

Application for access to court documents



What this form is for

Use this form to apply for access to court documents in a New Zealand court.

Who can use this form

Anyone can apply for access to court documents. However, some documents may have restrictions where only certain people can access them unless given permission by a judge. This form may be used by case parties and their lawyers, the media, victims, researchers and the public.

*If you are asking for access to specified official information held by the Ministry of Justice (not court records), such as internal policies, principles, rules or guidelines, or meeting agendas and minutes of public bodies, please **do not use this form** and make an Official Information Act (OIA) request instead.*

Find out more about OIA requests on justice.govt.nz/about/official-information-act-requests/

What you will need to include

- Your contact details so that we can contact you if we need more information, and to let you know about the result of your application. We will keep your contact details private, and they will be removed if your application is shared.
- Enough details about the case (and the documents you are requesting) for us to identify the information.

The law requires that your name and some information you include in this application may be shared with case parties, such as (in a criminal case), the defendant, their lawyer and the prosecutor. In some cases, the case parties will be given an opportunity to object to your application.

Your address and contact details **will not** be shared.

Submitting your application

To submit your application, you should provide this form to the court that holds the records you want to access by email, post, by hand, or in any other way the court accepts applications. Contact details for each court are on the Ministry of Justice website at justice.govt.nz/contact-us/find-us/

Getting more information

Contact the court you have submitted your application to by calling 0800 268 787 (if you're in New Zealand) or +64 9 583 1900 (if you're not in New Zealand). You can also find more information on justice.govt.nz/

Victims can find more information on victimsinfo.govt.nz/

For information on accessing Family Court documents, please refer to the Family Court Rules 2002 <https://www.legislation.govt.nz/secondary-legislation/pco-drafted/2002/261/en/latest/#DLM142995>

Applying as a member of the media

Information for the media about access to court information can be found in section 6 of the *Media guide for reporting the courts and tribunals* (edition 3.1, July 2013).

The media guide is available on the Ministry of Justice website at justice.govt.nz/about/news-and-media/media-centre/media-information/media-guide-for-reporting-the-courts-and-tribunals-edition-4-1/

Confidential: Registry not to share this page with case parties

Your contact details

Please let us know how to contact you, so that court registry staff can keep you updated about the progress of your request.

The court registry will redact (remove) this page if your application needs to be shared with case parties. Some information will need to be repeated on the following pages because they may be provided to parties.

Your name (first and last):

Your postal address (or your lawyer's address):

Important: If you are applying to access a Family Court file, you do not need to include your address.

Your email (or your lawyer's email):

Contact phone numbers:

Personal: _____

Business (if applying as an organisation): _____

Lawyer's phone number (if you have one): _____

How would you prefer to be contacted?

☐ Email

☐ Phone (please tell us which number if you have given more than one): _____

☐ Post

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IMPORTANT: The information from this page onwards may be shared with case parties. Please complete all required sections.

Step 1. Your details

Your full name (required):

Your organisation (optional, eg media outlet, university):

Your lawyer (if you have one):

Step 2. The documents you want to access

Please tell us as much as you can so that we can find the right file and documents. You can also attach extra information to support your application if you wish.

I want to access court documents about:

Case name/s (if known): _____

Case number/s (if known): _____

Most case numbers start with two to three letters. For example, CRI, FAM, CIV or TT.

If you don't know the case name or number, complete the next section with as much information as possible to help us find the case you want to access.

Case type:

☐ Criminal (including fines)

☐ Family

☐ Civil (including Tribunals)

Case parties:

Please tell us the names and roles (eg defendant, respondent, plaintiff, applicant, prosecutor, lawyer) of the people involved in the case/s you want to access. This will help us find the case you want to access.

Their name: _____ Their role: _____

Their name: _____ Their role: _____

Their name: _____ Their role: _____

Their name: _____ Their role: _____

The documents I want to access are (list or describe):

If you run out of room or want to add extra information to support your application, please attach to this form.

I want to access these documents because:

- ☐ Personal interest ☐ Media reporting/public interest ☐ Academic research/education
- ☐ Legal or other professional interest ☐ Other (please specify): _____

Please give more details about why you want to access these documents. If you run out of room or want to add extra information to support your application, please attach to this form.

What do you want to do with these documents if you are given access?

- ☐ To read them for myself ☐ Use for court proceedings ☐ Research to publish an article/blog/media piece
- ☐ Other (please explain below)

Conditions you would be prepared to follow

Important: If you are applying to access a Family Court file, you do not need to complete this section.

The Court may give you access to court documents with or without conditions (rules). These could include the conditions listed below or other conditions set by a judge. The law requires you to tell us which conditions you would be willing to follow if a judge decides to apply them. A judge may also set conditions not listed below.

Please select any conditions you would be willing to follow. Please note, you must comply with any conditions directed by the Court

- ☐ I would be willing to look at the documents without making copies.
- ☐ I would be willing not to share the documents.
- ☐ I would be willing to use the documents only for the purpose/s stated in this application.
- ☐ I would be willing to follow any confidentiality or publication restrictions.
- ☐ Other (write your own): _____

Please confirm:

- ☐ I understand that the Court may set conditions (rules) on my access to court documents, including conditions not listed above. If I am given access, I will follow any conditions directed by the Court.

Step 3. Submit your application

Submit this form

To submit your application, you should provide this form to the court that holds the records you want to access by **email, post, by hand, or in any other way the court accepts applications**.

This will usually be the court where the case is/was heard.

If you aren't sure which court to apply to, you **may** be able to find out by:

- asking your lawyer (if you have one)
- checking any letters you've received about the case from the Police or the Court
- looking at news or media articles that mention where the case was heard
- viewing the daily court list at a court building
- calling the Ministry of Justice on 0800 268 787.

Because of privacy laws, the Ministry of Justice may only be able to provide limited information about cases, and only to people who are legally entitled to receive it.

Contact details for each court are on the Ministry of Justice website at justice.govt.nz/contact-us/find-us.

What happens next?

A judge or court registrar will look at your application. You will be contacted by court staff as soon as possible with the decision.

For court use only

Use this page for files held outside of the Courts Portal only.

Received by

NAME & POSITION

COURT NAME

Date

DATE FORM RECEIVED

Tick the Rule(s) that apply to this application:

- ☐ District Court (Access to Court Documents) Rules 2017 ☐ Senior Courts (Access to Court Documents) Rules 2017
- ☐ Family Court Rules 2002

Tick the right of access that applies to this application:

- ☐ Public have a general right of access (a registrar may consider this application)
- ☐ Parties have a general right of access (a registrar may consider this application)

- ☐ Public may access only with a judge's permission
- ☐ Parties may access only with a judge's permission
- ☐ No general rights of access – judicial consideration required

Forwarded to

JUDGE/REGISTRAR

for action.

Judge/Registrar use only

- ☐ Approved ☐ Declined

Date

Signed

Name

Notes