

PUBLIC ACCESS:

The Court of Appeal COVID Protocol was rescinded on 21 August 2023. However, if you are unwell, you are encouraged not to attend Court. If you are required to attend Court, please contact the Registry to discuss alternative arrangements.



DISCLAIMER:

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This List has been published as at Monday 24 June 2024.

However, **this list may change significantly after the date of publication and may not reflect the Court's business on any given date. Therefore, this List is intended as a GUIDE ONLY.**

Enquiries:

Please contact the Court by phone on: **(04) 914 3540** or by email: courtsofappeal@justice.govt.nz between 9am and 5pm on weekdays (excluding public holidays and dates the Court is closed).

Locations:

The Court of Appeal is located at: [54 Molesworth St, Thorndon, Wellington](#). The Court also sits at the following High Courts (however, please note that all documents must be sent to the Court at the above Wellington address):

Auckland High Court (Historic Building) – [24 Waterloo Quadrant, Auckland](#)

Wellington High Court – [2 Molesworth Street, Wellington](#)

Christchurch High Court (Justice Precinct) – [20 Lichfield Street, Christchurch](#)

Dunedin High Court – [1 Stuart Street, Dunedin](#)

Sitting Hours:

The Court typically sits between 10am and 4pm with adjournments *roughly* from 11:30am – 11:45am and 1pm – 2:15pm. There is no afternoon adjournment.

Sitting hours and adjournments may be adjusted as required and may change at short notice.

Lower Court Judgments cited in this list may be found at the following links (if publicly available):

Senior Courts Judgments of Public Interest: <https://www.courtsofnz.govt.nz/judgments/>

District Court of New Zealand: <https://www.districtcourts.govt.nz/>

Judicial Decisions Online: <https://forms.justice.govt.nz/jdo/Search.jsp>

New Zealand Legal Information Institute (NZLII): http://www.nzlii.org/databases.html#nz_cases

Court types:

Full Court – A Court of five Court of Appeal Judges. See [s50 and s51 of the Senior Courts Act 2016](#)

Permanent Court – A Court consisting of three Court of Appeal Judges. See [s48\(1\)\(a\) of the Senior Courts Act 2016](#)

Divisional Court – A Court typically consisting of one Court of Appeal Judge and two High Court Judges. See [s48\(1\)\(c\)](#) and [s52 of the Senior Courts Act 2016](#)

For more information regarding Court types please see: <https://www.courtsofnz.govt.nz/the-courts/court-of-appeal/cases-to-court/>

COURT OF APPEAL FIXTURE LIST – JULY 2024

Session Week: Monday 1 July to Friday 5 July

Date	Permanent Court, Wellington Courtroom 1	Permanent Court, Wellington Courtroom 2
Monday 1 July		
Tuesday 2 July	<p>Court: Courtney J, Goddard J, Collins J</p> <p><u>CA231/2023</u> The Health and Disability Commissioner (M Smith, J I King) v S (N J Russell, N Tetzlaff) Duffy J [2022] NZHC 692 <i>Appeal by Health and Disability Commissioner and cross-appeal by respondent from High Court decision on judicial review application by respondent, which was partly successful.</i></p>	
Wednesday 3 July	<p>Court: Goddard J, Mallon J, Cooke J</p> <p><u>CA125/2023</u> Francisc Catalin Deliu (In Person) v The New Zealand Lawyers and Conveyancers Disciplinary Tribunal & Anor (M J Hodge, K Pludthura) Peters J [2023] NZHC 160 <i>Appeal from High Court decision dismissing application for judicial review of decisions of New Zealand Lawyers and Conveyancers Disciplinary Tribunal.</i></p>	
Thursday 4 July	<p>Court: Courtney J, Mallon J, Hinton J</p> <p><u>CA177/2023</u> The Commissioner, the New Zealand Police (G J Burston, F E Cleary, H M Farquhar, K J Eskildsen) v Masonic Limited & Ors (M Nelson) Cooke J [2023] NZHC 606 <i>Appeal from High Court decision declining to make profit forfeiture orders arising out of tax evasion, and cross-appeal on costs.</i></p> <p>Court: Courtney J, Collins J, Hinton J</p> <p><u>CA475/2023</u> Joel LO (H G De Groot) v The King (M J Lilloco, N J Wynne) Sentence – Life Imprisonment with an MPI of 12 Years Fogarty J</p>	
Friday		

COURT OF APPEAL FIXTURE LIST – JULY 2024

Session Week: Monday 8 July to Friday 12 July

Date	Permanent Court, Wellington Courtroom 1	Permanent Court, Wellington Courtroom 2
Monday 8 July		
Tuesday 9 July	<p>Court: Katz J, Cooke J, Palmer J</p> <p><u>CA149/2023; CA150/2023 & CA151/2023 (to be heard together)</u></p> <p><u>CA149/2023</u> Estate of Eric John Tupai Ruru & Anor (K S Feint KC, R B Drummond) v Attorney-General & Ors (B S Carruthers KC, C Tyson , B R Arapere, B R Lyall, T H Bennion, D C Naden, J P Kahukiwa, J B Watson, R E Lawrie, R Zwaan, E Whiley, C R Linkhorn, W Gucake, H Swedlund, S Yogakumar, H J Fletcher)</p> <p><u>CA150/2023</u> Attorney-General (C Tyson, J B Watson, C R Linkhorn) v Waitangi Tribunal & Ors (K S Feint KC, B S Carruthers KC, B R Arapere, B R Lyall, T H Bennion, D C Naden, J P Kahukiwa, R E Lawrie, H Swedlund, T Haradasa, R Zwaan, S Yogakumar, R B Drummond, H J Fletcher)</p> <p><u>CA151/2023</u> David Thomas Hawea (B S Carruthers KC, D C Naden) v Waitangi Tribunal & Ors (K S Feint KC, B R Arapere, C R Linkhorn, B R Lyall, T H Bennion, J P Kahukiwa, R E Lawrie, C Tyson, H Swedlund, J B Watson, R B Drummond, R Zwaan)</p> <p>Grice J [2023] NZHC 132 <i>Judicial Review. Appeal against a HC judgment in relation to a Waitangi Tribunal decision recommending the resumption of Crown Forest licensed land.</i></p>	

Date	Permanent Court, Wellington Courtroom 1	Permanent Court, Wellington Courtroom 2
Wednesday 10 July	<p>Court: Katz J, Cooke J, Palmer J</p> <p><u>CA149/2023; CA150/2023 & CA151/2023 (to be heard together)</u></p> <p><u>CA149/2023</u> Estate of Eric John Tupai Ruru & Anor (K S Feint KC, R B Drummond) v Attorney-General & Ors (B S Carruthers KC, C Tyson, B R Arapere, B R Lyall, T H Bennion, D C Naden, J P Kahukiwa, J B Watson, R E Lawrie, R Zwaan, E Whiley, C R Linkhorn, W Gucake, H Swedlund, S Yogakumar, H J Fletcher)</p> <p><u>CA150/2023</u> Attorney-General (C Tyson, J B Watson, C R Linkhorn) v Waitangi Tribunal & Ors (K S Feint KC, B S Carruthers KC, B R Arapere, B R Lyall, T H Bennion, D C Naden, J P Kahukiwa, R E Lawrie, H Swedlund, T Haradasa, R Zwaan, S Yogakumar, R B Drummond, H J Fletcher)</p> <p><u>CA151/2023</u> David Thomas Hawea (B S Carruthers KC, D C Naden) v Waitangi Tribunal & Ors (K S Feint KC, B R Arapere, C R Linkhorn, B R Lyall, T H Bennion, J P Kahukiwa, R E Lawrie, C Tyson, H Swedlund, J B Watson, R B Drummond, R Zwaan)</p> <p>Grice J [2023] NZHC 132 <i>Judicial Review. Appeal against a HC judgment in relation to a Waitangi Tribunal decision recommending the resumption of Crown Forest licensed land.</i></p>	<p>Court: Courtney J, Goddard J, Mallon J</p> <p><u>CA87/2023</u> Tony James Sofus Pascoe (In Person) & Anor v Minister of Land Information (R L Roff, K F Gaskell, S Eldridge) Amicus Curiae: S R Gepp Grice J [2022] NZHC 3173 <i>Appeal from High Court determination of preliminary issues relating to taking of land owned by the appellants, under the Public Works Act 1981.</i></p>
Thursday 11 July	<p>Court: Katz J, Cooke J, Palmer J</p> <p><u>CA149/2023; CA150/2023 & CA151/2023 (to be heard together)</u></p> <p><u>CA149/2023</u> Estate of Eric John Tupai Ruru & Anor (K S Feint KC, R B Drummond) v Attorney-General & Ors (B S Carruthers KC, C Tyson, B R Arapere, B R Lyall, T H Bennion, D C Naden, J P Kahukiwa, J B Watson, R E Lawrie, R Zwaan, E Whiley, C R Linkhorn, W Gucake, H Swedlund, S Yogakumar, H J Fletcher)</p> <p><u>CA150/2023</u> Attorney-General (C Tyson, J B Watson, C R Linkhorn) v Waitangi Tribunal & Ors (K S Feint KC, B S Carruthers KC, B R Arapere, B R Lyall, T H Bennion, D C Naden, J P Kahukiwa, R E Lawrie, H Swedlund, T Haradasa, R Zwaan, S Yogakumar, R B Drummond, H J Fletcher)</p> <p><u>CA151/2023</u> David Thomas Hawea (B S Carruthers KC, D C Naden) v Waitangi Tribunal & Ors (K S Feint KC, B R Arapere, C R Linkhorn, B R Lyall, T H Bennion, J P Kahukiwa, R E Lawrie, C Tyson, H Swedlund, J B Watson, R B Drummond, R Zwaan)</p> <p>Grice J [2023] NZHC 132 <i>Judicial Review. Appeal against a HC judgment in relation to a Waitangi Tribunal decision recommending the resumption of Crown Forest licensed land.</i></p>	
Friday		

COURT OF APPEAL FIXTURE LIST – JULY 2024

Session Week: Monday 15 July to Friday 19 July

Date	Permanent Court, Wellington Courtroom 1	Permanent Court, Wellington Courtroom 2
Monday 15 July		
Tuesday 16 July	<p>Court: Courtney J, Ellis J, Palmer J</p> <p><u>CA289/2023</u> The Attorney-General (A B Goosen, H Nel, A M Powell) v Richard Parore (T J Conder , D P Weaver) Gwyn J [2023] NZHC 1010 <i>Appeal from High Court decision awarding compensation for breach of rights under the New Zealand Bill of Rights Act 1990 by the Commissioner of Inland Revenue, in connections with tax proceedings.</i></p>	
Wednesday 17 July	<p>Court: Katz J, Mallon J, Ellis J</p> <p><u>CA175/2023 – 1 day</u> Royal Forest & Bird Protection Society of New Zealand Incorporated (D M Salmon KC, C, A W Mcdonald, M Heard) v Southland District Council & Anor (M G Conway, R J Gordon, H Harwood, K R Walker-Clements, S B Hart) Osborne J [2023] NZHC 399 <i>Judicial Review of decision to permit access to Council land for coal exploration purposes = whether challenge premature because mining would require separate consent process.</i></p>	
Thursday 18 July	<p>Court: Thomas J, Collins J, Hinton J</p> <p><u>CA519/2023 & CA694/2023 (to be heard together)</u></p> <p><u>CA519/2023</u> L (S J Gray) v The King Sentence – 6 years imprisonment Davis DCJ</p> <p><u>CA694/2023</u> W (M J Taylor-Cyphers) v The King Sentence – 3 years imprisonment C Bennett DCJ <i>Application of <u>Dickey v R</u> [2023] NZCA 2 to youth sexual offending</i></p>	
Friday		

COURT OF APPEAL FIXTURE LIST – JULY 2024

Circuit Week: Monday 22 July to Friday 26 July

Date	Divisional Court – Wellington, Courtroom 1 Court: Hinton J, Mander J, Walker J	Divisional Court – Auckland, Courtroom 1 Court: Mallon J, Venning J, Jagose J
Monday 22 July	<p><u>CA647/2023</u> Commissioner of Inland Revenue (E J Norris, R Grierson) v Ravinder Kaur (A B Darroch, M Smol) McQueen J [2023] NZHC 2748 <i>Appeal from High Court decision that overturned a decision of The Taxation Review Authority to strike out the respondents claim.</i></p> <p><u>CA621/2023 & CA103/2024 (to be heard together)</u> <u>CA621/2023</u> New Zealand Police (I S Auld) v Tana Ormsby-Turner (N P Bourke) <u>CA103/2024</u> New Zealand Police (I S Auld) v Tana Ormsby-Turner (N P Bourke) Access to Court Documents Cooke J [2023] NZHC 2678; minute in CRI-2022-043-937 dated 9 February 2024 <i>Appeal from two High Court decisions declining requests by the police for access to documents on the court file.</i></p>	<p><u>CA722/2023</u> Jesse THOMPSON (I A Jayanandan) v The King Conviction – 6 months community detention, 100 hours community work, and 9 months supervision Davidson DCJ</p> <p><u>CA783/2023 & CA785/2023 (to be heard together)</u> <u>CA783/2023</u> Gurinderpal Singh BRAR (D J Dufty) v The King Conviction and Sentence – 13 ½ years imprisonment with an MPI of 9 years <u>CA785/2023</u> Sarveet SIDHU (A G Speed) v The King Sentence – 9 Years 6 Months Imprisonment Woolford J</p> <p><u>CA323/2023</u> Po-Chen CHIEN (P J Kaye) v The King Sentence – 5 years and 2 months imprisonment Yelavich DCJ</p> <p><u>CA780/2023</u> K (R M Mansfield KC) v The King Sentence – 10 years 10 months imprisonment Collins DCJ</p>
Tuesday 23 July	<p><u>CA618/2023</u> Rebecca Elizabeth Lane (D Montepara, M Phillips) v Anne Veronica Goldson and Benjamin James Goldson as executors of the estate of Donald Algernon Gifford (M L Barnes) Downs J [2023] NZHC 2620 <i>Appeal from High Court decision declining an application to appoint a replacement executor of a deceased estate.</i></p> <p><u>CA677/2023</u> G (N P Bourke) v The King Sentence – 15 years imprisonment Greig DCJ</p> <p><u>CA76/2024</u> Tommy WINEERA (A Schulze) v The King Sentence – 7 years imprisonment Ingram DCJ</p> <p><u>CA327/2023</u> The King v Jason Rex Thomas MANEY (M Bott) Sentence – Refusal to Impose Preventive Detention Harvey J</p>	<p><u>CA725/2023</u> Christopher Alan Holmes & Anor (M Pascariu) v Senior Trust Capital Limited (M J Tingey, A Pan, A Harlowe) Lester AJ [2023] NZHC 3108 <i>Appeal from High Court decision entering summary judgment against guarantors.</i></p> <p><u>CA403/2022</u> Ken Marion Santiago ANG (S J Gray) v The King Conviction – 6 years imprisonment Gilbert DCJ</p> <p><u>CA251/2024</u> M (S D Cassidy) v The King Suppression Walker J</p> <p><u>CA258/2024</u> Tahj Mahalia OLDHAM (S D Withers) v The King Sentence – 2 years 7 months’ imprisonment Skellern DCJ</p>

Date	Divisional Court – Wellington, Courtroom 1 Court: Hinton J, Mander J, Walker J	Divisional Court – Auckland, Courtroom 1 Court: Mallon J, Venning J, Jagose J
Wednesday 24 July	<p><u>CA556/2023</u> W (H G de Groot) v The King Conviction – 7 years 4 months imprisonment Mabey DCJ</p> <p><u>CA329/2023</u> H (G H Vear, E E McClay) v The King Conviction and sentence - 3 years imprisonment and \$1000 reparation Jelas, DCJ; Fitzgibbon DCJ</p>	<p><u>CA571/2023</u> Qian Jin & Anor (K H Morrison, T Y Yao) v Lin Luo & Ors (G Kohler KC, A Cook) Harland J [2023] NZHC 2417 <i>Appeal from High Court decision in relation to claims and counterclaims between participants in a property investment joint venture.</i></p>
Thursday 25 July	<p><u>CA761/2023</u> E (T J Jackson) v The King Conviction and sentence - 7 years and 8 months imprisonment Savage DCJ</p> <p><u>CA49/2024</u> Feleti MOIMO (D J Taumihau, G H Vear) v The King Conviction – 9 Months Home Detention Andree Wiltens DCJ</p> <p><u>CA691/2023</u> R (L B Cordwell) v The King Suppression Jagose J</p> <p><u>CA368/2024</u> G (G A Walsh) v The King Suppression Wilkinson-Smith J</p>	<p><u>CA571/2023</u> Qian Jin & Anor (K H Morrison, T Y Yao) v Lin Luo & Ors (G Kohler KC, A Cook) Harland J [2023] NZHC 2417 <i>Appeal from High Court decision in relation to claims and counterclaims between participants in a property investment joint venture.</i></p>
Friday		

COURT OF APPEAL FIXTURE LIST – JULY 2024

Circuit Week: Monday 29 July to Friday 2 August

Date	Divisional Court – Wellington, Courtroom 1 Court: Thomas J, Jagose J, Grice J	Divisional Court – Auckland, Courtroom 2 Court: Courtney J, Mander J, Walker J
<p>Monday 29 July</p>	<p><u>CA732/2023</u> Peter William WALLACE (N P Bourke) v The King Conviction – 2 years and 6 months Hikaka DCJ</p> <p><u>CA102/2024</u> M (N P Bourke) v The King Sentence – 8 years 6 months imprisonment Greig DCJ</p>	<p><u>CA792/2023</u> MT (D S Niven) v The King Sentence and Suppression – 5 years and 10 months imprisonment; permanent name suppression declined Tahana J</p> <p><u>CA617/2023</u> Aaron James HAMIORA (S Norrie) v The King Conviction and Sentence – 7 Years, 5 Months Imprisonment McDonald DCJ</p> <p><u>CA496/2023</u> Michael Roy FILOA (M J Dyhrberg KC, H G De Groot) v The King Conviction and Sentence</p> <p><u>CA52/2024</u> Kimberlee Francis WINITANA (K H Cook) v The King Sentence – 2 years & 6 months imprisonment Ruth DCJ</p>
<p>Tuesday 30 July</p>	<p><u>CA366/2023</u> Cindy Maria Jones & Anor (D R Weatherley, H A Evans) v Laurel Dawn Jones (A M Halloran) Isac J [2023] NZHC 1408 <i>Appeal from High Court decision removing the executors of an estate.</i></p> <p><u>CA645/2023</u> Wellington Combined Taxis Limited (P R Chisnall, G M Richards, P A McBride) v Richard William Roe & Ors (A S Olney, M Cavanaugh, H E Cameron, C M Laband, C E Clayton) Skelton AJ [2023] NZHC 2756 <i>Appeal against High Court order requiring Wellington Combined Taxis Ltd (WCT) to find derivative proceedings in WCT's name against WCT's directors.</i></p>	<p><u>CA731/2023</u> Aumatagi Mose Aumatagi & Ors (O Woodroffe) v Mangere Congregational Church of Jesus Trust Board & Anor (S J Davies, S Mcanally) Becroft J [2023] NZHC 3120 <i>Appeal from High Court judgment striking out claims in relation to decisions made by the Mangere Congregational Church of Jesus Trust Board, including appointment of a minister.</i></p>

Date	Divisional Court – Wellington, Courtroom 1 Court: French J, Jagose J, Grice J	Divisional Court – Auckland, Courtroom 2 Court: Courtney J, Mander J, Walker J
Wednesday 31 July	<p><u>CA502/2023</u> Nicholas NODA (C G Farquhar) v The King Sentence – 4 years 10 months imprisonment Moses DCJ</p> <p><u>CA490/2021</u> Damien Lindsay PAISLEY (R A Harrison) v The King Conviction & Sentence – 6 years imprisonment Phillips DCJ</p>	<p><u>CA320/2022</u> Selulo FAGATO (S Tait, J M Hudson) v The King (M R Davie, Z A Fuhr) Conviction and Sentence – 8 years imprisonment Webby DCJ</p>
Thursday 1 August	<p><u>CA75/2024</u> Wei Xu And Anor (Z Chen) v Xing Meng And Anor (E St John, D Liu) Woolford J [2023] NZHC 1899 <i>Appeal against various orders made by the High Court in respect of residential property sale that did not proceed.</i></p> <p><u>CA782/2023</u> B (R A Harrison) v The King Sentence and Suppression – Reparation - \$6,000.00 / Supervision - 6 Months / Community Detention - 6 Months Zohrab DCJ</p>	<p><u>CA56/2023</u> Anthony Terei PEETI (M W Ryan) v The King Conviction and Sentence – 7 Years, 4 Months Imprisonment Moore J</p> <p><u>CA799/2023</u> Zion Hamuera HOLTZ (E P Priest) v The King Sentence – 7 years 10 months imprisonment Jelaš DCJ</p> <p><u>CA710/2023</u> Christopher WALKER (In Person) v The King Conviction and Sentence – 150 Hours Community Services and 1 Year Intensive Supervision Earwaker DCJ</p> <p><u>CA24/2024</u> Javarn KOMENE (S J Gray) v The King Sentence – 7 years and 6 months Sharp D DCJ, Jelaš DCJ</p>
Friday		