

NOTE: PURSUANT TO S 130 OF THE INTELLECTUAL DISABILITY (COMPULSORY CARE AND REHABILITATION) ACT 2003, ANY REPORT OF THIS PROCEEDING MUST COMPLY WITH SS 11B, 11C AND 11D OF THE FAMILY COURT ACT 1980. FOR FURTHER INFORMATION, PLEASE SEE <https://www.justice.govt.nz/family/family-court/after-the-family-court/restrictions-on-publishing-information/>

NOTE: NO PUBLICATION OF THE YOUTH COURT PROCEEDINGS REFERRED TO IN [2025] NZSC 103 IS PERMITTED UNDER S 438 OF THE ORANGA TAMARIKI ACT 1989, EXCEPT WITH THE LEAVE OF THE COURT THAT HEARD THE PROCEEDINGS, AND WITH THE EXCEPTION OF PUBLICATIONS OF A BONA FIDE PROFESSIONAL OR TECHNICAL NATURE THAT DO NOT INCLUDE THE NAME(S) OR IDENTIFYING PARTICULARS OF ANY CHILD OR YOUNG PERSON, OR THE PARENTS OR GUARDIANS OR ANY PERSON HAVING THE CARE OF THE CHILD OR YOUNG PERSON, OR THE SCHOOL THAT THE CHILD OR YOUNG PERSON WAS OR IS ATTENDING. SEE <https://www.justice.govt.nz/family/family-court/after-the-family-court/restrictions-on-publishing-information/>

IN THE SUPREME COURT OF NEW ZEALAND

I TE KŌTI MANA NUI O AOTEAROA

**SC 10/2024
[2025] NZSC 144**

BETWEEN	J, COMPULSORY CARE RECIPIENT, BY HIS WELFARE GUARDIAN, T Appellant
AND	ATTORNEY-GENERAL First Respondent
	DISTRICT COURT AT MANUKAU Second Respondent
	FAMILY COURT AT MANUKAU Third Respondent
	CARE CO-ORDINATOR Fourth Respondent
	CARE MANAGER Fifth Respondent

BETWEEN J, COMPULSORY CARE RECIPIENT, BY
HIS WELFARE GUARDIAN, T
Appellant

AND CARE CO-ORDINATOR
Respondent

Court: Winkelmann CJ, Ellen France, Williams, Kós and Miller JJ

Counsel: A J Ellis and G K Edgeler for Appellant
K Laurenson, M J McKillop and R E R Gavey for First and
Fourth Respondents in SC 10/2024 and Respondent in
SC 11/2024
No appearance for Second, Third and Fifth Respondents in
SC 10/2024

Judgment: 17 October 2025

JUDGMENT OF THE COURT

By consent:

- (a) The first and fourth respondents must pay the appellant one set of costs of \$50,000 plus usual disbursements. We allow for second counsel.**
 - (b) Costs in the Court of Appeal and High Court are remitted to those Courts to determine in the absence of agreement between the parties.**
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REASONS

[1] We agree we should make orders as to costs in the terms set out, reflecting the views of counsel for the appellant, and for the first and fourth respondents in SC 10/2024 and respondent in SC 11/2024. Orders are made accordingly.

Solicitors:
Te Tari Ture o te Karauna | Crown Law Office, Wellington for First and Fourth Respondents in
SC 10/2024 and Respondent in SC 11/2024

Copy to:
L M Sijbrant, IHC New Zealand Inc, Wellington for Intervener
B J Peck, Te Kāhui Tika Tangata | Human Rights Commission, Wellington for Intervener