

The Future of the Court and the Challenge of Our Time

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Introduction

The District Court is more than an institution. It is a judicial community that stretches across generations. Each generation inherits the Court from those who came before, contributes to it in its own way, and then passes it on. Judges come and go, but the Court endures because of the commitment, service and leadership of those who have served within it.

As we gather for our Triennial Conference, we do so conscious of those who are no longer with us, grateful for the contribution of those whose service is drawing to a close, and mindful of those who will one day inherit the responsibilities we currently hold.

That reality invites reflection on a simple but important question:

What sort of Court are we leaving to the next generation?

The Future

Many people think of the future as something waiting on the horizon. In reality, the future of the Court is being shaped every day in courtrooms throughout New Zealand. It is shaped by the decisions we make, the judgments we write, and the way people experience justice when they come before us.

For most New Zealanders, confidence in the justice system is formed through an encounter with a court. What people see, experience and understand matters. Equally important is the way they are treated.

We inherited a strong Court built by generations of judges committed to public service. Our responsibility is to leave it stronger than we found it. To do so, we must understand not only what should change, but what must remain constant.

Change

The ancient Greeks told the story of the Ship of Theseus. Over many years, its planks were replaced one by one until none of the original timber remained. This gave rise to the famous philosophical question: was it still the same ship?

For courts, however, a different question may be more useful. What were the custodians of the ship supposed to do when the planks began to fail?

The answer is straightforward. If the ship was to continue serving its purpose, the damaged planks had to be replaced. The custodians did not alter the ship because they wanted a different one; they altered it because they wanted it to continue fulfilling its purpose.

There is an important lesson in that for us.

Much about the Court changes over time. The judges who serve within it change. The communities it serves change. Technology changes. Expectations change. Yet one thing does not. The administration of justice according to law remains the responsibility of every generation of judges.

That responsibility belonged to our predecessors. It belongs to us. One day it will belong to those who follow.

The challenge for every generation is not to decide whether change is desirable. It is to ensure that the Court remains capable of fulfilling its enduring purpose in the circumstances of its own time.

Current Circumstances

The circumstances in which the Court operates have changed, and anyone serving in the District Court knows that. Cases are more complex. Information is more voluminous. Public expectations have increased. Many of the systems on which we continue to rely were designed for a different era.

A carefully prepared list can change within hours. Files arrive late. Information can be difficult to locate. Cases return to court repeatedly. Judges are often required to navigate not only legal issues but also the realities that bring people before the Court: family violence, addiction, mental illness, child protection concerns, trauma and social disadvantage.

Behind every case is a human story. Behind every file is a person whose life may be profoundly affected by the Court's decisions.

The work is demanding because it matters.

The public rightly expects courts to resolve disputes fairly, protect rights, hold people accountable and deliver justice within a reasonable time. Our responsibility has not changed. The circumstances in which we discharge it have.

Our Response

The District Court's response is built around four connected and interdependent priorities: Te Ao Mārama, timely justice, Te Au Reka and wellbeing.

These combined priorities do not constitute the fundamental purpose of the Court. Rather, they are the means by which we seek to fulfil our enduring responsibility in the circumstances of our time.

Te Ao Mārama

At its heart, Te Ao Mārama is about the experience of justice.

It reflects the insight that people are more likely to respect the justice system when they feel they have been heard, treated fairly and treated with dignity. Justice should not only be done; it should also be understood.

Timely Justice

Timely justice is about ensuring that cases progress steadily toward resolution and that people receive decisions within a reasonable time.

Delay has real consequences. Victims wait for answers. Defendants live with uncertainty. Families remain in limbo.

Justice should be delivered as quickly as fairness permits. That is why the Court has adopted the objective of resolving 90 per cent of cases within established time standards.

Te Au Reka

Te Au Reka represents one of the most significant transformation projects ever undertaken within New Zealand's courts.

Its name means *the sweet flow*, and its purpose is straightforward. Justice is not well served when information is difficult to locate, when processes generate avoidable delay, or when judges spend their time managing paper rather than exercising judgment.

The purpose is not technology but justice itself: better access to information, more effective case management, less duplication and less administration. Ultimately, it is about creating more time for the work that only judges can do.

Having seen the system demonstrated and spoken with judges closely involved in its design and development, I am confident about its potential. That does not mean the transition will be effortless. There will be adjustments, frustrations and periods of reduced efficiency as people adapt to new ways of working. Such challenges are not signs of failure; they are an inevitable consequence of meaningful change.

If the project succeeds as intended, future generations of judges may find it difficult to imagine how much was once achieved through paper-based systems.

Wellbeing

Finally, there is wellbeing.

Justice depends upon people. A justice system is strongest when those who serve within it are healthy, resilient and supported. Wellbeing is not separate from the administration of justice; it is part of it. I will address wellbeing separately and in more detail later in the conference.

Connecting the Priorities

These priorities are distinct and connected. Te Au Reka creates better systems. Better systems support timely justice. Timely justice creates capacity. Capacity enables more meaningful engagement with court participants and supports the aspirations of Te Ao Mārama. All of this depends upon healthy and resilient people.

Together, these priorities create the conditions in which we can fulfil our responsibilities more effectively in the circumstances of our time.

Public Confidence

Ultimately, all of this comes back to public confidence.

The Court may measure progress through timeliness standards and performance indicators, but statistics alone never tell the whole story. People do not need to agree with every decision a court makes. They should, however, be able to trust that decisions are made independently, according to law, after careful consideration and through a process that is fair.

That confidence is the Court's most important asset.

The Contribution of Judges

One of the privileges of serving as Chief Judge has been seeing just how much the District Court depends on the commitment, judgment and goodwill of its judges. It has also given me a deeper appreciation of the demands that judicial service can place on individuals.

Every judge's experience is different. We carry different responsibilities, workloads and pressures. Much of what judges do is not visible to others, and neither is the toll it can sometimes take.

What I have seen repeatedly is judges throughout the country doing their utmost to fulfil the responsibilities entrusted to our generation. Some contributions are highly visible; many are not. Some burdens are seen; many are carried quietly. All of them matter.

Over recent years I have seen colleagues take on difficult cases, support one another, mentor new appointees, lead important initiatives and quietly do what was needed when circumstances required it. Much of that work attracts little public recognition, yet it has been essential to the work of the Court.

If the Court is stronger today than it was three years ago, it is because of the collective efforts of this Bench. For that, I remain profoundly grateful.

The Challenge of Our Time

Much about the Court will continue to change. The communities we serve will change. The cases we hear will change. Technology will change. Public expectations will change.

Our responsibility will not.

The administration of justice according to law was the responsibility of those who came before us. It is our responsibility today. One day it will be the responsibility of those who follow.

The Court we inherited was built through the wisdom, commitment and service of generations of judges. None of us created it. We inherited it, hold it in trust for a time, and will ultimately leave it to others.

Future generations may not remember every initiative, programme or reform undertaken during our stewardship. They will, however, live with the consequences of the choices we make.

The question for us is therefore a simple one:

What sort of Court do we want to leave behind?

If we leave a Court that is more accessible, more timely, more responsive, and no less independent than the one we inherited, we will have done our part. We will have honoured the work of those who came before us and contributed to the continuing story of the Court for those who follow.

Nō reira, tēnā koutou, tēnā koutou, tēnā koutou katoa