – Based in Hamilton

Judge Te Kani Williams
Tühoe, Ngāti Manawa, Te Aupōuri,
Whakatōhea, Ngāi Tai ki Torere
and Ngāti Maniapoto
Taitokerau District – Based in Whangārei

CORONERS COURT | TE KŌTI KAITIROTIRO MATEWHAWHATI

In alphabetical order, by location

Whangārei

Coroner Tania Tetitaha Ngāpuhi, Ngāitai and Ngāti Raukawa

Auckland

Judge Deborah Marshall Chief Coroner | Kaitirotiro Matewhawhati Matua

Coroner Debra Bell Ngāpuhi

Coroner Alexander Ho

Hamilton

Coroner Matthew Bates
Coroner Michael Robb

Rotorua

Coroner Bruce Hesketh Coroner Donna Llewell Ngāpuhi

Hastings

Coroner Tracey Fitzgibbon Ngāpuhi, Ngāti Hine

Palmerston North

Coroner Robin Kay

Wellington

Coroner Katherine Greig Coroner Peter Ryan Coroner Brigette Windley

Christchurch

Coroner Anna Tutton
Deputy Chief Coroner |
Kaitirotiro Matewhawhati Matua Tuarua

Coroner Marcus Elliott

Coroner Sue Johnson

Dunedin

Coroner Heather McKenzie

Relief Coroners

Coroner Janet Anderson
Auckland

Coroner Mary-Anne Borrowdale Wellington

Coroner Alexandra Cunninghame

Coroner Louella Dunn Hamilton

Coroner Alison Mills Whangārei

Coroner Mark Wilton
Wellington

Coroner Erin Woolley
Auckland

Coroner Heidi Wrigley Rotorua

EMPLOYMENT COURT | TE KÖTI TAKE MAHI

In order of seniority

Chief Judge Christina Inglis
Chief Judge of the Employment Court |
Te Kaiwhakawā Matua o Te Kōti Take Mahi
Based in Wellington

Judge Bruce Corkill
Based in Wellington

Judge Kerry Smith
Based in Christchurch

Judge Joanna Holden Based in Auckland

Judge Kathryn Beck Based in Auckland

ENVIRONMENT COURT | TE KŌTI TAIAO

In alphabetical order

Chief Judge David Kirkpatrick
Chief Environment Court Judge |
Te Kaiwhakawā Matua o Te Kōti Taiao
Based in Auckland
Jury warranted

Judge Jane Borthwick Based in Christchurch

Judge Melinda Dickey
Based in Auckland

Judge John Hassan
Based in Christchurch
Jury warranted

Judge Jeff Smith
Based in Auckland

Judge Prudence Steven QC
Based in Christchurch

Alternate Environment Judges

Alternate Judge Greg Davis Ngāpuhi, Ngāi Tai, Ngāti Raukawa and Ngāti Kahungunu District Court Judge Based in Whangārei

Alternate Judge Michael Doogan Judge of the Māori Land Court Based in Wellington

Alternate Judge Brian Dwyer Retired Environment Judge

Based in Wellington
Jury warranted

Alternate Judge Caren Fox
Ngāti Porou, Rongowhakaata
Deputy Chief Judge of the Māori
Land Court
Based in Gisborne

Alternate Judge Paul Kellar District Court Judge Based in Christchurch

Alternate Judge Laurie Newhook Retired Environment Judge Based in Auckland Jury warranted

Alternate Judge Stephen O'Driscoll
District Court Judge
Based in Christchurch

Alternate Judge Geoff Rea District Court Judge Based in Napier

Alternate Judge Craig Thompson Retired Environment Judge Based in Wellington Jury warranted

Environment Commissioners

Commissioner James Baines Based in Christchurch

Commissioner Ruth Bartlett
Based in Auckland

Commissioner Ian Buchanan Based in Wellington

Commissioner David Bunting
Based in Wellington

Commissioner Kathryn Edmonds Based in Wellington

Commissioner Andrew Gysberts
Based in Auckland

Commissioner Jim Hodges Based in Auckland Commissioner Anne Leijnen Based in Auckland

Commissioner Mark Mabin Based in Christchurch

Commissioner Shona Myers
Based in Auckland

Commissioner Kevin Prime Ngati Hine, Ngāpuhi, Ngāti Whātua and Waikato Based in Auckland

Commissioner Kate Wilkinson
Based in Christchurch

Deputy Environment Commissioners

Deputy Commissioner Ross Dunlop All registries

Deputy Commissioner David Kernohan All registries

Deputy Commissioner Glenice Paine All registries

Deputy Commissioner Miria Pomare All registries

COURT MARTIAL OF NEW ZEALAND | TE KŌTI WHAKAWĀ KAIMAHI O TE OPE KĀTUA O AOTEAROA

In order of seniority:

Chief Judge Kevin Riordan

Chief Judge of the Court Martial of New Zealand | Te Kaiwhakawā Matua o Te Kōti Whakawā Kaimahi o Te Ope Kātua Judge Advocate General of the Armed Forces of New Zealand | Te Kaiwhakawā Ihorei Whānui o Te Ope Kātua o Aotearoa

Judge Heemi Taumaunu Ngāti Porou, Ngāti Kōnohi, Ngāi Tahu

Deputy Chief Judge of the Court Martial of New Zealand | Te Kaiwhakawā Matua Tuarua o Te Kōti Whakawā Kaimahi o Te Ope Kātua

Deputy Judge Advocate General of the Armed Forces of New Zealand | Te Kaiwhakawā Ihorei Whānui Tuarua o Te Ope Kātua o Aotearoa

Judge Bill Hastings

COURT MARTIAL APPEAL COURT

Judge John Billington QC

Judges and judicial officers of all benches who retired between 1 January 2020 and 31 December 2021

HIGH COURT | TE KOTI MATUA

In alphabetical order

Justice Karen Clark Justice Robert Dobson Justice David Gendall Justice Gerald Nation

Associate Judges of the High Court

Associate Judge Roger Bell
Associate Judge Hannah Sargisson
Associate Judge Warwick Smith

DISTRICT COURT | TE KŌTI-Ā-ROHE

In alphabetical order

Judge Tony Adeane
Judge Ema Aitken
Judge Denys Barry
Judge John Brandts-Giesen
Judge Brian Callaghan
Judge Philip Connell

Judge Philippa Cunningham

Judge Nevin Dawson Judge Keith de Ridder

Judge Duncan Harvey

Judge Anna Johns

Judge Paul Mabey QC

Judge Simon Menzies

Judge Ian Mill

Judge Jocelyn Munro

Judge Robert Ronayne
Died in office

Judge David Ruth

Judge David Saunders

Judge Ajit Singh

Judge David Smith

Judge Lee Spear

Judge Peter Spiller

Judge Chris Tuohy

Judge Denise Wallwork

Judge Noel Walsh

EMPLOYMENT COURT | TE KŌTI TAKE MAHI

Judge Mark Perkins

ENVIRONMENT COURT | TE KŌTI TAIAO

In alphabetical order

Judge Melanie Harland
Appointed as a Judge of the High Court

Judge Jonathan Jackson

Judge Laurie Newhook
Former Chief Environment Court Judge

CORONERS COURT | TE KŌTI KAITIROTIRO MATEWHAWHATI

In alphabetical order

Coroner Sarn Herdson

Coroner Gordon Matenga Ngāti Kahungunu, Ngāti Porou, Ngāti Rongomaiwahine Appointed as a District Court Judge

Coroner Morag McDowell

Coroner David Robinson

Coroner Brandt Shortland
Ngāti Hine, Ngāpuhi, Ngāiterangi,
Ngāti Ranginui
Appointed as a District Court Judge

MĀORI LAND COURT | TE KOOTI WHENUA MĀORI & MĀORI APPELLATE COURT | TE KOOTI PĪRA MĀORI

Judge Layne Harvey
Appointed as a Judge of the High Court

COURT MARTIAL OF NEW ZEALAND | TE KŌTI WHAKAWĀ KAIMAHI O TE OPE KĀTUA O AOTEAROA

Judge Duncan Harvey

COURT MARTIAL APPEAL COURT

Judge David McGregor OBE

Pilot Specialist Courts

NAME	DESCRIPTION	LOCATIONS
Young Adult List Court	Established in the Porirua District Court in early 2020, this initiative targets young adults aged 18-25 and takes into account special characteristics common in this age group (such as mental health conditions, acquired brain injuries, alcohol and drug dependencies, and learning difficulties).	Porirua District Court
Sexual Violence Courts	Established in December 2016, the initiative covers all serious (Category 3) sexual violence cases to be heard by a jury within the District Court, reducing unnecessary delays and improving courtroom experience for complainants and vulnerable witnesses. Judges who sit in these trials have received specialised education on best practice in sexual violence courts. These cases are run within existing law and Bill of Rights principles relating to a fair trial remain paramount.	Auckland District Court Whangārei District Court
Family Violence Bail Report	Established in the Porirua and Christchurch District Courts in September 2015, this initiative has since been expanded to all District Courts. The initiative aims to keep victims safe by ensuring judges have relevant, timely and consistent information to assess risk in determining family violence bail applications. Police and Family Court information is provided to judges at the first hearing (called the 'bail pack'), even when bail applications are unopposed.	All courts
Pasifika Courts	Based on the Rangatahi Court concept, a judicial initiative established in 2010 to reduce reoffending by Pacific Youth and to develop a partnership between the Court and Pacific community. They operate within Youth Court legal structure, however they are held at a community venue. They follow Pasifika cultural processes and uphold Pasifika values: community, collective responsibility, service, and faith.	Mangere and Avondale
	New Zealand's first Pasifika Youth Court was officially opened on Tuesday 22 June 2010 at the Polynesian Centre in Mangere; The second Pasifika Youth Court was launched on Friday 30 September 2011 at the Nafanua Community Hall in Avondale. The court has moved to Te Atatu Peninsula.	
Alcohol and Other Drug Treatment Courts Te Whare Whakapiki Wairua	Established in November 2012 to pilot an innovative approach to offending that is fuelled by alcohol and other drug addiction, these courts apply evidence-based best practices to reduce reoffending and alcohol and other drug consumption, through a transformative programme of case management, treatment, drug testing, monitoring and mentoring as an alternative to prison.	Auckland District Court Waitākere District Court Hamilton District Court
Special Circumstances Court	Based on the Court of New Beginnings (below), it was established in March 2012 to address low-level offending by those who are homeless and suffer from impaired decision-making as a result of mental illness, intellectual disability or disorders and/or addiction.	Wellington District Court
Matariki Court Matariki: Huarahi ki te oranga tangata	Established in 2011 to address the over-representation of Māori in the justice system and the lack of Māori perspective and involvement in the justice system, this court engages the offender's whānau, hapū and iwi in the sentencing process, encourages the use of te reo and tikanga in Māori, and facilitates offender access to wrap-around services and alternative pathways to address the underlying causes of their offending.	Kaikohe District Court

NAME	DESCRIPTION	LOCATIONS
Court of New Beginnings Te Kooti o Timatanga Hou	Established in October 2010, the Court of New Beginnings targets persistent low-level offending by people who are homeless and who suffer from ongoing mental illness and/or addictions, or who are intellectually impaired.	Auckland District Court
Rangatahi Courts Ngā Kōti Rangatahi	Established in May 2008 to reduce offending by Māori youth, these courts operate within Youth Court legal structure however they are held on a marae and follow Māori protocol. Rangatahi Courts focus on concepts fundamental to Te Ao Māori: manaakitanga, whanaungatanga, and whakapapa (support, family/kinship, and identity).	Te Poho-o-Rāwiri marae in Gisborne
		Manurewa Rangatahi Court in South Auckland Hoani Waititi Rangatahi Court in West Auckland
		Ōrakei Rangatahi Court in Central Auckland
		Ōwae Rangatahi Court in Taranaki
		Kirikiriroa Rangatahi Court at Te Ohaki Marae in Hamilton
		Mataatua Rangatahi Court at Wairaka Marae in Whakatāne
		Pukekohe Rangatahi Court
		Papakura Rangatahi Court
		Te Arawa Rangatahi Court in Rotorua
		Ōtautahi Rangatahi Court at Ngā Hau e Whā Marae in Christchurch
		Rāhui Pōkeka Rangatahi Court in Huntly
		Tauranga Moana Rangatahi Court in Tauranga
		Te Kooti Rangatahi ki Tuwharetoa at Rauhoto Marae in Taupo
		Te Kooti Rangatahi ki Whangarei at Hoani Waititi Marae
		Te Kooti Rangatahi Ki Heretaunga in Hastings
Christchurch Youth Drug Court	Established in 2002 to address the links between alcohol and drug use and offending, and to facilitate better service delivery to young people with alcohol and drug problems. This was the earliest example of implementing modern therapeutic justice concepts in the New Zealand courts.	Christchurch Youth Court
Family Violence Courts	Established in 2001 in response to an increase in family violence cases. These courts are intended to bring a multi-agency approach to dealing with the underlying causes of family violence.	Whangārei District Court.
		Hutt Valley District Court.
		Porirua District Court.
		Auckland District Court.
		Manukau District Court.
		Waitākere District Court.
		Palmerston North District Court.
		Masterton District Court

References and further information

COURT WEBSITES

Supreme Court

Court of Appeal

High Court

District Court

Māori Land Court

Employment Court

Environment Court

Coroners Court

COURT CONTACT DETAILS

Contact a court - 0800 COURTS (0800 268 787)

ANNUAL REPORTS AND STATISTICS

Supreme Court | Te Kōti Mana Nui - Annual Statistics

Court of Appeal | Te Kōti Pīra – Court of Appeal Annual Statistics

High Court | Te Kōti Matua

High Court Annual Review
Christchurch Earthquake Litigation Report
High Court Annual Statistics

District Court | **Te Kōti-ā-Rohe** – <u>Annual Reports and Statistics</u>

Māori Land Court | Te Kooti Whenua Māori - Māori Land Updates

Employment Court | Te Kōti Take Mahi – <u>Annual Statistics</u>

Environment Court | Te Kōti Taiao – Annual Reports

Coroners Court | Te Kōti Kaitirotiro Matewhawhati – Coronial Services Annual Report

OTHER USEFUL LINKS

The Statement of Principles

Tribunals

Office of the Judicial Conduct Commissioner - Annual Reports

Criminal Cases Review Commission | Te Kāhui Tātari Ture

Question trails – Question trails

Te Ara Ture <u>- FAQs</u>





CHIEF JUSTICE OF NEW ZEALAND | TE TUMU WHAKAWĀ O AOTEAROA