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District Courts' Annual Report

Last year's Annual Report began demonstrating the depth and breadth of the work of the District Courts and profiling the Judges who work within the Courts in all their jurisdictions. You can access the 2013 report at www.courtsofnz.govt.nz/district/district/district-court-judiciary-annual-report-2013.pdf/. In this report we hope to develop those two themes and celebrate our successes.

There have been significant advances and milestones which I as Chief District Court Judge consider highlight the progressive and dynamic way in which we approach the administration of the business of the Courts and discharge our collective responsibility to serve the New Zealand public.

The District Courts have received international recognition as a leader in the implementation of the International Framework for Court Excellence.

The Christchurch District Court (judges and staff) received a prestigious international award in recognition of their work in the postearthquake recovery of the administration of justice in Christchurch.

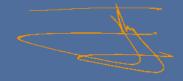
Significant reductions in the number of jury trials on hand, particularly in the Auckland metropolitan region, were achieved by a number of innovations – a new judicial oversight structure, the appointment of a National Jury Trial Scheduler responsible to me and far closer cooperation with Ministry of Justice staff working within this new structure.

We have made considerable improvements to the process of rostering our Judges.
We have introduced new business principles including the identification of essential courts. This means we will be better equipped to ameliorate the acute seasonal impacts to our business; although we can never control what does or does not come into our courts.

There have been personal highlights as well. Along with the Chief Justice and other Judges I represented the Judiciary at the 2014 Waitangi celebrations. Important exchanges took place that demonstrated the health of our democracy and the place of the Judiciary as one of the cornerstones of our constitutional model.

I also represented the District Court
Judiciary at a forum convened by the Chief
Justice of Samoa. There are important links
between New Zealand and Samoa, given
the proportion of our population who are
Samoan. At the forum we celebrated the
links between our courts and our Judges
as peoples of the Pacific.

I remain honoured to serve the public of New Zealand and to lead such a fine group of committed and conscientious Judges.



Chief District Court Judge, **Her Honour Judge Jan-Marie Doogue**

District Courts Jurisdiction

There are 58 District Courts spread throughout New Zealand. One hundred and fifty eight judges sit in these courts; they have jurisdiction over all criminal matters, apart from a small selection of serious offences which are reserved for the High Court. In their civil jurisdiction, the District Courts can hear general claims in tort, equity and contract for amounts up to \$200,000.

The Family Court and Youth Court are divisions of the District Courts.

Role of District Courts

New Zealand has a hierarchical court system. The District Courts are the primary courts where most cases are initiated. They are the principal trial courts in New Zealand. Every person charged with a criminal offence will make their first appearance in a District Court, even if their charge will ultimately be heard in the High Court. Most defendants will go through the entire justice process in a District Court, from first appearance until sentencing (if they are convicted), whether they plead guilty or not guilty. If a defendant disagrees with the outcome of the case, he or she may appeal to a higher court to have the decision revisited. In their civil jurisdiction, the District Courts similarly deal with claims between persons at first instance, although they also hear appeals against the decisions of various tribunals.

Because the District Courts deal with most matters at first instance, they are the busiest courts in New Zealand. They are also the largest and most numerous, sitting in nearly 60 communities around New Zealand. For most, the District Courts are the primary point of contact between the justice system and the wider public.



The judicial administration of District Courts is a complex and challenging exercise. We are the largest judiciary by number in Australasia and have the broadest jurisdiction.

This past year I have invested a lot of my time investigating how to measure our performance and put in place improved processes to do so.

It is a well known axiom that "justice delayed is justice denied". This year in addressing illegitimate delays in our systems we have focused on three areas.

First, assisted by the Ministry of Justice we have targeted those cases we believe have been in the system too long. Secondly, we have striven to ensure parity of service across all courts. Adept deployment of the judges has made significant inroads into redressing past inequalities in service. Thirdly, we have refined our protocol on the timely delivery of judgments. We have resolved that 90% of all judgments should be delivered within three months. Our performance in this area is set out later in this report.

Chief District Court Judge, Her Honour Judge Jan-Marie Doogue I have also established a high level committee which includes the Deputy Secretary District Courts and the General Manager District Courts, Principal Family Court Judge, Principal Youth Court Judge, National Executive Judge and National Judicial Resource Advisor, whose purpose is to focus on improved rostering of judges and scheduling of cases for District Courts. We have put in place a rigorous process by which essential courts will be staffed. The Ministry of Justice is working very hard to provide us with more capable IT assistance so as to enable us to better manage our judicial resources.

Another area of focus for us this past year has been the availability of relevant information to enable judges to make decisions on the granting or refusal of bail.

We are working with representatives of Police, Ministry of Justice, programme providers and victims to identify systemic improvements so that more and better information is provided to judges making these decisions.

All District Court judges have had recent refresher seminars on the subject of bail. Continuing legal education in this and other areas has been developed and is available to judges on-line.

Over the next year these areas of focus and others will be developed further.

Australasian Institute of Judicial Administration Incorporated 2013 Award for Excellence in Judicial Administration

In December 2012 the District Court at Christchurch was awarded this prestigious biennial award jointly with 2 members of the High Court. This was the first time such an award has been made to a court as a whole and the first time a New Zealand nomination has won it. The award attracted nearly 40 nominations.

The jury for the award particularly noted the role of the Judicial Reference group set up by the Chief Judge and chaired by the National Executive Judge and which comprised judges, court administrators, Government representatives, the legal profession and others to promote a "whole of court" judicial and staff response to the earthquakes.

To be considered for this award, nominees are required to demonstrate innovation, an improvement of access to justice and the delivery of real benefits for the justice system.

The jury was impressed that despite the huge challenges of dislocation and disruption to conventional justice services, within approximately 6 months most jurisdictions of the Christchurch District Court were operating at efficiencies equal to or better than the statistical national averages of all District Courts.

The Chief Judge and the National Executive Judge, supported by Christchurch Judges John Strettell and Emma Smith, each received awards at a function in Sydney in April.



Principal Family Court Judge, His Honour Judge Laurence Ryan

The past year has been one of change for the Family Court. Parliament introduced a considerable amount of new legislation which has had a significant impact on how Judges determine cases concerning child care arrangements and family violence.

The high rate of domestic violence in New Zealand is a serious issue. All Family Court Judges are conscious of the effect of intimate partner abuse on victims, including children. Our court provides immediate access to justice for victims of abuse. The National eDuty platform, a successful initiative led by Family Court judges, continues to operate effectively and enables Judges to deal with large numbers of urgent applications on the very day they are filed. In June, Judges dealt with nearly 1000 eDuty applications.

Speedy access to justice is not only available to victims of domestic violence but to the vast majority of people who require assistance from the Family Court. Whether the issue for resolution is a division of property, the care and protection of children, child support or the protection of the aged and incapacitated, the statistics speak for themselves. 90% of all applications filed in the Family Court are determined and finalised within 12 months. The vast majority of those applications that are opposed and therefore require a hearing before a Judge are still resolved within 12 months.

The Family Court is a specialist court, where Judges receive on-going training to effectively deal with all family law issues that come before them.

I continue to devote my attention to establishing case management practices in the Family Court to ensure the court operates as efficiently as possible. Together with the Chief District Court Judge and the Principal Youth Court Judge there is constant monitoring and review of the judicial resource requirements.









Principal Youth Court Judge, His Honour Judge Andrew Becroft

I have a challenging and extremely rewarding job to lead a court that has a significant opportunity to direct our most serious young offenders away from a pathway of adult crime.

As the Carnegie Foundation recently emphasised, working with a community's most serious and challenging youth offenders effectively constitutes our "last, best shot" to prevent a life of repeat adult offending with all the attendant direct and indirect costs to the country that this involves.

In the 2013 Annual Report, I explained what my role and responsibilities are as Principal Youth Court Judge. My role primarily involves overseeing the effective operation of the Youth Court in consultation with both the Chief District Court Judge and Principal Family Court Judge. I also ensure efficient rostering of Youth Court judges. I support Youth Court judges in their work. There is also the responsibility to provide a public face and voice for the Youth Court.

This past year the Youth Court's emphasis was on working with our most serious and challenging young offenders. Police youth apprehension rates continue to fall and alternative non-court interventions continue to rise – with the result that Youth Court numbers are at an historic low. Many of those who appear before the Youth Court have a constellation of inter-related issues: school disengagement, drug and alcohol problems, family disadvantage and often family violence and transience, previous Child, Youth and Family involvement because of abuse and neglect, neuro-developmental issues and mental health concerns, as well as a significant lack of community involvement and support. A multi-disciplinary approach, with strong community support, is required in respect of which the Family Group Conference continues to provide the central role.

Lower numbers of young persons entering the court have enabled a much more focussed approach. This Report highlights a number of projects that have been initiated and some near completion which I hope will continue to strengthen and improve the Youth Court's approach to those youth offenders whose offending is serious enough to require Youth Court intervention.

The past year has seen the implementation of a number of projects derived from the International Framework for Court Excellence assessments and foreshadowed in the 2013 Annual Report. Details of some of those follow.

Also of note has been the co-operative approach with the Ministry of Justice to determine what courts are essential to the proper administration of justice on a day to day basis.

The nature and breadth of the work of the District Courts and the reality of seasonal trends which influence the volumes of work to be completed, all require the ability to respond to the needs of the community on a daily basis. Understandably, this requires the allocation (rostering) of judges to meet those demands.

This year there has been a focus on a pro-active strategy to determine where and when judges should be rostered. This includes agreeing with the Ministry of Justice just what courts and what types of work should be accorded priority.

There is also a tension between the different jurisdictions of the court (eg jury trial, civil, family) and the rostering strategy takes account of the need for overall equity amongst those jurisdictions.



International Framework for Court Excellence

Last year's report disclosed the IFCE methodology of assessing the health of the District Courts. The first assessments were completed by Judges in 2012 and the reports that resulted from these assessments have informed a series of strategic and operational improvements for the courts themselves and for the role of judges.

This year has seen the implementation and development of a co-operative approach with the Ministry of Justice to operational improvements, particularly in the areas of rostering of judges and scheduling of the work they do, a new approach to judicial education and a peer review and pastoral care programmes for judges.

There has been continued refinement of the District Courts Judicial Strategy Plan, much of which has been influenced by the continued analysis and implementation of the assessment results.

The breadth and depth of information gleaned from the assessments has also enabled judicial leaders at a regional and local level to assess the performance of the courts for which they are responsible and to implement improvements.

The District Courts' approach and improvement to the framework itself has continued by the development of an on-line assessment tool that will have international portability by the use of smart technology. This innovation enables an efficient and more focused approach to be taken to the assessments and the analysis of them.

The next assessments will take place in May 2015 and will be extended to include senior members of the Ministry of Justice management teams.

The innovative approach to the framework adopted by the District Courts was recognised internationally when the Chief Judge and the Chairperson of the IFCE Committee were invited to Washington DC, United States of America, to present a paper at the 6th International Conference on the Training of the Judiciary. The Chief Judge and Principal Family Court Judge continue to assist their counterparts in various Australian courts with the implementation of the IFCE for those courts.

District Courts Judicial Strategy Plan

The judicial process in the District Court provides dignified, timely access to justice which optimises the use of judicial expertise nationally, has the confidence of court users and the wider community and is consistent with international standards of excellence.

The Strategy Plan was published last year for the first time. Following the analysis of the IFCE assessment a review has resulted in a much more focused programme of work. This, in turn, has led to a streamlining of the Committee structure which is designed to underpin the programme of work and thus the strategy. Of note the strategic aims have been recast to reflect the views of the judges as to their aspirations for the Courts.

2012-2015

Strategic aim

To promote the vision of the District Courts, which is to do right to all people according to law without fear or favour, affection or ill will.

The Programme of Work

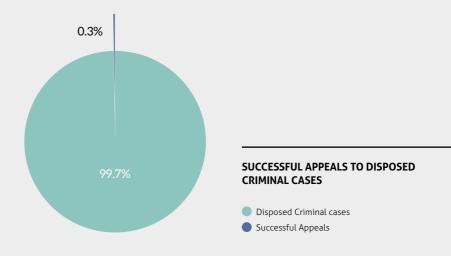
A	Judicial leadership & management	1. Implement the national approach to deployment of the judicial resource.	2. Design and implement a national judicial workload model to ensure the effective and efficient deployment of judicial resources.	3. Design and implement a set of generic judicial performance measures for the District Court.		
В	Judicial capacity & capability	4. Design and implement improvements to judicial practice and welfare arising from the IFCE Review.	5. Design and implement practice guidelines to integrate solution focused judging concepts with the judicial process.	6. Develop strategies that enable judges to adapt to the increase in self represented litigants.	7. Design and implement a kaupapa Māori Strategy for the District Court bench.	8. Agree a judicial perspective on the use of ICT which demonstrates the desire to seek innovative technological change to improve the judicial process.
С	Building public trust & confidence	9. Maintain District Court judicial contribution to the IFCE internationally.	10. Design and implement a community engagement strategy.	11. With the Ministry, design a strategy to improve the accessibility of the judicial process for people for whom English is their second or other language.	12. With the Ministry, design and implement a policy for the publication of judgments.	13. With the Ministry, design and implement a robust strategy for monitoring and reporting on court user and public satisfaction.
D	Access to Justice	14. Monitor jurisdictional rules of Court and strategise to promote access to justice by means of rules.	15. Help design a co-location model for social, education and health agencies which support the work of the District Court as a community based court.	16. Work with the Ministry on strategies to effectively respond to the impact of national demographic trends on the District Court.		

Judicial Performance Measures

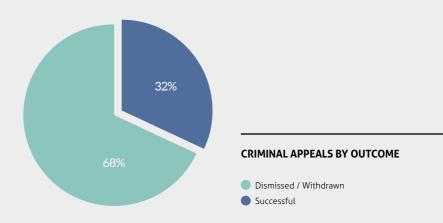
The 2013 Annual Report anticipated the development of judicial performance measures and the reporting of them. Measures such as the timeliness of decision making and appeal outcomes appear in this report. The Courts are not yet in a position to report on other measures due to the limitations of collected data. Steps are being taken by the Ministry of Justice to improve data collection and analysis. The current indication is that this will enable fuller reporting in the 2015 Annual Report.

Criminal Appeals

This is the number of appeal applications made in relation to the number of disposed criminal cases which includes Jury Trial and Youth Court cases. The number of cases does not reflect the actual number of decisions made in the criminal jurisdiction during the year that can be appealed, but provides a starting point from which comparisons can be made.



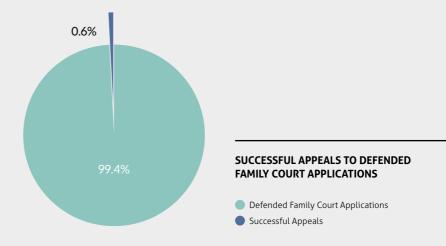
Disposed Criminal cases	Successful Appeals
136,433	426
99.7%	0.3%



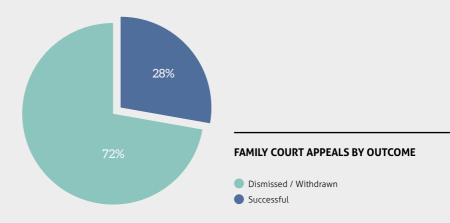
Total Appeals	Successful Appeals	Dismissed / Withdrawn
1,317	426	891
	32%	68%

Family Court Appeals

This is the number of appeal applications made in relation to the number of disposed Family Court defended applications, where a hearing was held. The number of applications does not reflect the actual number of Family Court decisions made during the year that can be appealed, but provides a starting point from which comparisons can be made.



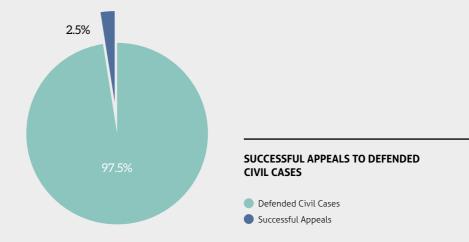
Defended Family Court Applications	Successful Appeals
3,945	25
99.4%	0.6%



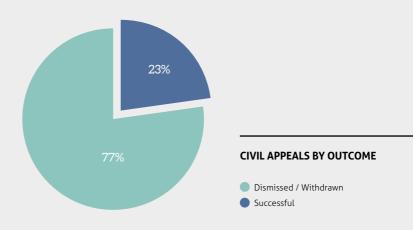
Total Appeals	Successful Appeals	Dismissed / Withdrawn
90	25	65
	28%	72%

Civil Appeals

This is the number of appeal applications made in relation to the number of disposed civil defended cases. The number of cases does not reflect the actual number of civil decisions made during the year that can be appealed, but provides a starting point from which comparisons can be made.



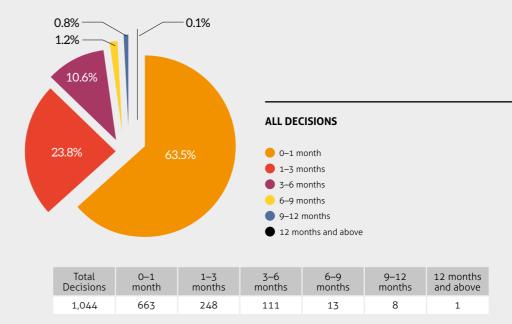
Defended Civil Cases	Successful Appeals
517	13
97.5%	2.5%

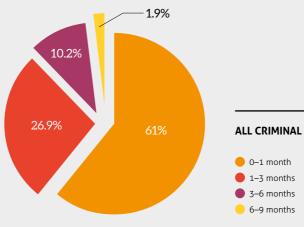


Total Appeals	Successful Appeals	Dismissed / Withdrawn
56	13	43
	23%	77%

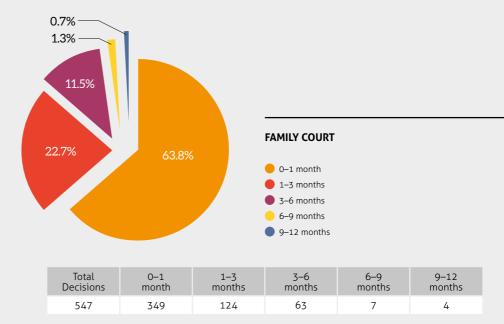
Timely delivery of Judgments

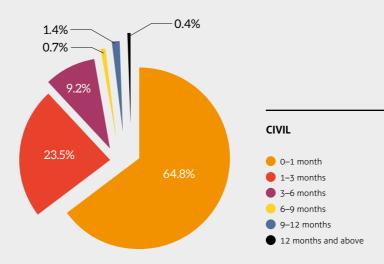
Because of the complexity of their work, judges sometimes do not announce their decisions immediately at the conclusion of a case. These decisions are "reserved" and delivered at a later time. The following charts show the numbers of decisions and amount of time taken (in months) to deliver those decisions.





Total Decisions	0–1 month	1–3 months	3–6 months	6–9 months
216	132	58	22	4





Total Decisions	0–1 month	1–3 months	3–6 months	6–9 months	9–12 months	12 months and above	
281	182	66	26	2	4	1	

Role of Jury Courts

The right to trial by jury is protected in the New Zealand Bill of Rights Act. A defendant has the right to elect a jury trial where he or she is charged with an offence punishable by a maximum sentence of 2 years imprisonment or more. In a jury trial, findings of fact are made by 12 members of the community rather than by a judge. The jury decides whether the defendant is guilty or not guilty and must reach that decision either unanimously or in certain circumstances by a majority of 11 to 1. Trial by jury is deeply rooted in history but today these trials are reserved for more serious crimes.

Did you know that publishing the identity of a person whose name has been suppressed by the Court is punishable by a significant fine or imprisonment?





National Jury Trial Judge, Judge Geoff Rea

Active management of jury trials by judges specifically delegated to manage trials has reduced the national numbers on hand by approximately 30% over the 2 years ending June 2014. At 30 June 2014 there were 1918 outstanding.

My focus this year has been on trials that have been in the system for some time. Many of these trials are trials anticipated to take two weeks or longer, with other complicating issues such as multiple defendants or the requirement for interpreters. For example, this focus has reduced this category of trial in metropolitan Auckland from 14% to 7%.

The renovation of the Manukau courthouse has meant that since November 2013 all jury trials in metropolitan Auckland have been held at the Auckland courthouse. The close judicial management of this process has resulted in efficiencies and the total number of outstanding trials over both courts has reduced from 828 to 680.

The case management provisions of the Criminal Procedure Act 2011 came in to force on 1 July 2013. These provisions codified the approach to case procedures so as to ensure that cases (and trial issues) are addressed earlier thereby reducing the number of cases requiring a trial. The judges managing jury trials are insisting that the parties comply with their obligations under the Act to facilitate earlier resolution where possible.

The challenge for the next year is to consolidate the gains we have made so far and to focus on reducing the time to dispose of cases.

Jury Trial Jurisdiction - National Statistics

The jury trial jurisdiction deals with the more serious criminal cases. The District Court jury trial caseload is made up of cases commenced under either the Summary Proceedings Act 1957 (SPA) or the Criminal Procedure Act 2011 (CPA).

As there are two procedural regimes in place, jury trial case statistics comprise cases committed for trial under the SPA and cases ready for trial (post case review hearing and following an election of trial by jury) under the CPA.

DISTRICT COURT JURY TRIAL CASES



	June 2010	June 2011	June 2012	June 2013	June 2014
New Business	3,743	3,118	3,219	2,988	2,370
Disposals	3,117	3,051	3,091	3,349	2,751
Active Cases	2,513	2,586	2,699	2,354	1,918

This jurisdiction has seen:

- New business decrease from 2,988 in June 2013 to 2,370 in June 2014 a reduction of 21% or 618 cases.
- Disposals decrease from 3,349 in June 2013 to 2,751 in June 2014 a reduction of 18% or 598 cases.
- Active cases decrease from 2,354 in June 2013 to 1,918 in June 2014 a reduction of 19% or 436 cases.

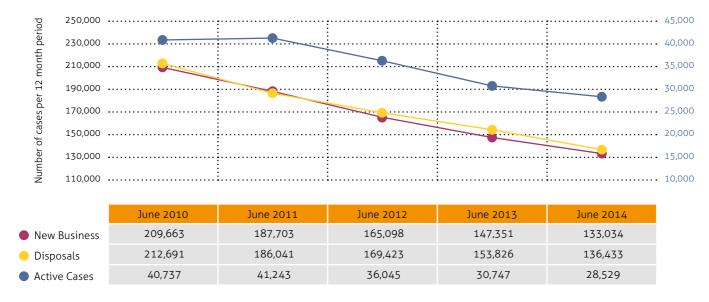
Number of active cases at th end of each period

Total Criminal - National Statistics

On 1 July 2013 the processes for filing and progressing criminal cases through the courts changed due to the implementation of the Criminal Procedure Act 2011 (CPA). Pre-1 July 2013 cases will continue to be a feature of the District Courts' workload until those cases reach completion.

The information in this chart differs from the previous report, as it encompasses the total numbers of all criminal cases (including Jury Trial and Youth Court cases) throughout each reported year. This style of criminal reporting better reflects the actual workload of the District Courts.

DISTRICT COURT TOTAL CRIMINAL CASES



This jurisdiction has seen:

- New business decrease from 147,351 in June 2013 to 133,034 in June 2014 a reduction of 10% or 14,317 cases.
- Disposals decrease from 153,826 in June 2013 to 136,433 in June 2014 a reduction of 11% or 17,393 cases.
- Active cases decrease from 30,747 in June 2013 to 28,529 in June 2014 a reduction of 7% or 2,218 cases.

The use of pre-charge warnings (which divert lower end offences away from prosecution and court proceedings) by the Police continues to significantly influence the downward trend in new business.





The District Courts' Strategy Plan provides for the mainstreaming of solution focused judging in all District Courts. Solution focused judging involves the process of identifying the underlying causes of offending and then using the court process to assist in the delivery of effective interventions to offenders. This already operates in the specialist courts such as the drug courts, special circumstances courts (which deal with the homeless) and family violence courts. Expanding the availability of this approach in suitable cases to general courts, or "mainstreaming" the process, will promote equality of treatment before the courts. During the last year a detailed project plan has been developed which identifies the securing of intervention services in courts, with an emphasis on alcohol and other drug screening services, and the concurrent training of judges in the application of solution focused judging as the key requirements of mainstreaming this approach. These two aspects will be the focus over the next year.





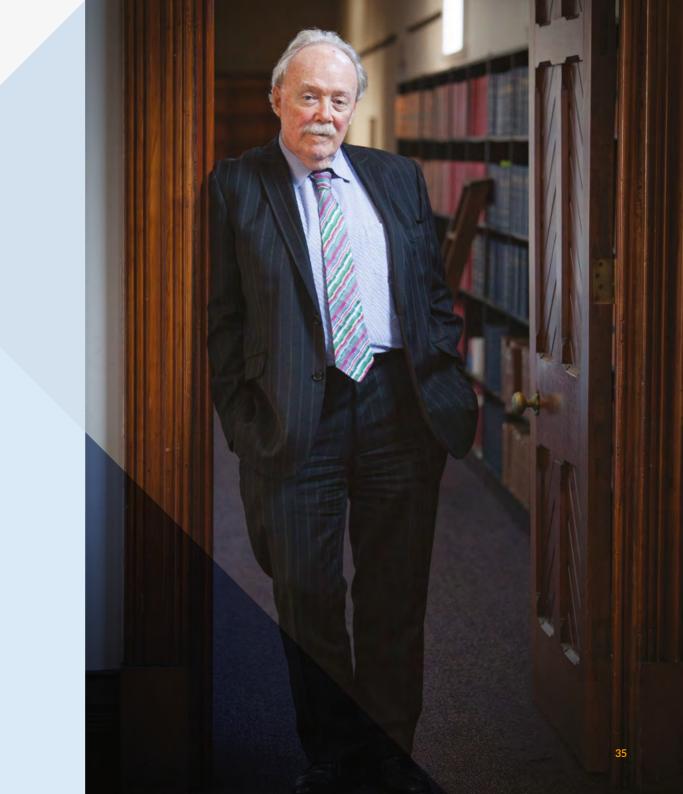
Judge Kevin Phillips

I took up my current position in Dunedin in January of this year after completing eight years as the sole criminal jury warranted Judge in Invercargill.

I am now one of two criminal jury warranted Judges and one of four judges based in Dunedin. Seismic risks have meant significant dislocation from the historic courthouse in Stuart Street and we operate over three separate sites.

Notwithstanding our separation, all four of us strive daily to ensure that our judicial roles are approached and completed in an overall consistent and timely manner. We ignore practical difficulties and get on with delivering justice for the community.

Coming from the Invercargill Court which is not similarly compromised has been, and remains, a daily challenge which means every day is both exciting and professionally challenging and overall, most rewarding.



Dunedin District Court - Court of the Year 2013

The Dunedin District Court received the inaugural Ministry of Justice award for "District Court of the Year" in December 2013.

This achievement was the result of significant work undertaken by staff, managers and the judiciary towards a primary goal of the District Courts: reducing the average age of cases. Other court users such as Police, Corrections and the legal profession also contributed.

The award was even more notable because court operations were split across a number of sites in Dunedin when a significant portion of the Dunedin Courthouse was closed for seismic strengthening. This also required Jury trials being held at the Invercargill District Court.

The Dunedin team overcame these obstacles to reduce the age of cases to significantly below the national targets across all categories of cases and improve the services it delivers to the local community.

Did you know that a discharge without conviction may only be granted if the consequences of a conviction are "out of all proportion" to the offending?



Role of Civil Jurisdiction

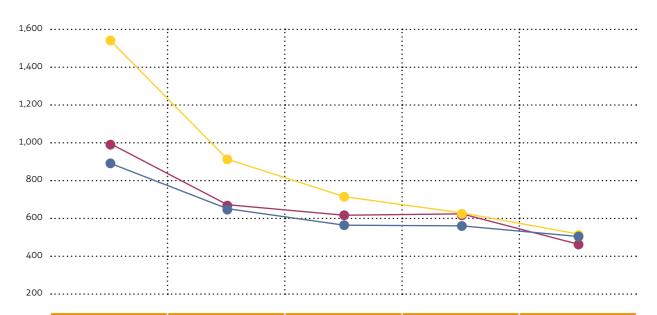
The civil jurisdiction of the District Courts resolves disputes between individuals or organisations. A person who feels they have been wronged may bring a claim and, if successful, be awarded a remedy such as compensation. The District Courts may hear claims up to a monetary value of \$200,000. The government proposes to increase this limit to \$350,000. Examples of common claims in the District Courts include contractual disputes, where one party has not performed their obligations under an agreement, and claims in negligence, where services have not been provided with a reasonable level of skill.

Did you know the vast majority of decisions are delivered verbally by Judges to the parties rather than in writing?

Civil Jurisdiction - National Statistics

The majority of cases in the civil jurisdiction are resolved without proceeding to trial and are not included in the figures below.

DEFENDED CIVIL CASES



	June 2010	June 2011	June 2012	June 2013	June 2014
New Business	997	675	620	622	467
Disposals	1,545	916	715	630	517
Active Cases	891	650	564	563	505

This jurisdiction has seen:

- New business decrease from 622 in June 2013 to 467 in June 2014 a reduction of 25% or 155 cases.
- Disposals decrease from 630 in June 2013 to 517 in June 2014 a reduction of 18% or 113 cases.
- Active cases decrease from 563 in June 2013 to 505 in June 2014 a reduction of 10% or 58 cases.

In January this year, I was appointed Chairperson of the District Courts Civil Committee, a committee of District Court Judges with civil designations which assists with the overseeing of the Court's civil work. This year will see significant changes to civil work in the District Court. It is anticipated there will be an extension of the monetary jurisdiction of the Court and the review of the current Rules of Court, which began in 2012, has been completed with a new set of Rules effective from 1 July 2014. These new rules largely align the District Courts Rules with the High Court Rules and reintroduce summary judgment from the inception of proceedings as well as pleadings from the commencement of claims.

It is expected these changes will continue to allow the Court to provide a just, speedy and inexpensive determination of civil disputes brought before it.

In view of the volume of civil work in the metropolitan Auckland Courts, the Chief District Court Judge has allocated additional civil judge time to these Courts.







I sit in the Nelson and Blenheim Courts undertaking criminal, youth and civil work.

I share chambers with Judge Richard Russell, who has a family warrant, and together we manage our busy and varied workload with the assistance of visiting Wellington judges.

Given the size of the communities that I serve I inevitably have a greater community visibility than judges that serve in larger centres.

I have been acting in coaching various sports teams, more particularly rugby teams, during the nine years that I have been in Nelson. My involvement with coaching has brought me into contact with a number of people with whom I have had dealings in the courts. This has on occasions presented some difficulties. However, the difficulties are far outweighed by the benefits of the community seeing me assisting local youth, no matter what their backgrounds or circumstances. I believe that my sporting involvement enables me to have a better understanding of people and more importantly it shows that judges too are part of their community.

Judge Tony Zohrab

Judge Greg Ross

I have been a District Court Judge in the Palmerston North District Court for over 20 years. I sit there and in the surrounding country courthouses in Dannevirke, Taihape, Ohakune, Taumarunui, Levin and the Marton Hearing Centre.

My work is in the criminal, youth and civil jurisdictions which gives me variety of work.

The recent upgrades of the courthouses in Palmerston North and Levin by the Ministry of Justice have made a significant difference and enabled all courthouse users to benefit from modern, up-to-date secure facilities, a big change from the previous facilities.

For me, judging is ensuring a fair hearing through a balance of processing and dealing with the cases correctly according to law, but as quickly and efficiently as is practically possible whilst at the same time, meeting the particular requirements of individuals.



Role of Family Court

The Family Court is a division of the District Court. It was established under the Family Courts Act 1980 as a place where New Zealanders could get help with family problems.

Many New Zealanders use the Family Court. The court deals with a wide range of "family" relationships, from children not yet born through to older people who are in need of care and protection. The variety of cases that come before the court is considerable. For example, the Family Court hears cases concerning adoption, child abduction, separation, relationship property, wills, domestic violence, mental health, surrogacy and child support. However, wherever possible, the court aims to help people resolve their own problems by way of counselling, conciliation and mediation.

Although the Family Court is essentially a private forum, in that it deals with deeply personal and sensitive matters, the court is nevertheless a part of our justice system – thus the work that is done in the court must be as open as possible and the decisions and processes accountable to the public.

Did you know that Judges can meet with children separately from their parents to explain their decision in a way the children will understand?

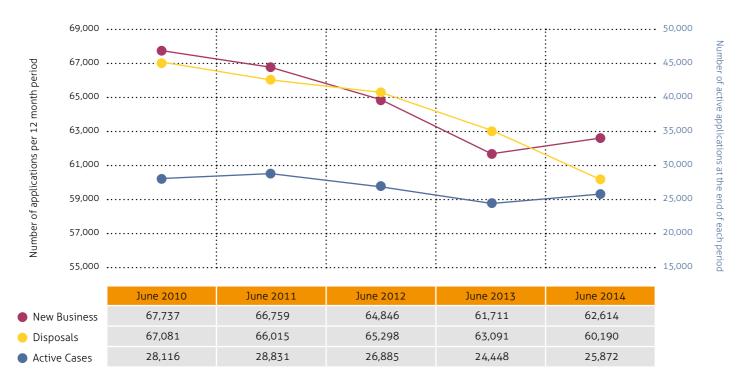




Family Court Jurisdiction - National Statistics

The number of individual applications is recorded by the Family Court as opposed to the number of cases. This is due to the fact that each case may involve several applications.

FAMILY COURT APPLICATIONS



This jurisdiction has seen:

- New business increase from 61,711 in June 2013 to 62,614 in June 2014 an increase of 1% or 903 applications.
- Disposals decrease from 63,091 in June 2013 to 60,190 in June 2014 a reduction of 5% or 2,901 applications.
- Active applications increase from 24,448 in June 2013 to 25,872 in June 2014 an increase of 6% or 1,424 applications.





Judge Jill Moss

Being a District Court Judge is public service within a particular and essential arm of Government. Being a Family Court Judge is a particular privilege, by which I serve my community. Times of family change impose unusual stresses and it is a unique responsibility to be able to assist families through our processes.

Judges must have broad skills and extensive knowledge. I believe in acting decisively, precisely and with respect, kindness and humanity. Our communities are now so diverse. This reinforces the need to take into account social, ethnic, cultural and spiritual differences.

I am proud to serve the community as a District and Family Court Judge.

Judge Christina Cook

I was appointed in 2013 as a Family Court judge, to serve the Invercargill, Gore and Queenstown communities.

I also sit in the Criminal and Youth Court jurisdictions.

I am the first female judge to be appointed to the Bench in Southland which, for me, is a huge honour and is very humbling.

Each of the areas I serve has a very different community. Queenstown, for example, has a very diverse, and often transient, international community which presents some unique challenges.

It is a privilege to live and work in such a beautiful part of the country.

I am very aware of my role, which is to make clear, consistent decisions and to manage the operation of Court business as efficiently as possible.

My family and I are involved in activities in the community. I believe that it is important for us to be part of the community which I serve.



Judges in Schools

Given what I considered to be a lack of comprehension of the role of a judge, I decided that there was a need for judges to become more open about how they operate. One of the ways to do that was for judges to go out into the community. "Judges in Schools" was born.

Initially three schools were visited. My colleagues in Whangarei and I have now expanded the programme. We intend to give most if not all of the secondary schools in Northland the opportunity of having a judge speak to student groups. We co-ordinate the visits so as to not disrupt the business of the court.

The feedback has been extremely positive. The students are enthusiastic and thoughtful questions are asked. I have confidence that those students will in the future examine comments on Judges and the courts more critically.

I have hopes that Judges in Schools will become a national programme.

Judge Duncan Harvey

Secondment to Metropolitan Auckland

I was delighted to be appointed to the Manukau District Court in 2005 as a criminal jury warranted judge having spent many years in practice in South Auckland. I am pleased to have remained here since then.

Manukau Court is a unique place because of the vast cultural diversity in the South Auckland area. The Judges at Manukau are fortunate to be looked after by wonderful court staff who show a dedication to their jobs beyond the call of duty.

Our courthouse is currently being renovated and extended to meet the ever-growing population in the South Auckland area. Working as the renovation and expansion takes place has its own unique challenges, and we are all looking forward to its completion in mid-2015.

In July of this year I will be seconded by the Chief District Court Judge to sit in the Waitakere District Court for six months to oversee administrative and operational changes. Whilst I am looking forward to this, I will miss Manukau Court and its people.

Judge Anna Johns



Role of Youth Court

The Youth Court is a division of the District Courts. It deals with offending by young people (aged 14–16 years) and may deal with some children (aged 12–13 years) in certain serious circumstances. Approximately 25% of offences by children and young people come to court. The rest are managed by Police Youth Aid and Child, Youth and Family. With a few exceptions, the Youth Court can hear and determine all charges against young people.

A feature of the Youth Court process is a family group conference (FGC), which brings together the young person, his or her family, the victim and others who work with the young person. At the conference, the young person will be asked to admit the offending and the conference will come up with a plan to repair harm and address the offending. The plan will then be put to the Youth Court judge for approval, and sometimes the young person will appear in court on a regular basis afterwards for monitoring of the plan.

Not all young people are subject to FGC plans. If the offending is too serious, or an FGC cannot agree or if there is non-compliance with the FGC plan, there are a variety of orders the Youth Court can impose including a custodial sentence in a youth justice residence or a conviction and transfer to the District Court for a sentence of imprisonment.

The Youth Court is closed to the public. However, media can attend (provided they do not publish any details which could identify the young person).

Did you know that in 2013, 74% of young offenders appearing in the Youth Court had their charges resolved other than by a formal Court order?

The Youth Court - Projects This Year

Expansion of Youth Forensic Services

The development of more comprehensive screening to identify young people with complex mental health needs has been a priority, and the provision of forensic and mental health services in the majority of Youth Courts continues to develop.

"Cross-over List"

In order to provide a more coordinated and efficient response to young people in the Youth Court who have concurrent care and protection proceedings in the Family Court, a "Cross-over List" has been developed by Judge Tony Fitzgerald as a means of giving practical effect to the Information Sharing Protocol between the two Courts. It is intended that there will be a "Cross-over List" in all Auckland Youth Courts by the end of 2014.

Redesign of Youth Court rooms

The design of new courtrooms for the Manukau Youth Court encourages participation and inclusiveness, and underlines the multi-disciplinary team approach to dealing with the complex problems facing young offenders. Similar developments are proposed for the Youth Court in the proposed new courthouse in Christchurch.

Education Officers

This 2013 initiative has been further developed.

Education Officers now sit in an additional two Youth
Courts, and four Rangatahi Courts, meaning a total
of 20 Youth Courts are serviced by Education Officers.

Lay Advocates

Likewise the use and training of Lay Advocates has been prioritised. In June 2014, a Lay Advocates Handbook was produced, which provides a comprehensive description of the processes, boundaries and intricacies of the Lay Advocate role.

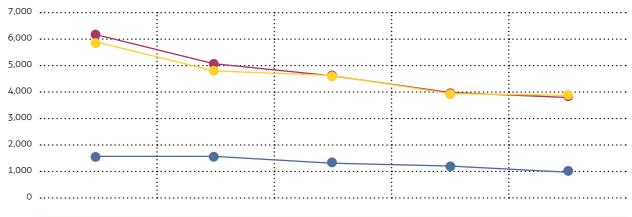
Youth Court Jurisdiction - National Statistics

From 1 July 2013, significant changes to the Youth Court jurisdiction mean all serious charges, except murder and manslaughter, relating to young people, and still including certain serious charges against children aged 12 and 13, must now be heard and determined in the Youth Court.

2014 has seen Youth Court numbers fall to an historical low. However, because only 25% (as an approximation) of offences committed by children and young people come before a Judge, the Youth Court increasingly deals with, and can now focus upon, the most serious and persistent youth offending.

The information in this chart differs from that contained in the 2013 Annual Report, as it encompasses the total numbers of all Youth Court cases (including Pre-Committal and Summary cases) throughout each reported year. This style of reporting better reflects the actual workload of the Youth Court.

YOUTH COURT CASES



	June 2010	June 2011	June 2012	June 2013	June 2014
New Business	6,144	5,188	4,808	4,094	3,915
Disposals	5,901	4,961	4,797	4,065	3,969
Active Cases	1,532	1,517	1,292	1,137	1,015

This jurisdiction has seen:

- New business decrease from 4,094 in June 2013 to 3,915 in June 2014 a reduction of 4% or 179 cases.
- Disposals decrease from 4,065 in June 2013 to 3,969 in June 2014 a reduction of 2% or 96 cases.
- Active cases decrease from 1,137 in June 2013 to 1,015 in June 2014 a reduction of 11% or 122 cases.

An important part of my work as a District Court judge in Christchurch is in the Youth Court.

Despite their young age, a high percentage of young people who appear abuse drugs and alcohol and sadly the Youth Court has to deal with young people whose drug and/or alcohol dependency fuels their offending.

I sit in the Christchurch Youth Drug Court where I see young people who have admitted their offending and as part of their attempts to atone for that, are then undergoing a personalised rehabilitation programme under my supervision. I am assisted by a Drug Court team including a social worker and medical and addiction experts.

Our Drug Court represents the combined efforts of justice and treatment professionals to actively intervene and break the cycle of substance abuse, addiction and crime. It is a privilege to be part of that process.









Ngā Kōti Rangatahi - Rangatahi Courts

The 2013 Annual Report explained briefly the rationale, process and evaluated outcomes of Ngā Kōti Rangatahi.

The Köti Rangatahi process does not remove the Youth Court's business from the courtroom to the marae on a wholesale basis. The purpose of having the subsequent hearing or hearings on the marae is for the judge to monitor the progress of the Family Group Conference (FGC) Plan and to ensure that appropriate resources are in place. If the FGC Plan breaks down, or a formal order is to be made, the matter is usually returned to the Youth Court for the process to continue there.

Kōti Rangatahi sittings begin with a pōwhiri. During each hearing, kaumātua (elders) sit with the judge and offer advice to the young person. Young people who participate are required to learn and deliver a mihi – a traditional greeting in the Māori language. Lay Advocates can assist them to do this.

The positive findings of the qualitative evaluation carried out in 2012 and mentioned in the 2013
Annual Report have continued as Ngā Kōti
Rangatahi have expanded throughout the country.

In March this year, two new Kōti Rangatahi were launched in Christchurch and Huntly. This brings the total of Kōti Rangatahi held on marae around the country to twelve.

Pasifika Courts

The two Pasifika Courts located in community centres in Mangere and Avondale continued to develop and evolve under the leadership of Judge Phil Recordon this year. Support from local advocates is significant and there has been real growth in the use and contribution of Lay Advocates. Since 2010, 254 Pasifika youth have attended a Pasifika Court; 62 in 2013.

Waahi Pa Marae, Huntly 63

Judge Greg Hikaka

Ko Taranaki te maunga. Ko Nga Ruahine te iwi. Ko Ngāti Tumaahuroa te hapū. Ko Oeo te marae. Engari, e here ana hoki ki a Ngāti Tūwharetoa, me ki a Ngāti Maniapoto. Ko Hikaka te whānau. Ko Greg Hikaka ahau.

One of the responsibilities I have is as administrative judge for the northern region's Youth Courts. About one third of the country's Youth Court work is within the region which starts at Pukekohe and extends to the Far North.

It is a privilege to be involved in this work as the Youth Court presents one of the last opportunities to turn young offenders away from the path of becoming long term adult criminals. One judicially-led initiative that I am proud to be involved with is Ngā Kōti Rangatahi, that is, Youth Courts held at marae. An aim of the Ngā Kōti Rangatahi is to connect young offenders who admit their offending to a better sense of who they are and where they are from, which in turn, encourages greater respect for themselves, their heritage and for others in the community.







I am one of 17 Christchurch District Court Judges. Despite the challenging conditions our community has faced over the last three years, I consider myself fortunate to be part of a Common Room where my colleagues have worked in a dedicated fashion to ensure that delivery of justice has not been compromised.

One of my areas of interest is restorative justice concepts used as a means of allowing victims of serious crime to heal and at the same time bringing about a reduction of reoffending. I have been involved in setting up a Community Justice Panel which is now successfully operating in Christchurch.

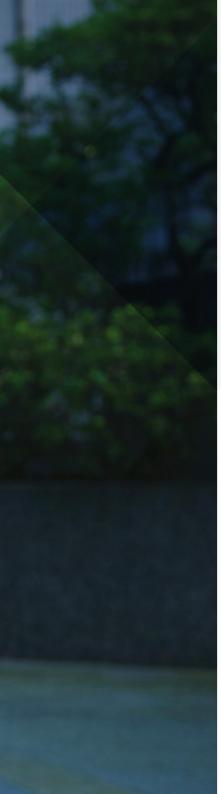
I have served as a Panel Convenor on the New Zealand Parole Board since 2002.

I serve as Chair of the Otago Life Education Trust where early education about the impact of alcohol and drugs is promoted.

I am a member of the District Court Education Committee where there is opportunity to ensure that the judiciary is kept well informed on a range of topics relevant to our diverse and often challenging work environment.

Judge David Saunders





I have been a judge for 18 years and am one of eight Judges based in Tauranga, covering the courts from Waihi to Opotiki.

In addition to my duties as a sitting judge, from time to time I undertake project work on behalf of the Chief District Court Judge. That often entails research into identified issues, and the development of practical solutions to address problems. It is gratifying to see changes and improvements as a result of that work.

I have also for many years been involved in judicial education, endeavouring to ensure that judges of all levels of experience are kept up to date with law changes and best practice.

I find myself continually challenged – both to endeavour to do justice to the individuals appearing in the courts, and to be able to take a broad, more policy based view of issues of importance throughout the District Courts.

I find my mix of work demanding, but at the same time very satisfying.

Judge Allison Sinclair

I am a District Court Judge and the Taxation Review Authority for New Zealand.

The Taxation Review Authority is set up under the Tax Administration Act 1994 and is an integral part of the administration of the tax system in New Zealand. The work of the Authority makes a valuable contribution in the resolution of tax disputes and development of tax law in New Zealand.

In this role I hear claims brought by taxpayers challenging tax assessments made against them by the Commissioner of Inland Revenue. Cases brought before the Authority are heard in private and those hearings are held throughout New Zealand usually at a centre close to where the taxpayer is based.

The claims cover a wide range of issues, from the interpretation of tax statutes and contractual terms through to tax avoidance. In some cases the issues for determination have not been considered before. The amounts involved can range from amounts under \$100,000 to millions of dollars.



Judicial **Committee** Structure

Chief District Court Judge Jan-Marie Doogue

Judge L Ryan

Chief District Court Judge Principal Family Court Judge National Executive Judge Judge P Cooper Judge E Thomas

Judge C Doherty

Judge B Gibson Judge I Cameron Judge P Kellar Judge L Hinton Judge R Spear Judge C Tuohy

National Jury Trial Judge

Judge G Rea

Jury Trial Committee

Chief District Court Judge National Jury Trial Judge Judge M Crosbie Judge B Davidson Judge RG Marshall Judge T Ingram Judge A Farish Judge B Mackintosh Judge N Dawson Judge G Andrée Wiltens

Chief District Court Judge Principal Family Court Judge Principal Youth Court Judge National Executive Judge National Jury Trial Judge Judge I Mill Judge J Lovell-Smith Judge P Connell Judge J Strettell Judge B Mackintosh Judge A Kiernan Judge P Cooper Judge H Taumaunu

Principal Youth

Judge A Becroft

Chief District Court Judge Principal Youth Court Judge Judge A Sinclair Judge B Morris Judge D Saunders Judge K de Ridder Judge D Ruth Judge D Wilson QC Judge M MacKenzie

Principal Family Court Judge Judge I McHardy Judge M Mackenzie Judge D Smith Judge A Walsh Judge J Moran

Family Court

Court Judge Judge R Riddell Judge A Wills Judge S Coyle Judge M MacKenzie

Principal Family Court Judge Judge D Burns Judge S Maude Judge J Moran Judge C Somerville Judge J Moss

Principal Youth Court Judge Judge P Clark Judge A Fitzgerald Judge C Harding Judge J McMeeken Judge G Ross Judge H Taumaunu Judge JA Walker Judge A Walsh Judge L Bidois Judge G Hikaka

Judge K Philips

Principal Youth Court Judge Judge C Harding Judge A Fitzgerald Judge J McMeeken

Advisory Group

Judge H Taumaunu Principal Youth Judge E Paul Judge L Bidois Judge G Hikaka Judge D Clark Judge F Eivers Judge G Davis Judge J Walker Judge A Wills

Community Magistrates

Community Magistrates are judicial officers who sit in the District Court. They preside over a wide range of less serious cases in the criminal jurisdiction of the District Court.

Community Magistrates may deal with offences punishable by a fine of up to \$40,000. They may also sentence offenders if they plead guilty to an offence punishable by up to 3 months imprisonment.

Community Magistrates may impose a wide range of sentences other than imprisonment or home detention. In doing so they free up District Court Judges to deal with the more complex cases.

There are currently 13 Community Magistrates who sit in Northland, Auckland, South Auckland, Waikato, Bay of Plenty, Hawkes Bay, Gisborne, Wairoa, New Plymouth and Whanganui courts.

Justices of the Peace

Judicial Justices of the Peace deal with specific offences over which they are given jurisdiction by statute. These are mostly less serious criminal offences and certain land transport offences. Most are punishable by fine only, but JPs may impose certain driving penalties such as licence disqualification.

Justices of the Peace sit in most courts throughout the country.

As at 30 June 2014 there were 290 Judicial Justices of the Peace.

Disputes Tribunal

The Disputes Tribunal is a division of the District Court. It provides an inexpensive, informal and private way to help resolve a wide range of civil disputes. The Disputes Tribunal has jurisdiction over claims up to \$15,000, and then only for claims based on contract, or torts in respect of property.

The jurisdiction can be extended to \$20,000 if both parties agree.

As at 30 June 2014 there were 62 Dispute Tribunal Referees, including a Principal Dispute Tribunal Referee.

Sitting Judges

Judge J Adams	Waitakere
Judge A Adeane	Napier
Judge E Aitken	Auckland
Judge G Andrée Wiltens	Manukau
Judge L Atkins, QC	Palmerston North
Judge D Barry	Wellington
Principal Youth Court Judge A Becroft	Wellington
Judge J Bergseng	Waitakere
Judge L Bidois	Tauranga
Judge J Binns	Palmerston North
Judge C Blackie	Manukau
Judge J Borthwick	Christchurch
Judge T Broadmore	Wellington
Judge D Brown	Hamilton
Judge M Burnett	Hamilton
Judge D Burns	Auckland
Judge P Butler	Hutt Valley
Judge B Callaghan	Christchurch
Judge P Callinicos	Napier

Judge D Cameron	Whanganui
Judge D Clark	Hamilton
Judge N Cocurullo	Hamilton
Judge R Collins	Auckland
Judge P Connell	Hamilton
Judge C Cook	Invercargill
Judge P Cooper	Rotorua
Judge A Couch	Christchurch
Judge M Courtney	New Plymouth
Judge S Coyle	Dunedin
Judge M Crosbie	Dunedin
Judge P Cunningham	Auckland
Judge B Davidson	Wellington
Judge G Davis	Whangarei
Judge N Dawson	Auckland
Judge L de Jong	Auckland
Judge K de Ridder	Whangarei
Judge C Doherty	Christchurch
Chief District Court Judge J-M Doogue	Wellington

udge J Down	Hastings
udge T Druce	Auckland
udge BP Dwyer	Wellington
udge S Edwards	Palmerston North
udge FJ Eivers	Manukau
udge J Farish	Christchurch
udge C Field	Auckland
udge A Fitzgerald	Auckland
udge D Flatley	Dunedin
udge S Fleming	Auckland
udge G Fraser	Auckland
udge A Garland	Christchurch
udge P Geoghegan	Tauranga
udge B Gibson	Auckland
udge K Glubb	Waitakere
udge P Grace	Wellington
udge C Harding	Tauranga
udge M Harland	Auckland
udge G Harrison	Auckland

Judge S Harrop	Wellington (Vanuatu)
Judge DG Harvey	Whangarei
Judge DJ Harvey	Auckland
Judge J Hassan	Christchurch
Judge W Hastings	Wellington
Judge D Henare	Auckland
Judge G Hikaka	Manukau
Judge L Hinton	North Shore
Judge P Hobbs	Wellington
Judge M Hunt	Whangarei
Judge T Ingram	Tauranga
Judge J Jackson	Christchurch
Judge A Johns	Manukau
Judge J Johnston	Wellington
Judge P Kellar	Christchurch
Judge J Kelly	Wellington
Judge A Kiernan	Auckland
Judge D Kirkpatrick	Auckland
Judge A Lendrum	Hastings

Judge S Lindsay	Whangarei
Judge J Lovell-Smith	Manukau
Judge G Lynch	Palmerston North
Judge G MacAskill	Christchurch
Judge B Mackintosh	Napier
Judge N MacLean, Chief	Coroner Auckland
Judge I Malosi	Manukau (Samoa)
Judge D Mather	Waitakere
Judge DG Matheson	Whanganui
Judge N Mathers	Auckland
Judge RG Marshall	Hamilton
Judge S Maude	North Shore
Judge J Maze	Timaru
Judge S McAuslan	Manukau
Judge D McDonald	Whangarei
Judge C McGuire	Rotorua
Judge I McHardy	Auckland
Judge M MacKenzie	Rotorua
Judge J McMeeken	Christchurch

Judge D McNaughton	Manukau
Judge I Mill	Wellington
Judge J Moran	Christchurch
Judge B Morris	Palmerston North
Judge J Moses	Manukau
Judge J Moss	Wellington
Judge J Munro	Rotorua
Judge R Murfitt	Christchurch
Judge R Neave	Christchurch
Principal Environment Judge L Newhook	Auckland
Judge S O'Driscoll	Christchurch
Judge M O'Dwyer	Wellington
Judge E Paul	Auckland
Judge K Phillips	Dunedin
Judge K Powell	Auckland
Judge G Rea	Napier
Judge P Recordon	Auckland
Judge R Riddell	Hamilton
Judge A Roberts	New Plymouth

Judge M Rogers	Manukau
Judge P Rollo	Tauranga
Judge R Ronayne	Auckland
	//dektaria
Judge G Ross	Palmerston North
Judge R Russell	Nelson
Judge D Ruth	Hamilton
Judge C Ryan	Auckland
Principal Family Court Judge L Ryan	Wellington
Judge D Saunders	Christchurch
Judge D Sharp	Auckland
Judge M Sharp	Auckland
Judge A Sinclair	Auckland
Judge P Sinclair	North Shore
Judge A Singh	Auckland
Judge A Skellern	Manukau
Judge D Smith	Palmerston North
Judge E Smith	Christchurch
Judge J Smith	Auckland
Judge A Somerville	Tauranga

Judge C Somerville	Christchurch
Judge M Southwick, QC	Manukau
Judge L Spear	Hamilton
Judge P Spiller	Hamilton
Judge J Strettell	Christchurch
Judge H Taumaunu	Waitakere
Judge EM Thomas	Hamilton
Judge C Thompson	Wellington
Judge A Tompkins	Wellington
Judge C Tuohy	Wellington
Judge MBT Turner	Invercargill
Judge L Tremewan	Waitakere
Judge V Ullrich, QC	Wellington
Judge R Wade	North Shore
Judge A Walsh	Wellington
Judge N Walsh	Christchurch
Judge JA Walker	Wellington
Judge JH Walker	North Shore
Judge J Weir	Rotorua

Judge A Wills	Tauranga
Judge D Wilson, QC	Auckland
Judge G Winter	Manukau
Judge R Wolff	Tauranga
Judge A Zohrab	Nelson



The District Courts of New Zealand

Ngā kōti ā rohē

