



New Zealand House of Representatives
Te Whare Māngai o Aotearoa

Justice Committee

Komiti Whiriwhiri Take Ture

54th Parliament

December 2024

**District Court (District Court Judges)
Amendment Bill**

78—1

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District Court (District Court Judges) Amendment Bill

Recommendation

The Justice Committee has examined the District Court (District Court Judges) Amendment Bill and recommends that the bill proceed without amendment.

Introduction

The District Court (District Court Judges) Amendment Bill seeks to amend the District Court Act 2016. The bill would increase by one the maximum number of District Court judges that can be appointed at any time, from 182 full-time equivalents (FTE) to 183 FTE. The increase in the statutory maximum would support expected increases in the demands made on court resources and the judiciary.

Issues focused on in submissions

Most submitters commented that it was costly and inefficient for Parliament to increase the number of judges by amending primary legislation. Submitters suggested that Parliament should delegate authority to set the maximum number of District Court judges. Submitters also recommended setting the maximum number of judges higher than the 183 FTE proposed by the bill. We understand that increasing the maximum number of judges has long-term financial implications. We consider that a judicial cap that sets the maximum number of judges in primary legislation provides a degree of parliamentary control over total spending on judges.

Some submitters suggested that the maximum number of District Court judges should be linked to the amount of crime, or to court backlogs. We note that it would be difficult to forecast the possible effects of recent changes in the justice system. However, we consider that one additional judge would be sufficient to account for recent policy changes affecting the courts. We understand that the Ministry of Justice monitors court timeliness and will continue to monitor this after implementation of the changes.

Appendix

Committee procedure

The District Court (District Court Judges) Amendment Bill was referred to this committee on 24 September 2024. We called for submissions with a closing date of 29 October 2024. We received and considered submissions from seven interested individuals. We heard oral evidence from one submitter.

We received advice on the bill from the Ministry of Justice. The Office of the Clerk provided advice on the bill's legislative quality. The Parliamentary Counsel Office was available to assist with legal drafting.

Committee members

James Meager (Chairperson)
Hon Ginny Andersen
Jamie Arbuckle
Cameron Brewer
Tākuta Ferris
Paulo Garcia
Dr Tracey McLellan
Rima Nakhle
Tamatha Paul
Todd Stephenson
Hon Dr Duncan Webb

Related resources

The documents that we received as advice and evidence are available on [the Parliament website](#).