



The Right Honourable Dame Helen Winkelmann

CHIEF JUSTICE OF NEW ZEALAND | TE TUMU WHAKAWĀ O AOTEAROA

An open letter to practitioners in the Tairāwhiti and Hawkes Bay regions

17 February 2023

Tēnā koutou practitioners

DEALING WITH THE EFFECTS OF CYCLONE GABRIELLE

On behalf of the judiciary, I express my sympathy and concern for practitioners and others affected by Cyclone Gabrielle. I acknowledge the terrible impact that the Cyclone has had upon lives, homes and livelihoods. The damage to the Hawkes Bay and Tairāwhiti regions is of such extent that this is impacting upon the operation of the courts, and I have no doubt, upon the ability of lawyers to do their work of representing their clients.

At this stage I write to set out how the courts will operate over the next week to respond to this reality, as communities in Hawkes Bay and the Tairāwhiti regions deal with the impact of Cyclone Gabrielle.

Immediate aftermath

The courts recognise that some counsel will have significant difficulty in serving their clients until power, phone and internet services are working reliably. The Ministry of Justice is working to ensure that courthouses have power and access to the internet and will endeavour to support counsel in accessing these services.

Communication is very difficult in the region. We are working with the New Zealand Law Society and the Ministry of Justice to set up a means of getting information to lawyers in areas where communications are compromised.

Supporting lawyers

The judiciary understands that it may be difficult to comply with timetable orders given the current conditions in the region. Judges will of course be understanding of the difficulty under which counsel will be operating and that timetables may not be able to be complied with and may need to be redrawn.

We are also very interested to hear from the profession about what steps we can take to support lawyers in representing their clients in matters before the courts.

Conduct of priority proceedings

Limited court business is being conducted in the affected regions. Heads of bench and I are working closely with the Ministry of Justice to resume court business for priority proceedings next week.

Courthouse re-openings

The District Court has implemented its local solution framework in the Tairāwhiti and Hawkes Bay regions, and this will guide scheduling once the courthouses re-open. The Chief District Court Judge will update court users regularly on how the courts in Gisborne, Ruatōria, Wairoa, Napier, Hastings and Waipukurau will operate under this framework.

High Court

The High Court will contact counsel directly about any matters scheduled over the course of the next week.

Urgent matters can be filed in the Wellington High Court by e-filing.

CIVIL – WellingtonHC@justice.govt.nz

CRIMINAL - wellingtonhccriminal@justice.govt.nz

If you prefer to contact the High Court directly at any time, please call the Wellington High Court

Steven Bell – Criminal – 04 914 3694

Sheena Spiers – Civil – 04 914 3619.

Acknowledgements

Finally, I acknowledge the efforts of lawyers, the judiciary, and the court and Ministry of Justice staff based in the eastern North Island – many of whom are navigating the personal toll of the Cyclone on themselves and their whānau whilst working tirelessly to support the administration of justice. For this, I express my deepest gratitude.

I have asked the Ministry of Justice to arrange for copies of this letter to be displayed at the entrances of all affected courthouses and at police stations in the Tairāwhiti and Hawkes Bay regions.

Kia kaha, kia haumarū,

Helen Winkelmann
Chief Justice | Te Tumu Whakawā

Cc: Secretary for Justice