

**Dame Helen Winkelmann, Chief Justice of New Zealand**  
***Swearing in of Justice Simon James McKenzie Mount***

**Auckland High Court**

**Thursday 5 June, 2025**

Ki te koroua whare o ngā whare kōti o Aotearoa, e tū, e tū, e koro e.

Ki nga mana whenua, tēnei rā te mihi

E mihi ana ki ngā mate o te wā

Ki a koutou te hunga ora; ngā māreikura, ngā manukura, te hunga rōia

E te whetū o te rangi nei, Justice Mount, tēnā koutou ko tō whānau.

Tēnā koutou, otirā tēnā tātou katoa

I welcome you to this historic courtroom — courtroom number one of the Auckland High Court — for the swearing in of Justice Simon Mount as a Judge of the High Court of Aotearoa New Zealand.

Sitting alongside me on the bench today, along with Justice Mount, are the Chief High Court Judge, Justice Sally Fitzgerald, and judges of the Auckland High Court. We are also joined by AVL by judges sitting in Wellington, Rotorua and in Christchurch.

I welcome Justice Mount's family, his wife Dr Vicki Mount, daughters Sylvia and Emily. His mother Elspeth, and the extended Mount whanau.

I acknowledge the presence of retired judges of the Supreme Court, Court of Appeal and High Court, acknowledged earlier by Justice Harvey.

I thank kaikaranga, Leslie Taylor; and my thanks also to Justice Harvey for commencing today's ceremony with a mihi whakatau; and to the rōpū waiata made up of clerks, registry and judicial support staff.

Ka rere ngā mihi ki a koutou.

Today, as you can see, the High Court sits in full ceremonial splendour. Judges of the High Court are not normally arrayed in this colourful attire. Their working garb is rather a plain black robe. We put on our ceremonial robes when the business we conduct has significance to the broader court system, such as when we admit new lawyers to the profession, when we call counsel to the senior bar, or as today, when we swear in a new judge.

The swearing in of a new High Court Judge is important business for this court, for the profession and for our society. Judges are charged with the administration of justice in New Zealand. In that role we exercise great power — power which affects individuals, whanau and communities. This is power which must be exercised with great care, skill and humility. As they say, with great power comes great responsibility.

This ceremony will include speeches in which the Judge's credentials to hold this high office are reviewed by me and by counsel. During those speeches, you will hear of the genuine affection and respect the profession has for Justice Mount.

There is certainly something of a celebration about today. It is right that Justice Mount's friends and family feel pride about his appointment because it reflects the very high confidence held in the new judge by the government, profession and judiciary.

All the same, this ceremony is not held to celebrate the new Judge, but rather to provide the public with an understanding of his career to date so that they may be confident that he does indeed have the skills and character to undertake this demanding task.

Lawyers and judges get used to the way we conduct these ceremonies because this is our usual place of work. For those of you who are not in the legal profession, the ritualised aspects of this ceremony may seem alien. But these rituals serve an important function.

Some of the rituals are expressions of courtesy which you will also see used in the everyday work of the court — bowing to the judge, and the formal way counsel and the judge address each other. This is a self-conscious courtesy which enables very difficult issues, sometimes highly charged issues, to be resolved before the court in a peaceful manner. Others of the rituals, such as the wearing of these ceremonial robes, symbolise the continuity of the institution of the courts, and the stability and order that courts and the law bring to society.

Rituals inevitably are reflective of the culture of a society. The basic ritual associated with this ceremony was inherited from England. But over time our ceremonies have evolved to reflect both of the founding cultures of this nation. And they have evolved to reflect our unique environment — to reflect that our courts and our law serve a country in the South Pacific, a nation with its own history, custom and values.

I will shortly begin the formal part of the ceremony when I take the appearances of King's Counsel. These are the leading barristers in the legal profession who have rights of first audience before the court. They attend today to show their respect for the court and to show respect for and provide support to the new Judge. The Judge's commission from the King will then be read.

After the reading of the commission, we will proceed to the critical part of the ceremony, which is the taking of the oaths of office. I will first ask the Judge to take the oath of allegiance. He takes that oath because he will serve as a judge under commission from the King. The other oath he will take is the judicial oath.

After the oaths of office, I will make a few remarks about the Judge. We will then hear speeches about the Judge from the Solicitor-General, Ms Jagose, who will speak on behalf of the Government, from Natalie Walker who will address on behalf of the New Zealand Law Society and New Zealand Bar Association, and Te Rau Kupenga, who will speak on behalf of the community.

Finally, the Judge will have an opportunity to speak. But first we begin the ceremony proper by taking the appearances of senior counsel.

## Personal Remarks

Justice Mount, I have the honour of being the first to congratulate you on your swearing in.

I will not speak for long, as we have three speakers who will describe your career and your qualities. I am confident they will describe a career which exemplifies the intellect, legal ability and character to be a High Court judge.

As all judges do, you bring with you the knowledge that you have gained on the path you have walked through life and through your career. I wish to highlight one aspect of your career that as Chief Justice I see of particular value to the judicial role.

A significant feature of your career is the number of times your wise advice has been sought out by those who are charged with running difficult public inquiries or commissions. Your work assisting these various inquiries and commissions will have given you insight into how systems set up with the very best of intentions, fail. And how those systems can, in the worst cases, even harm those they are meant to protect. You will have learned how important it is that the individuals working within that system, understand and listen carefully to the people that the system serves so as to avoid that failure, and avoid that harm.

I especially highlight the work you did as counsel assisting the Royal Commission into abuse in care. In that role you heard the evidence given by survivors of abuse in care. They described care systems that had failed to protect them. The evidence given by some also described engagement with the court system, where again survivors felt they were let down, unable to participate in proceedings or to secure the protection of the law they were entitled to.

Having spoken of the important work of the Royal Commission it is right that I acknowledge the presence today of the Chair of the Royal Commission, Coral Shaw, and also of survivors who gave their evidence before the Commission.

Today, Justice Mount, you join a bench of judges who each feel the weight of the responsibility to live up to the ideal of the judicial oath — to do right to all persons. This is a judiciary that wishes to hear the lessons the Royal Commission would teach us. In that regard, I acknowledge your participation in recent months in judicial education, in which you have shared with the judiciary the knowledge and wisdom you gained as counsel assisting the Royal Commission. You did this on a voluntary basis, and before becoming a judge. This was yet another demonstration of the commitment to serving the interests of justice that you have shown throughout your career.

Justice Mount, on behalf of your colleagues I am delighted to welcome you to the High Court bench.

Kia kaha, kia māia, kia manawanui.

Tēnā tātou katoa.