



**CHIEF DISTRICT COURT JUDGE FOR NEW ZEALAND
TE KAIWHAKAWĀ MATUA O TE KŌTI-Ā-ROHE
Judge Heemi Taumaunu**

Embargoed 8pm 11 November 2020

Statement from the Chief District Court Judge

Transformative Te Ao Mārama model announced for District Court

Chief District Court Judge, Judge Heemi Taumaunu, has announced a new model for the District Court tonight at the Norris Ward McKinnon lecture. Te Ao Mārama is inspired by the concept “mai te pō ki te ao mārama” meaning “the transition from night to the enlightened world.” It reflects the needs of a multi-cultural Aotearoa where everyone can seek justice and feel they are heard and understood.

“The District Court is to be a place where everyone – whether they are defendants, witnesses, complainants, victims, parties, or whānau - can come to seek justice - regardless of their means or abilities and regardless of their culture or ethnicity, and regardless of who they are or where they are from,” Judge Taumaunu says.

Te Ao Mārama will incorporate best practices developed in the District Court’s solution-focused specialist courts into its mainstream criminal jurisdiction. This is to realise the shared vision for the court by improving access to justice as well as enhancing procedural and substantive fairness, for all people who are affected by the business of the court, including defendants, victims, witnesses, whānau and parties to proceedings.

The Chief District Court Judge has a statutory obligation to ensure the orderly and efficient conduct of the business. This includes duties around rostering of judges, scheduling of work and setting standards for best practice in the District Court. Criminal justice policy and legislative reform are matters for the Executive and Legislature.

“This model further addresses historical calls for transformative change,” says Chief Judge Taumaunu. “The Te Ao Mārama model will operate in the spirit of partnership with local iwi and local communities to design a solution that works for multi-cultural Aotearoa New Zealand and with support from the Ministry of Justice and cross-sector agencies.”

The Te Ao Mārama model will be established in the Hamilton District Court next year and will incorporate Waikato’s new Alcohol and Other Drug Treatment Court (AODT court).

In a first for the District Court, the Hamilton AODT court will also expand into the Family jurisdiction. A new rehabilitative pathway will be created for Care and Protection cases where a mother’s dependency issues have led to or risk the removal of a child or children.

“For many years, judges of the District Court have been leading innovation in solution-focused justice through specialist courts. These courts focus on offenders where issues such as

addiction, homelessness, cultural disconnection and poor mental health, among others, are driving or contributing to their offending.”

“The reports commissioned by Government over time have also helped shape our understanding of the issues in front of us.”

“The specialist courts share common features of the tailored, community approach pioneered in the Youth Court and its Rangatahi courts, as well as in the AODT courts in Auckland and Waitakere. Now is the time to leverage this progress and apply best practice across the entire District Court.”

Chief Judge Taumaunu says addressing underlying causes of offending, not just the offending, will mark a general shift in the District Court.

“The Te Ao Mārama model will have a strong focus on procedural fairness to help ensure all those in court are engaged, understand the process and leave feeling heard and understood.

“This includes adopting plain language and culture and processes that incorporate tikanga and te ao Māori. The specialist courts have shown us how to do this. It is the right thing to do for everyone affected by the business of New Zealand’s biggest court.”

The Chief Judge intends for Te Ao Mārama to be rolled out to all District Court locations. The initiative is within existing legal frameworks and does not require law change.

The model for Te Ao Mārama will be developed in partnership with local iwi and local communities. Key features will include:

- Focus on social, psychological, emotional and physical underlying causes of crime
- Referral pathways for tailored rehabilitation or treatment
- Wider community, iwi and stakeholder involvement in court
- Heightened interagency coordination
- Use of plain language in court
- Kaupapa Māori approaches in the mainstream
- Exploration of a new Kaitakawaenga (coordinator) role between the court, participants and services
- Greater use of cultural speakers through s 27 of the Sentencing Act.

ENDS

Background

Further detail on Te Ao Mārama, including a media release from the Principal Family Court Judge, is available on the [District Court website](#).

The Hamilton launch of te Ao Mārama will position the new AODT court as a specialist stream within the broader Te Ao Mārama framework. The wider model will provide a degree of early assessment of all entrants to the District Court for any underlying drivers of offending, plus their ability to understand court processes and language, irrespective of whether they are referred to the more intensive AODT court. The model will also include the separation of vulnerable young adults from older age groups to help assess and cater for individual needs,

based on an approach developed in a Young Adult List which is being piloted in the Porirua District Court.

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