

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The Court of Appeal COVID Protocol was rescinded on 21 August 2023.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 Friday 24 January 2025.

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://www.justice.govt.nz/courts/decisions/jdo/>

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/how-cases-are-heard/>

COURT OF APPEAL FIXTURE LIST – FEBRUARY 2025

Session Week: Monday 3 February to Friday 7 February

Date	Permanent Court, Wellington Courtroom 1	Permanent Court, Wellington Courtroom 2
Monday 3 February <i>(Nelson Anniversary Day)</i>		
Tuesday 4 February	Court: Mallon J, Thomas J, Woolford J <u>CA622/2023</u> New Health New Zealand Inc (L M Hansen, L Maxwell) v Minister for COVID 19 Response And Anor Cooke J [2023] NZHC 2647 <i>Appeal from High Court decision dismissing challenge to facemask requirements in the context of the COVID-19 response.</i>	
Wednesday 5 February	Court: Mallon J, Thomas J, Woolford J <u>CA622/2023</u> New Health New Zealand Inc (L M Hansen, L Maxwell) v Minister for COVID 19 Response And Anor Cooke J [2023] NZHC 2647 <i>Appeal from High Court decision dismissing challenge to facemask requirements in the context of the COVID-19 response.</i>	
Thursday 6 February	<u>WAITANGI DAY</u>	<u>WAITANGI DAY</u>
Friday		

COURT OF APPEAL FIXTURE LIST – FEBRUARY 2025

Session Week: Monday 10 February to Friday 14 February

Date	Permanent Court, Wellington Courtroom 1	Permanent Court, Wellington Courtroom 2
Monday 10 February		
Tuesday 11 February	<p>Court: Mallon J, Campbell J, Collins J</p> <p><u>CA555/2023 & CA442/2024 (to be heard together)</u></p> <p><u>CA555/2023</u> PBL Solutions Limited (J S Cooper KC, T J Lindsay, C D Brownlee) v AFT Pharmaceuticals Limited & Ors (A S Ross KC, M C Smith)</p> <p><u>CA442/2024</u> PBL Solutions Limited (J S Cooper KC, T J Lindsay) v AFT Pharmaceuticals Limited & Ors (A S Ross KC, M C Smith) Fitzgerald J [2023] NZHC 2351; [2024] NZHC 1511 <i>Appeal from parts of a High Court judgment determining claims for breach of fiduciary duty and determining the terms on which an account of profits should be taken.</i></p>	
Wednesday 12 February	<p>Court: Cooke J, Hinton J, Woolford J</p> <p><u>CA624/2023</u> Peter Jonathon Blight (A D March, T J Sissons) v Mathew Robert Colville And Anor (A R B Barker KC, P R Casey, H P Short) Mander J [2023] NZHC 2659 <i>Appeal from High Court decision awarding damages for breach of restraint of trade covenant and for inducing that breach of contract.</i></p>	
Thursday 13 February	<p>Court: Mallon J, Palmer J, Campbell J</p> <p><u>CA597/2023</u> Georgina Kain, George Charles Kain, George Harry Couper Kain and George Michael Kain (D R Bigio KC, J N Burton) v Public Trust And Anor (A R Galbraith KC, G Mander, A V Foote) Mander J [2023] NZHC 2535 <i>Appeal from High Court decision declining to require trustee to disclose information relating to the trust.</i></p> <p><u>CA837/2024</u> J (I M Brookie) v The King Suppression D J Sharp</p>	<p>Court: Katz J, Ellis J, Collins J</p> <p><u>CA423/2023</u> Attorney-General (A M Powell) v Lance David Morrison And Anor (In Person) Counsel to Assist the Court: A S Butler KC McQueen J [2023] NZHC 1654 <i>Appeal from High Court judgment granting relief, including damages, for breach of fair trial rights under NZBORA.</i></p>
Friday		

COURT OF APPEAL FIXTURE LIST – FEBRUARY 2025

Circuit Week: Monday 17 February to Friday 21 February

Date	Divisional Court – Wellington, Courtroom 1 Court: Palmer J, Edwards J, Powell J	Divisional Court – Auckland, Courtroom 2 Court: Katz J, Peters J, Grice J
<p>Monday 17 February</p>	<p><u>CA534/2023 & CA539/2023 (to be heard together)</u> <u>CA534/2023</u> Yuhong (Catherine) Gao (A W Johnson, O Collette-Moxon) v Karen Kayan Li And Ors (A M E Parlane, N J Scampion) <u>CA539/2023</u> Lam Yeung (N J Scampion) v Karen Kayan Li And Ors (A M E Parlane, A W Johnson, O Collette-Moxon) Fitzgerald J [2023] NZHC 1373 <i>Appeal from High Court decision granting leave to bring representative proceedings against the appellants.</i></p>	<p><u>CA334/2024</u> Brendan Kent DAY (N P Chisnall KC) v The King Conviction – 5 years, 11 months' imprisonment Lance DCJ</p> <p><u>CA661/2024</u> A (E P Priest, R L Brown) v The King Suppression: Refusal of takedown orders & Jurisdiction Cull J</p> <p><u>CA703/2024</u> W (H G De Groot) v The King Pre-trial ruling Radich DCJ</p> <p><u>CA454/2024 & CA455/2024 (to be heard together)</u> <u>CA454/2024</u> Peter Malcolm Fuller (In Person) v Sonny Patel (No Appearance) Moore J [2024] NZHC 1866 <u>CA455/2024</u> Peter Malcolm Fuller (In Person) v Grant Fraser (No Appearance) Becroft J <i>Appeals against High Court decision striking out a proceeding as an abuse of process of the Court.</i></p> <p><u>CA518/2024</u> Razdan Rafiq (In Person) v Secretary for Internal Affairs and Chief Executive for Department of Internal Affairs & Anor (No Appearance) Tahana J [2024] NZHC 2043 <i>Appeal from High Court decision striking out proceeding as an abuse of process.</i></p>

Date	Divisional Court – Wellington, Courtroom 1 Court: Palmer J, Edwards J, Powell J	Divisional Court – Auckland, Courtroom 2 Court: Katz J, Peters J, Grice J
<p>Tuesday 18 February</p>	<p><u>CA170/2024</u> L (In Person) v Y (No appearance) Cull J [2024] NZHC 274 <i>Appeal from High Court decision declining to extend time to appeal against Family Court decision.</i></p> <p><u>CA775/2023</u> N (K H Cook) v The King Conviction and Sentence – 3 years 4 months 28 days imprisonment Wharepouri DCJ</p> <p><u>CA53/2024</u> Marthinus Lucas DU PLESSIS (M J Phelps) v The King Conviction and Sentence – 18 years imprisonment with MPI of 7 years 2 months Mackintosh DCJ</p> <p><u>CA501/5024</u> Felipe MONTROYA-OSPINA (A M Williams, E Huda) v The King Sentence – 14 years and 7 months' imprisonment Osborne J</p>	<p><u>CA150/2024 & CA172/2024 (to be heard separately but sequentially)</u> <u>CA150/2024</u> Liyun Chen & Ors (B Han, M J Tingey) v Goodmore Investments (New Zealand) Limited (S C Gollin, H Jacques) Taylor AJ [2024] NZHC 139</p> <p><u>CA172/2024</u> Liyun Chen & Anor (B Han) v Tawa Trade Finance Limited (D J Chisholm KC, C Pendleton, M J Robinson, L Demattos) Taylor AJ [2024] NZHC 410 <i>Appeal from High Court decision granting summary judgment for defendant lender in respect of plaintiff borrowers' claims, and entering summary judgment on counterclaim for debt.</i></p> <p><u>CA364/2024</u> Aaron Aromoana TE WHATA (E P Priest, P Wilks) v CHIEF EXECUTIVE DEPARTMENT OF CORRECTIONS Extended Supervision Order - 5 years Extended Supervision Brewer J</p> <p><u>CA745/2024 & CA753/2024 (to be heard together)</u> <u>CA745/2024</u> S (B J Meyer) v The King (B D Tantrum)</p> <p><u>CA753/2024</u> T (J M Hudson) v The King (B D Tantrum) Sentence Wilkinson-Smith J</p>
<p>Wednesday 19 February</p>	<p><u>CA508/2024</u> G (D J Allan) v The King Conviction and Sentence – 6 years and 9 months imprisonment Clark DCJ</p> <p><u>CA833/2024</u> T (In Person) v Chief Executive of Oranga Tamariki Habeas Corpus Boldt J</p> <p><u>CA438/2024</u> N (E Huda) v The King Conviction and sentence – 2 years 3 months imprisonment Zohrab DCJ</p> <p><u>CA21/2023</u> Lindsay Duncan MOORE (K H Cook, E Huda) v The King Conviction and sentence – 14 years 8 months imprisonment Ruth DCJ</p>	<p><u>CA382/2024 & CA372/2024 (to be heard together)</u> <u>CA382/2024</u> Mananbir SINGH (R M Mansfield KC, S I Mills, H R Smith, R M Hurliman) v The King Conviction and Sentence – 5 years imprisonment</p> <p><u>CA372/2024</u> Navneet SINGH (M E Goodwin) v The King Conviction Downs J</p> <p><u>CA320/2024</u> Tsehai JOHNS (J P Scott) v The King Conviction – 3 years imprisonment Tomlinson DCJ</p> <p><u>CA727/2023 & CA198/2024 (to be heard together)</u> Natalie Christine Robinson (J S Cooper KC, E J H Morrison, J Y Leenoh) v Shane Michael Beaman And Ors (E Telle, A R Gilchrist) Woolford J [2023] NZHC 3087 <i>Appeal from High Court costs decision dismissing an application for validation of email communications as a valid will.</i></p>

Date	Divisional Court – Wellington, Courtroom 1 Court: Palmer J, Edwards J, Powell J	Divisional Court – Auckland, Courtroom 2 Court: Katz J, Peters J, Grice J
Thursday 20 February	<p><u>CA371/2022</u> Pierre Rewi ANGLEM (V C Nisbet) v The King Conviction and sentence – 12 years imprisonment Turner DCJ</p> <p><u>CA451/2024</u> Elijah DAVERON (S Gill) v The King Conviction and sentence – 9 years 4 months imprisonment Grice J</p> <p><u>CA480/2024</u> The King v R (K J Basire, J D Lucas) Pre-trial ruling – Refusal of Application for Joinder Farish DCJ</p>	<p><u>CA97/2024</u> Isaiah NATANA (P K Hamlin) v The King Conviction and sentence – Life imprisonment with an MPI of 12 years Ellis J</p> <p><u>CA196/2020</u> S (C S Cull KC) v The King Conviction and sentence - 15 years imprisonment with a MPI of 7 years and 6 months Gibson DCJ</p> <p><u>CA702/2024</u> B (E P Priest) v The King Application for leave to appeal Pre-trial ruling Jagose J</p>
Friday		

COURT OF APPEAL FIXTURE LIST – FEBRUARY 2025

Circuit Week: Monday 24 February to Friday 28 February

Date	Divisional Court – Wellington, Courtroom 1 Court: French P, Campbell J, Peters J	Divisional Court – Auckland, Courtroom 2 Court: Hinton J, Mander J, Edwards J
Monday 24 February	<p><u>CA360/2024</u> Daniel Richard RIGBY (S I Robinson) v The King Conviction – 5 years 3 months imprisonment Collins DCJ</p> <p><u>CA672/2024</u> H (W D Mckean) v The King Pre-trial ruling – Severance Tomlinson DCJ</p> <p><u>CA436/2024</u> David John Rawiri BODY (G A Walsh) v The King Sentence – 7 years 11 months imprisonment Snell DCJ</p> <p><u>CA731/2024</u> R (R M Mansfield KC, B R Smith) v The King Suppression La Hood J</p>	<p><u>CA288/2024</u> Lynette Jocelyn Gibson (E Telle) v Simon Redding Makgill & Anor (H L Hui, S Moore, A C Challis, N Devery) Campbell J [2024] NZHC 781 <i>Appeal from High Court decision declining an extension of time to bring proceedings under the Family protection Act 1955.</i></p> <p><u>CA783/2023</u> Gurinderpal Singh BRAR (T M Cooper KC) v The King Conviction and sentence – 13 years 6 months imprisonment with an MPI of 9 years Woolford J</p>
Tuesday 25 February	<p><u>CA570/2024</u> Losi SAMUELU (L C Ord, E T Blincoe) v The King Conviction and Sentence – 4 years imprisonment Mika DCJ</p> <p><u>CA603/2024</u> Gabriel Vince Capuyan APOLONIO (P N Allan) v The King Sentence – 6 years imprisonment Savage DCJ</p> <p><u>CA759/2024</u> S (B Dawkins) v The King (M J R Blaschke) Sentence – 2 years 1 month imprisonment and reparation of \$10,000 Harvey DCJ</p>	<p><u>CA449/2023</u> W (J N Olsen) v The King Conviction and Sentence – 12 years 6 months imprisonment Bidois DCJ</p> <p><u>CA801/2023</u> William Desmond TE KAHIKA (P L Borich KC) v The King Conviction and Sentence – 200 hours of community work and a \$14,000 fine Davenport DCJ</p> <p><u>CA497/2024</u> Zechariah Beresford MILES (D P Jones KC, D J Dufty) v The King Sentence – 7 years imprisonment Gibson DCJ</p>

Date	Divisional Court – Wellington <u>High Court</u> , Courtroom 1 Court: Campbell J, Peters J, Powell J	Divisional Court – Auckland, Courtroom 2 Court: Hinton J, Mander J, Edwards J
Wednesday 26 February	<p><u>CA370/2022</u> Onesimo TYRELL (G H Vear) v The King (J M Pridgeon) Conviction and Sentence – 12 years imprisonment Cooper DCJ</p>	<p><u>CA507/2024</u> N (J M Grainger) v The King Conviction – 10 years imprisonment Spear DCJ</p> <p><u>CA589/2024</u> Kimela PIUKANA (P K Hamlin) v The King Conviction & Sentence – 7 months Home Detention Wilkinson-Smith J</p> <p><u>CA800/2024</u> J (M E Goodwin) v The King Bail Andrew J</p> <p><u>CA732/2024</u> F (S L McColgan) v The King Bail Moore J</p>
Thursday 27 February	<p><u>CA352/2024</u> Andrew Phillip MacDonald and Kathryn Giselle Enocino MacDonald as Trustees of the Maka Trust (M J Logan) v Phillip MacDonald (M J Radich) Gendall J [2023] NZHC 2255 <i>Appeal from High Court judgment declining to grant summary judgment on a claim under a Deed of Acknowledgement of indebtedness.</i></p> <p><u>CA546/2024</u> Steven Adam HOOPER (X Wang) v The King Conviction – 6 Months' Home Detention Lawson DCJ</p> <p><u>CA145/2024</u> Tania BOULGER (T Singh) v The King Sentence – 6 Months Community Detention and 1 Year Intensive Supervision McNaughton DCJ</p>	<p><u>CA292/2024</u> Manuka Doctor Limited (G F Arthur KC, J Oliver-Hood, J Scragg, P J Gerard) v Rory Hill (M C Sumpter) Radich J [2024] NZHC 766 <i>Appeal from High Court decision dismissing appeal against decision of Assistant Commissioner of Trade Marks allowing registration of a mark.</i></p> <p><u>CA554/2024</u> John Sione MOALA (A C Cresswell, M T Dempsey) v The King Conviction – Nine and a half months imprisonment Cathcart DCJ</p> <p><u>CA721/2024</u> S (M R Ridgley) v The King Sentence – 12 years' imprisonment Rzepecky DCJ</p>
Friday		