



The Right Honourable Dame Helen Winkelmann

CHIEF JUSTICE OF NEW ZEALAND | TE TUMU WHAKAWĀ O AOTEAROA

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MEDIA STATEMENT

Chief Justice pays tribute to Sir Ian Barker KC

On behalf of Aotearoa's judiciary, Chief Justice Helen Winkelmann today paid tribute to The Honourable Sir (Richard) Ian Barker KC who passed away peacefully this morning.



The Honourable Sir Ian Barker KC (1934-2022)
(Credit: NZLS)

“Sir Ian was an outstanding judge and a true leader of the profession. His distinguished career in the law spanned sixty years of service to the law, to the judiciary – both here and in the Pacific – and to our society. His passing is a loss that will be widely felt” said the Chief Justice.

“On behalf of the New Zealand judiciary I acknowledge Sir Ian’s service, and extend my deepest sympathy to his family.”

Sir Ian graduated with a BA and LLB from the University of Auckland in 1958, and was admitted to the bar in the same year. He took silk in 1973, and was appointed as a Judge of

the High Court in 1976, at the age of 42. He was a Judge of the High Court for 21 years, retiring in 1997. He was an acting Judge of the High Court for some years thereafter.

Throughout his 21 years of judicial service in Aotearoa, Sir Ian made numerous distinguished contributions to the evolution and development of the New Zealand court system. He was Executive Judge of the Auckland High Court for six years. He was also instrumental in the introduction of the Commercial List in Auckland and was its Judge-in-Charge from 1987 to 1997. As a member of the Rules Committee for 11 years, including eight years as Chair, he presided over the drafting and implementation of new High Court Rules in 1985 which represented a significant simplification of the rules. He was also a leader in the introduction of judicial case management – a revolutionary idea for most of the common law world at the time.

As a judge, Sir Ian was renowned for his work on complex and highly detailed cases, such as the 10-year long Securitibank liquidation (*Re Securitibank Ltd (No 2)* [1978] 2 NZLR 136) – a case which resulted in well over 50 separate judgments.

Sir Ian was the senior puisne judge from 1993, and served as Acting Chief Justice for several periods. He also served periodically on the Court of Appeal from 1981.

Sir Ian was knighted for services to the law in 1994, and received an honorary LL.D. from his alma mater in 1999.



Sir Ian Barker KC after retirement from the bench (Credit: Bankside Chambers)

Outside of the courtroom, Sir Ian was President of the Legal Research Foundation from 1982 to 1991, and was appointed as a fellow at the end of his term. He was also a visiting fellow at law schools in Australia, Canada, and England (including four separate periods as visiting fellow at Wolfson College, Cambridge), and served as Chancellor of the University of Auckland from 1991-1999, the longest term of any chancellor. He was also the patron of the In-House Lawyers Association of New Zealand (ILANZ) from its inception.

Sir Ian also served as a judge of several Pacific courts, including the Fiji Court of Appeal (1997-2007), Vanuatu Court of Appeal, Samoa Court of Appeal, Pitcairn Court of Appeal, and Kiribati Court of Appeal. Most notably, Sir Ian served on the Cook Islands Court of Appeal from 1990 to 2019, including as President of the Court.

After his retirement as a judge in New Zealand, Sir Ian continued his distinguished legal career as an arbitrator and mediator. He was a founding member of Bankside Chambers in the early 2000s, and became an Associate Member in 2019.

He continued to serve on the various Pacific courts, and played a crucial role in several Cooks Islands Law Reform projects.



Ceremonial sitting of the Cook Islands High Court to farewell Sir Ian Barker, April 2019. L-R: High court registrar Claudine Henry-Anguna, Sir Ian Barker, ombudsman Nooapii Tearea and Justices of the Peace Georgina Williams and Carmen Temata (Credit: Cook Islands News)

He also took on major appointments in New Zealand and abroad, including as Chair of the Banking Ombudsman (1997-2010) and as the New Zealand member of the ACC Arbitration Commission in Paris from 2000. He was the first World Intellectual Property Organisation domain dispute panellist appointed in New Zealand in 2000, resolving domain disputes for the WIPO, National Arbitration Forum (USA) and Internet New Zealand. He was the President of the Arbitrators' & Mediators' Institute of New Zealand (2000-2002) and Chair of the Sir George Elliot Charitable Trust (2003-2019).

Sir Ian remained an active member of his community after his retirement. Along with two other retired High Court Judges and a retired District Court Judge, he attended Otahuhu College once a week to provide remedial reading assistance to students.

Sir Ian was a highly esteemed colleague of his fellow Judges and admired and respected by those who appeared before him not just for his efficiency and intellect but also for his personal warmth. He will be greatly missed by his many friends and professional associates.

He is survived by his wife Mary, his five children, and his grandchildren.