

**IN THE DISTRICT COURT
AT AUCKLAND**

**I TE KŌTI-Ā-ROHE
KI TĀMAKI MAKĀURAU**

**CRI-2020-004-009514
[2022] NZDC 2176**

WORKSAFE NEW ZEALAND
Prosecutor

v

**WHAKAARI MANAGEMENT LIMITED
ANDREW BUTTLE
JAMES BUTTLE
PETER BUTTLE
INSTITUTE OF GEOLOGICAL NUCLEAR SCIENCES LIMITED
NATIONAL EMERGENCY MANAGEMENT AGENCY
WHITE ISLAND TOURS LIMITED
VOLCANIC AIR SAFARIS LIMITED
AERIUS LIMITED
KAHU (NZ) LIMITED
INFLITE CHARTERS LIMITED
I D TOURS NEW ZEALAND LIMITED
TAURANGA TOURISM SERVICES LIMITED**
Defendants

Date: 11 February 2022

CHAMBERS MINUTE OF JUDGE E M THOMAS
[Further Ministry of Justice report regarding trial venue options]

Introduction

[1] The Ministry of Justice provided a report on possible venue options for the trial venue hearing. The Court is very grateful to the Ministry for the time and effort it put into the report and the enquiries behind it. During the trial venue on hearing, it became apparent that further information from the Ministry of Justice would assist.

Request

[2] I therefore kindly request that the Ministry provide a report that addresses:

- (i) revisiting existing courtroom options, not only in Auckland, Tauranga and Whakatane but in other main metropolitan centres;
- (ii) considering adapting an existing courtroom;
- (iii) detailing enquiries that it has undertaken regarding fitting out commercial premises;
- (iv) exploring further options for commercial premises in Whakatane, Tauranga and Auckland, if no viable courtroom option in either location is available;
- (v) liaising with the Department of Internal Affairs regarding work it has done in the past to make similar arrangements; and
- (vi) detailing the availability of streaming services for the trial.

[3] Where the Ministry has considered and rejected an option, it would be useful to include that in the report with brief reasons as to why it considers an option unsuitable. If the Ministry could provide that report by 31 March 2022 that will enable an early resumption of the venue hearing. If it requires more time for its report, I invite it to seek an extension.

[4] The Registrar is to liaise with counsel and set a date for a resumption of the venue hearing from May onwards.

Judge EM Thomas
District Court Judge | Kaiwhakawā o te Kōti ā-Rohe
Date of authentication | Rā motuhēhēnga: 15/02/2022