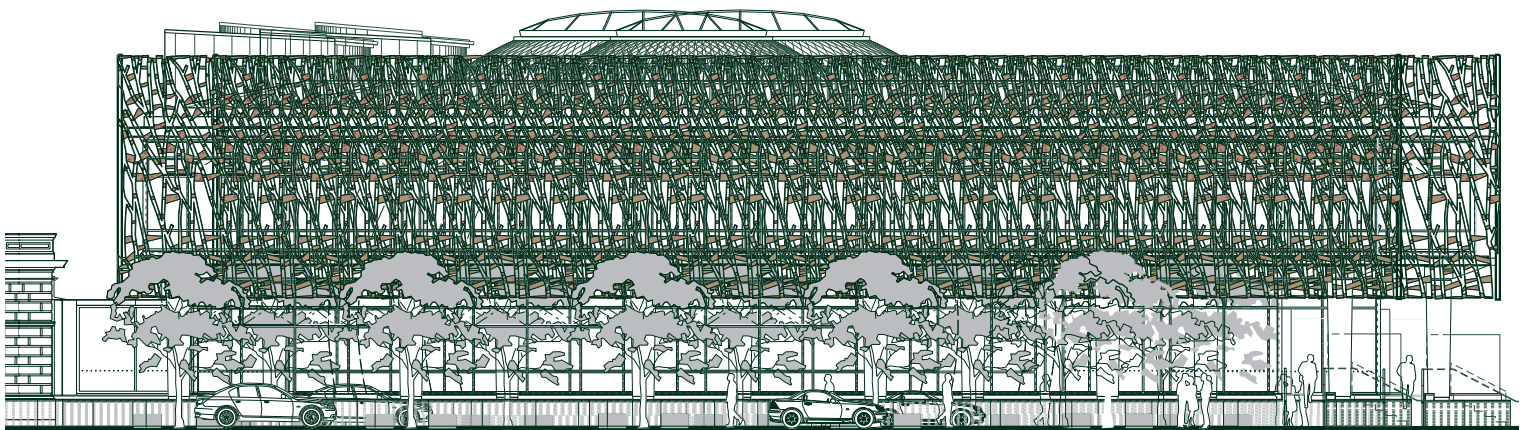


The Supreme Court of New Zealand







In 2003, the Ministry of Justice embarked on a major project to commission and lead the construction of a building for the Supreme Court of New Zealand.

The Ministry considered various sites in Wellington and consulted with many interested parties. In September 2006, the design for the new court building and its location were unveiled. Construction, including restoration of the adjacent Old High Court Building, began the following year.

The new building was officially opened on 18 January 2010 by His Royal Highness Prince William K.G. on behalf of Queen Elizabeth II, Queen of New Zealand.



Constructing a permanent home for New Zealand's Supreme Court has been a special privilege for the Ministry of Justice. The project combined the restoration of the Old High Court Building – an elegant heritage structure – and the construction of a modern purpose-built court of arresting design.

The project has been a collaborative one. Like a korowai, a garment of intricate beauty and construction, the Court's creation drew on the work of many hands, from diverse

disciplines and traditions. The Court is a lasting tribute to the work of these many hands.

Just as the korowai protects and upholds the mana of those it envelops, so the Supreme Court complex reflects and supports the mana of the Court it encloaks. Building the Supreme Court has created a taonga for all current and future New Zealanders.

Belinda Clark

Belinda Clark, Secretary for Justice
January 2010

Whakataukī

Tuitui tangata, tuitui korowai.

Weaving people together is like weaving a korowai.

A Supreme Court for New Zealand

On 1 January 2004 the Supreme Court of New Zealand, the country's final court of appeal, came into being. It was established to recognise that New Zealand is an independent nation with its own history and traditions, to improve access to justice, and to enable important legal matters – including those relating to the Treaty of Waitangi – to be resolved with an understanding of New Zealand's past and present.

The new Court replaced the Judicial Committee of the Privy Council in London which traditionally had been the final court of appeal for many Commonwealth countries. However, as these countries established their independence, many replaced the Judicial Committee with their own court of final appeal.

Legislation to create the Supreme Court of New Zealand was passed in October 2003. With the establishment of the Court, appeals to the Privy Council in relation to all decisions of New Zealand courts made after 31 December 2003 came to an end.

The Supreme Court has a broader jurisdiction than the Privy Council and the range of law involved in appeals heard by it since 2004, including contract, criminal, employment, family, resource management, torts and intellectual property, reflects this.

Five senior judges, including the Chief Justice, are the permanent members of the Supreme Court. The Court sits as a bench of five. When it is not possible to convene a court from the permanent members, retired senior judges – who have been appointed as acting judges – may sit on the bench as required for specific cases.



Above: New courtroom exterior; the skylight inside the new courtroom; exterior of the new building. Main photo: Main entrance to the Supreme Court complex.



Our changing court structure

The current Supreme Court is not the first court in New Zealand to use that title, which explains why a Supreme Court building was constructed in Wellington in the 19th Century.

When New Zealand became a British colony after the signing of the Treaty of Waitangi, it adopted the British legal system and its court structure. The lower court was called the Magistrates Court, while above it was the Supreme Court and later above that, the Court of Appeal.

In 1979 the Judicature Amendment Act renamed the Magistrates Courts and Supreme Court as the District Courts and High Court. It is because of this historical title that the older part of the Supreme Court complex, known as the Old High Court Building, is sometimes called the Old Supreme Court Building.

Unlike the old Supreme Court, however, there can be no doubt that the new Court is truly the 'supreme' court in our judicial system.

The Old High Court Building – an enduring history

In the first half of the 19th Century various hapū of Te Āti Awa settled in pā below the hills on the western edge of Wellington harbour. The Supreme Court complex rests on land that was reclaimed from the harbour after European settlers arrived in 1840. This land sits between the pā sites at Kumutoto and Pipitea.

The land was built up from the seabed after Wellington became the country's capital in 1865. In 1873 the central and provincial governments agreed to reclaim some 20 hectares of land seaward of Thorndon and Lambton Quays for commercial purposes. By 1878 a substantial portion had been recovered and the Government Buildings (now the Victoria University of Wellington Law School) had been erected on one block. Land to the south was reserved for a new court building to replace the wooden structure built earlier on Lambton Quay, which was now considered too small for the seat of the country's judiciary.



*Lambton Quay and Thorndon c.1852 from the Terrace.
The wharf in the foreground is believed to run out between
present-day Whitmore and Ballance Streets.*

The new court

The new court building was designed by PFM Burrows, an English architect who had emigrated to New Zealand in 1865 and later became Chief Draughtsman in the Public Works Department. Under his design, the court building was the first major Wellington building to be constructed in masonry (brick and concrete) instead of wood since the huge earthquake of 1855. Concrete piles would be driven into the bedrock below sea level to secure the structure.

Construction began in 1879 and the foundation stone was laid with impressive pomp and ceremony on 1 December 1879. In March 1881 the building was completed, although there would be a number of additions and modifications over the next 100 years.

The Chief Justice, Sir James Prendergast, complimented the 'handsome' building when the first court session was held on 11 April 1881. He noted, however, a problem of space as part of the building was being used by the Magistrates Court (which would remain there until a separate structure was completed in 1903). The new court building housed the Supreme Court, which would



Photograph by James Bragg, Museum of New Zealand Te Papa Tongarewa, D.000001.

The scene at the laying of the foundation stone in Whitmore Street, 1879. The Evening Post reported the event as the 'most imposing public ceremonial which probably has ever yet been witnessed in New Zealand'. During restoration, the foundation stone was rediscovered within the brick walls of the Old High Court Building.

later be renamed the High Court. It was also, for many years, the location of the Court of Appeal and the Arbitration Court.

With a new central police station nearby, the court building and the block became the hub of legal life in the capital. Law firms moved to offices in the vicinity and the Law Library, which was open all hours, became a meeting place for the city's legal fraternity.



Lambton Quay and Thorndon from The Terrace [1855 or 1856] drawn by John Pearce, Alexander Turnbull Library, Wellington, NZ, E.455/f.032.1

Many famous names would make their mark in the four courtrooms in the building, particularly in the large and formal No 1 Courtroom. Perhaps the most famous was Sir Robert Stout, who was Chief Justice from 1899 to 1926. He was the first person to be admitted to the bar on the basis of New Zealand qualifications and had a very successful legal and political career, including being the country's Premier from 1884 to 1887.

The court building continued in use throughout the 20th Century but by the 1970s it was becoming increasingly cramped and tired and there was growing support for constructing a new building.

The Court of Appeal had moved out in the 1950s and finally new premises for the High Court were opened in Molesworth Street in 1993. The old building was then vacated and fell into decline. It would be saved a decade later with the establishment of the new Supreme Court of New Zealand as the country's final court of appeal.

Main photo: Old High Court Building, c.1890s.

Inset photos: The main doors to the No 1 Courtroom and to the public gallery above; The judge's bench in the No 1 Courtroom; Detail of carved frieze.



Notable cases in the Old High Court Building

From its early days many famous and infamous cases were heard in the Old High Court Building. Criminal trials in particular attracted intense public interest, with people queuing to sit in the public gallery and the newspapers reporting proceedings in lurid detail.

Among the notable cases were:

1889

The trial in 1889 of an Italian immigrant, Louis Chemis, for a brutal murder. After he was found guilty public obsession with the case reached fever pitch when his defence counsel died from typhoid fever two days before Chemis was sentenced to death (which was later commuted to life imprisonment).

1905

The trial of Edward Lionel Terry in 1905 for the racist murder of an elderly Chinese man. Terry had confessed and the issue was whether he was sane when he pulled the trigger. The jury found him guilty but with a strong recommendation for mercy. His death sentence was later commuted to life imprisonment and he spent the rest of his life in prison and in mental hospitals.

1974

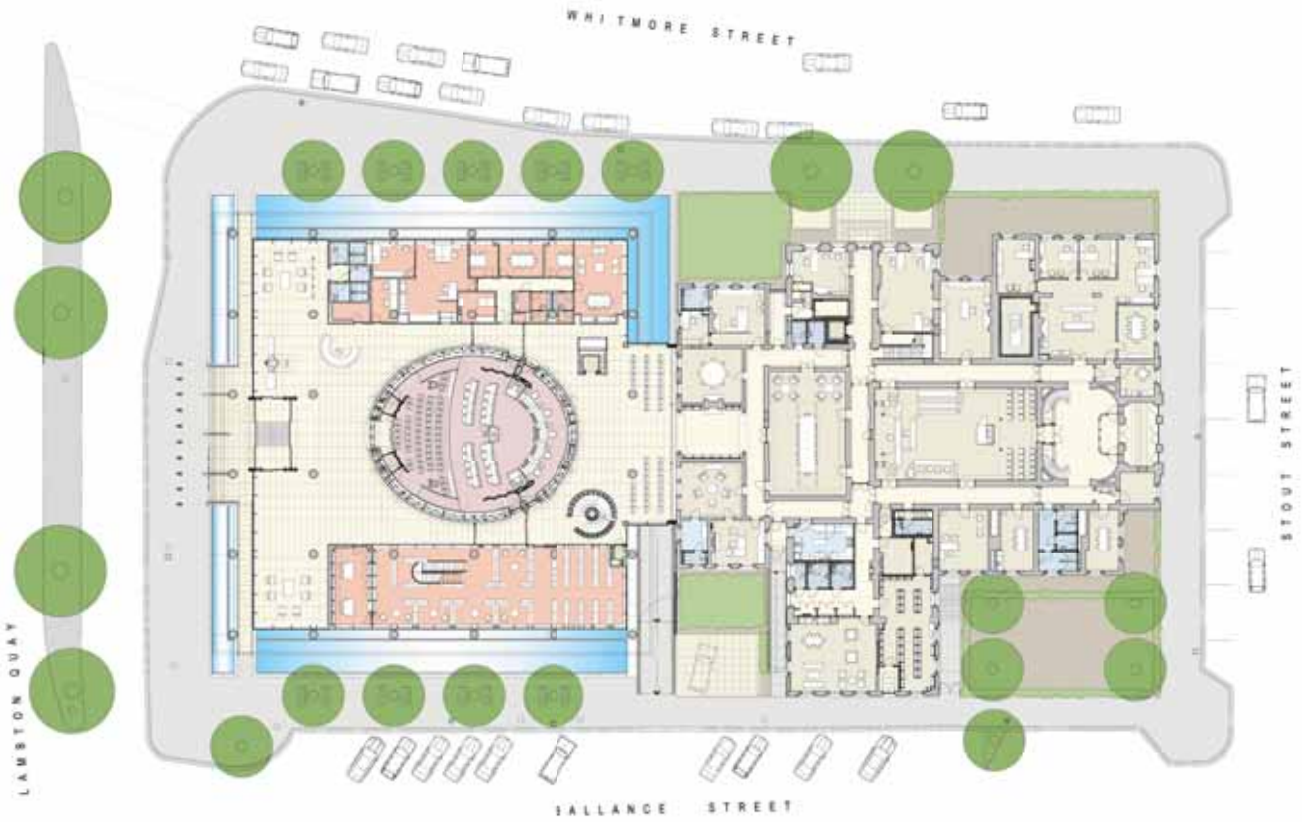
A distinguished New Zealander, Bill Sutch, was charged with contravening the Official Secrets Act after a clandestine meeting with a Soviet diplomat in 1974. He was tried and acquitted the following year, but died a few months later.

1985

In 1985 two Auckland lawyers brought an action against the Rugby Union to prevent an All Black tour of South Africa. An interim injunction was granted in the High Court on 11 July 1985. This prevented the team from leaving New Zealand until the substantive action, which had commenced on 8 July, had been determined. As the team was due to leave the country on 17 July the injunction effectively stopped the tour.



Wellington Supreme Court, Tyne Collection, Alexander Turnbull Library, Wellington, NZ. 1/2 010634-G



Above: The floor plan for the Supreme Court complex shows how the two buildings reflect one another with their main entrances on opposite sides of the complex, each leading directly into their courtrooms. Left: Artist's sketches of the new building during the day and at dusk.

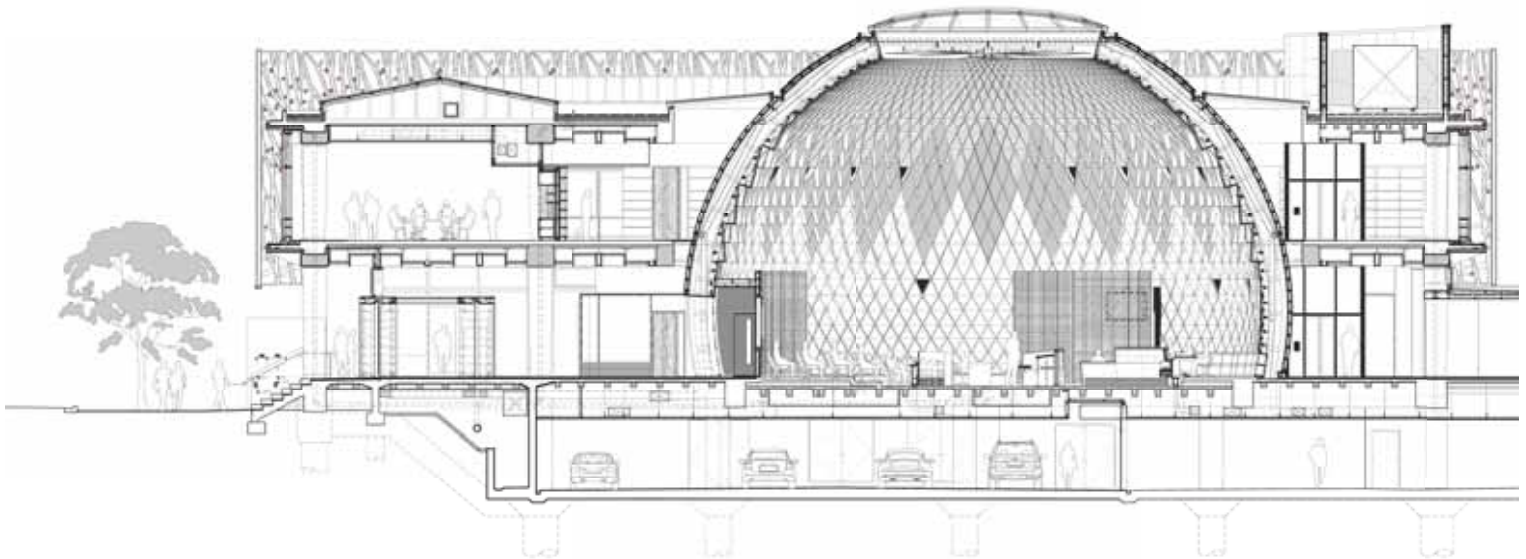
Inspired by New Zealand's heritage

The pattern for the decorative bronze screen that surrounds the new building is inspired by the intertwining of pōhutukawa and rātā. It is one of many references throughout the building to New Zealand's unique natural heritage.

The courtroom's special shape – its copper panelled exterior and interior lined with silver beech panels – emulates the form and texture of the cone of the kauri tree. Together they create a diamond pattern that references tukutuku (woven panels) found within marae. These features have the combined effect of a building that is symbolic of New Zealand.



The texture of the kauri cone was the inspiration for the courtroom's interior and exterior cladding.



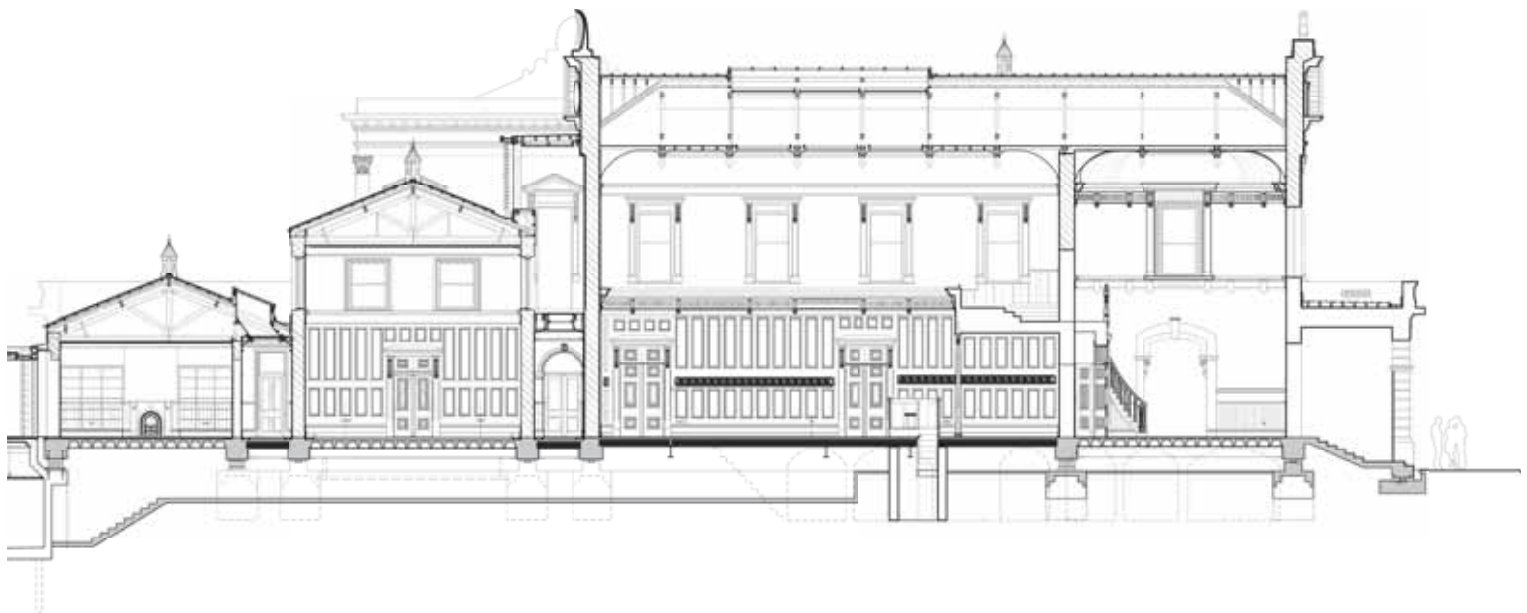
Environmental features

The Supreme Court complex incorporates several sustainable features. Displacement ventilation, which was a feature of the Old High Court Building, allows fresh airflow into the new courtroom and library in the new building and the No 1 Courtroom and the conference room in the Old High Court Building. Today, the air is heated or cooled as required.

Solar panels provide water heating for the complex. In addition, the glass used provides solar control and thermal insulation, and the bronze screen provides solar shading, glare control and protection. Furthermore native timber used within its construction has come from sustainable sources. Many of the Old High Court Building's materials and decorative features were recycled, or restored and reinstated during its restoration.

Open to public

The public have access to some of the heritage spaces in the old building and both buildings will be used in an educational role, to provide information on New Zealand's legal system and its history, as well as telling the story of the site. To facilitate this role, the Supreme Court complex has been added to the tour programmes that include Parliament Buildings.



Constructing a 21st Century building

Before construction of the new building got underway, an archaeological excavation was carried out. Various artefacts including kete, cut glass wine goblets, clay pipes and shoes and clothing were found, many of which are now on display in the Old High Court Building.

In September 2007 a contract was let to Mainzeal Construction Limited, and construction began. The park site was cleared and 11 pōhutukawa were transplanted to Cog Park, Evans Bay. A total of 31 screwed piles and 27 bored piles were drilled to 20 metres deep before the floor slabs could be laid.

As the building progressed, different challenges arose. The curved shape of the courtroom meant a traditional drawing method could not be applied. Finding ways to precisely manufacture and install the 2,294 panels, which decorate the interior of the courtroom, also needed skill and attention. Computer generated 3D architectural models were used to overcome these concerns.

Using the 3D models, the acoustic engineers could accurately measure the sound and eliminate dead spots and echoes within the courtroom. Their analysis led to a ceiling diffuser, made of many irregular glass panels that help to scatter sound back into the room below, while still allowing daylight to enter.

It also meant changes to the way the timber panels lining the courtroom's walls were manufactured and fitted. Rather than being flush with one another, each panel is tilted at slightly varying angles and some are perforated with acoustic insulation behind them. A surveyor was enlisted to survey the courtroom interior so the panels could be fitted with precision.

In August 2008, the foundation stone was laid to the left-hand side of the main entrance to the new building. On the right-hand side of the same Lambton Quay entrance, is a plaque marking the opening of the building. Another plaque acknowledges Māori occupation of the area before European settlement and this is situated on the corner of Lambton Quay and Ballance Street.



Above: The courtroom's steel framework; wooden panels during installation in the interior; installation of the copper panels on the courtroom exterior. Main photo: Courtroom interior showing the detail of the panelling.





Bronze screen

The exterior bronze screen is eight metres high and has 88 panels, each one made of 17 pieces. Structural design and a technique called continuous casting limited its weight to 90 tonnes.

Made from recycled scrap metal, the screen's manufacture involved expertise across New Zealand. Bronze bars were extruded in Christchurch, then cut and bent in Wellington, before final casting and assembly in Thames. Christchurch artist Neil Dawson provided input in the later design stages, resulting in the addition of red glass to symbolise the flowers and berries of pōhutukawa and rātā.



Above: Installation of the screen; metal rods attach the screen to the building. Main photo: Close up of bronze screen showing the cast glass detail.



Spiral staircase

The spiral staircase links all floors from the basement to the roof. The spiral shape allowed the stair to take up minimal space while providing an interesting architectural feature. The staircase was installed in three completed sections, requiring great precision as each section was lowered into place through an opening in the roof.



Above: Progress photos show the staircase's steel structure. Main photo: Completed staircase.

Preserving our heritage

The restoration of the Old High Court Building saw Wellington's earliest masonry building being carefully strengthened in its foundations, plastered inside and out, timber restored to its original state and paintwork to its original colours.

As restoration began, the building was opened properly for the first time in more than a decade. With light and air entering the building, the lime mortar lining the interior walls dried out and plaster mouldings that were intact one day were found crumbled to dust the next. In addition, makeshift repairs in the 1950s and blocked gutters had contributed to water becoming trapped within the interior of the building, causing significantly more deterioration than original investigations were able to identify.

The fragility of the masonry construction made the job of earthquake protection more complex. A saw specially designed to cause as few vibrations as possible was used to cut the building off at ground level so that

new foundations and base isolators could be introduced to provide seismic protection.

Storage units were filled with the doors, windows, skirting boards and trims that decorated the building inside and out. Each item was assessed for its condition, numbered and catalogued, then restored or replicated before being returned to its original location.

A false ceiling, thought to have been introduced to the No 1 Courtroom to improve acoustics, was found to have a secondary purpose – to stop plaster from the original ceiling dropping into the courtroom below. It was removed and the original ceiling replaced in keeping with the courtroom's heritage features, including the curved gallery and decorative mouldings such as the acorns that hang from the corners of each panel. Skylights that were covered when the slate roof was first replaced have been reinstated. Today they are artificially lit, reproducing the same effect while remaining watertight.

Model-makers recreated the three-dimensional sculpture of the English coat of arms that sits above the main entrance on Stout Street, as well as two-dimensional versions of the same sculpture and crests 1.4 metres in height. These decorative features had long since disappeared after being removed from the building after 1950 – possibly due to concern that they would fall in an earthquake. Without the original pieces to refer to, early photos revealed previously unnoticed details such as the scrolls on either side of the two-dimensional sculptures and the fluting form of the crests. The new pieces are specially made to be lightweight and durable.

Having been completely restored, the Old High Court Building has the functionality of a modern office building while remaining faithful to the original design of architect PFM Burrows.



No.1 Courtroom

The original kauri panelling that lines the No 1 Courtroom and the judges' bench was completely covered to protect it from damage during restoration. Once the major works had been completed, the panels were uncovered and restored to their original condition.



Above: The No 1 Courtroom during refurbishment; restoration of the wood panelling. Main photo: The No 1 Courtroom – its refurbishment complete.



Earthquake strengthening

Segment by segment, the Old High Court Building was cut off its foundations at ground level, the floors removed, and excavated so lead rubber bearings could be installed for earthquake protection. The isolation bearings have a lead core that absorbs the energy from the earthquake, while their rubber exterior cushions the building. The bearings allow the building to move up to 250mm in each direction.



Above: Interior showing building cut off its foundations with fireplace visible; halfway through creating the new foundations – the white box to the left is one of the bearings. Main photo: New foundations completed with the bearings inserted.



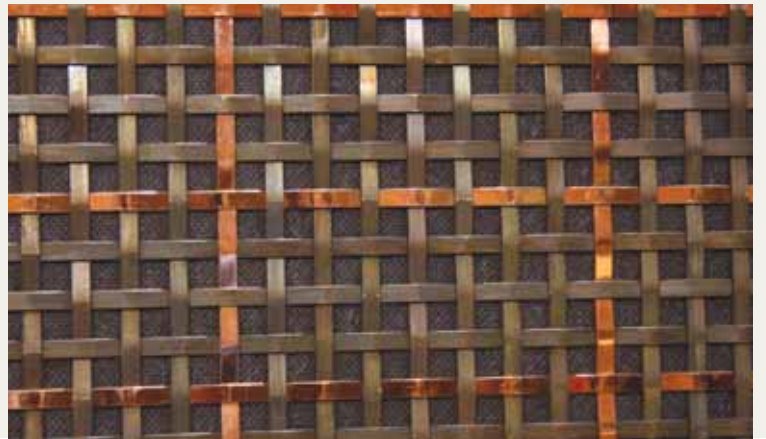
Exterior renovations

The exterior of the Old High Court Building received three coats of plaster. First, decorative mouldings such as the scrolls lining the windows were repaired. Other mouldings were removed and, depending on their condition, recycled or replaced then reattached to the building and plastered.

A Masterclass was held so solid plastering apprentices could learn the traditional art of mouldings and decorative work necessary. During winter, the building was surrounded with a polystyrene screen to create a microclimate so plastering could continue.



Above: Plastering before and after, the building surrounded with the polystyrene screen. Main photo: The Old High Court Building's main entrance on Stout Street.





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19 AITKEN STREET
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