



**CHIEF DISTRICT COURT JUDGE FOR NEW ZEALAND
TE KAIWHAKAWĀ MATUA O TE KŌTI-Ā-ROHE
Judge Jan-Marie Doogue**

13 November 2018

Statement from the Chief District Court Judge - For Immediate release

DC Judges Vigilant to Impact of Pay Dispute

The Chief District Court Judge is taking steps to protect the rights of people needing urgent access to justice during the ongoing industrial dispute between the Ministry of Justice and court staff who are members of the PSA.

Chief Judge Jan-Marie Doogue says she wants to reassure the public that judges are doing their best to spare court participants from disruption and stress related to the dispute's impact. They wish to avoid having people being held in custody for any longer than is necessary and are also concerned that vulnerable participants are not retraumatised by any delays or disruption.

Chief Judge Doogue says the dispute is beyond judges' control, but all District Court judges have a duty to try and continue to dispense justice for the public, especially those whose fundamental human rights are affected or who are seeking the urgent protection of the court.

As a result, where possible District Court judges:

- are sitting earlier in the day
- will give priority to people held in custody so they are dealt with at the beginning of the day
- will ask that prisoners are brought to court in person where the Audio Visual Link from prison and police cells will not be supported
- are applying extra vigilance to the Family Court's national electronic platform for dealing with urgent Protection Order applications
- will look at deferring non-jury trials from early December through till the New Year so as to give priority to sentencing defendants who are held in custody before Christmas.

The Chief Judge has also asked that judges place clearly on the court record whenever a case is deferred or adjourned because of the dispute, to enable more accurate assessment of its impact.

However, she says redeploying judicial resource to cope may have flow-on effects elsewhere in the District Court.

“Already we have had hearings either deferred or becoming drawn out because of the industrial action. Uncertainty and delay is hard on everyone involved,” Chief Judge Doogue said.

“Any failure to support sentencing hearings or to process documentation relating to sentencing has the potential to leave defendants in custody for unacceptable periods of time. Defendants who might have been sentenced to community based sentences such as home detention or community detention risk remaining in prison until their sentencing can be rescheduled.

“The delays compound quickly, including in the Family Court. For instance, I have been advised that a Family Court hearing involving multiple overseas witnesses risks being deferred because of an AVL ban, and the next available dates for such a lengthy hearing are late next year.

“Judges rely heavily on court staff and their employer, the Ministry of Justice, for the District Court to run efficiently.

“It is a challenging and dynamic environment at the best of times, and a prolonged dispute places extra stress on the District Court when it is already under heavy workloads and intense pressure.”

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