



**ACTING CHIEF DISTRICT COURT JUDGE FOR NEW ZEALAND
TE KAIWHAKAWĀ MATUA O TE KŌTI-Ā-ROHE
Judge John Walker**

20 September 2019

Statement for immediate release

District Court Addresses Sentencing Delays for Defendants in Custody

The District Court has taken steps to address the high number of prisoners awaiting sentence.

The Acting Chief District Court Judge, Judge John Walker, says with the support of the Ministry of Justice and Corrections, he started working on measures some weeks ago to address the issue.

“This has led me to be able to allocate eight extra judge-weeks in Auckland, Manukau and Christchurch courts for sentencing remand prisoners,” Judge Walker says.

Earlier this week Judge Walker also issued a direction to lawyers aimed at ensuring sentencing dates are met and court time is not wasted.

Prisoners held on remand account for more than one third of the prison population, and about 1200 of those prisoners are awaiting sentence. Judge Walker says many have been waiting a long time to be sentenced.

“People have a right to have timely access to justice, especially when they are being held in custody.

“Without some priority given to remand prisoners, they are more likely to be released when they come up for sentencing because of time already served. Remand prisoners, unlike prisoners formally sentenced to jail terms, are not eligible for rehabilitation programmes while in custody, which has implications for community safety.”

Among the other measures, the direction requires lawyers to certify 10 days in advance of a sentencing hearing that the case is ready to proceed or to identify any barriers to it proceeding. This is to ensure those issues can be addressed, and if necessary, the court time reallocated to another case.

Judge Walker says, as well, Corrections has undertaken to be more proactive in relation to sentencing preparation, including resolving earlier in the process any difficulties with finding suitable addresses for electronically monitored sentences.

Judge Walker says all parts of the District Court are under pressure, and the Chief and Principal Judges move judicial resource around to relieve the most acute pressure points, where it is feasible.

“The fact there have been inadequate judicial numbers to deal with the increasing seriousness and complexity in the criminal jurisdiction and backlogs arising in the Family Court because of legislative reform in that jurisdiction was acknowledged in the 2019 Budget. The government lifted the cap on District Court Judge numbers to 182 and made immediate provision for 12 Judges to be appointed.

“While we await those extra appointments, and having identified the pressure on sentencing dates, I have put additional judicial resources into this priority area.”

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