

ANNUAL REPORT 2017



District Court of New Zealand
Te Kōti ā Rohe



IN THIS REPORT

FOREWORD: CHIEF DISTRICT COURT JUDGE JAN-MARIE DOOGUE 2

JURISDICTION AND ROLE OF THE DISTRICT COURT 3

LEADERSHIP OF THE DISTRICT COURT 5

REPORTS

CHIEF DISTRICT COURT JUDGE 7

PRINCIPAL FAMILY COURT JUDGE 12

PRINCIPAL YOUTH COURT JUDGE 14

THE INTERNATIONAL FRAMEWORK FOR COURT EXCELLENCE 15

JUDICIAL PERFORMANCE MEASURES 16

ROLE AND STATISTICS

TOTAL CRIMINAL 22

JURY 23

FAMILY 25

YOUTH 27

CIVIL 29

COMMUNITY MAGISTRATES 30

JUDICIAL COMMITTEE STRUCTURE 31

SITTING JUDGES 32



FOREWORD

EMBRACING THE DIGITAL ERA

In this, its fifth edition, the District Court Annual Report embraces the digital age. The leap from print to a completely online format this year provides easier and wider access to the Annual Report.

The ability to reach more people is particularly important for a document designed to provide a window into the work of the District Court judiciary and to keep the public abreast of the many components essential to the fair, impartial and timely administration of justice.

The central duties and core performance measures of the District Court and its leadership will continue to be gathered together and reported annually. However, the strength of online publishing is the scope it offers to provide further information, updates and insights more flexibly, and in a way that is not time-bound. I lead an extraordinary group of dedicated and diverse judges in Australasia's biggest court.

"I lead an extraordinary group of dedicated and diverse judges in Australasia's biggest court. They do innovative work that is often missed in the crime headlines"

They do innovative work that is often missed in the crime headlines. Therefore, through the year and to augment the Annual Report, there will be a regular stream of information at a new page on

this website, dedicated to explaining the roles, contributions and initiatives of individual judges.

It is my intention that in its digital form, the Annual Report and the associated information about the people and personalities who make up the District Court bench will encourage continuous improvement in transparency and public understanding of the District Court.



Chief District Court Judge
Judge Jan-Marie Doogue

JURISDICTION AND ROLE OF THE DISTRICT COURT

Most legal issues affecting New Zealanders that require judicial input are dealt with in the District Court. It is the largest court in New Zealand and in the whole of Australasia.

Jurisdiction

In 2017, 174 District Court judges and 16 Community Magistrates sat in 58 courthouses and hearing centres throughout New Zealand.

In March 2017, the District Court Act 2016 came into force and updated governing legislation for the courts which had been in place for 70 years.

It consolidated what was previously a network of District Courts into a unified entity with general, Family Court, Youth Court and Disputes Tribunal divisions.



The District Court's criminal jurisdiction continues to deal with almost all criminal cases except murder, manslaughter and some treason-related offences.

However, under the new legislation, the civil jurisdiction of the District Court is expanded to cover disputes up to \$350,000, up from \$200,000 previously.

The Family Court deals with most family law issues, including adoption, custody, abduction, state care and relationship property and estates.

The Youth Court division deals with criminal offending by children and young people aged 12 to 16 years old.

In all, the District Court deals with about 200,000 criminal, family, youth and civil matters every year.

Role of the District Court

In the first instance, most matters are dealt with by the District Court, making it not only the country's largest court, but its busiest.

Every person charged with a criminal offence will make their first appearance here, even if their charge will ultimately be heard in the High Court. Therefore, most defendants will go through the entire justice process in the District Court, right up 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 the civil jurisdiction, the District Court similarly deals with claims between people at first instance, although it also hears appeals against the decisions of various tribunals.

Did you know that in all criminal cases, a defendant's first appearance will be in the District Court?



THE DISTRICT COURT LEADERSHIP

THE CHIEF DISTRICT COURT JUDGE AND PRINCIPAL JUDGES

The Chief District Court Judge oversees the District Court and its Family Court and Youth Court divisions, and is responsible for the orderly and efficient conduct of District Court business.



Chief Judge Jan-Marie Doogue with Judge Laurence Ryan, left, and Judge John Walker

The Principal Family Court Judge and the Principal Youth Court Judge have similar responsibilities in the divisions they head. They must discharge these responsibilities in consultation with the Chief District Court Judge.

These three judges serve as the public face of their courts. The incumbent leadership has nearly 70 years combined experience on the bench, and are well placed to deal with challenges that arise daily in each of their respective jurisdictions.

They work as a cohesive team to best discharge the work before the courts while facing challenges to resources.

Tasks include managing workloads, overseeing scheduling and professional development, and making directions and setting standards for best practice.

Although the positions are based in Wellington, the Chief Judge, Judge Jan-Marie Doogue, and the Principal Family Court Judge, Judge Laurence Ryan, and the Principal Youth Court Judge, Judge John Walker, are all sitting judges. They regularly preside at hearings around the country.

NATIONAL EXECUTIVE JUDGE

The Chief Judge and Principal Judges are supported in their administrative and strategic roles by the National Executive Judge.

Also a sitting judge, the National Executive Judge, Judge Colin Doherty, chairs the International Framework for Court Excellence Committee.

He also assists with inducting new judges, is the Chief District Court Judge's liaison with Community Magistrates, and is the judicial liaison with the Christchurch Justice and Emergency Services Precinct project team.



Judge Colin Doherty

REPORT OF CHIEF DISTRICT COURT JUDGE, JUDGE JAN-MARIE DOOGUE

FUNDAMENTAL RIGHTS AT THE HEART OF INNOVATION

A constant challenge in running a court as large and busy as the District Court of New Zealand is how to advance innovative processes without impinging on fundamental rights to open, impartial and timely justice. The path to modernising a court system rooted in time-honoured conventions and legal processes and principles, fair trial rights and competing interests is trodden with utmost care.

However, care is not to be confused with trepidation. In 2017, the judges of the District Court have again demonstrated their openness to testing new approaches. They often take the lead in doing so.

The gains may be incremental but in the dynamic environment of a court that deals with about 200,000 criminal, family, youth and civil matters every year, and where the weight of work is tilting increasingly toward resource-hungry complex cases, any improvement stands to make a substantial impact.

“In 2017, the judges of the District Court have again demonstrated their openness to testing new approaches.”



Trial Workloads

Cases headed for jury or judge-alone trials consume a big portion of District Court time and resources. At the end of 2016-17 the court had more than 6,000 active trial cases on hand.

For jury trials involving the more serious, complex and time-consuming Category 3 charges, there were 2,342 active cases at the end of June. (By comparison, the High Court had 145 criminal cases on hand.)

The impacts of an influx of new jury-trial cases in October 2015 are still being felt, and are reflected in the age of active cases.

Smarter, more flexible scheduling has helped make inroads into the age of jury trials but the 3,267 new jury trials entering the system this year have outstripped these gains.

Growing demand for judge-alone trials has also produced a lengthening trend over the past two years in the age and disposals of caseload. This has required redirecting judicial resources which, in turn, has implications for the age of jury trials.

Despite these pressure points, the appetite for improvement and innovation among judges has not diminished.

Sexual Violence Court Pilot

The establishment of a specialist pilot court for jury trials hearing serious sexual violence charges was a landmark moment. After nearly a year of painstaking planning and consultation overseen by a governance board, the judge-led pilot got underway in December 2016. Judge Anne Kiernan is leading the pilot in Auckland, and Judge Duncan Harvey is heading the other leg of the pilot in Whangarei.



Judge Kiernan schedules cases with court coordinator Carmina Salud

It is testament to the commitment of the managing judges and governance board that the pilot was designed with the cooperation of the criminal bar and prosecutors, and secured extra resources from the Ministry of Justice. It is hoped the pilot will improve the overall court experience for all participants in sexual violence hearings, through tighter trial and case management and enhanced judicial education. Best practice guidelines for judges will help ensure all available tools are considered by the court, including communications assistance and other support for vulnerable witnesses.

These are all practical measures within existing legislation and the judiciary's influence. They have potential to improve timeliness without eroding paramount fair-trial rights, and to reduce some of the uncertainty that people involved in these types of cases find distressing.

Judge's Bail Pack

For judges making potentially life-saving decisions about bail applications it is vital they have as much information as possible.

In 2015, District Court judges led development of a Judge's Bail Pack. The pack gathers together all information held across the justice system about a defendant's criminal and family violence history, including police callouts and protection order breaches, victims' views on bail and information from any Care of Children Act 2004 proceedings.

This year, eight courts have been piloting the packs. It has taken extra effort from all the agencies involved. I look forward to the packs eventually being used in every court.

Makeup of the Bench

For a third year, the District Court bench has enjoyed a wave of renewal. We welcomed six new judges and farewelled seven. The makeup of the bench is steadily evolving to more closely reflect the diversity of the communities we serve.

At the end of June 2017, of the 174 fulltime judges, 15 identified as Māori and 52 were women. For the second year running, a new judge was drawn from the Tongan community. However, because of a new statutory cap on judicial appointments which took effect in April 2017, it may be 2019 before there is a significant opportunity to make fresh progress in this area.

Community Magistrates

Lay magistrates are proving a valuable addition to District Court resources, freeing up judges to focus on more serious matters, and reducing delays. In October 2016, Christchurch became the latest centre to add Community Magistrates to judicial ranks.

Three magistrates from Auckland are piloting the service there for three days a week, dealing with overnight arrests related to lower-end offences.

Should the pilot become a permanent feature, eventually I expect the city's Community Magistrates to be recruited from the local community.

The District Court has 16 Community Magistrates who are chosen for their mix of skills, experience and perspectives. They also sit in Northland, Auckland, Manukau, Waikato, Bay of Plenty, Hawke's Bay, Gisborne, Taranaki and Whanganui.



Chief Judge Doogue and Auckland Executive Judge, Judge Sarah Fleming



REPORT OF PRINCIPAL FAMILY COURT JUDGE, JUDGE LAURENCE RYAN

URGENT INTERVENTION IN GROWING DEMAND

The workload of the Family Court continues to increase and shows no sign of abating. Active defended applications on hand, as at 30 June 2017, totalled 10,645. Our forecast suggests that by June next year, this number will have increased to about 11,000.

Proceedings under the Care of Children Act 2004 still remain the biggest area of the Family Court's jurisdiction. Half of all active defended applications are currently under this Act. Notwithstanding the greater focus on family violence in the community, the number of applications for protection orders under the Domestic Violence Act 1995 remains fairly constant at about 650 a month.

Interestingly, as at June 2017, applications filed without notice in the Family Court under the Care of Children Act were at record levels, and now make up by far the majority of applications made under this Act. These emergency applications, in the normal course of events, are dealt with by a judge on the day of filing. To achieve this, the number of judges rostered to consider these applications has been increased. This has placed further demand on the limited judicial resource available to the Family Court.

Despite criticism levelled at the Family Court, less than 1% of judgments (defined as the number of disposed defended applications where a hearing was held) are successfully appealed. The work of the 55 full-time Family Court judges (and seven retired judges with acting warrants), is unrelenting and demanding. The subject matter of litigation is typically highly charged emotionally. In addition, family law is constantly under legislative review, especially at the moment in the area of family violence and care and protection of children.

Our judges continue to receive education and training, not only in the new laws as they are passed, but in the nuanced areas of the effect of family violence on victims and the need to be more culturally aware and responsive. We strive to keep up to date with latest research, and at our upcoming triennial conference in October, once again the content will focus heavily on these issues.

I would like to take this opportunity to acknowledge the contribution of Judge Annis Somerville who retired this year after 16 years as a resident Family Court judge in Tauranga. She was deeply committed to helping those who appeared before her find solutions for their disputes, and brought wide experience, empathy and cultural insight to the role.

I thank all my judicial colleagues for their huge work ethic, their empathy and compassion, and the conscientious way they go about their business. I am proud of you all.



REPORT OF PRINCIPAL YOUTH COURT JUDGE, JUDGE JOHN WALKER

HARNESSING KNOWLEDGE IN A PLACE OF GREAT HOPE

In many ways, 2017 has been a time of positive change for the Youth Court. It has seen the passage of the Children, Young Persons and Their Families (Oranga Tamariki) Legislation Act 2017, which supports the new children's agency, Oranga Tamariki. The new law will introduce a number of fundamental changes to the youth justice sphere, not least of which will be the extension of the Youth Court jurisdiction to include 17 year olds.

New cases entering the Youth Court decreased in 2017, after a period of rising numbers throughout 2016. While numbers have stabilised, the period of increased offending — alongside the groundbreaking legislative changes — stimulated considerable work to identify how we can assist with curbing the “production line” of young people who offend. This is the ultimate challenge for all who work in this area.

There are considerable barriers to doing so. The causes of offending behaviour are complex and multifaceted, with factors such as family violence exposure, neurodisability, alcohol and drug addictions and mental illness playing a part.

We have also seen an increase in serious offending by girls, which has stimulated research and work into the particular profile and needs of young female offenders. Much more needs to be done in this area.

In the Youth Court, the more we know, the harder it gets; as our knowledge of the many causes of offending increases, so too does our workload. With young people only entering the Youth Court at age 14 or 15, and generally on very serious charges, the causes are often well entrenched. They are difficult to pinpoint and very difficult to address.

Despite the challenges, the Youth Court remains a place of great hope. Indeed, the court's multidisciplinary team has been described as merchants of hope: mental health nurses, alcohol and other drug clinicians, youth justice social workers, education officers, lay advocates and youth advocates come together in the courtroom to attempt to fashion lasting solutions for young people who are on destructive and damaging paths.

In my view, while there is no silver bullet, a key to working more effectively will be ensuring our Youth Courts are a part of the communities they serve. This requires true community engagement at a local level, for each individual court. It means bringing the community into the court, and vice versa.

Local representation through the multiagency team is one significant step towards this. The challenge for 2018 is to continue this kaupapa in a meaningful way, while preparing for the significant legislative changes anticipated to be in force by 2019.

THE INTERNATIONAL FRAMEWORK FOR COURT EXCELLENCE

The International Framework for Court Excellence (IFCE) is a quality management system designed to assist courts to improve performance over nine identified areas of court and judicial business.

IFCE takes a comprehensive approach (based on a framework of universal core values, concepts and tools) to encourage courts to develop innovative ways to address issues, improve transparency and clarity and thereby enhance access to justice.



IFCE judges meet Ministry of Justice officials: (From Left) National Executive Judge Colin Doherty, Chief Judge Jan-Marie Doogue, Principal Family Court Judge Laurence Ryan, Judge Maree MacKenzie, Principal Youth Court Judge John Walker, Judge Phillip Cooper

The overall aim of IFCE is to promote continuing improvement to the quality of the delivery of justice by courts in countries which apply the framework. During 2017 the relationship between the District Court judiciary and the Ministry of Justice has been built on, to jointly deliver improvement by implementing the recommendations resulting from an analysis of a 2015 quality assessment. These include:

- Development of a comprehensive communication and community engagement strategy.
- Encouragement of a culture of continuous improvement and innovation in court registries.
- Creation of an environment to assist those litigants in our courts who are not legally represented, including a comprehensive review of the effectiveness and availability of resources and information available to those litigants.

The IFCE Committee is also reviewing the assessment tools with a view to completing the next assessment in 2019.

JUDICIAL PERFORMANCE MEASURES

District Court judges are committed to reporting a range of appropriate measures to enhance public awareness of and confidence in the judiciary as a well-organised, professional, efficient and independent institution. Performance measures presented are: appeals and reserved judgments.



Appeals

Decisions that are successfully appealed to the higher courts are a common measure of judicial performance.

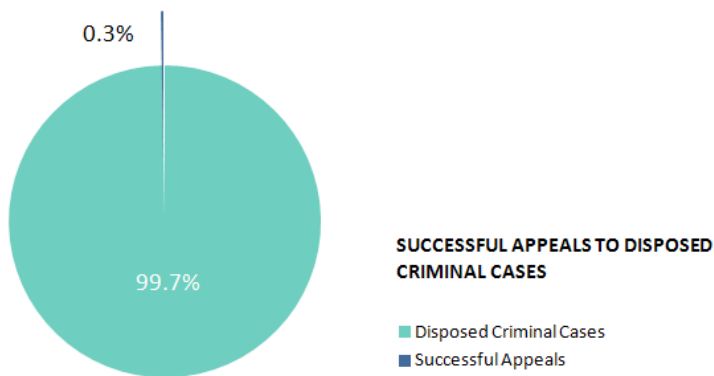
In 2016/2017 there were 414 successful appeals from the total 1,597 appeals lodged following District Court decisions (382 were criminal proceedings, 15 Family Court and 17 civil).

This is against a backdrop of 141,952 matters disposed of across all jurisdictions during this period: 137,153 criminal cases; 4,128 defended Family Court applications and 671 defended civil cases. Successful appeals represent 0.3% of this total.

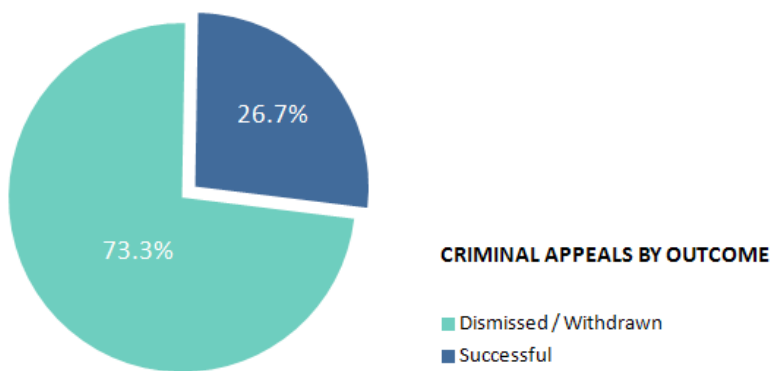
Did you know that New Zealand's busiest criminal court is the District Court at Manukau, which in 2016-17 dealt with more than 70,000 appearances?

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 reported year that can be appealed, but provides a starting point from which comparisons can be made.



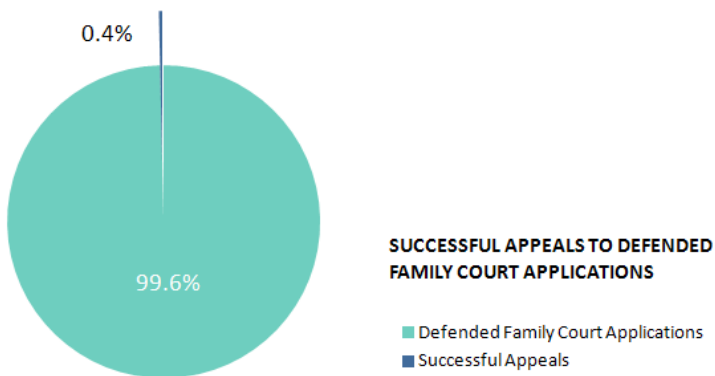
12 Month Period	Disposed Criminal Cases	Successful Appeals
to end June 2017	137,153 (99.7%)	382 (0.3%)
to end June 2016	133,470 (99.7%)	429 (0.3%)



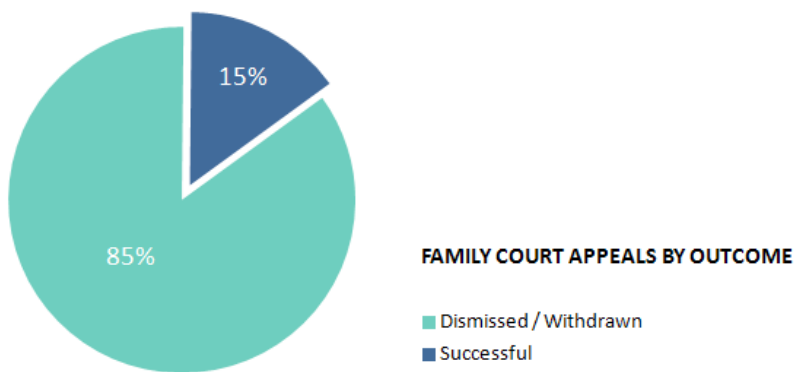
12 Month Period	Total Appeals	Successful	Dismissed / Withdrawn
to end June 2017	1,432	382 (26.7%)	1,050 (73.3%)
to end June 2016	1,451	429 (29.6%)	1,022 (70.4%)

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 reported year that can be appealed, but provides a starting point from which comparisons can be made.



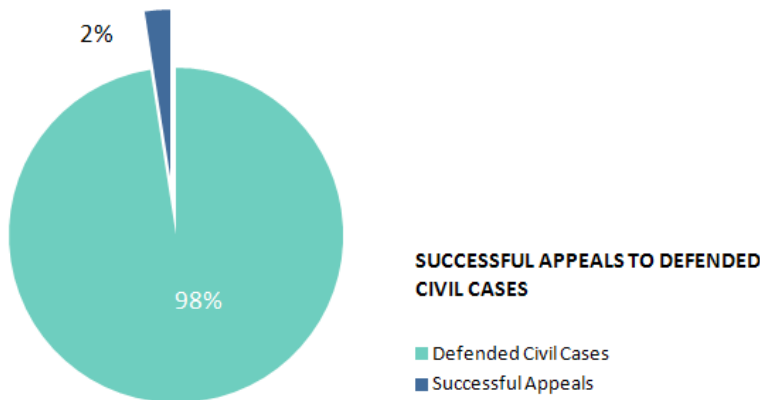
12 Month Period	Defended Family Court Applications	Successful Appeals
to end June 2017	4,128 (99.6%)	15 (0.4%)
to end June 2016	3,680 (99.2%)	31 (0.8%)



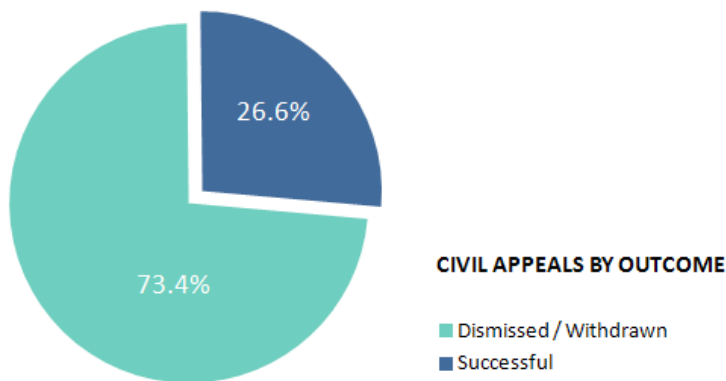
12 Month Period	Total Appeals	Successful	Dismissed / Withdrawn
to end June 2017	101	15 (15%)	86 (85%)
to end June 2016	100	31 (31%)	69 (69%)

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 reported year that can be appealed, but provides a starting point from which comparisons can be made.



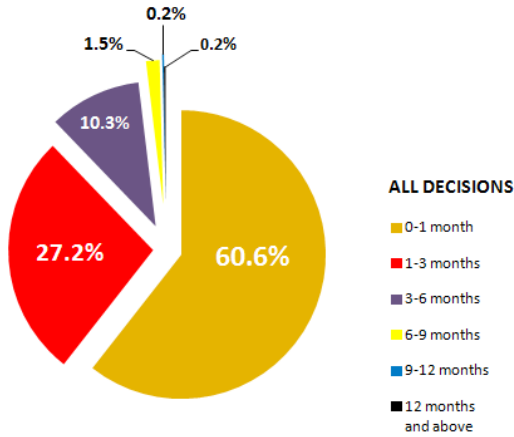
12 Month Period	Defended Civil Cases	Successful Appeals
to end June 2017	671 (98%)	17 (2%)
to end June 2016	778 (98%)	16 (2%)



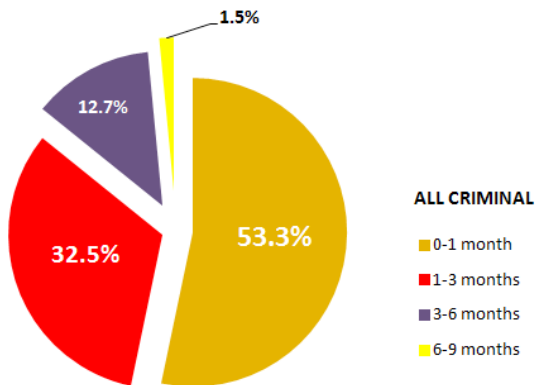
12 Month Period	Total Appeals	Successful	Dismissed / Withdrawn
to end June 2017	64	17 (26.6%)	47 (73.4%)
to end June 2016	70	16 (22.9%)	54 (77.1%)

TIMELY DELIVERY OF JUDGMENTS

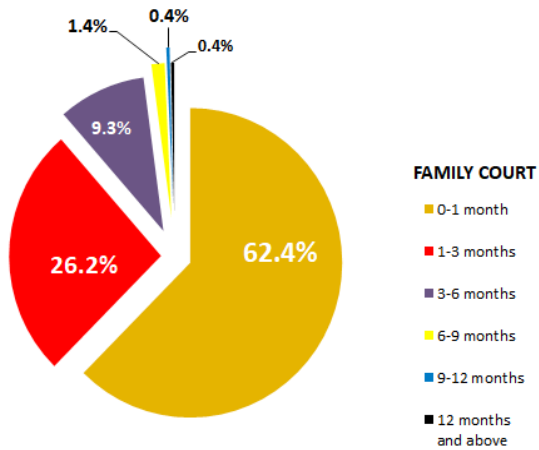
Because of the complexity of their work and the matters they must consider, judges sometimes defer announcing their decisions at the end of a case. These decisions are “reserved” and delivered at a later time, usually in writing. The following charts show the number of reserved decisions and amount of time taken (in months) to deliver these.



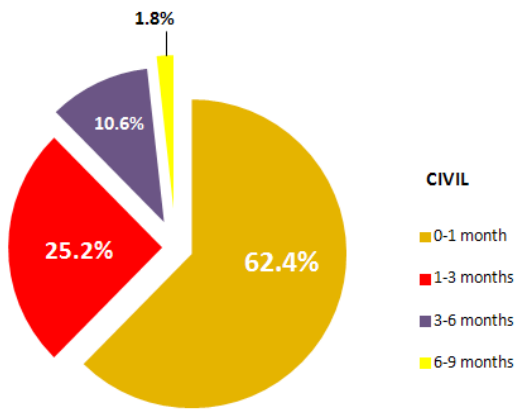
12 Month Period	Total Decisions	0-1 month	1-3 months	3-6 months	6-9 months	9-12 months	12 months and above
to end June 2017	992	601	270	102	15	2	2
to end June 2016	942	592	258	80	9	2	1



12 Month Period	Total Decisions	0-1 month	1-3 months	3-6 months	6-9 months
to end June 2017	197	105	64	25	3
to end June 2016	211	130	59	17	5



12 Month Period	Total Decisions	0-1 month	1-3 months	3-6 months	6-9 months	9-12 months	12 months and above
to end June 2017	569	355	149	53	8	2	2
to end June 2016	478	319	124	31	2	2	



12 Month Period	Total Decisions	0-1 month	1-3 months	3-6 months	6-9 months	9-12 months	12 months and above
to end June 2017	226	141	57	24	4		
to end June 2016	253	143	75	32	2	0	1

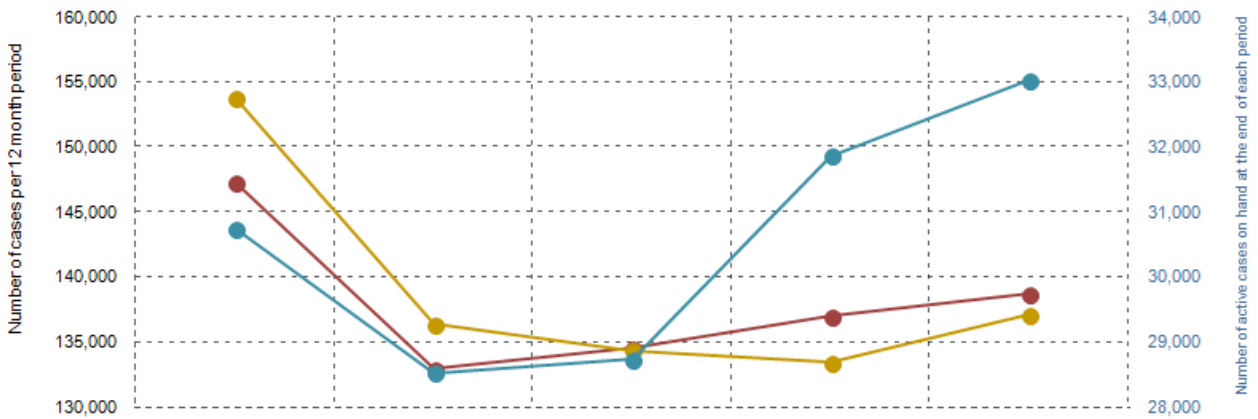
ROLE AND STATISTICS

TOTAL CRIMINAL

The criminal jurisdiction makes up the largest proportion of the District Court’s work. The increase in new business was driven by more charges being brought before the District Court. The increase in active cases reflects that the court’s workload has become more serious and complex.

For reporting at the total level, jury trial and Youth Court matters are included in the data. Criminal statistics are recorded by number of cases rather than people because each case may involve several charges or people.

TOTAL CRIMINAL CASES



	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017
New Business	147,351	133,034	134,573	136,989	138,735
Disposals	153,826	136,433	134,353	133,470	137,153
Active Cases	30,747	28,529	28,746	31,874	33,038

Comparing the current year to the previous year has seen:

- New business increase by 1,746 cases (1%)
- Disposals increase by 3,683 cases (3%)
- Active cases increase by 1,164 cases (4%)

JURY COURTS

More than 90% of criminal jury trials disposed of annually in New Zealand are heard in the District Court.

These trials comprise all categories of eligible offences other than the most serious, such as homicide or treason.

02

Trial by jury is deeply rooted in history. The right to trial by jury is protected in the New Zealand Bill of Rights Act 1990. 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 two 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.

A rising trend in new jury-trial cases has led to a parallel increase in active cases. Intensive efforts such as better jury-trial management and targeting of judicial resources have ensured disposal rates have not fallen significantly behind the growth in caseload.

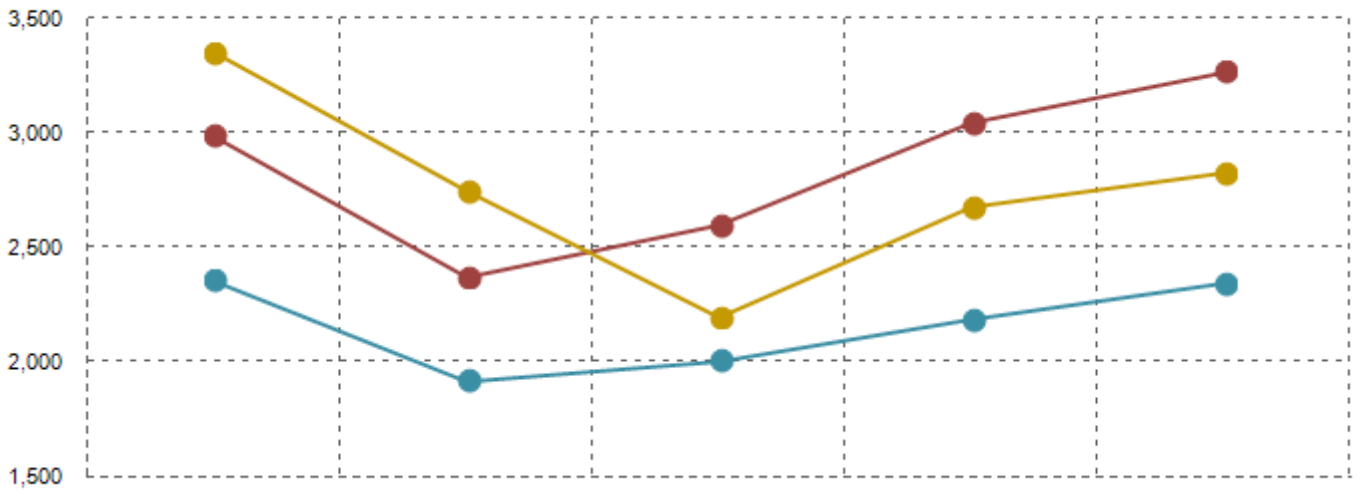
Did you know a District Court judge can transfer criminal proceedings to a different location in the interests of justice?



JURY TRIAL

The figures quoted relate to trial numbers and do not reflect the underlying complexity and time taken to deal with jury trials, or the age of cases.

JURY TRIAL CASES



	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017
New Trial Cases	2,988	2,370	2,595	3,042	3,267
Disposals	3,349	2,751	2,195	2,676	2,824
Active Cases	2,354	1,918	2,004	2,184	2,342

Comparing the current year to the previous year has seen:

- New trial cases increase by 225 cases (7%)
- Disposals increase by 148 cases (6%)
- Active cases increase by 158 cases (7%)

FAMILY COURT

The Family Court is the second biggest division of the District Court and where people can seek a judge's help with family problems. New Zealanders lodge about 60,000 applications a year in the Family Court.

Established under the Family Courts Act 1980, and working under 36 Acts of Parliament, its jurisdiction spans family matters from before birth to beyond the grave. These may relate to separation, marriage dissolution, spousal maintenance and child support, care and protection, adoption, surrogacy, custody, abduction, domestic violence and disputes about relationship property and estates of the deceased.

Unless the police have made application to the criminal court, the Family Court is where people come to seek protection orders from violent family members. The court considers hundreds of these applications every month.

The Family Court also deals with care and treatment issues for people with mental illness, intellectual disabilities and substance addictions who are held in compulsory care. This area of work often takes Family Court judges out of their courtrooms and into the heart of their communities, such as hospitals to hold bedside hearings.

Under the Mental Health Act 1992, judges provide independent oversight of whether there are grounds to detain or treat someone against their wishes. This ensures patients are given the chance to understand why they are being assessed and treated, and to challenge the process.

Both the complexity and volume of work in the Family Court has grown over the years. Judges have responded by developing technological solutions, such as the eDuty electronic filing system. This ensures there is always a judge

available to deal with urgent applications involving vulnerable people, no matter which part of the country an application is made.

For more routine matters, eBox is being rolled out around the country to provide an electronic shared platform for judges and registrars to process orders and directions to parties and counsel more quickly than the previous paper-based system.

Wherever possible in family disputes, the Family Court aims to help people resolve their own problems by way of counselling, conciliation and mediation. A number of Family Court judges specialise in convening judicial settlement conferences where they guide people in a less formal setting to find a solution, avoiding the cost and emotional drain of court hearings.

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

Media may cover many Family Court proceedings, and increasing numbers of full decisions are being published online.

New Zealand's Family Court is part of an international community of courts that share a framework and values about parental responsibilities for when family disputes cross borders. These are under the Hague Conventions on international family law.

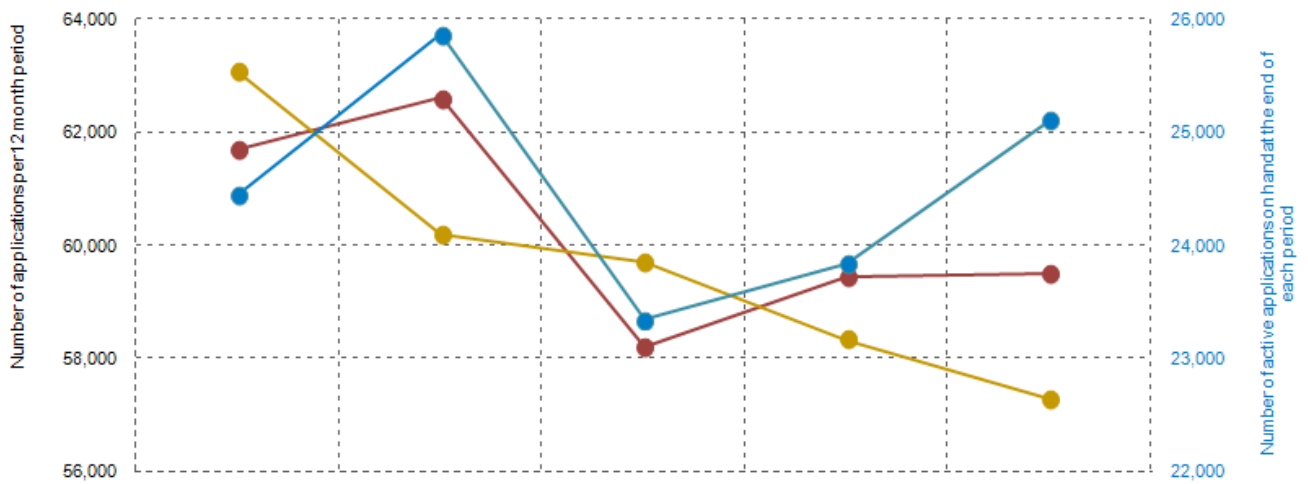
Both the Principal Family Court Judge and Chief District Court Judge are members of the International Hague Network of Judges. The Chief District Court Judge also serves on an

Experts' Group on Cross-Border Recognition and Enforcement of Agreements in Family Matters Involving Children established by the Hague Conference on Private International Law.

National Statistics

Family Court statistics are recorded by number of applications rather than cases or people because each case may involve several applications or people. The increase in the active caseload over the past two years follows the family justice reforms in 2014.

FAMILY COURT APPLICATIONS



	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017
New Business	61,711	62,614	58,208	59,449	59,507
Disposals	63,091	60,190	59,700	58,338	57,279
Active Applications	24,448	25,872	23,346	23,848	25,116

At a national level, all application types are grouped together. Comparing the current year to the previous year has seen:

- New business increase by 58 applications (less than 1%)
- Disposals decrease by 1,059 applications (2%)
- Active applications increase by 1,268 applications (5%)

Did you know that Family Court judges can make orders in regard to unborn babies?

YOUTH COURT

The Youth Court is a division of the District Court. It deals with offending by young people aged 14 to 16 years old and, in certain serious circumstances, with children aged 12 to 13.

Because of an emphasis on police diversion for young people, only 20–30% of apprehensions come to the Youth Court. It therefore addresses the most serious offending by young people, who often have the most complicated lives.

A feature of the Youth Court process is a mandatory Family Group Conference (FGC) following the young person's first appearance, unless the young person denies the offending and there is a trial. The FGC brings together the young person, their family, any victims, Police Youth Aid, a youth advocate (lawyer), and other professionals and service providers.

It will try to come up with a plan to address the offending and its causes, hold the young person to account and provide for the interests of the victim. The plan is put to the judge for approval. The young person is often required to return to court for regular monitoring. This ensures the plan stays on track, and also provides the young person with a consistent authority figure — the judge — to whom they are accountable.

Since 2008, 14 Rangatahi Courts have been developed to provide monitoring in a kaupapa Māori context, on the marae. This development was a judicially led response to the over-representation of Māori in the youth justice system, and aims to reconnect young Māori with their whakapapa (heritage) and positive cultural structures and influences. Two Pasifika Courts in Auckland have adapted the model.

Where a FGC cannot agree on a plan, or there is non-compliance or the offending is particularly serious, the Youth Court has a number of orders

at its disposal, including a custodial sentence in a youth justice residence, or conviction and transfer to the District Court where adult sentencing options are available. The Youth Court is closed to the public but news media may attend.

Projects This Year

In 2017 the Children, Young Persons and Their Families Act 1989 was replaced with the Oranga Tamariki Act 1989. It represented the most fundamental legislative change for youth justice in 28 years.

Except for some serious offending, the Youth Court jurisdiction will be extended to include offending by 17 year olds, and is expected to come into force in 2019. A new children's agency, Oranga Tamariki, the Ministry for Vulnerable Children, was created to replace Child, Youth and Family. We are working closely with the new agency to tackle the challenges of youth offending.

A focus for the Office of the Principal Youth Court Judge has been the South Auckland region, and looking at how to best support communities to address the causes of youth offending. We have also focused on how to respond better to female youth offending.

Additionally, the Communication Assistance Working Group, made up of professionals and Youth Court judges, has been developing a protocol for using communication assistance in the Youth Court. As we gain a better understanding of the neurodisabilities that present among young people, we are developing more nuanced methods for identifying and responding to the issues many of our young people exhibit.

We have also worked with the New Zealand Law Society to update the Youth Advocates Protocol, and are helping to update material and provide training for lay advocates. An ongoing challenge for the youth justice sector has been the shortage of secure custodial options, with an over-reliance on residential beds, and resultant spill-over into police cells.

community based alternatives to custody will be part of the solution.

An exciting project has been development of the new Christchurch Youth Court, which promises to be a national first. Youth justice services will have dedicated space, allowing for a truly multi-agency approach and a sense of inclusiveness.

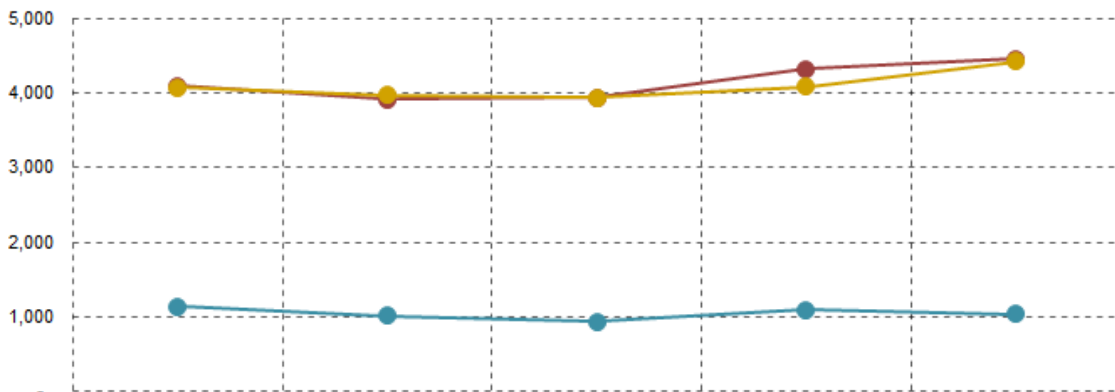
Youth Court judges are deeply concerned about this use of police cells and are engaging with relevant agencies to address the issue. More

Another advance has been publication on the new District Court website of a selection of full-text Youth Court judgments dating from March 2016.

National Statistics

Youth Court processes, practices and statutory principles are markedly different to those in District Court cases involving adult defendants, and higher clearance rates are not always seen as the optimum outcome. Youth Court statistics are recorded by number of cases rather than young people because each case may involve several charges or young people.

YOUTH COURT CASES



	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017
New Business	4,094	3,915	3,931	4,321	4,457
Disposals	4,065	3,969	3,931	4,077	4,421
Active Cases	1,137	1,015	934	1,095	1,039

Comparing the current year to the previous year has seen:

- New business increase by 136 cases (3%)
- Disposals increase by 344 cases (8%)
- Active cases decrease by 56 cases (5%)

CIVIL

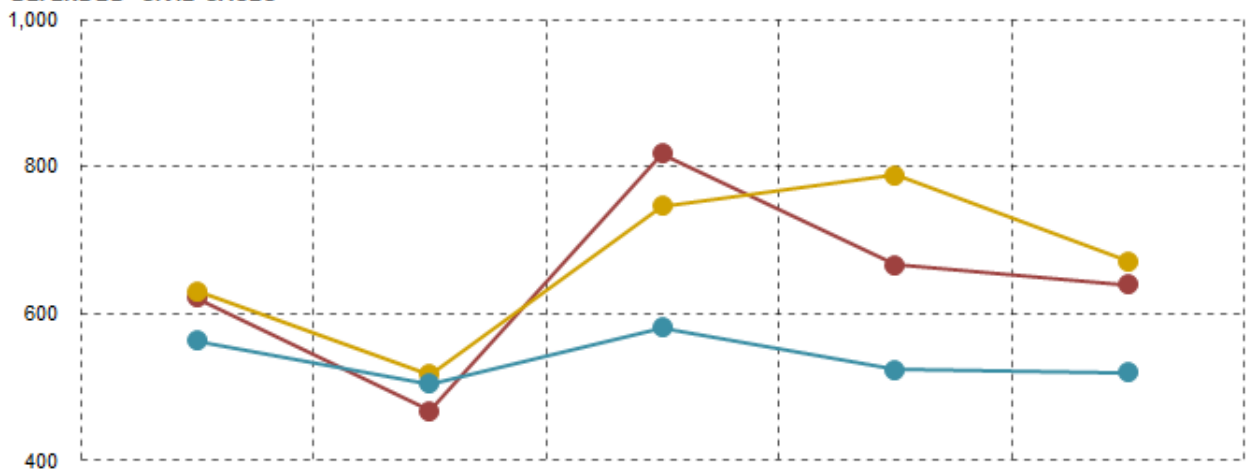
The civil jurisdiction of the District Court resolves disputes between individuals or organisations. A person who feels they have been wronged may bring a claim and, if successful, be awarded a remedy such as compensation. The District Court may hear claims up to a monetary value of \$350,000.

Examples of common claims in the District Court 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.

National Statistics

Most cases in the civil jurisdiction are resolved without proceeding to trial and are not included in the figures below, which relate only to defended cases.

DEFENDED CIVIL CASES



	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017
Newly Defended Cases	622	467	818	666	639
Disposals	630	517	747	788	671
Active Cases	563	505	581	523	520

Comparing the current year to the previous year has seen:

- New defended cases decrease by 27 cases (4%)
- Disposals decrease by 117 cases (15%)
- Active cases decrease by 3 cases (less than 1%)

COMMUNITY MAGISTRATES

Community Magistrates provide a valuable extra tier of lay magistrates in the District Court. Sixteen Community Magistrates now sit in the District Court in nine regions.



Working mainly in the busy “list” courts, where people appear for low level offending or make their first appearance, they free up judges to deal with more complex hearings.

Their work may involve sentencing offenders who have pleaded guilty on the day, hearing opposed bail applications and dealing with administrative matters such as taking pleas and remanding defendants for probation, forensic or restorative justice reports, as well as voluntary alcohol, drug or rehabilitative programmes.

Did you know that Community Magistrates managed more than 80,000 appearances in 2016-17?

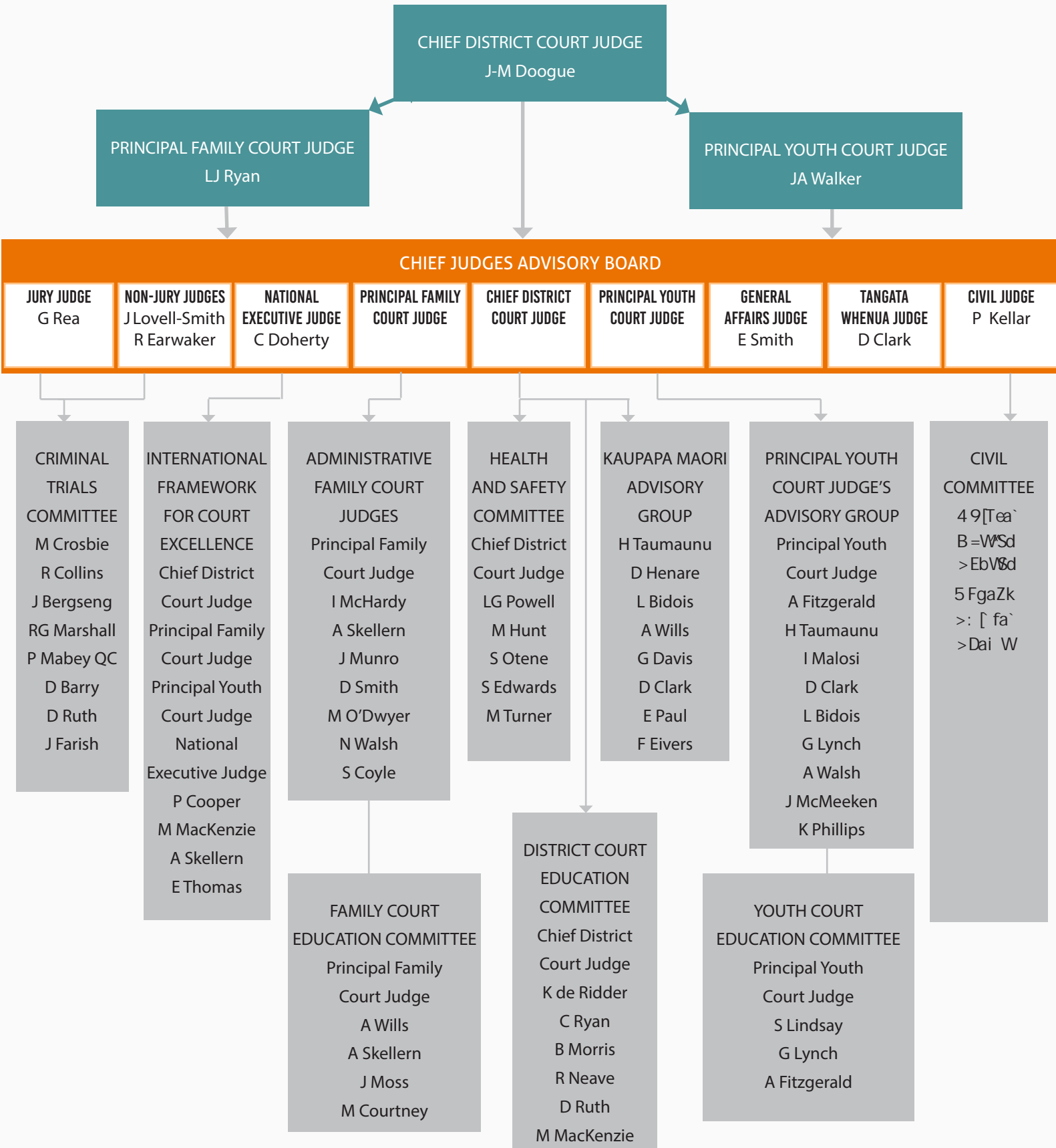
The Community Magistrate role was designed to increase community involvement in the justice system and to reduce delays by making better use of the skills of judges.

Community Magistrates are chosen for their diverse range of skills, experience and perspectives to represent the wider community. As part-time judicial officers, they have an expanded jurisdiction to that of Justices of the Peace, and have a general mandate to deal with offences carrying a maximum penalty up to and including \$40,000.

The Chief District Court Judge oversees their rostering, training and professional development, with the assistance of the National Executive Judge.

Community Magistrates sit in courts in Northland, Auckland, Manukau, Waikato, Bay of Plenty, Hawke’s Bay, Gisborne, Taranaki and Whanganui. In October 2016, three Auckland-based magistrates started piloting the service in Christchurch.

JUDICIAL COMMITTEE STRUCTURE



SITTING JUDGES

** indicates retired during year ending 30 June 2017*

Judge A Adeane	Napier	Judge W Cathcart	Gisborne
Judge E Aitken	Auckland	Judge D Clark	Hamilton
Judge G Andrée Wiltens	Manukau	Judge N Cocurullo	Hamilton
Judge G Barkle	New Plymouth	Judge G Collin	Hamilton
Judge D Barry	Wellington	Judge R Collins	Auckland
Judge A Becroft	Children's Commissioner	Judge P Connell	Hamilton
Judge J Bergseng	Manukau	Judge C Cook	Tauranga
Judge L Bidois	Tauranga	Judge P Cooper	Rotorua
Judge J Binns	Wellington	Judge A Couch	Christchurch
Judge T Black	Wellington	Judge M Courtney	Hastings
Judge C Blackie*	Manukau	Judge S Coyle	Tauranga
Judge J Borthwick	Christchurch	Judge P Crayton	Whanganui
Judge J Brandts-Giesen	Invercargill	Judge M Crosbie	Dunedin
Judge D Brown	Hamilton	Judge P Cunningham	Auckland
Judge M Burnett	Hamilton	Judge B Davidson	Wellington
Judge D Burns	Auckland	Judge G Davis	Whangarei
Judge P Butler	Wellington	Judge N Dawson	Auckland
Judge B Callaghan	Christchurch	Judge L de Jong	Auckland
Judge M Callaghan	Invercargill	Judge K de Ridder	Whangarei
Judge P Callinicos	Napier	Judge C Doherty	Christchurch
Judge D Cameron	Tauranga	Chief District Court Judge J-M Doogue	Wellington

Judge J Down	North Shore	Judge L Harrison	New Plymouth
Judge C Doyle	Wellington	Judge S Harrop	Wellington
Judge T Druce	Auckland	Judge DG Harvey	Whangarei
Judge B Dwyer	Wellington	Judge DJ Harvey*	Auckland
Judge R Earwaker	Manukau	Judge J Hassan	Christchurch
Judge S Edwards	Palmerston North	Judge W Hastings	Wellington
Judge F Eivers	Manukau	Judge D Henare	Auckland
Judge J Farish	Christchurch	Judge G Hikaka	Manukau
Judge B Farnan	Invercargill	Judge L Hinton	North Shore
Judge C Field	Auckland	Judge P Hobbs	Wellington
Judge A Fitzgerald	Auckland	Judge G Hollister-Jones	Rotorua
Judge D Flatley	Dunedin	Judge M Hunt	Whangarei
Judge S Fleming	Auckland	Judge T Ingram	Tauranga
Judge G Fraser	Auckland	Judge J Jackson	Christchurch
Judge A Garland	Christchurch	Judge J Jelas	Waitakere
Judge P Geoghegan	Tauranga	Judge A Johns	Manukau
Judge B Gibson	Auckland	Judge J Johnston*	Wellington
Judge T Gilbert	Christchurch	Judge JAR Johnston	Porirua
Judge K Glubb	Waitakere	Judge P Kellar	Christchurch
Judge A Goodwin	Manukau	Judge J Kelly	Wellington
Judge P Grace	Wellington	Judge K Kelly	Wellington
Judge C Harding	Tauranga	Judge A Kiernan	Auckland
Judge M Harland	Auckland	Judge D Kirkpatrick	Auckland
Judge G Harrison*	Auckland	Judge J Large	Palmerston North

Judge A Lendrum	Hastings	Judge D McNaughton	Manukau
Judge S Lindsay	Whangarei	Judge R McIlraith	Manukau
Judge J Lovell-Smith	Manukau	Judge J McMeeken	Christchurch
Judge G Lynch	Palmerston North	Judge I Mill	Wellington
Judge P Mabey QC	Tauranga	Judge S Moala	Manukau
Judge G MacAskill	Christchurch	Judge J Moran	Christchurch
Judge M MacKenzie	Rotorua	Judge B Morris	Wellington
Judge B Mackintosh	Napier	Judge J Moses	Manukau
Judge A Mahon	Manukau	Judge J Moss	Palmerston North
Judge I Malosi	Manukau	Judge J Munro	Rotorua
Judge A Manuel	Auckland	Judge R Murfitt	Christchurch
Chief Coroner Judge D Marshall	Auckland	Judge R Neave	Christchurch
Judge RG Marshall	Hamilton	Principal Environment Judge L Newhook	Auckland
Judge D Mather*	Waitakere	Judge S O'Driscoll	Christchurch
Judge N Mathers	Auckland	Judge M O'Dwyer	Wellington
Judge D Matheson	Whanganui	Judge S Otene	Hamilton
Judge S Maude	North Shore	Judge E Paul	Auckland
Judge J Maze	Timaru	Judge E Parsons	Tauranga
Judge D McDonald	Whangarei	Judge D Partridge	North Shore
Judge C McGuire	Papakura	Judge S Patel	Manukau
Judge I McHardy	Auckland	Judge K Phillips	Dunedin
Judge A Menzies	Hamilton	Judge B Pidwell	Waitakere

Judge LG Powell	Auckland	Judge D Smith	Palmerston North
Judge H Raumati	Gisborne	Judge E Smith	Christchurch
Judge G Rea	Napier	Judge A Snell	Rotorua
Judge R Riddell	Hamilton	Judge A Somerville*	Tauranga
Judge P Recordon	Manukau	Judge M Southwick QC	Manukau
Judge M Rogers	Manukau	Judge L Spear	Hamilton
Judge P Rollo*	Tauranga	Judge P Spiller	Hamilton
Judge R Ronayne	Auckland	Judge C Sygrove	New Plymouth
Judge G Ross* (Deceased)	Palmerston North	Judge H Taumaunu	Auckland
Judge L Rowe	Palmerston North	Judge EM Thomas	Auckland
Judge R Russell	Nelson	Judge C Thompson	Wellington
Judge D Ruth	Nelson	Judge A Tompkins	Hutt Valley
Judge C Ryan	Auckland	Judge C Tuohy	Wellington
Principal Family Court Judge L Ryan	Wellington	Judge M Turner	Dunedin
Judge D Saunders	Christchurch	Judge L Tremewan	Waitakere
Judge K Saunders	Hamilton	Judge C Wainwright	Waitangi Tribunal
Judge N Sainsbury	Manukau	Judge A Walsh	Wellington
Judge D Sharp	Auckland	Judge N Walsh	Christchurch
Judge M-B Sharp	Auckland	Principal Youth Court Judge JA Walker	Wellington
Judge A Sinclair	Auckland	Judge M Wharepouri	Manukau
Judge P Sinclair	North Shore	Judge A Wills	Rotorua
Judge A Singh	Auckland	Judge G Winter	Papakura
Judge A Skellern	Manukau	Judge R Wolff	Tauranga
Judge J Smith	Auckland	Judge A Zohrab	Nelson



