

Media Statement

25 November 2024

Public release of the Criminal Jury Trials Bench Book

Te Kura Kaiwhakawā | The Institute of Judicial Studies* today published the *Criminal Jury Trials Bench Book* on the [Courts of New Zealand website](#). Today's release follows the earlier publication of question trails for juries in 2019 and the sexual violence misconceptions directions in 2023. The release supports the judiciary's commitment to increasing transparency and public understanding of judicial processes.

The *Criminal Jury Trials Bench Book* provides guidance and tools for criminal trial judges. It is designed to assist them prepare their directions and summing-up in criminal trials. The bench book is not law and is not intended to develop the law. It is intended to assist judges in the preparation and conduct of criminal jury trials. This includes supporting judges to identify for a jury the key questions that the jury must address in reaching its verdict.

The directions and question trails contained in the *Criminal Jury Trials Bench Book* are based on New Zealand statutes and case law, especially that of the Court of Appeal. The specimen directions contained in the bench book are guidelines only and need to be tailored by judges appropriately to the facts and legal issues of the particular case. Trial judges are free to direct the jury as they think fit, with or without reference to the bench book, provided their directions are in accordance with the law.

The *Criminal Jury Trials Bench Book* has undergone several major revisions over the past 20 years by senior members of the judiciary to ensure it takes a 'jury-centred approach'. It encourages trial judges to give their instructions in a way the jury can clearly understand and helps focus the jury's thinking on the issues that are genuinely in dispute in the case. The bench book is reviewed and updated on an ongoing basis by a judicial editing committee comprised of High Court and District Court judges, supported by legal staff from Te Kura Kaiwhakawā.

The Honourable Justice Matthew Palmer, chair of the Governing Board of Te Kura Kaiwhakawā, says that while the bench book was originally developed for and by judges as a resource for use in their day-to-day work on the bench, the Board "now recognises that providing this information more widely, as is done in

other jurisdictions, would benefit the legal profession and the wider public and provide greater transparency into, and understanding of, court processes.” Further bench books will also be made public in future.

***About Te Kura Kaiwhakawā**

Te Kura Kaiwhakawā provides judicial education and professional development for the judiciary throughout their judicial careers. Te Kura Kaiwhakawā is a judge-led organisation that supports continuing learning by way of courses and seminars and through the provision of bench books.

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